The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. KELLY of Illinois).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC, February 26, 2019.

I hereby appoint the Honorable ROBIN L. KELLY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

VA MEDICAL CENTERS

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

Mr. BOST. Madam Speaker, I have run a small business, and I know that any organization needs long-term certainty. No organization can successfully operate under a revolving door of short-term leaders, especially not one tasked with caring for America’s heroes. Unfortunately, this is what is happening at our Nation’s VA centers. Almost 20 VA medical centers, nationwide, currently lack a permanent director. Some of these facilities have not been staffed by a permanent director in almost 2 years. Instead, these facilities are managed by short-term directors who stay on the job for just a few months. There is just not a lot you can do in a few months. It is not nearly long enough to review operations, recommend improvements, and see these reforms brought through to an end. That is why I introduced bipartisan legislation with Mr. Costa from California that put an end to this revolving door. Our bill pushes the VA to hire permanent directors at all VA medical centers—no more interim directors.

We all want a VA system that can complete its mission to care for those who shall have borne the battle. Having consistent leadership is the least we can do for our Nation’s heroes.

This week, the House Democrats will bring a bill to the floor that will restrict your freedoms and do little to reduce gun violence.

As a father and a grandfather, I want to reduce gun violence as much as anyone, but we have to be smart. We can’t get roped into scoring political points. That is why I worked with my colleagues on both sides of the aisle last year on a measure which is now law to increase security for our kids in the schools. But the gun control bill being considered this week makes it harder for law-abiding citizens to defend themselves and others against criminals who have guns.

We need to enforce the laws already on the books, not limit the rights of law-abiding citizens who want to protect their families.

EMERGENCY DECLARATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. MALINOWSKI) for 5 minutes.

Mr. MALINOWSKI. Madam Speaker, I rise to urge that we come together today to defend the Constitution of the United States by repudiating President Trump’s emergency declaration of February 15.

Few provisions of the Constitution are more plain than Article I, Section 9, Clause 7: “No money shall be drawn from the Treasury, but in consequence of appropriations made by law.”

The President has immense powers, but he cannot spend money unless we, the people’s Representatives in Congress, have agreed that he can.

Now, there might be extraordinary circumstances when a President could violate that principle, when all of us would agree that he must act but there is no time to ask Congress for funds; a military invasion or a massive natural disaster, for example. The National Emergencies Act provides for that.

But if the situation on the southern border were that kind of emergency, then the President hasn’t been acting like it. For 2 years, when his party controlled the House and Senate, he never asked us for money to build a wall, and if we truly faced that kind of imminent threat, a wall would not even be an emergency measure given how long it would take to build.

The critical point is this: When the President finally got around to asking us for money, we deliberated on his request, and we said no. You may believe we were right or you may believe we were wrong, but that is what the elected Representatives of the American people decided.

So the question before us today is not how do we secure the border; it is whether this President or any President can use emergency powers to defy the Congress when he disagrees with a
Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to discuss the issue that is facing Americans across the Nation: the opioid crisis.

The 2018 National Drug Threat Assessment, a comprehensive guide published by the Drug Enforcement Administration, notes that illegal drug use continues to rise. It cites Mexican transnational criminal organizations as America’s greatest enemy in the war against drugs. While these criminal organizations are bringing drugs, they do not violate our Constitution or our southern border. I am particularly worried about their role in spreading the opioid crisis.

Thousands of pounds of opioids are smuggled across our southern border every year. Just last year, the DEA seized more than 17,000 pounds of heroin in the United States. About 39 percent of this was seized at the southern border.

Another opioid that has devastated communities across America is fentanyl. As we started to understand the scope of the opioid crisis facing our Nation, the CDC says doctors started prescribing less and less pharmaceutical fentanyl. But fentanyl overdoses continued to rise, steadily as prescription rates dropped, meaning that illicitly manufactured fentanyl is one of the main drivers of the opioid crisis.

Illicit fentanyl is a synthetic opioid that is produced in China and Mexico. It is either smuggled in from the United States through the mail from China or across our southern border from Mexico. In 2017, Customs and Border Patrol agents seized nearly 1,500 pounds of fentanyl at the border. Considering fentanyl is 50 to 100 times more potent than morphine, last year’s seizures accounted for millions of potential overdoses and deaths.

But it is easy to discuss the amount of illegal drugs that have been seized at the border. It is not easy to discuss the need for change. The hardest part is discussing the human toll that this crisis has taken.

Madam Speaker, last year more Americans died of a drug overdose than in any other recorded year. In 2017, overdoses killed more than 70,000 Americans, and more than 28,000 of these deaths were related to synthetic opioids such as fentanyl.

Our country is facing a crisis, and action is necessary. That is why I was proud to stand with President Trump and support H.J. Res. 31. This appropriation bill included provisions that are vital to my congressional district and that will bring the fight against opioids to the front lines: the southern border.

Although I was disappointed that my Democratic colleagues didn’t include more to combat this crisis, I was pleased that it included funding for 55 miles of wall on the southern border. Walls work, and we need to continue the construction of this wall. This is why President Trump’s national emergency declaration is necessary.

But, Madam Speaker, tomorrow House Democrats will bring up a measure to block President Trump’s emergency declaration, H.J. Res. 46. They say the wall is immoral. They say it is cruel. I say we need decisive action to fight the opioid crisis, and this is the first step in the right direction.

Since President Carter, there have been 31 national emergencies declared. President Clinton declared 6, and President Obama declared 10 that are still in place. All 31 national emergencies required every president since they took office to secure our country and take action against a threat that killed 70,000 Americans in 2017 alone.

Madam Speaker, I urge my colleagues to vote “no” on H.J. Res. 46. Support our President and save American lives.

EMERGENCY DECLARATION

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

Mr. ARRINGTON. Madam Speaker, I rise in strong opposition to the declaration of national emergency by the President. Madam Speaker, I urge my colleagues to vote “no” on H.J. Res. 46. Support our President and save American lives.

THE NATIONAL EMERGENCY ON OUR SOUTHERN BORDER

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

Madam Speaker, unfortunately, as the American people and, especially, the citizens of the great State of Texas know far too well, the Federal Government has abdicated its most important responsibility and has been derelict in its constitutional duty to defend our borders and provide for our defense.

For too long, politicians have pontificated and they have postured that they would stop illegal immigration and that they would secure the border, but the fact is they haven’t. Anyone who has been to the border or worked along the border or lives along the border knows that this is a crisis. This is a national emergency.

We know that, just last month, apprehensions at the southern border spiked 84 percent compared to the same time last year, with 120,000 apprehensions in the last 2 months alone. Homeland Security personnel spent 26,000 man-hours to render basic medical services to the American people who were coming across the border.

New migrant caravans continue to form and march toward our cities.
along the border where our Border Patrol agents are already overwhelmed with migrants from other caravans.

And in the first caravan of 8,000 people that forced their way into Mexico—they forced their way into Mexico—where they should have stopped as the first safe country when they were applying for asylum, we know that 600 of that first caravan of 8,000 were known criminals.

Additionally, because of our porous borders, drugs continue to flood into our country, poison our communities, and destroy our families.

Just last year 70,000 people died from drug overdoses in this country. Ninety percent of those drugs are coming from across the southern border. If that is not an emergency, I don’t know what is.

No one is on the front lines of this fight more than the State of Texas. Since 2011, 186,000 illegal aliens have been charged with more than 290,000 crimes in Texas alone.

When you combine the total cost of illegal immigration from healthcare services and incarceration, it is over $12 billion for the State of Texas. It is over $150 billion for the United States.

We are $22 trillion in debt. We will have two of our biggest safety-net programs—Medicare and Social Security, and much-needed space will be secured by adding extra courtrooms, more security, and more needed space will be enjoyed by generations to come.

Again, President Trump is doing the right thing. He is doing the responsible thing. He is doing the constitutionally necessary thing. And I am behind him 100 percent.

RECOGNIZING THE LEGACY OF MATHEW HALL LUMBER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota, Mr. EMMER.

Mr. EMMER. Madam Speaker, I rise today to recognize the legacy of Mathew Hall Lumber, which has been operating in downtown St. Cloud, Minnesota, for 130 years.

Mathew Hall Lumber has been a fixture in the community and a backbone of the local economy.

Maintaining a business is not an easy task. It involves blood, sweat, and tears in the test of time. However, with that comes joy and fulfillment, something that generation after generation of the Hall family knows all about.

One of the reasons why St. Cloud and the great State of Minnesota are so incredible is because of hardworking people like the Hall family. By maintaining their business in St. Cloud, they brought commerce, jobs, and a great product to our community.

As Simmon Lumber purchases this historic company and the Hall family transitions into a new chapter, I speak for all of central Minnesota when I say thank you to the Hall family for your great contribution to our State and our community.

HONORING STEVE TAYLOR, A GREAT MINNESOTA PUBLIC SERVANT

Mr. EMMER. Madam Speaker, today I rise today to honor Stearns County Administrator Steve Taylor.

As Steve prepares to retire from his 30-year career, he leaves with the reputation for providing the highest level of customer service.

During his time with Sherburne County and Carver County before that, Steve has served Minnesota’s Sixth District with distinction.

As a fellow public servant, I commend Steve for committing his life’s work to serving others. His dedication and leadership will be hard to replace.

The employees who had the pleasure of working with and learning from Steve will keep the good work going, but, certainly, his dependable presence will be missed.

His efforts toward expanding Sherburne County’s government center by adding extra courtrooms, more security, and much-needed space will be enjoyed by generations to come.

Thank you, Steve, and congratulations on an amazing career in public service. I wish you a long and happy retirement.

HONORING THE LEGACY OF STEVE GILMER

Mr. EMMER. Madam Speaker, I rise today in honor of Steve Gilmer, who has retired after serving 45 years as the CEO of the State Bank of Delano, Minnesota.

Steve retired leaving an incredible legacy. He cultivated a family out of his employees and built an environment based on humor, trust, and excellence, inspiring all those around him to be the best they could possibly be.

As a resident of Delano, I can say from experience that Steve led by example, and took the time to know and care for the customers who walked through the door of his bank.

Most in the community knew Steve through his role as a volunteer, the treasurer of the Fourth of July Celebration Committee for over 40 years.

Delano is home to Minnesota’s largest Fourth of July parade, and Steve’s service to that committee displayed his dedication to our community.

Thank you for all you have done for the Delano community, Steve. Enjoy your retirement with your family and friends. You deserve it.

CONGRATULATING THE MINNESOTA CENTRAL REGION SMALL BUSINESS DEVELOPMENT CENTER

Mr. EMMER. Madam Speaker, I rise today to celebrate the Minnesota Central Region Small Business Development Center for being named the Minnesota Small Business Development Center of Excellence.

Located at St. Cloud State University, the Central Small Business Development Center provides free consulting services and assistance to those starting a small business.

The center serves the majority of my district, counties such as Benton, Sherburne, Stearns, and Wright. My constituents have benefited greatly from the services provided and the numerous business workshops focusing on educating local businesses and entrepreneurs on how to improve their new business.

Special recognition goes to the current director, Barry Kirchoff, who came to the center in 2006 with an extensive background in business and economic development.

Today, their success continues because of Barry’s commitment to helping address the needs of the local small business community. His hard work is evident.

Congratulations and thank you to Barry and the staff of the Minnesota Central Region Small Business Development Center. Central Minnesota is lucky to have you.

RECOGNIZING THE ACHIEVEMENTS OF THE WACONIA HERO COALITION

Mr. EMMER. Madam Speaker, I rise today to recognize the achievements of the Waconia HERO Coalition, “HERO” stands for their mission, which is to Help, Empower, and Respect Others.”

This community task force based in the Waconia community is working to expand Sherburne County’s government center by adding extra courtrooms, more security, and much-needed space will be enjoyed by generations to come.

Thank you, Steve, and congratulations on an amazing career in public service. I wish you a long and happy retirement.

HONORING THE LEGACY OF STEVE GILMER

Mr. EMMER. Madam Speaker, I rise today in honor of Steve Gilmer, who
saying I was wrong when I said that you don’t have to be so kind when you are talking persons into your care, custody, and control and you are part of the constabulary, you are part of the policing force in this country. Just say you were wrong if you want to atone. Signing bills won’t do it. Going to church won’t do it.

Asking forgiveness will cause you to be forgiven. And I will forgive you, but that doesn’t mean that you are no longer going to be sanctioned for your bigotry.

I want to thank those who have stood and made their points clear as it relates to bigotry.

I am listening to these morning programs now. They are all talking about bigotry emanating from the Presidency, not necessarily in those words. They are talking about the racism that the President perpetrates.

I appreciate what they are saying, but we have got to do more than talk about it. We cannot allow a President to remain in office who has engaged in this kind of bigoted conduct.

It is time for us to take a stand here on the floor of the House of Representatives.

There were no fine people in Charlottesville. You ought not separate babies from their mothers. You ought not separate babies from their mothers. You ought not have policies that would condone bigotry and encourage others to engage in it.

I believe that we have a duty to take a vote and at some point in the near future we will take another vote, notwithstanding the Mueller report.

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

RECOGNIZING THE 20TH ANNIVERSARY OF WELCOMING THE STRANGER

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

Mr. FITZPATRICK. Madam Speaker, I rise today to recognize a nonprofit organization in Bucks County, Pennsylvania, who were recently recognized for their environmental stewardship.

One of the most successful programs that the organization has implemented is its volunteer cleanup efforts on the second Saturday of the months of May through November. During these Saturdays, dedicated volunteers pick up trash, maintain trails, and repair infrastructure in the 285-acre preserve.

Madam Speaker, Friends of Five Mile Woods helps provide amazing nature experiences and educational opportunities for our community in Bucks County. I congratulate them on this award and applaud the work of John Lloyd, chairman of the organization, and the Lower Makefield Board of Supervisors.

WILDERNESS CONSERVATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. GRAVES) for 5 minutes.
Mr. GRAVES of Louisiana, Madam Speaker, I rise to discuss concerns with S. 47, legislation we will soon be voting on in the House of Representatives.

Madam Speaker, S. 47 has some positive things in it. The legislation provides for expanded recreational opportunities, expanded opportunities to hunt and fish on our public lands, and a lot of things that I very much support.

Madam Speaker, the bill has some pretty profound flaws, one of which is the process. This is a 700-page bill—a 700-page bill—that has been held at the desk. It has not gone through the regular committee process.

This isn’t some small bill. People have been exposed to it. This is 700 pages of text, and it has not gone through the regular legislative process and, in fact, is being put up under suspension of the rules, where we are not even being provided the opportunity to offer amendments or to represent our constituents, other than voting “yes” or “no.”

Madam Speaker, I want to throw out some statistics on what this bill does and the implications. It provides 1.3 million acres of land being designated as wilderness areas—1.3 million acres; 694 acres added to national and historic monument designations; 370,000 acres of mineral withdrawals; national monument designations of 2,500 acres; 621 miles of wild and scenic rivers; 2,600 miles added to the national trail system; and 42,000 acres added to national parks.

Now, Madam Speaker, I used to teach outdoor wilderness courses. I have spent hundreds, maybe even thousands of nights of my life in the outdoors, sleeping out in the wilderness areas, national parks, and national forests and others. I love these areas. I enjoy them.

I am not saying that these things shouldn’t happen. I am saying that we need to have the ability to go through regular order, just like the Senate did this week when they had the ability to offer amendments to this bill. We are not being afforded that same opportunity.

Madam Speaker, my biggest problem or concern with this legislation is this: The bill permanently reauthorizes the Land and Water Conservation Fund, which, I will say it again: I support the acquisition of lands, the protection of lands, so we can enjoy the ecological productivity and enjoy time in the great outdoors. However, the bill does not address the fact that we have a $17 billion backlog in national park maintenance—$17 billion. So we are acquiring more land without a plan for addressing the existing backlog maintenance. We actually prohibit or prevent people from enjoying some of these same lands that are being acquired.

We are talking about the Land and Water Conservation Fund, and a $17 billion in funds over the next 10 years being deposited into a Treasury receipt account to acquire more land. Guess where this money is coming from, Madam Speaker. A hundred percent of these funds is coming from the State that I represent and the other five States that produce offshore energy. Every penny of it is coming from the State of Louisiana, which produces perhaps over 80 percent of all the offshore energy of our Nation in Federal waters. It is paying for this fund.

At the same time, we have lost 2,000 square miles—2,000 square miles—of our coast. Guess how much of this bill addresses the problem there? With 2,000 square miles of our coast disappearing, the ecological productivity being lost, the increased vulnerability to the people that I represent, zero, nothing. This bill diverts money for conservation and for protection in other States in other areas and does nothing for my home State of Louisiana, yet it is coming from our revenues that we are producing in our offshore.

This is a flawed process. This is a flawed bill. We need to go through regular order.

I really can’t even believe that this is happening. Here we have dozens of hearings on climate change and other things, and the very State that is the canary in the coal mine, the State that is experiencing the first ecological challenges or losses as a result of sea rise and other challenges, is being completely ignored.

Where are the climate change advocates right now? Where are you? I strongly urge opposition to this bill. We need to go back through regular order, consider the largest conservation and the largest natural resources bill that we have had since I have been in the Congress, and send it through regular order again.

I urge opposition to this bill.

STATEHOOD FOR DISTRICT OF COLUMBIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Madam Speaker, tomorrow, our residents who are fortunate to live in our Nation’s Capital will come to the Capitol as part of their Lobby Day to ask the Congress to pass the D.C. statehood bill.

Most Americans are unaware that the Americans who live in their Nation’s Capital have the fewest rights of any Americans. That is at the same time that those 700,000 residents who live in the Nation’s Capital pay the highest taxes per capita, higher than the taxes of the residents of any State.

As you might imagine, the residents of the District of Columbia are seeking to become the 51st State of the Union. I am pleased that already almost 90 percent of Democrats are on our D.C. statehood bill. I am grateful to Senator CARPER, who will soon introduce this same bill in the Senate side.

There are many reasons that no Americans should fail to have equal rights if they pay equal taxes. But surely, service in every war the Nation has fought, even beyond being first per capita in Federal income taxes, should qualify the 700,000 residents of the District of Columbia for equal treatment as the 51st State.

On this poster, we see why any State would stand for its rights: World War I, more casualties of people who live in the District of Columbia than three States; the Korean war, more casualties than those of eight States; World War II, casualties are more than four States; and the Vietnam war, casualties that outnumber those in 10 States.

The residents of the District of Columbia will be here to say to my colleagues that 200-plus years—it is about 218 years now—without equal rights is 218 years too many.

Nobody who lives in our country and pays taxes should be unrepresented on this floor when votes are taken. I appreciate that I can now vote for the District of Columbia in the Committee of the Whole where some votes are taken. But District resident have no representation on this floor and none in the Senate at all.

It is past time to right this wrong. We cannot do it for those who have died in war for our country. We can certainly do it in their memory.

RECESS

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

Accordingly (at 10 o’clock and 41 minutes a.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUellar) at noon.

PRAYER

Pastor A.D. Shaw, Shekinah Glory Cathedral Church of God in Christ, Plant City, Florida, offered the following prayer:

God of infinity and sovereignty and redeemer of humanity, grace us with Your mercy, as this 116th United States Congress forges the future of America.

Cover the distressed and despondent, too often forgotten and manipulated, with unceasing care.

Shelter the children of this Nation from the destructive silence and sins of their predecessors. Grant unto them courage and fortitude to be affirming and inclusive of all.

Reclaim us to Your peace and unity, that we may truly be one Nation under God, the Nation known as the melting pot of the world.

Therefore, redeem the soul of this Nation, and bequeath unto us wisdom, mercy, and love, that we may all encounter heaven on Earth.
With the spirit of the “20 and odd Negroes” who arrived in this Nation 400 years ago, may we serve this present age.

In the name of our Lord, 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 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in 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.

WELCOMING PASTOR A.D. SHAW

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. SPANO) is recognized for 1 minute.

Mr. WALBERG 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.

Mr. SPANO, Mr. Speaker, I rise today to honor A.D. Shaw, founder and pastor of Shekinah Glory Cathedral located in Plant City, Florida, and who most graciously offered this morning’s opening prayer. He is also my brother and my friend.

Pastor Shaw’s dedication to family, friends, and community serves as an example to many. His over 15 years of hard work in the ministry without expecting anything in return embodies the definition of unity and the best of the human spirit.

As I listened to his prayer, I thought of the many distinguished men and women who have stood in this Chamber, at that podium, preaching the importance of unity in our great Nation. One such man was Abraham Lincoln, who said: “A house divided against itself cannot stand.”

In our fast-moving society, it is easy to focus on those things that divide us over those things that bring us together. It is why, Mr. Speaker, I stand here today calling for greater unity among all who serve in this Chamber, among the American people and for the thousands of communities across our great land.

Only together can we withstand adversity, not just as individuals, but as a Nation. This does not mean that we will always agree. It does mean we should seek unity in those disagreements.

We do not need to see eye to eye to walk hand in hand.

If, as a Nation, we seek to remain strong into the 21st century, we must stand united through our differences.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

ACTION AGAINST GUN VIOLENCE

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, I rise in support of action in the fight against gun violence. Congress is finally acting.

Over the last decade, we have witnessed gun violence take the lives of innocent children in our schools, terrorize our neighborhoods, and harm our fellow colleagues in Congress. Each event invoked a moment of silence. We can no longer remain silent. This week we have the opportunity to vote on two pieces of legislation that close loopholes in the gun purchase background check process.

These aren’t radical or partisan policies. Background checks are supported by 97 percent of Americans, including 97 percent of gun owners. On behalf of the families who have lost someone to gun violence and those who we long to keep safe from future gun violence, I stand proudly in support of congressional action to protect our communities from gun violence and urge my colleagues to do the same.

REASSURING EUROPEAN ALLIES

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

Mr. WILSON of South Carolina. Mr. Speaker, last week I was grateful to join Senator LINDSEY GRAHAM on a delegation for the Munich Security Conference. A highlight was Vice President MIKE PENCE reaffirming America’s commitment to the Transatlantic Alliance.

I then joined the delegation led by Congressman GERRY COLLONY and RICK LARSEN for the NATO Parliamentary Assembly.

House Speaker NANCY PELOSI reassured our allies of bipartisan support for NATO’s continued success. Congressman MIKE TURNER ably presided as vice president of the assembly.

Another highlight in Brussels was to meet with U.S. Ambassador Ronald Gidwitz and his wife, Christina, whose enthusiasm for service is extraordinary.

The ambassador is promoting the restoration of the Mardasson Memorial, honoring American servicemembers in the Battle of the Bulge.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

ETHYlene OXIDE

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

Mr. SCHNEIDER. Mr. Speaker, every parent deserves to have confidence that the air they and their children breathe is safe. That is why we have environmental standards and why we have an Environmental Protection Agency to monitor, update, and enforce the rules.

So, when communities face a known public risk, new or recently reclassified, we rightly expect the EPA to act—quickly, comprehensively, and transparently.

In the Chicago area, this, sadly, has not been the case. Ethylene oxide, or ETO, was reclassified as a known carcinogen more than 2 years ago, yet we just recently learned facilities around Chicago could be emitting it at elevated levels.

The EPA has been unacceptably slow to respond and has failed to keep affected communities informed.

This month, I partnered with Senators DURBIN and DUCKWORTH and other colleagues in my delegation to introduce legislation that would require the EPA to immediately revise and update its ETO standards and to keep the public fully informed.

We are also demanding that EPA evaluate ambient levels of ETO in these communities immediately, something it should be doing already.

Our communities deserve more from the EPA. This is about our families and their public health.

RECOGNIZING LENAWEE COUNTY SHERIFF JACK WELSH

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

Mr. WALBERG. Mr. Speaker, I rise today to recognize Lenawee County Sheriff Jack Welsh as he retired after 49 years of service to Lenawee County, Michigan.

Sheriff Welsh has served in many roles during his law enforcement career, beginning as a volunteer reserve deputy and eventually working his way up to captain.

After his initial retirement from the sheriff’s department in 2007, he went on to become an emergency management regional planner.

Then, in 2008, he accepted the call to run for sheriff, where he has served ever since.

Law enforcement officers like Sheriff Welsh are the fabric of our community. Day in and day out, they answer the call to serve and protect.

Over the years, Sheriff Welsh has been one of the very best. He is a man of integrity, a dedicated public servant, and a trusted friend to many. He has been instrumental in making Lenawee County a better and safer place to call home.

I thank Sheriff Welsh for his decades of distinguished service, and I wish him nothing but the best as he begins his retirement.
SUPPORT FOR SEPTEMBER 11 VICTIM COMPENSATION FUND

(Mr. ROSE of New York asked and was given permission to address the House for 1 minute.)

Mr. ROSE of New York. Mr. Speaker, I rise today to urge all my colleagues to support the Never Forget the Heroes: Bi Partisan Authorization of the September 11th Victims Compensation Fund Act because it is the right thing to do.

I would like to thank my fellow New Yorkers CAROLYN MALONEY, PETE KING, and JERRY NADLER, who have led this service is merely cosmetic.

peals for any oral or dental related procedures for congenital anomalies.

erage of any health services related to States require insurers to provide coverage for congenital anomalies, and many

States are a result of congenital anomalies or birth defects.

If enacted, this life-changing bill will allow the Koser family the opportunity to save for Kannon’s college rather than spend money on reconstructive surgery.

Commonsense reforms like this will help children like Kannon grow up healthier and have a better quality of life.

Hi, Kannon. We will see you later, Buddy.

The SPEAKER pro tempore. Members are reminded to refrain from referencing occupants of the gallery.

ENSURE HEALTH PLANS COVER MEDICALLY NECESSARY SERVICES

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

Mr. RIGGLEMAN. Mr. Speaker, I rise today to speak for Kannon Koser, a constituent and friend of mine who is with his family in the gallery this afternoon.

Mr. Speaker, 3-year-old Kannon is being forgotten because the Victims Compensation Fund, which supports these families and these heroes in all 50 States, is running out of money and cutting benefits by 50 to 70 percent.

That is wrong. And if we fail to make this right, shame on us. Shame on anyone who says “never forget” and then turns their backs and pretends this doesn’t affect their State or their district or they’re suddenly fiscally responsible.

Shame on anyone who says that we can’t afford to do this while we spend trillions of dollars on bombs in Afghanistan.

When it comes to doing what is right, it is about keeping our promises and honoring those who put their lives on the line and didn’t ask for anything in return.

Now is the chance to put action behind the words “never forget.”

IGNORING OUR CONSTITUTIONAL BORDERS

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

Mr. DOGGETT. Mr. Speaker, the serious border emergency that America is confronted with today is an emergency that Donald Trump has created by ignoring borders—ignoring the borders set forth in our Constitution, borders that were set forth to prevent an all-powerful executive, a would-be king, or the type of tyrant that Trump so admires abroad.

After Congress repeatedly rejected his phony border crisis and wasteful wall, Trump decided: build it anyway.

Well, today’s emergency wouldn’t have happened without two years of Republicans who have continued to yield the right-of-way to his creeping wrongdoing—more and more of it—Republicans who can just never summon the ability to say “no” to Trump.

Today, we must reject this unconstitutional power grab that diverts resources from real threats to an imaginary, politically contrived one.

Today, we defend our Constitution and our democracy by pushing back on the lies, the deceit, the anti-immigrant hysteria, and the fear-mongering mismanagement of this administration.

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

GUN VIOLENCE

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

Mr. MOULTON. Mr. Speaker. last year I attended a rally where the father of a gunshot victim spoke, and he talked about all the things that he and other people around this country are doing to end senseless gun violence.

Then he turned to the crowd and asked: But what is Congress doing? And tens of thousands of Americans, as if they had rehearsed it hundreds of times, all said in unison: “Nothing.”

But what is Congress doing? Nothing. Standing in that crowd was not a proud moment for me, because he is right.

Mr. Speaker, 37 Americans have died from gun violence in my district alone in the past 5 years. Gun violence is now the second leading killer of young people Nationwide, trailing only car accidents.

For too long, Congress has done exactly what the crowd said: nothing.

This week, we are putting forth legislation to enhance background checks, but this alone isn’t enough. Thoughts and prayers won’t cut it. Only action saves lives. This is just a start.

WELCOMING THE MAYORS COUNCIL ON RAHWAY RIVER WATER- SHED FLOOD CONTROL

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

Mr. MALINOWSKI. Mr. Speaker, today I rise to welcome the Mayors Council on Rahway River Watershed Flood Control to Washington. They represent towns in and around New Jersey’s Seventh District and are here to ask our help to stop the flooding that hurts thousands of people in our communities.

For years, homeowners near the Rahway River have lived under the constant threat of flooding that devastates businesses and homes wherever there are heavy rains. The last major flood was in 2011, when Hurricane Irene ravaged the East Coast. The town of Cranford was the worst hit, with 1,600 homes sustaining damage worth $40 million.

Our mayors have presented a proposed solution to the Army Corps of Engineers and are now asking for a feasibility study to be completed. This will get us one step closer to authorizing construction on the Rahway River Basin.

Mr. Speaker, this is a solvable problem. We need to start now. I will do everything I can to support our mayors’ call to action and expedite this process so that we do not have to be pulling people out of second-floor windows in suburban New Jersey, so people up and down the Rahway River can feel safe in their homes.

ADDRESSING THE EPIDEMIC OF GUN VIOLENCE

(Mr. LEVIN of California asked and was given permission to address the
COMMUNICATION FROM CHAIR OF COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Energy and Commerce:

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

H. RES. 144

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

SEC. 2. The provisions of section 202 of the National Emergencies Act (50 U.S.C. 1622) shall not apply during the remainder of the 116th Congress to a joint resolution terminating the national emergency declared by the President on February 15, 2019. This provision was included to avoid privileged legislative action on redundant resolutions.

Mr. Speaker, today we must stand up for democracy; we must stand up for the rule of law; and, most importantly, we must stand up for the United States Constitution. In 1776, we took an oath to defend when we were sworn into office.

Mr. Speaker, the Constitution we swore to defend granted Congress the power of the purse. That means Congress decides how we spend the American people’s hard-earned money.

Congress spoke when we passed, and President Trump signed, a spending bill that granted him $1.4 billion for fencing along the border. Now President Trump is acting like a dictator by ignoring Congress and declaring a national emergency. As a result, billions of taxpayer dollars would be taken from high-priority military construction projects that ensure our troops have the essential training, readiness, and quality of life necessary to keep the American people safe.

Mr. Speaker, as a former member of the Foreign Affairs Committee, I have visited countries where the rule of law was not a backseat to the whims of their Presidents. Just look at Venezuela, where Nicolas Maduro has removed every single obstacle to his power.

When he objected to the rulings of the judges, he ended their terms early and replaced them with his political allies. When the democratically elected congress didn’t agree with him, he created a new congress filled with his supporters.

Last year, he even banned prominent opposition leaders into the Presidential election. He has demonized the press and even took CNN en Espanol off the air. Last night, he detained one of America’s journalists, Jorge Ramos, of Univision.

Fighting with judges, manipulating elections, attacking the press. Mr. Speaker, does any of this sound familiar?

Now you have a situation where food is so scarce that the average Venezuelan has lost 24 pounds in the last year and more than 3 million have fled the country. The Maduro presidency, now that is a true national emergency for the people of Venezuela.
The collapse of democratic institutions is also happening in Nicaragua and Guatemala. The President of Guatemala and his allies in congress are taking the country down the same path, removing every check on their power. They have expelled the international prosecutors who dared to investigate them. And just as Guatemala’s Government has tried to undermine and delegitimize the police and prosecutors who are investigating, President Trump has called Robert Mueller’s investigation a “witch hunt” and denigrated the brave men and women of the FBI.

Mr. Speaker, we cannot allow this President—or any President, Republican or Democrat—to take us down the same path as Venezuela, Guatemala, and Nicaragua, all to build a wasteful and ineffective wall along our southern border. These women and children coming from Central America do not represent a national emergency. That is why 58 former national security officials, both Republicans and Democrats, issued a statement saying there is “no factual basis” for the President’s emergency. Our call to duty today is to protect, to defend our Constitution. We will vote, and we will see how many in this body have that same respect for the rule of law.

Mr. Speaker, I urge our Republican colleagues to join us in this effort. It is not too late for my colleagues across the aisle to tell the President that this is wrong, that the Constitution that we swore an oath to uphold really matters. We stand here today to stop this power grab of our own democracy. A “yes” vote will affirm our democracy. A “no” vote further erodes the trust in our democracy and, again, expands executive power.

Mr. Speaker, I speak of my colleagues on which side they stand.

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

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

Mr. Speaker, I want you to know it flatters both me and the gentlewoman from California that you have made it your habit to be down here during Rules Committee time. It is good to know that you respect what we do upstairs as much as the members of the committee do.

I always enjoy coming down for the Rules Committee debate, because it is the only debate on all of Capitol Hill where the Reading Clerk reads every single word of the bill that we are about to consider. Ordinarily, we waive that, but the rules don’t let you waive it. You have to read the rule so folks will understand what is happening today.

I happened to time the Reading Clerk today. I didn’t put him up to anything special. He read as he always does. It took him 1 minute and 6 seconds to read the resolution that is before us. I heard my friend from California talk about the important constitutional questions that are here before us today. I heard my friend from California disregard, ridiculed despots around the globe and how we must stand up to prevent that behavior here in America. I heard my colleague who took to the floor this morning for 1 minutes be sanctioned by the Chair and advised to cease engaging in argumentation and attacks against our President.

One minute and 6 seconds it took to read the resolution before us today, Mr. Speaker, and that is 1 minute and 6 seconds longer than this resolution has been considered in total in every committee throughout this Capitol. I want to say that again. You heard my colleague talk about how critically important this resolution of disapproval is as it relates to our constitutional powers. You heard it described as a power grab equivalent to those of discredited despots. And we haven’t talked about it at all in this Chamber. In committees, not one witness has testified.

One minute and 6 seconds is how much we have invested in these nationally important matters. I listened, Mr. Speaker, as you cautioned Member after Member to cease engaging in personal attacks on the President during this debate this morning. Mr. Speaker, I am concerned that that is exactly what we are doing here today.

If you want to have a debate about Article I and Article II powers and how we ought to retrieve the power that has slid down Pennsylvania Avenue through administration after administration, I am not just your willing partner. I am your enthusiastic partner and passionate advocate. But we have not done that before us today. It is not the debate we are going to have today.

This is another in a long string of measures that have been brought to the floor of this House that could have been brought in a bipartisan way. I don’t mean one Republican. I don’t mean two Republicans; I mean the majority of Democrats and the majority of Republicans standing together to speak with one voice on behalf of the American people. But time and time again, we are missing that opportunity.

This isn’t a constitutional issue today, Mr. Speaker, though you would not know that, because we have not had any witnesses testify. This is a legislative issue before us today.

There is, in fact, a National Emergencies Act that allows the President to do extraordinary things if he or she decides there is a national emergency. That is not unconstitutional. Congress passed the National Emergencies Act; the President signed the National Emergencies Act. Perhaps the Supreme Court one day will decide that was an unconstitutional delegation of power by the Congress, but the Congress delegated that power in the National Emergencies Act.

The way we talk about this issue, Mr. Speaker, you would think this is the first time you and I have seen this in the few years we have been in Congress. Of course, you and I know that is nonsense.

There are 31 other national emergency declarations in effect today—31 other national emergency declarations. The entire legislative process from the Obama administration are still active today.

If we are so concerned about Article I and Article II power grabs, perhaps these emergency declarations that have been on the books since the last administration, Congress should deal with those affirmatively here on the floor. There are national emergency declarations still in effect from the Bush administration. There are national emergencies still in effect from the Clinton administration. Mr. Speaker, there are national emergencies still in effect from the Carter administration. This House has made not a single effort to draw back that power from 1600 Pennsylvania Avenue.

Those are legitimate questions. Those are important questions. Those are things that bring us together as the people’s representatives in this House, not bills designed just to poke a stick at a President who has real passion and real conviction about issues of real importance.

Do you know what is in this resolution today, Mr. Speaker, what is in this disapproval resolution today, that will make a difference on the border in terms of ending human trafficking? Not one thing.

Do you know what is in this resolution today that, if we come together to pass, will make a difference in terms of drug trafficking on the border? Not one thing.

What about if we come together to pass this resolution today for the very serious issue of weapons trafficking across our border? Do you know what we will do today to fix that? Not one thing.

Victims of sexual assault as they are being trafficked into this country, do you know what we are going to do to fix that today? Not one thing.

Do you know how many Dreamers are going to have their hopes realized today with a pathway to permanency here in the United States of America? Not one.

Mr. Speaker, we are good at bringing issues that are designed to poke each other in the eye. We are so good at bringing issues designed to try to embarrass one and boost another. But I have to tell you, Mr. Speaker, we are not so great with actually solving real problems.
for our Dreamers and that would have provided solutions on our border for human trafficking, for weapons trafficking, and for drug trafficking. You know how many Democratic votes we got on that bill, Mr. Speaker? Not one. Not to be fair: it wasn't one bill; it was two bills. Folks said, hey, if this one is not the right one, let's bring another one. Maybe this is going to bring people together.

Do you know how many votes we got on the second bill, Mr. Speaker, from the other side of the aisle? Not one. The only bills that have come to the floor to provide a pathway for Dreamers in my 8 years in Congress, and we got not one vote from the other side the aisle.

Is that because the other side of the aisle doesn’t believe in those solutions? No, that is not why. It is because the other side of the aisle, in its wisdom, deemed that to be a resolution not designed to support the Dreamers, but designed to divide. I disagree with that conclusion, but that is the conclusion that was made. Thus, the only opportunity in a decade we have had to support Dreamers, not one Democrat stood up and said yes.

I call that a failed opportunity, and I am not interested in figuring out who is to blame for that failed opportunity. This is a failed opportunity today, too, Mr. Speaker. Sadly, it is another in a series of failed opportunities here in 2019. I believe my colleagues are going to see through the divisiveness of this resolution, through the charade of constitutionalism right down to the very core of partisanship that underlies this resolution.

But just remember, 1 minute and 6 seconds, Mr. Speaker. Before I took to the microphone today, 1 minute and 6 seconds from the Reading Clerk is all the time this new Congress has dedicated to an issue that you are going to hear from my colleagues and, I doubt again is one of critical national importance, international importance, constitutional importance. How can those things be true?

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

Mrs. TORRES of California. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I can think of many other things that we could be talking about that truly, truly, truly call out and scream out for a national emergency.

Homelessness in our communities: Thousands of people in our communities sleep on a street, under a bridge, children sleeping in vehicles every single night.

I think about the opioid epidemic, and how many of our families are simply immune to the issues around drug abuse and how addiction overcomes them?

I think about last year around Christmas time when 800,000 of our Federal workers were going without a paycheck for 35 days. Yet my colleagues on the other side of the aisle could not find 1 minute and 6 seconds to give them a paycheck, to open up the Federal Government, to do their duty.

Instead, in the Rules Committee, we took up an emergency order on labeling of cheese curds. They found that to be more important than the lives and the families of 800,000 Federal workers.

Mr. Speaker, I yield 3 minutes to Ms. JACKSON LEE.

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman from California for her astuteness, and, certainly, the manager of this legislation, and our friends on the other side of the aisle.

Mr. Speaker, I simply want to try to craft the importance of H.J. Res. 46 that we will ultimately be debating today. As an original cosponsor, I was quick to try to bring order and to recognize the importance of the Constitution.

Clearly, the statute might be interpreted to be used in a reckless manner. But it is precise in that it deals with the necessity of building military construction and other matters in the course of war that are an emergency. It might even cover rising gun violence, the fact that we have more guns in the United States than we have citizens.

It might be that if there was a pending war on the southern border, one might determine that that is the case. It might be that in 2001, the first sense of terrorism came when an individual crossed the northern border to attack the United States. If that had continued with throngs of terrorists coming across the northern border, the President then might have declared a national emergency.

But we do have that, Mr. Speaker. What we have is a person’s desire.

We understand that the apprehensions at the southern border have actually gone down. The combined 521,000 apprehensions for border and Customs agents for fiscal year 2018 was 32,288 apprehensions fewer.

Those who are coming across the border in the last 6 to 8 months are coming across as mothers and children fleeing the catastrophe of bloodshed in Honduras, Guatemala, and El Salvador. These are people desperate for help. They are coming through legal ports of entry.

How do I know that? I have stood and watched them come. I have spoken to a mother whose baby was 45 days old. She had birthed on her road here, not because she just wanted a vacation, but because they had committed to decapitating her if she did not leave town immediately, meaning leave one of the countries. It was my plea that got her to be able to go to a hospital. I held little Roger in my hands, who is 9 months old. He had been separated at the border from his mother.

These are the issues that are being addressed at the border. There is no catastrophe.

Let me be very clear, as my friends always cite illegal immigration. I want to make sure that any criminal, no matter who they are, who does any injury to anyone in the United States, count me as standing on the side of bringing that person to justice. But that is not what is happening at the border.

Therefore, I would ask the administration to attend themselves to the Constitution, to recognize the difficulty or the wrongness of distorting the purposes of the United States Constitution. That is what the House, that has the purse strings by calling it a national emergency. My God, if we were to have one, would this Nation even understand how to implement it because they are hearing it being declared in a very foolish way.

I conclude by simply saying that 58 people in national security, Mr. Speaker—58 of them—have indicated this is wrongheaded and jeopardizes our national security. Mr. Speaker, I ask my colleagues to vote for the resolution that I have cosponsored, H.J. Res. 46.

Mr. WOODALL. Mr. Speaker, it is my great pleasure to yield 3 minutes to the gentleman from Alabama (Mr. BROOKS).

Mr. BROOKS of Alabama. Mr. Speaker, in fiscal year 2018, more than 2,000 alien illegal aliens were apprehended by Federal agents for homicides committed on American soil. Roughly 31,000 Americans die each year from heroin and cocaine overdoses, 90 percent of which floods across America’s porous southern border. Hence, we can expect at least 33,000 dead Americans each year until America secures our porous southern border.

For perspective, the 9/11 terrorist attacks killed roughly 3,000 people. In response, America invaded Iraq and Afghanistan at a cost of trillions of dollars and, roughly, 7,000 lost military personnel lives.

Saving Americans should be a bipartisan issue, yet here we are. Republicans seek to prevent another 33,000 dead Americans this year, while partisan Democrats seek to embarrass and stop President Trump from securing America’s porous southern border and saving American lives.

For emphasis, no national emergency in history has been prompted by more dead Americans than President Trump’s national emergency declaration. As such, I support President Trump’s national emergency declaration and will vote accordingly.

Mr. Speaker, how many dead Americans does it take for open border advocates to support border security? How much American blood must be on guilty hands before Congress recognizes the national emergency we face at America’s southern border? America’s military personnel lives, and lives in, South Korea, Iraq, Syria, Afghanistan, many other countries, and Europe.
I thank President Trump, as Commander in Chief, for understanding that America, and Americans, deserve no less protection.

Mr. Speaker, let me conclude by noting that dead Americans, Americans killed by illegal aliens as a consequence of porous borders, had dreams, too. We, as a Congress, should remember and honor those dreams and act accordingly and protect this national emergency to protect American lives by securing our porous southern border.

Mrs. TORRES of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we can talk about the scary people from our southern border. I am not that scary looking, am I? I think not. The fact is that the number one trading partner for California and Texas is Mexico, a friendly country. For Central America, we are standing up for our responsibility to uphold democracy in the Northern Triangle, to address the root cause of migration. That is where our focus should be.

Do we need an immigration reform package that brings 11 million people out of the shadows? Absolutely. These are the 11 million people who our agricultural partners depend on to deliver fresh food to our table. But we are not doing that here. What we are doing here, what the President has chosen to do, is political theater, political theater for 2020.

In essence, a vote against this resolution means a vote against the families of the military people who are depending on us to provide infrastructure, schools for their children to learn, and quality housing.

Do Democrats think and believe that fortifying our borders is important? Absolutely. We have committed billions of dollars to ensure that we stop the narcotics trafficking that happens at our point of entry. That is where it is happening.

We need to work together on these issues, not relinquish our responsibilities, our legislative responsibilities, and the power of the purse that we hold.

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

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS), a member of the Rules Committee.

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

Mr. Speaker, I came to the floor to urge Members to vote against this ill-advised resolution to disallow the President’s declaration of an emergency. Allow the President to do the job he was elected to do and secure the southern border.

Mrs. TORRES of California. Mr. Speaker, I yield myself such time as I may consume.

Now, is it a national emergency? I will tell you. I had as my guest to the State of the Union someone who is referred to as an angel dad. This is an individual who went and put on the uniform and fought for his country in Iraq. While he was there, unfortunately, his wife got ill and died, and he came home. Now he is a single dad, and he is taking care of his only child, a daughter. That daughter, unfortunately, was hit by a car on the street that was driven by someone who did not have legal status to be in this country.

Several months later, Chris came to me and said: Congressman, I did my job. I put on the uniform. I went and defended my country. Mr. Congressman, I did my job, and if you had been doing yours, my daughter would be here today.

President Trump has taken that mantle very seriously. It is his goal, it is his requirement, to defend our country at the southern border, and the President will do just that.

If you read the history of emergency declarations in the past, you will find a number of them. Some, perhaps, you might agree with; some, perhaps, you might disagree with. But since the founding of our country, it has been recognized that it has been the purview under Article II powers for the President of the United States to be able to exercise that emergency declaration. It is codified in the 1970s in a law that is now the one that brings this forward today, that brings forward this resolution of disapproval.

If you don’t like the law that allows the President to declare an emergency, change the law. You are the majority. You control the Rules Committee. Change the law.

What is interesting about this is, last night, in the Rules Committee, when we considered Mr. CASTRO’s resolution, we didn’t consider it. We didn’t even have a single witness. Mr. CASTRO, I felt like sending Capitol Police out to find him. There was no one there to testify in favor of his resolution. The Rules Committee seemed perfectly agreeable to accepting this without any debate whatsoever.

Mr. Speaker, I urge Members to vote against this ill-advised motion to disallow the President’s declaration of an emergency. Allow the President to do the job he was elected to do and secure the southern border.

Mrs. WAGNER of Missouri. Mr. Speaker, I thank the gentleman for yielding.

I introduced this legislation because the Constitution clearly states that all persons born in this country are entitled to life, liberty, and equal protection under the law. The Constitution does not put age limits on those who are entitled to life.

I am horrified, Mr. Speaker, that many in the United States Senate, many Democrats, flagrantly violated the United States Constitution last night and voted down the Born-Alive Act, embracing, in fact, infanticide.

Pro-abortion politicians used to say life begins at birth. Now it is more unclear than ever when they believe that life actually begins or whether they even believe that living and breathing human beings should be protected under the law.

I would like to commend three Democrats. In fact—Senators BOB CASEY, JOE MANCHIN, and DOUG JONES—who defended the basic rights of newborn children and voted for my legislation last evening in the United States Senate.

I introduced this legislation because it is just common sense. I am shocked that there are prominent American legislators who believe in denying babies lifesaving medical care when they are born.

As a mother, a grandmother, a legislator, and an advocate who came to Congress to serve as a voice for the voiceless, I believe that life begins at conception and that it is wrong to kill a child no matter how many weeks old he or she may be. But I am grieved to find that I now must defend something that I never thought we would have to fight for: lifesaving care for babies born alive.
In response to radical legislators who are promoting not just late-term abortions but infanticide, it is essential that we come together to protect children.

So today, I am here to ask—no, Mr. Speaker, I am here to implore—my colleagues to right the wrong that the Senate has committed and defeat the previous question, and at least allow the debate to support H.R. 962, the Born-Alive Act here in the people’s House.

Mr. Speaker, this should not be a partisan issue. Congress must never stop fighting to ensure that every single newborn baby in the United States of America receives lifesaving care, no matter their sex or their race or ethnicity or whether or not they are wanted and cuddled and wrapped into that first warm hug that they deserve.

The Born-Alive Act is the simplest vote any of us can take: Do you support babies receiving lifesaving care after they are born, or would you deny these innocent children that care and allow them to be left to die and be discarded?

This is bipartisan legislation, Mr. Speaker. Last year, six of my Democratic colleagues joined me in voting for the Born-Alive Act.

I hope that we will bring this bill to the floor for debate so that many more of my colleagues can go on the record and vote to stand with America’s mothers and children.

Mr. Speaker, I urge my colleagues to defeat the previous question.

Mrs. TORRES of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, let me thank the gentlewoman for yielding and, also, for her tremendous leadership on the House Rules Committee.

Mr. Speaker, I rise today in strong support of the rule and vote to stand with America’s mothers and children.

Mr. Speaker, I urge my colleagues to defeat the previous question.

Mrs. TORRES of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, let me thank the gentlewoman for yielding and, also, for her tremendous leadership on the House Rules Committee.

Mr. Speaker, I rise today in strong support of the Born-Alive Abortion Survivors Protection Act. If we defeat the previous question, we will bring up the text of this important piece of legislation to defend life.

Frankly, Mr. Speaker, I am mystified as to why the majority is loath to actually make this vote. Indeed, they have been doing backflips to avoid allowing the House to actually go on record on this important issue.

This bill is a commonsense approach to protecting our Nation’s most vulnerable. It amends the Federal Criminal Code simply to require that any doctor present when a child is born alive following an abortion or attempted abortion must provide the child with the same degree of care as he or she would provide any other child. The bill also requires that any such child is immediately admitted to a hospital.

Mr. Speaker, we have seen in recent weeks, many people in elected positions do not appear to appreciate the need to provide for protections for our most vulnerable Americans newly born, but it is clear that current law fails to provide adequate protections for newborns who survive an abortion attempt. This bill draws a sorely needed bright line of protection around abortion survivors and requires that they be given the same level of care as any other premature infant.

As stewards of the law of this country, Mr. Speaker, protecting the most vulnerable, including the unborn, should be one of Congress’ basic responsibilities.

Since entering Congress, I have made the protection of life one of my highest priorities. I believe that all Members should have that same priority. Today, we can take a step toward making this a reality by defeating the previous question and bringing up the Born-Alive Survivors Protection Act for a vote.

Mr. Speaker, I urge opposition to the previous question.

Mr. Speaker, I thank the gentlewoman from California (Ms. LEE) for yielding.

Mrs. TORRES of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mr. REED), a member of the class of 2010.
Mr. REED. Mr. Speaker, I thank the gentleman from Georgia (Mr. WOODALL) for yielding.

I rise today, Mr. Speaker, in support of the underlying rule, but also in opposition to the action that is being proposed by my colleagues on the other side of the aisle.

But I will join them in one sentiment: I do believe there is an emergency crisis at the border. I do believe that a national emergency is at hand. I do believe it is clear that the President, given the years and decades of delegation of authority from Congress to the President’s Office, has the authority to take the action that he is taking in regards to this proposed issue at the border.

But where I agree with my colleagues on the other side is that the Presidential authority is something that we need to take into consideration and reform going forward.

It should not be because it is President Trump; it should not be because it was President Obama; but each and every time the executive branch uses its authority and reaches into areas that go beyond the constitutional limits of that office, we should stand together as Members of Congress to assert our authority.

That is why, Mr. Speaker, there is a bipartisan group of us working over the last few weeks, and we intend to drop a resolution sometime soon, that will amend the National Emergencies Act to make it clear that, when there is a national emergency declared in this country, that we speak as one nation, one body here in Congress with the President.

We have to affirmatively take a vote here in Congress, go on record, and not hide any longer as Members of Congress. We should be held accountable by putting our voting cards in that box to stand before the American people.

When a national emergency is declared by the President, we have to vote whether or not, guaranteed vote, to see if that is something we agree with the President on. That is a fundamental shift that will reestablish Article I of the Constitution.

And to my colleagues who are up today: Where were you when President Obama overreached in his executive office?

So I ask you to remember those days and stand with us who are looking to take on the root cause of this problem and reestablish the congressional authority that rightfully is contained under the Constitution.

Ms. TORRES of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELAZQUEZ).

Ms. VELAZQUEZ. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of the rule and the underlying resolution.

We should be absolutely clear: There is no crisis at our border. In fact, apprehensions of illegal border crossings are at a 40-year low. This is a false emergency being used as a pretext for Donald Trump to build a monument to hate on our southern border.

But this is more than that. This administration’s actions would do violence to our Constitution, undermine our separation of powers, and set a terrible precedent for the future. Every single Member of Congress, regardless of party, needs to stand up and make their voice heard.

To all my Republican colleagues who so frequently extolled the Constitution’s virtues, I say to you: Make your voice heard today. Now is the chance to show your true colors, to defend Article I, and stand up for Congress’ constitutionally vested powers of the purse.

Vote “yes” on the rule; vote “yes” on the resolution; stand up for the Constitution; and reject this illegal power grab by this President.

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

Mr. Speaker, you just heard an impassioned plea from my friends on the other side of the aisle about the important constitutional questions that are before us today, about how the President’s emergency declaration violated those sacred constitutional principles.

Candidly, I don’t know if my colleagues are right or not because we have not had legal experts come to talk about the National Emergencies Act. Most of us were not in Congress when it passed several decades ago, but it is a delegation of authority from Congress to the executive.

You just heard my friend from New York come to the well and say, listen, we have been working in a bipartisan way to offer a bill to rein in those authorities. I think that is important work. I think that is work that we ought to all be able to agree on. We should be doing that work first.

I told you earlier, Mr. Speaker, the sum total of all of the time this institution spent working on these important constitutional questions is the 1 minute and 6 seconds our Reading Clerk Josef spent reading us the resolution today.

We will vote on this rule today. We will vote on the underlying disapproval today, having never had the committees of jurisdiction hold even a single hearing.

Now, lest you think there is just no time in the calendar, this resolution is referred to the Transportation Committee on which I sit. In fact, I had to leave a Transportation Committee hearing in order to come up here to do the rule today.

We are working on the Green New Deal in the Transportation Committee today. We are working on electric vehicles and how to reduce carbon emissions across the country. Now, I am not saying that is not important work, but I have not heard one of my colleagues talk about the dearth of electric vehicles and how that is threatening the future of our land.

I have heard my colleagues talk about this important constitutional question that this disapproval brings before us, and, yet, there was not one hearing on it.

Now, lest you think, Mr. Speaker, that if we deal with this today, we won’t deal with it again. No. We are going to have some hearings on this issue. When? Later in the week after it passes.

Now, I don’t know if that is a pattern that we are going to get into. I hope that it is not. Having had no hearings for those efforts on this issue, we are going to have an Appropriation Subcommittee hearing later this week to talk about exactly these issues, where the money is coming from, what the impact of that is, and whether or not it is wise.

We are going to have a hearing later this week in the Judiciary Committee talking about the National Emergencies Act, and whether or not it permits this kind of activity, and what kind of changes ought to be made.

There is more that unites us as Americans than divides us. And even in politics, there is more that unites this institution than divides us. Making sure that 1600 Pennsylvania Avenue only is exercising those authorities delegated to it by either the Constitution or this Congress, is a shared value.

But if you listen to the debate here on the floor, from the Speaker’s chair, you had to caution our colleagues against engaging in attacks of personality against the President. We heard debate, not of thoughtful constitutional principles, but of hateful administration policies.

Mr. Speaker, I will tell my friends, I don’t believe those words, those attacks, for those efforts are going to bring us one bit closer to the shared values that we have in this institution.

Mr. Speaker, I urge my colleagues to reject the rule today and vote against the previous question so that we can bring up a bill that will save lives. This bill will save not one life; will prevent not one drug trafficker from coming into the country; will protect not one migrant family. It will do nothing. Mr. Speaker, to solve real problems that face this country.

If we defeat the previous question, we can at least take a commonsense step toward doing exactly that. Vote “no” on this rule, vote “no” on the previous question, and let’s commit ourselves to finding a way to come together. If you believe there is more that divides us than unites us, these first 45 days of this session have been just perfect for you. But if you believe, as I do, that we can do better, let today be the end of the partisan attacks. Let today be the start of real problem-solving. Let us stop trying to make a point instead of making a difference, and let’s make tomorrow better.
Mr. Speaker, I yield back the balance of my time.

Mrs. TORRES of California. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, fact-checking the President is not an attack against the President. The facts matter. As a matter of fact, the President himself at his press conference said: “I didn’t need to do this, but I’d rather do it much faster.”

What happened by that? Last year, Republicans gave him $25 billion if they read the bill, but I actually brought it to their attention on the floor that the bill actually read $75 billion that they were allocating for a border wall. The facts didn’t matter then for one side of the aisle.

The President himself said it. “I didn’t need to do this, but I’d rather do it much faster.” That is not an emergency. I was a 911 emergency dispatcher. I was 17.5 years in the military. I can cite many examples of what an emergency is. Building a wall much faster is not an emergency. That is political theater. That is political posturing for 2020.

Where is the President stealing this money from? Certainly, he is not getting it from Mexico as he promised. Mexico said “no.” The President is stealing $2.5 billion that Congress approved to combat illegal drug activities around the world.

I know that my colleagues believe that fighting international drug organizations is important. I know this because I traveled with Republicans and Democrats to the jungles in South America. We talked about eradication of narcotics trafficking.

What about the $3.6 billion that the President is stealing from military construction? A study earlier this year found that 16 percent of military families had a 17.5 percent margin of error in the size of their housing. That means 55 percent had a negative one.

Many families reported unsafe conditions, including lead-based paint, mold, mold, exposed asbestos, faulty electrical wiring, vermin infestations, and gas leaks. Is that not an emergency? Is that not worthy of the bipartisan vote that we took to allocate that money so that they can make those fixes?

I know my Republican colleagues support military families. I know that because I have traveled with them to Afghanistan. I have traveled with them to other countries. I know that this is wrong. I know that national emergency is wrong, and I know my colleagues know that this is wrong too. This is undemocratic. This puts us at the cusp of a constitutional crisis.

Mr. Speaker, I urge my colleagues to support the previous question and the rule.

Mr. Speaker, I rise in strong support of our Constitution and in defense of our republic and urge all members to join me in voting for H.J. Res. 46, which terminates the phony declaration of a national emergency declared by the President on February 15, 2019.

The reason this resolution is before us today is because of the petulant intransigence of a single person, the current President of the United States.

As a senior member of the Committee on the Judiciary and the Committee on Homeland Security, I have visited the southern border on numerous occasions in recent weeks and months. I can attest that there is no national emergency or national security crisis that justifies the President’s reckless and unconstitutional decision or compels the Congress to abdicate its responsibilities under Article I to check and balance the Executive Branch.

The President is only pursuing this tactic of declaring a national emergency after realizing that Speaker NANCY PELOSI was absolutely correct when she informed him that he did not have the support in Congress to require the taxpayer to pay for his broken promise that “Mexico would pay for the wall, 100 percent!”

In fact, according to the latest Marist Poll, the most recent polling data available, Americans overwhelmingly disapprove of the President’s national emergency declaration by a 61 percent–36 percent margin.

The President’s decision is opposed by both men and women in every region of the country, by every income group and education category.

National security experts across the political spectrum are unanimous in their assessment that the situation on the southern border does not constitute a national emergency, an assessment echoed by leading former Republican senators and Members of Congress.

They understand that after failing to convince the American people or Congress to pay for his ineffective, wasteful, and immoral multi-billion dollar concrete wall, the President has now embarked on a course of conduct that is deeply corrosive of the constitutional system of checks and balances established by the Framers and which has served this nation and the world so well for nearly 250 years.

Having failed miserably to achieve his objective in the constitutional legislative process, the President is trying a desperate 11th hour end-run around Congress with an unlawful emergency declaration that contravenes the will of the American people and negates the awesome power of the purse vested exclusively in the Congress of the United States.

The Congress continues this.

Despite being repeatedly admonished and in the face of overwhelming evidence to the contrary, the President continues to propagate false information regarding the state of our southern border.

Mr. Speaker, these are the facts.

Net migration from Mexico is now zero or slightly below (more people leaving than coming) because of a growing Mexican economy, an aging population and dropping fertility rates that have led to a dramatic decrease in unauthorized migration from Mexico.

Migrant apprehensions continue to be near an all-time low with only a slight increase from 2017.

The combined 521,090 apprehensions for Border Patrol and Customs agents in fiscal year 2018 were 32,288 apprehensions fewer than the 553,378 apprehensions in 2016.

To put this in perspective, on average, each of the 19,437 Border Patrol agents nationwide apprehended a total of only 19 migrants in 2018, which amounts to fewer than 2 apprehensions per month.

In the last few years, an increased proportion of apprehensions are parents seeking to protect their children from the violence and extreme poverty in Honduras, El Salvador, and Guatemala.

But even with more Central Americans arriving to our southern border seeking protection, total apprehension rates are still at their lowest since the 1970s.

The absence of a massive wall on the southern border will not solve the drug smuggling problem because, as all law enforcement experts agree, the major source of drugs coming into the United States are smuggled through legal ports of entry.

The southern border region is home to about 15 million people living in border counties in California, Arizona, New Mexico, and Texas.

These communities, which include cities such as San Diego, Douglas, Las Cruces, and El Paso, are among the safest in the country. Congress has devoted more U.S. taxpayer dollars to immigration enforcement agencies (more than $21 billion now) than all other enforcement agencies combined, including the FBI, DEA, ATF, US Marshals, and Secret Service.

The bulk of this money goes to U.S. Customs and Border Protection (CBP), with a budget of $14.4 billion in fiscal year 2018 and more than 59,000 personnel.

CBP is the largest law enforcement agency in the country, and more than 85 percent of the agency’s Border Patrol agents (i.e., 16,605 of 19,437) are concentrated on the southern border.

Expanded deployment of the military to the border to include active-duty troops could cost between $200 and $300 million in addition to the estimated $182 million for the earlier deployment by the President of National Guard to the border.

Mr. Speaker, having been soundly defeated legislatively by Congress, a co-equal branch of government, the President wants to finance border wall vanity project by diverting funds that the Congress has appropriated for disaster recovery and military construction.

The funds the President wants to steal were appropriated by Congress to help Americans devastated by natural disaster that Hurricane Harvey, Irma and Maria, or for other purposes like military construction.

Congress did not, has not, and will not, approve of any diversion of these funds to construct a border wall that the President repeatedly and derisively boasted that Mexico would pay for.

In fact, the President has admitted he “didn’t have to do this,” but has opted to do so because “I want to see it built faster.”

Mr. Speaker, just yesterday a bipartisan group of nearly 60 national security officials including former secretaries of state, defense secretaries, CIA directors, and ambassadors to the UN issued a statement declaring that “there is no factual basis” justifying the President’s emergency declaration.

Instead of protecting our national security, the President’s declaration makes America less safe.

The President is stealing billions from high-priority military construction projects that ensure our troops have the essential training, readiness and quality of life necessary to keep the American people safe, directly undermining America’s national security.

The President’s declaration clearly violates the Congress’s exclusive power of the purse.
and, if unchecked, would fundamentally alter the balance of powers, violating our Founders’ vision for America.

Opposing the President’s reckless and anti-American decision transcends partisan politics and partisanship; it is about patriotism, constituting our country’s safety.

That is why nearly two dozen distinguished former Republican Members of Congress are urging Republicans in Congress to vote for H.R. 46 and uphold “the authority of the first branch of government to resist efforts to surrender our constitutional powers to an overreaching president.”

To quote Thomas Paine’s Common Sense: “In absolute governments, the King is law; so in free countries, the law ought to be King.”

Mr. Speaker, I urge all members to uphold the rule of law and the Constitution, and reject the President’s power grab; I urge a resounding YES vote on H.J. Res. 46.

The material previously referred to by Mr. WOODALL is as follows:

Notwithstanding section 3(a) of rule XX, a motion to recommit the bill, as amended, shall be in order only if the motion is offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as having been made at 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 further amendment.

The Speaker pro tempore. Pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6) to require a background check for firearm purchases.

The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be limited to one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate, the object generally considered shall be amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute by a substitute on the Committee on the Judiciary now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-5. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be the printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order provided in the report, may be offered only by a Member designated in the report, shall be considered as having been made at 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 further amendment.

Mr. Speaker, on Monday, the Rules Committee met and reported a rule, H. Res. 1112, the Enhanced Background Checks Act of 2019, and H. R. 1112, the Enhanced Background Checks Act of 2019.

The rule provides for consideration of each bill under a structured rule. The rule also provides 1 hour of general debate on each bill equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

We have lost more Americans to gun violence in our own communities than to the Vietnam war, the Revolutionary
War, the Civil War, World War I, World War II, the Korean war, the Iraq war, and the Afghan war, combined. This war at home never stops. Each day—yesterday, today, and tomorrow—an other 100 people in America are shot and killed by violence.

Mr. Speaker, this is not a global problem; it is an American problem. While 35,000 Americans are killed by gunfire here each year, it is 146 people in the United Kingdom, 142 in Portugal, and 30 in Japan.

We talk more people to gun violence in a single weekend than England loses all year. We lost more people in the Las Vegas massacre alone, in one bloody night, than the nation of Japan lost to gun violence in 8 years.

No other developed, high-income country's lethal gun violence even comes close to the American carnage allowed by our loophole-ridden gun laws. The gun-related murder rate in the United States is 25 times higher than the average of other high-income countries and hundreds of times higher than some of them.

Now, the good news is that we know what to do to begin to end this crisis. We must close these loopholes.

In 1994, the Brady Handgun Violence Prevention Act went into effect and required licensed firearm dealers to contact the FBI to run a background check through NICS, the National Instant Criminal Background Check System.

The Brady Act made it illegal to sell a firearm to felons, to fugitives, to people who had been committed to mental institutions, to drug addicts, to domestic abusers, to undocumented immigrants, and to other disqualified categories.

The Brady Act worked as far as it went. It stopped more than 3 million illegal purchases of firearms by convicted felons, violently abusive partners, the mentally ill, and so on. But there are gaping loopholes in the law because unlicensed gun sellers, the people who sell guns online today or at gun shows or in other private transactions, can sell firearms without having to run any background check whatsoever.

More than one-fifth of U.S. gun owners acquired their most recent firearm without any background check at all, which means that millions of people obtained millions of firearms without going through the Brady system, and people who commit gun crimes overwhelmingly obtain their firearms from the unlicensed sources. A 2013 study found that 80 percent of all firearms acquired for criminal purposes were obtained from sources that were not required to go through the background check.

The criminals are not stupid. They follow the loopholes. They go to the internet. They go to the gun shows. They go to the convenience store parking lots to get their weapons of mass destruction without any background check at all.

Our legislation will close these dangerous loopholes by guaranteeing that there is a thorough NICS background check on every gun sale or transfer, with only a few carefully defined exceptions for intrafamily gifts and a few other cases.

Mr. Speaker, there are three primary things you need to know about this legislation:

First, it is backed by more than 90 percent of the American people—fully, 97 percent of Americans, including 97 percent of gun owners, 97 percent of Republicans, and 99 percent of Democrats. It is the very essence of common sense, the sense we all have in common, to make the background check system comprehensive and universal, leakproof, foolproof, and not ridden by the loopholes.

A background check doesn't work if criminals know that there are massive and lawful ways to cheat and get around it. So America, today, stands up by day and that is why this is a day of great triumph for the gun safety movement that has swept America in response to Parkland, Las Vegas, Newtown, and the other massacres that our people have endured.

Second, this legislation is perfectly constitutional. As Justice Scalia found for the Supreme Court in the District of Columbia v. Heller decision, the Second Amendment permits reasonable regulation of firearms, and the Brady system perfectly consistent with the letter and spirit of the Second Amendment that we consider.

Mrs. LESKO. Mr. Speaker, I yield myself such time as I may consume, and I thank Mr. RASKIN for yielding to me the customary 30 minutes.

Mr. Speaker, all of us, Republicans and Democrats, want to reduce gun violence. I think there is just a difference of opinion on how we get there.

Unfortunately, H.R. 1112, although well-intentioned, will not reduce gun violence as Mr. RASKIN said, and instead it will turn everyday, law-abiding individuals into criminals and could actually do more harm than good.

I grew up in a family that didn't have guns. After my dad returned from World War II, he stopped hunting. So, because I wasn't around them, I have to admit I had an irrational fear of guns for awhile. It wasn't until I became an adult that I got educated.

I remember I first went to a debate where the person who was talking for gun rights said: Do you know who follows the laws? Law-abiding people follow the laws. Who doesn't follow the laws? Criminals do not follow the laws. So although well-intentioned, often laws are unenforceable, and criminals just do not follow them.

H.R. 8 again. I believe it's well-intentioned. But it will not solve the problem. H.R. 8 would not have prevented any of the mass shootings in the last 20 years, not one of them.
I studied them because I am on the Judiciary Committee along with Mr. RASKIN, and we heard this bill in that committee. In most cases, guns were obtained legally. Recent attackers have passed background checks to acquire their guns. I thought commonsense—that someone thinking of committing suicide would be exempted from temporarily turning over their gun to a friend, and it is not allowed under this bill. They would become a criminal.

So, somebody who wants to commit suicide could not transfer their gun to someone else.

If a law-abiding citizen wanted to let someone temporarily use their gun on their own property, they would become a criminal under this bill.

If a farmer or rancher wanted to temporarilly lend a gun to a ranch hand for the purposes of ranch activities, the farmer would become a criminal under this law.

If a domestic violence victim was in fear for her life and wanted to temporarily borrow a gun from a friend to protect herself, she would become a criminal under this law.

Let’s also look at some commonsense amendments rejected by the Democrats that would have prevented undue burdens and duplication on law-abiding citizens who have already passed a background check but now have to go through another background check under this law.

People who have security clearances. This is the application to get a government security clearance, page upon page, background check, extensive background check. Yet, someone who has this and has gone through this still has to get another background check. People who have already gotten a gun permit from States which require them; they have to go through another background check.

People who have already a weapon issued by a State, they have to go through another background check. People who have global entry, who have gone through a background check, they have got to do it again under this bill.

Even law enforcement officers. Law enforcement officers have to go through another background check under this bill.

This is placing undue burden on law-abiding citizens.

Now I want to share testimony from a young woman from the Judiciary Committee. This woman was a victim of rape on her college campus. And the reason I am bringing it up is because I have to do this actually prevented her from carrying a gun to school because the State she traveled through did not allow her to carry a gun in order to defend herself.

This is a clear example of how law-abiding citizens—not criminals, law-abiding citizens—who follow the law and how this young woman and others like her were actually harmed by well-intentioned gun control laws.

As a survivor of domestic violence, I know all too well how hard it can be to protect oneself or find a lifeline out. My abuser often controlled all my finances. I wouldn’t have been able to pay for a background check or a gun.

Sometimes getting a gun from a friend could actually be your only option; yet, unfortunately, under this bill, I tried to offer an amendment, but it was rejected.

Now let’s turn to H.R. 1112, which changes the length of time that a background check has to be completed from the current 3 days to 10 business days and then another 10 business days for an appeal. So it could be 20-plus days.

The reason I am bringing this up is I want to tell you a story—a real story—about Carol Bowne. She was a New Jersey woman who was stabbed to death while waiting to be approved for her firearm application. She already had an order of protection through the courts, but that wasn’t enough. She needed more than just that piece of paper.

H.R. 1112 will make the realities of Carol’s story happen across the country, putting millions of women and law-abiding citizens in danger. Women who seek avenues of protection will be forced to wait almost a month—20 days to a month—like Carol. How many women will potentially suffer like Carol?

H.R. 8 also has other problems. Unfortunately, the debate in the Judiciary Committee was cut short. Many commonsense amendments were not even heard. Only 10 amendments out of 100 were heard before the chairman cut off debate.

Because of the rush to get this bill through, there is another problem. There is vague language that is not defined and, thus, is open to interpretation.

I know, in some of the amendments, the majority party has tried to give an alternative to my good, commonsense domestic violence amendments, but it doesn’t do any good. And this is the reason; it is because the language is so vague.

It says: Under H.R. 8, a person is allowed to temporarily transfer a firearm if it is necessary to prevent imminent death or great bodily harm.

The question is: There is no definition of this, so how long is a temporary transfer? Who determines that? Does the victim determine it?

Who determines if there is imminent death? Does it qualify if a victim of domestic violence thinks they will be likely to be shot if the gun have to be in the same room and there be some kind of shootout and they throw a gun to them?

What do “imminent danger” and “imminent death” mean?

With something as important as the Second Amendment, I think we owe it to the American people to do our work and take as long as we have to in order to have a fair and open debate on major pieces of legislation.

Speaker, with that, I urge opposition to the rule, and I reserve the balance of my time.

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

Mr. Speaker, I include in the RECORD a statement by the National Task Force to End Sexual & Domestic Violence, which is in favor of this legislation and against any weakening amendments.

NATIONAL TASK FORCE TO END SEXUAL & DOMESTIC VIOLENCE

The National Task Force to End Sexual and Domestic Violence, a coalition comprising federal, state, local and tribal organizations and individuals who have fought for
federal protections for survivors of domestic violence, dating violence, sexual assault and stalking, oppose any amendments to H.R. 8, the Bipartisan Background Checks Act of 2019, that exempts persons from the firearms background check requirement. This includes amendments exempting victims and survivors of domestic violence or sexual assault, stalking, or protective orders.

Firearms pose a significant danger to victims of domestic violence, and this is true no matter who owns the firearm. Research shows that exempting a victim’s access to a firearm increases the risk of intimate partner femicide fivefold and does not support the contention that firearm possession is a protective factor for the victim. The testimony of Christy Salters Martin, a professional boxer and experienced gun user, to the Senate Judiciary Committee illustrates this. Despite her boxing prowess and familiarity with firearms, her abuser was able to take her gun from her and shoot her with it, narrowly missing her heart. Firearms do not make victims of domestic violence safer; firearms put victims at greater risk.

Furthermore, domestic abusers are adept at using the justice system against victims. Abusers often accuse the victim of being the perpetrator of violence, making police reports and seeking protective orders. Abusers are also adept at finding loopholes. If persons with protective orders are exempted from the background check requirement, many abusers who are prohibited from possessing firearms would seek protective orders in order to bypass the background check requirement to obtain firearms to terrorize their victims.

Moreover, requiring a victim to undergo a firearms background check is not a hurdle to obtaining a firearm. Most firearm background checks are completed in under a minute. A victim seeking to purchase a firearm will do so quickly, unless the victim was legally prohibited from possessing firearms.

Rather than adding dangerous exemptions to a law that is supposed to protect victims and survivors of domestic violence, Congress should focus on ensuring that adjudicated domestic abusers do not possess firearms. This includes ensuring federal firearms prohibitors protect all victims of intimate partner violence, including dating partners, and ensuring that domestic abusers are prohibited from possessing firearms relinquish their firearms. The best way to protect victims is to disarm abusers.

Mr. RASKIN. Just to quote a small part of it: “Firearms pose a significant danger to victims of domestic violence, and this is true no matter who owns the firearm. Research shows that a male abuser’s access to a firearm increases the risk of intimate partner femicide fivefold and does not support the contention that firearm possession is a protective factor for the victim.”

And there is more in here of interest. I would like to thank my distinguished colleague from Arizona for her thoughts on the question of sexual and domestic violence.

We, indeed, have a provision within the legislation which allows for an exemption from the background check requirement in cases of an imminent threat of great bodily harm.

The question has been raised: Does that protect sexual assault, dating partner violence, stalking, and so on? We thought it was self-evident that it did, but, in any event, Representatives Horn from Oklahoma and Murphy from Florida are introducing a clarifying amendment to be very specific that it is included.

At that point, perhaps we could welcome the support of the distinguished gentlewoman from Arizona, because we are being very clear at that point that our exception for imminent bodily harm and violence includes sexual assault and so on.

I am certain that the gentlewoman’s intentions are good, just as are the intentions of the offerers of the amendment in the bill. Let me just address, in case the gentlewoman hasn’t decided to come over to our side now, some of the general points that were made against the legislation.

The gentlewoman articulated an argument we have been hearing a lot of from our counterparts, which is that criminals don’t follow the law and, therefore, criminals will get rid of the loopholes and strengthen the law, because criminals won’t follow the law.

Now, the fallacy of that argument is plain to see. It is an argument against all law.

It is an argument against the law against murder because murderers obviously don’t follow the law against murder.

It is an argument against the law opposed to theft because thieves don’t follow the law against theft.

But I think anyone who takes time to really study what law is understands that the purpose of the law is to deter people from negative, socially harmful action, the way that the Brady Act has deterred more than 3 million people—felons, fugitives, the mentally unstable, and other unauthorized categories—from accessing a weapon.

Now, that is not a weakness to broadly say that it is an argument against having the Brady Act that we have now, and perhaps that is the intention, simply to take down the law that we have got now.

Another purpose of law, of course, is to punish people who violate it and then, again, to send a moral message about what the social norms are.

And we have got social norms about driving, for example. Would we say we are not going to have driver’s licenses in America because people who drive without a driver’s license ignore the law requiring you to have a driver’s license?

It is a completely nonsensical argument.

Let’s come back to reality and talk about what the Brady Act actually requires the gun dealers to ask people. Here are the basic questions that are being asked:

Are you a fugitive from justice?

Are you under indictment for or have you ever been convicted of a felony?

Are you a lawful user of a controlled substance?

Do you suffer from mental illness?

Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner?

Have you ever been convicted of a misdemeanor crime of domestic violence?

Have you renounced your United States citizenship?

Are you unlawfully present in the United States?

Mr. Speaker, those questions have created a dragnet that has allowed us to stop more than 3 million people from getting weapons who shouldn’t have them.

But there are these big, gaping loopholes out there that they can go on the Internet and get one, or they can go to the parking lot of a convenience store in a private sale and get one, or they can go to a gun show and negotiate a private sale and get one without having to answer those questions.

Well, the American people have spoken on this. That is really why this is the first legislation advocating gun safety to hit the floor of the House of Representatives in a quarter of a century.

This is a great day for the gun safety movement that has overtaken America, rejecting the unconscionable toll of 100 people dead every single day in communities across the land.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Thompson), the sponsor of the underlying bill, H.R. 8, who has done such a magnificent job advocating this cause through thick and thin.

Mr. THOMPSON of California. Mr. Speaker, I rise in strong support of this rule and for the underlying legislation, a bipartisan measure that will make all of our communities safer and save lives.

I would like to thank Chairman MCOVERN for his fair consideration of H.R. 8 and the proposed amendments that were before the Rules Committee.

This is an important time in our Nation’s history. Over 80 percent of Americans have come together to support universal background checks. This is a new day, and this is the time to act now.

Since the tragedy in Newtown about 6½ years ago, this House has held 54 moments of silence, but we have not held one moment of action.

With Speaker Pelosi’s leadership, we now have a chance to vote for two—two—bipartisan bills which will help save lives.

As a gun owner and a strong supporter of the Second Amendment, I was proud to introduce H.R. 8 with my bipartisan colleagues. I look forward to its consideration tomorrow, and I urge my colleagues to support this rule today and the bill tomorrow.

Mrs. LESKO. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. Hudson).

Mr. HUDSON. Mr. Speaker, I rise today to voice my strong opposition to H.R. 8 and H.R. 1112.
We all share the same goal: to end gun violence. But in the course of this debate, House Democrats say they want to do something to end gun violence and anyone who disagrees with their policies doesn’t care.

I believe that the gentleman from Maryland and the folks on the other side of this debate care about the victims of gun violence and the children in this country, and I know in my heart that my colleagues on this side of the aisle, too.

It is a shame that in their rush to do something, anything, Democrats have made this a partisan show. They won’t even allow my bipartisan concealed carry reciprocity bill that passed this House last Congress to be debated on the House floor today.

What about the single mother victim of assault, like Shaneen Allen? Does she not have the right to defend herself?

Instead of working on commonsense solutions that can actually help prevent tragedies—like supporting local law enforcement, ensuring laws and protocols are followed, improving mental health, and eliminating my concealed carry reciprocity—they are targeting law-abiding citizens, and they are disregarding existing Federal law.

There is no gun show loophole. Federal law requires a background check on every commercial gun purchase in America no matter where it takes place. Federal law already prohibits so-called straw purchases.

Let’s make one thing clear: H.R. 8 would not have stopped Newtown. H.R. 8 would not have stopped Parkland. It would not have stopped Las Vegas or Sutherland Springs or San Bernardino or the tragic attack on our former colleague, Congresswoman Gabrielle Giffords.

But the proponents of gun control don’t want you to judge them based on outcomes; they want you to judge them based on intentions. And they say anything and everything that I mention is an outlier. The average American can’t afford to buy a gun. Meanwhile, criminals are going to continue to get their firearms, whether it is through theft or the black market or on the street.

I applaud President Donald Trump for standing with us against this ineffective legislation, and I encourage my colleagues to vote “no.” The American people want us to work together to solve this problem and stop gun violence. Can’t we come together in a bipartisan way and not just do something, but do something that will actually make a difference?

I am calling on my colleagues to put partisanship aside. Work together on ideas that can make a difference. I stand ready to continue this work. I will work with anyone to end gun violence while also protecting the rights of law-abiding citizens, and I reject the false dilemma that we can’t do both.

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

I suppose that we are in a rush to do anything, something, anything that works in order to curb the terrible toll of gun violence on our society.

In the last Congress it is true there was other legislation that was brought to us. One was a proposal to legalize silencers in America, which sounds to me more like an agenda of organized crime than it is of the U.S. Congress trying to seek public safety.

But there was this bipartisan Concealed Carry Reciprocity Act, which was a massive assault on federalism and States’ rights. It would have destroyed every State’s concealed carry law in the country to a level at the lowest common denominator. So if you could get a license to carry a concealed loaded weapon in one State—and in some States there are more than a million people who have been able to get them through completely permissive and lax laws—then you could go anywhere in the country. That is their proposal. That is what is coming out of the loophole factory.

I just would like to assure my friend, if it is true that this provision is a provision of our legislation, if you read it carefully, which says that you can temporarily transfer a gun at a shooting range, at a shooting gallery, or for purposes of hunting, so he doesn’t have to worry about this. Our bills are either not reading carefully enough or they are overlooking very clear passages in our legislation which deal with commonsense concerns.

This is bipartisan legislation. It is backed by more than 90 percent of the American people, and it is going to advance common safety. So rather than searching for mysterious reasons to oppose it, why shouldn’t everybody get together to say this is something that will promote the public safety?

Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I yield myself such time as I may consume.

I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. Speaker, I rise in strong support of this rule and H.R. 8, the Bipartisan Background Checks Act of 2019. I am proud to be a cosponsor, and I thank my colleagues in the Rules Committee for yielding the time.

Our bill is intended to ensure that individuals who are prohibited from owning a firearm are not able to possess one.

Representative RASKIN is right. America is in the midst of a gun violence emergency. Each year, 120,000 Americans are injured by a firearm; 35,000 Americans die; and of those, 17,000 who are injured and killed are children.

No other country in the world suffers the ravages of gun violence, and I am afraid we have become numb to it. But we don’t have to accept it, and we are not, because we are going to finally pass legislation here today.

Mass shootings are on the rise. Military-style assault weapons are deadlier than ever. People are being gunned down in churches, schools, movie theaters, nightclubs, and synagogues.

For many years, the Republican-led Congress bloated the law with commonsense gun safety laws. But, finally, to the American people: We heard you; to the students who marched for their lives: We are finally going to act.

It is time now. I urge adoption of this bipartisan bill, the rule. It is a vote for the safety of our communities and our families.

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

Mr. Speaker, I would like to address a couple of things that were said previously.

I had sponsored an amendment, as a survivor of domestic violence, to allow victims of domestic violence and sexual abuse who have orders of protection to be able to get transferred a gun if they might be in fear for their life.

As I have said, often victims of domestic violence don’t have the financial means or they are so restricted by their perpetrator that it is difficult for them to go out and chase a gun, let alone get a background check, and so they might have a friend whom they can borrow it from.

Now, in response, I think, Mr. RASKIN, if I am not mistaken, said that the Democrats did help domestic violence victims. I just don’t think that their amendment cuts it, and I am going to read the amendment if this is the one that the gentleman is talking about.

It says: A temporary transfer that is necessary to prevent imminent death or great bodily harm, if the possession by the transferee lasts only as long as immediately necessary to prevent the
Ms. JACKSON LEE. Mr. Speaker, as a senior member on the Judiciary Committee and senior member on the Crime, Terrorism, and Homeland Security Subcommittee, I, too, am glad of the underlying discussion regarding the protecting of women.

I rise today to support H.R. 8, the Bipartisan Background Checks Act of 2019, to close the gun show loophole, supported by 80 percent of the American people, so unlicensed dealers cannot, undercover, out of the back of their trunk, sell to people who would create and perpetrate either mass murders or individual abuse and gun violence.

I also support H.R. 1112, the Enhanced Background Checks Act of 2019, that would, in fact, have stopped the deaths at the Mother Emanuel Church in Charleston, South Carolina, where worshipers were shot down, nine of them.

To listen to the debate in the Judiciary Committee, 10 hours of rebuffing these simple legislative initiatives, I beg of my colleagues to stand with us.

Thus, under this measure, licensed firearms dealers would be required to run a background check on prospective buyers using the NICS. Over 90% of checks are completed within 90 seconds so if the NICS system has not returned an answer to the licensed firearms dealer within ten days, the prospective firearm purchaser may file a petition with the Attorney General for review.

H.R. 1112, the “Enhanced Background Checks Act of 2019,” would strengthen the background check procedures federal firearms licensees or dealers follow before selling or transferring a firearm.

As under current law, firearms dealers were required to run a background check on prospective buyers using the NICS.

After another ten-day period has expired, the licensed firearms dealer may sell or transfer the firearm to the prospective purchaser if it has not received a response through the NICS system and the dealer has no reason to believe that the purchaser is prohibited from obtaining a firearm under federal, state, or local law.

Mr. Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.

News released from the Centers for Disease Control (CDC) and Prevention found firearm-related deaths rose for the second-straight year in 2016, largely due to spikes in gun violence.

In 2016, the new CDC report on preliminary mortality data shows that there were more than 38,000 gun-related deaths in the U.S.—4,000 more than 2015.

An Associated Press analysis of FBI data shows there were about 11,000 gun-related homicides in 2016, up from 9,600 in 2015.

Mr. Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.

Mr. Speaker, I rise in strong support of the rule governing debate on H.R. 8, the “Bipartisan Background Checks Act of 2019” and H.R. 1112, the “Enhanced Background Checks Act of 2019,” as well as the underlying legislation.

These legislative proposals address and strengthen the background check system that is already in place to purchase a firearm.

A 2013 study found that approximately 80 percent of all firearms acquired for criminal purposes were obtained from sources who were not required to run a background check, and that 96 percent of inmates who were not prohibited from possessing a firearm at the time they committed their crime obtained their gun this way.

This loophole exists largely because unlicensed sellers need not conduct any background checks under current law, even if the sellers sell a large number of guns.

H.R. 8, the “Bipartisan Background Checks Act of 2019,” would make it illegal for any person who is not a licensed firearm importer, manufacturer, or dealer to transfer a firearm to another person who is not so licensed without a background check.

Individuals seeking to transfer a firearm under this measure would be required to visit a licensed firearms dealer to run the necessary background check before the transfer could be completed.

H.R. 8 is intended to provide an accurate and speedy manner to ensure firearms do not end up in the wrong hands.

An internal assessment by the Federal Bureau of Investigation (FBI) demonstrated that NICS background checks are approximately 99.3 percent to 99.8 percent accurate, and in 90 percent of cases, are processed within 90 seconds.

H.R. 1112, the “Enhanced Background Checks Act of 2019,” would strengthen the background check procedures federal firearms licensees or dealers follow before selling or transferring a firearm.

As under current law, firearms dealers were required to run a background check on prospective buyers using the NICS.

Over 90% of checks are completed within 90 seconds so if the NICS system has not returned an answer to the licensed firearms dealer within ten days, the prospective firearm purchaser may file a petition with the Attorney General for review.

After another ten-day period has expired, the licensed firearms dealer may sell or transfer the firearm to the prospective purchaser if it has not received a response through the NICS system and the dealer has no reason to believe that the purchaser is prohibited from obtaining a firearm under federal, state, or local law.

Mr. Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.
Connecticut, and killed 20 children, 6 adults, and himself.

Since December 2012, there have been at least 1,518 mass shootings, with at least 1,715 people killed and 6,089 wounded.

On the night of October 1, 2017, a gunman opened fire on a crowd of concertgoers at the Route 91 Harvest music festival on the Las Vegas Strip, leaving 58 people dead and 527 injured.

And on November 5, 2017, a mass shooting occurred at the First Baptist Church in Sutherland Springs, Texas, where the gunman, 26-year-old Devin Patrick Kelley killed 26 and injured 20 others.

Every day, on average, 92 Americans are victims of gun violence, resulting in more than 33,000 deaths annually.

States with higher gun ownership rates have higher gun murder rates—as much as 114 percent higher than other States.

A recent study by the Centers for Disease Control and Prevention looking at 30 years of homicide data found that for every 1 percent increase in a State's firearm ownership rate, there is a nearly 1 percent increase in its firearm homicide rate.

Gun death rates are generally lower in States with restrictions such as safe storage requirements or assault weapons bans.

Mass shootings stopped by armed civilians in the past 33 years: 0.

Because more than 75 percent of the weapons used in mass shootings between 1982 and 2012 were obtained legally, stronger legislation is needed to prevent guns from getting into the wrong hands.

And that begins with passing H.R. 8, the “Bipartisan Background Checks Act of 2019,” and H.R. 1112, the “Enhanced Background Check Act of 2019.”

I urge all Members to support the rule and the underlying legislation when it comes to the floor.

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

I would like to refute some of the things, or talk about some of the things said by my friends on the other side.

One of the things that I do want to talk about is that Mr. RASKIN said that my amendment was a narrow exception for domestic violence victims. I had a broader one in Judiciary Committee, if the gentleman remembers, and Chairman NADLER told me that it was too broad, that it was too vague, so that is why I made it very specific.

If the gentleman would like, I will make it broad again.

Also in the Rules Committee, there was another amendment as well, and we are both on Rules, too, of course.

There was a broader one from Mr. SCALISE, who is a victim of gun violence. He had an amendment that was ruled out of order. That basically said any victim of domestic violence, which was broad, but then he had another subsection that said victim of domestic violence or sexual abuse that has an order of protection. So we covered both, yet it was ruled out of order. So we really tried.

Now, the other thing that you brought up, that it is very clear what imminent danger means, and that would cover somebody, and surely a domestic violence victim would not become a criminal under this law. Well, I don't think it is very sure.

So I ask Mr. RASKIN, my colleague, if he would just remove the word “imminent” and just say “danger.” Instead of “imminent danger,” because to me, “imminent danger” means you have to be right in the same room, you know, and throw somebody a gun or something. I mean, to me, the word “imminent” needs to be removed from the language.

The other thing I would like to talk about is the number of times now my colleagues on the other side of the aisle have said: Oh, so many people support this universal background check.

Well, I disagree. I disagree, because there is proof right in Maine. They had a ballot measure, and it was rejected by the majority of the people.

I suppose it depends on how you ask the question. If the American people are going to get into the details of how it takes away our fundamental Second Amendment rights and actually burdens law-abiding citizens and actually may harm people, some of these laws—just the case with the young woman who testified in Judiciary who said that good-intentioned gun laws actually prevented her from defending herself, and she was raped.

So I would say I have some disagreements with some of your statements.

I also want to point out that there are many things that we can do on a bipartisan basis, and this obviously is not bipartisan. I am a co-chairwoman of the Women's Caucus in Congress, and I have talked to my counterpart, a very nice woman and Congresswoman. We really do want to work on bipartisan solutions to gun violence. I would say one of those is let's really concentrate on mental health issues.

Now, we see things in the past. We did the Fix NICS Act, which we passed last year on a bipartisan basis, which really is an attempt to fix the national background system so that local jurisdictions actually report when there are problems, which I think is very valuable.

We also did legislation in a bipartisan manner that would protect our schools more.

Here is another thing we could do in a bipartisan manner. As you have noted, 3.5 million people have been stopped by NICS since 1994 from getting guns, and 112,000 were stopped just last year. But you know what? Only 12 of those 112,000 were actually prosecuted. Why? I mean, we have laws on the books now, and we are not even enforcing them. So I think that is another thing we could do on a bipartisan basis.

Again, this bill, I believe, does more harm than good. I do think my colleagues are well intentioned. I do believe that all of us, whether we are Republican or Democrat, want to reduce gun violence.

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

Mr. RASKIN. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, first, to clarify one thing, this is bipartisan legislation. We have at least five Republicans who are cosponsoring and supporting this legislation. I assume my friend doesn't mean to read those five Republican Members of the House of Representatives out of her caucus.

I am not quite sure what happened in Maine, but I know that there are around a dozen States and the District of Columbia that have already gotten rid of the loopholes that we are going to get rid of today in this Federal legislation.

My friend also invokes Second Amendment rights. I thought that we had put that red herring to rest in 2008 in Heller v. District of Columbia. Justice Scalia said that reasonable regulation is not a burden on the Second Amendment and the mentally unstable is perfectly consistent with the Second Amendment.

Everybody on both sides of the aisle favors the Second Amendment, along with the rest of the Bill of Rights. If you are going to oppose this legislation, you have to base it on some public safety rationale and not pretend like anybody has made a constitutional argument, because nobody has made a constitutional argument.

Finally, on the question of the domestic violence amendment, I would invite my friend to come on over, and we would gladly have unanimous consent to have her added to the amendment, which is the broader amendment she is talking about. Of course, her amendment was the narrow one, which required you to have a civil protection order before there would be an exception from the provisions of the legislation.

She said she was misdirected by the chairman of the Judiciary Committee. All I can say is the legislative process is a treacherous place and a rocky road for people in the minority. I have been dealing with that for several years. In any event, we would love to have you join the amendment now. Mr. Speaker, I make that offer to my friend.

Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. McGovern), the great and distinguished chairman of the Committee on Rules.

Mr. McGovern. Mr. Speaker, I thank the gentleman from Maryland (Mr. RASKIN) for yielding me the time, and I thank him for his leadership on this important issue.

Let me remind my colleagues on the other side of the aisle who are opposing this legislation that people are watching this debate, and I know many are scratching their heads wondering what is going on, because what we are trying to do here is close loopholes that allow violent criminals to get access to guns, not create more loopholes.
Mr. Speaker, last Thursday, I spoke at a town hall sponsored by students at Bancroft High School in Worcester, Massachusetts. Those young people demanded action on gun violence, not unlike other young people all across my district and all across this country. They are not tired, and they are tired of seeing one massacre after another after another. They are sickened by the unacceptable high rate of gun violence in this country.

We have an obligation to be on their side, on the side of the gun lobby. In fact, most gun owners agree with what we are doing here today. Ninety-seven percent of gun-owning households support universal background checks. You don’t see support like that on very many things, but on this issue, the public is speaking loud and clear. The question is whether Congress is going to listen.

My office has been flooded with calls on this year after year after year, and I have heard from loved ones of victims killed and from those injured. I know many of my colleagues can say the same thing. It is heartbreaking.

Each of us is in a unique position. We can do more than just listen. We can act. We can actually vote to help save lives.

Sadly, past majorities have turned a deaf ear. In fact, it has been nearly a decade since the Judiciary Committee held a hearing on a major bill to combat gun violence. When they were in charge, my Republican friends on the other side instead held a hearing on a bill that would have actually brought more guns from out of State into local communities.

Their indifference on this issue of gun violence, their silence, has been stunning. But this majority is not satisfied with inaction. We will not be cowed by the gun lobby.

We are moving legislation, in the case of H.R. 8, that has been in the works for more than 20 years. The time for inaction is over.

Listen to the young people in your districts. They are not content with a future where gun violence is the norm. They want and they deserve better.

Last night in the Rules Committee, my Republican friends tried to pass exception after exception after exception.

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

Mr. Speaker, I yield an additional 30 seconds to the gentleman from Massachusetts (Mr. McGovern).

Mr. MCGOVERN. Mr. Speaker, they tried to pass exception after exception to this universal background check bill, essentially trying to gut the bill.

Well, this is a modest reform in the right direction. We are trying to save lives. We are tired of massacres. We are tired of comforting parents whose loved ones were killed in gun violence. We are tired of inaction. We are tired of the gun lobby, telling us what Congress does and doesn’t pass.

This majority is going to be run by the people of this country, and the majority of the people of this country overwhelmingly support these bills.

Mr. Speaker, I urge my colleagues on both sides of the aisle to vote for this rule and vote for the underlying legislation.

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

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. Lee).

Ms. Lee of California. Mr. Speaker, I thank Congressman Raskin for yielding and for his tireless leadership.

Mr. Speaker, I rise today in strong support of the rule and H.R. 8. Congressman Thompson’s bipartisan bill that makes gun sale background checks universal.

This bill is an important step to ensure that individuals who should not be allowed to purchase a gun are no longer able to purchase a gun.

Since 2014, nearly 400 of my constituents have fallen victim to gun violence. Our community feels their loss every single day. Here are just a few of their names and tragic stories.

Davon Ellis: Davon was a star football player and an excellent student at Oakland Tech High School. He was shot and killed while walking home from school. My nephew was walking with him when he was gunned down.

Travon Godfrey: Travon was killed in 2016 while sitting in a car with his friends in front of his home. Every time I think of him, Travon’s heart breaks. Travon came to a town meeting that I held on gun violence in January of 2016.

Sadly, these heartbreaking stories are all too familiar in communities across the country. More than 30,000 Americans lose their lives to gun violence each year. Shootings now kill as many Americans as car accidents, and that is why this bill is so important.

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

Mr. RASKIN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. Lee of California. Mr. Speaker, I thank the gentleman very much for yielding me additional time.

Mr. Speaker, this bill is a good first step to ensure that our background checks are strengthened, that we keep guns out of the wrong hands, and that we close these loopholes.

Mr. Speaker, this bill is a good first step to ensure that our background checks are strengthened, that we keep guns out of the wrong hands, and that we close these loopholes.

Mr. Speaker, this bill is a good first step to strengthen the NICS background check system even more. We can talk about enforcing the laws that are already on the books.

H.R. 8 will turn law-abiding citizens into criminals by making everyday gun transfers a crime and putting those who seek to protect themselves in jail for wanting to do so.

H.R. 8 and H.R. 1112 will place an undue burden on citizens who already have a background check. For instance, for security reasons, the global entry, State-issued permits, et cetera.

These pieces of legislation put law-abiding citizens in danger by disarming them and emboldening criminals. The bad guys never follow the law. In fact, I believe that this legislation violates the Second Amendment of the Constitution because it does not prohibit undue fees for background checks and, thus, some people cannot afford them as a survivor of domestic violence, I know what it is like to be in fear for our lives.

This commonsense amendment is clearcut. If you are a victim with an order of protection, you can borrow a firearm or transfer a firearm to you. It doesn’t often have the means to purchase or go pay for a background check.

The Democrats have presented a letter from the National Task Force to End Sexual and Domestic Violence as a floor amendment for not needing my amendment. However, with all due respect, the National Task Force does not speak for every victim, and they certainly do not speak for me. In fact, they never even contacted me, and I have been an outspoken person saying I am a survivor of domestic violence since I ran for Congress. I am also the person who sponsored the amendment to extend the Violence Against Women Act, yet they have never talked to me or reached out to me.

The majority offered a political amendment on domestic violence, which I already had talked about, which really does not do any good, because the definitions of imminent danger are not defined, and it will not be carried out and will not be effective.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the request of the previous question.

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

Mr. PRICE of North Carolina. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Mrs. LESKO. Mr. Speaker, in closing, we all want to solve gun violence in the United States, but H.R. 8 and H.R. 1112 will not solve the problem.

□ 1430

As co-chairwoman of the bipartisan Women’s Caucus, I am committed to working across the aisle on solutions we can all agree on. However, this is not one of them. We can talk about mental health. We can talk about strengthening the NICS background check system even more. We can talk about enforcing the laws that are already on the books.
and, thus, not be able to get a gun to defend themselves.

Mr. Speaker, I urge "no" on the previous question, "no" on the underlying measure, and I yield back the balance of my time.

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

Mr. Speaker, far from trying to turn law-abiding citizens into criminals, our legislation will save law-abiding citizens from criminals, simply by expanding the successful Brady law, which has been in effect for decades now.

The gentleman introduces a constitutional argument at the last minute here, saying that our legislation is unconstitutional because there may be undue fees imposed. Of course, those are the fees that are currently imposed under the Brady law, so I am afraid that my friend has just made an argument for the unconstitutionality of the current law, which has saved us from more than 3 million felons, fugitives, mentally unstable people, drug abusers, and undocumented aliens from acquiring firearms in the country.

Mr. Speaker, our country is a social contract. I know we have got a lot of young people here today. We are a social contract. We need to take back control and read any of the social contracts—there is Thomas Hobbes, John Locke, or Thomas Jefferson—and any of them say, we leave the government in place, which is a state of war, and a state of violence, in order to live in a civilized way.

But how civilized is it when tens of thousands of Americans, every year, are being killed in firearm violence? Every day, another hundred Americans are killed with guns.

In 2017, the highest level in 40 years, nearly 40,000 Americans died from gun violence. That is not a civilized state. That is a state of war. That is a state of violence.

We know what the loopholes are, and we are going to close the loopholes with our bipartisan legislation, which has support from Republicans and it has support from Democrats.

The public opinion polls show that more than 95 percent of the American people support what we are trying to do here—to close the gun show loophole, close the private sale loophole, close the internet loophole—make sure that everybody who purchases a gun in America is purchasing it only with the universal comprehensive mental and criminal background check.

We have amendments for the discrete exceptions that are necessary, including in cases of imminent violence, including rape and sexual assault via domestic violence. We think that this legislation is excellent legislation that every Member of Congress should feel proud voting for.

Mr. Speaker, I submit both H.R. 8, the Bipartisan Background Check Act, as well as the bill to close the Charleston loophole, so that criminals are not given guns after 3 days. We are able to delay that process in the event that more investigation is needed.

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 145, the rule providing for consideration of the Bipartisan Background Checks Act of 2019 (H.R. 8) and the Enhanced Background Checks Act of 2019 (H.R. 1112).

These critical bills would ensure that there is a comprehensive background check on every firearm purchase, something that 97 percent of American voters, including 97 percent of gun-owning households, support.

H.R. 8 requires background checks on all firearm sales, including those conducted by licensed gun sellers and what has become known as the "gun show loophole.

H.R. 1112 closes another loophole in current statute that allows gun dealers to transfer a firearm after three business days if they have not received a definitive response from the background check system.

Tragically, this gap became known as the "Charleston loophole" when it contributed to the brutal murder of nine people at the Emanuel African Methodist Episcopal Church in Charleston in 2015.

Congress must act immediately on the ABCs of gun violence prevention.

A is for Assault Weapons Ban. B is for Background Checks Reform. C is for Closing the Gun Show Loophole.

These measures make progress on B and C, and they support the material previously referred to by Mrs. LESKO as is follows:

Sec. 4. Notwithstanding any other provision of this resolution, the amendment printed in section 5 shall be in order as though the amendment was adopted by the House in the Committee on Rules accompanying this resolution if offered by a Representative of Arizona or a designee. That amendment shall be debateable for 10 minutes equally divided and controlled by the proponent and an opponent.

Sec. 5. The amendment referred to in section 4 is as follows:

Mr. RASKIN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Yeas and Nays ordered.

Adams
Aguilar
Amodei
Amash
Andrews
Armstrong
Arrington
Barden
Balderson
Banks

C, and I urge my colleagues to support them.

The ABCs of gun violence prevention.

Mr. Speaker, on that I ordered.

Adoption of House Resolution 144, if ordered.

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

Mr. Speaker, far from trying to turn law-abiding citizens into criminals, our legislation will save law-abiding citizens from criminals, simply by expanding the successful Brady law, which has been in effect for decades now.

The gentleman introduces a constitutional argument at the last minute here, saying that our legislation is unconstitutional because there may be undue fees imposed. Of course, those are the fees that are currently imposed under the Brady law, so I am afraid that my friend has just made an argument for the unconstitutionality of the current law, which has saved us from more than 3 million felons, fugitives, mentally unstable people, drug abusers, and undocumented aliens from acquiring firearms in the country.

Mr. Speaker, our country is a social contract. I know we have got a lot of young people here today. We are a social contract. We need to take back control and read any of the social contracts—there is Thomas Hobbes, John Locke, or Thomas Jefferson—and any of them say, we leave the government in place, which is a state of war, and a state of violence, in order to live in a civilized way.

But how civilized is it when tens of thousands of Americans, every year, are being killed in firearm violence? Every day, another hundred Americans are killed with guns.

In 2017, the highest level in 40 years, nearly 40,000 Americans died from gun violence. That is not a civilized state. That is a state of war. That is a state of violence.

We know what the loopholes are, and we are going to close the loopholes with our bipartisan legislation, which has support from Republicans and it has support from Democrats.

The public opinion polls show that more than 95 percent of the American people support what we are trying to do here—to close the gun show loophole, close the private sale loophole, close the internet loophole—make sure that everybody who purchases a gun in America is purchasing it only with the universal comprehensive mental and criminal background check.

We have amendments for the discrete exceptions that are necessary, including in cases of imminent violence, including rape and sexual assault via domestic violence. We think that this legislation is excellent legislation that every Member of Congress should feel proud voting for.

Mr. Speaker, I submit both H.R. 8, the Bipartisan Background Check Act, as well as the bill to close the Charleston loophole, so that criminals are not given guns after 3 days. We are able to delay that process in the event that more investigation is needed.

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 145, the rule providing for consideration of the Bipartisan Background Checks Act of 2019 (H.R. 8) and the Enhanced Background Checks Act of 2019 (H.R. 1112).

These critical bills would ensure that there is a comprehensive background check on every firearm purchase, something that 97 percent of American voters, including 97 percent of gun-owning households, support.

H.R. 8 requires background checks on all firearm sales, including those conducted by licensed gun sellers and what has become known as the "gun show loophole.

H.R. 1112 closes another loophole in current statute that allows gun dealers to transfer a firearm after three business days if they have not received a definitive response from the background check system.

Tragically, this gap became known as the "Charleston loophole" when it contributed to the brutal murder of nine people at the Emanuel African Methodist Episcopal Church in Charleston in 2015.

Congress must act immediately on the ABCs of gun violence prevention.

A is for Assault Weapons Ban. B is for Background Checks Reform. C is for Closing the Gun Show Loophole.

These measures make progress on B and C, and they support the material previously referred to by Mrs. LESKO as is follows:

At the end of the resolution, add the following:

Sec. 4. Notwithstanding any other provision of this resolution, the amendment printed in section 5 shall be in order as though printed as the last amendment in part A of the report of the Committee on Rules accompanying this resolution if offered by a Representative of Arizona or a designee. That amendment shall be debateable for 10 minutes equally divided and controlled by the proponent and an opponent.

The question was taken; and the Yeas and Nays ordered.

Adoption of House Resolution 144, if ordered.

Mr. Speaker, on that I ordered.

Adoption of House Resolution 144, if ordered.
The SPEAKER pro tempore. The question is on the resolution. The question is on ordering the previous question on the resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019, on which the yeas and nays were ordered.

Mrs. LESKO. Mr. Speaker, on that I yield.

The SPEAKER pro tempore. A motion to reconsider was laid on the table.

The vote was taken by electronic device, and there were—yeas 228, nays 193, not voting 10, as follows:

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

The SPEAKER pro tempore. The unfinished business is the order on the resolution (H. Res. 144) providing for the consideration of the joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.
February 26, 2019

CONGRESSIONAL RECORD — HOUSE

So the previous question was ordered. The vote was announced as above recorded.

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

Mr. WOODALL. Mr. Speaker, on that demand of the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 229, nays 193, not voting 9, as follows:

[Roll No. 93]

YEAS—229

ABRAMS, Adam (GA)  
ADKINS, Jonathan (KY)  
ALLEN, Matt (OK)  
AMOS, Bruce (GA)  
ARMSTRONG, Tim (CO)  
ARRINGTON, Pete (AL)  
BAKIN, Gary (CA)  
BACON, Roger (VA)  
BAILLIE, Adam (CA)  
BANKS, David (NY)  
BARR, Chuck (CA)  
BARTON,rp (TX)  
BATES, Larry (AR)  
BAXTER, Steve (TX)  
BEGG, Tom (GA)  
BINGHAM, Andy (IN)  
BISHOP (UT), Steve (UT)  
BOOKE (IN), Mark (IN)  
BUCHANAN, Matt (PA)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trent (IL)  
BUCY, Trev
So the resolution was agreed to.

The SPEAKER pro tempore. The resolution is considered as read and printed in the RECORD.

The SPEAKER pro tempore. There was no objection. The SPEAKER pro tempore. The resolution was agreed to.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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


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

DEAR MADAM SPEAKER: Due to a clerical error outside of our office, I have been mistakenly added to the House Veterans’ Affairs Committee roster. I am submitting this statement to remedy this error. I hereby resign from the House Veterans’ Affairs Committee.

Sincerely,

ANDY LEVIN.

The SPEAKER pro tempore. The resolution is considered as read and printed in the RECORD.

The SPEAKER pro tempore. There was no objection. The resolution was agreed to.

TERMINATION OF NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019

Mr. JOHNSON of Georgia. Mr. Speaker, pursuant to House Resolution 144, I call up the joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019, and ask for immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 144, the joint resolution is considered read. The text of the joint resolution is as follows:

H.J. Res. 46

Resolved by the Senate and House of Representatives of the United States of America in General Convention, That, pursuant to section 202 of the National Emergencies Act (50 U.S.C. 1622), the national emergency declared by the President on February 15, 2019, in Proclamation 9844 (84 Fed. Reg. 4949) is hereby terminated.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. JOHNSON) and the gentleman from Missouri (Mr. GRAVES) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their marks and insert extraneous material on H.J. Res. 46.

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

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

President Trump’s decision to declare a national emergency at the southern border to siphon funds for his border wall is an unconstitutional, grotesque abuse of power.

An emergency declaration is not a last-ditch maneuver to employ when all negotiation attempts have failed. The House of Representatives has rejected the President’s border wall. The Senate has rejected the border wall. And the American people have rejected this useless wall.

The President does not get to override Congress in a raucous temper tantrum over his inability to broker a deal. The National Emergency Act was enacted in 1976 to expedite the allocation of resources for real emergencies to save American lives and mitigate damage caused by natural disasters and acts of terror. It was not fashioned to allow a President to defy the will of Congress and the American people.

Both Democrats and Republicans alike should be very concerned about the ramifications of this unprecedented executive action. It is a direct threat to the balance of power that our country was built upon and a violation of our Nation’s Constitution.

There is also no factual basis for the emergency declaration. Immigration from the southern border has significantly decreased in the last 10 years. Any attempts to characterize the border as a crisis zone are flagrant abuses of statistics, which have shown that border crossings are at the lowest they have been in 40 years.

President Trump has long proved he is not married to the truth or facts, and he has no proof to substantiate his wild claims about the status of the United States and the Mexican border.

We cannot abandon our commitment to responsible governing and the truth because President Trump is outraged at his inability to fulfill a campaign promise.

There is wide bipartisan support for this measure. It is a direct threat to the balance of power that our country was built upon and a violation of our Nation’s Constitution.

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

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

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the President clearly laid out the case for the declaration of a national emergency in his State of the Union Address right here. National
security is obviously the President's highest priority, and I support his efforts to build a wall.

There is a crisis. There is a crisis at the border that could have been addressed much sooner and prevented. Open border policies of the last administration compounded this growing problem.

We have schools, hospitals, and other services that have become overcrowded. American workers have been hurt by reduced job opportunities and lower wages. At the same time, human and drug trafficking has thrived.

In many communities, the notorious MS–13 gang has grown. We have seen tragic cases of crimes committed by illegal aliens who have been deported not once, not even twice, but multiple times.

I want to cite just one example from my home State of Missouri. A man named Pablo Serrano-Vitorino was deported to Mexico after a felony conviction. He then returned to this country illegally and was arrested again in 2014 and 2015 after several more violent incidents, but he remained in the U.S.

Then, in 2016, this individual, who had a right to be in this country, was charged for murdering five people in Kansas City, Kansas, and Montgomery County, Missouri.

Stories like this are not unique to Missouri, Mr. Speaker. These horrifying events are happening across this country.

This is a crisis. The men and women who put their lives on the line every day to bring order and security to our borders deserve the tools that they need to do the job, and now this President is taking decisive action to finally address the crisis using the authority provided to him by the Congress.

The National Emergencies Act is very clear. The provisions the President use under title 10 explicitly provide the President with clear authority.

I support the President's efforts. I believe he is well within the law in making this declaration, and I urge my colleagues to oppose H.J. Res. 46.

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

Mr. JOHNSON of Georgia. Mr. Speaker, the gentleman from New York (Mr. NADLER). Mr. Speaker, the gentleman from Texas (Mr. CASTRO).

Mr. Speaker, about 6 weeks ago, when the rumors began that the President might declare a national emergency to build his border wall, my staff and I began working with legislative counsel to make sure that Congress would have a say in what amounts to constitutional cannibalism by the President.

This is the most consequential vote we will take in a generation on the balance of powers between the legislative and the executive branches of government, whether we will respect the separation of powers enshrined in our Constitution, stand up for Congress, for this country, and for the Constitution, or whether we will stand down, in favor of the President.

The precedent that may be set today and this week, or next week when the Senate votes if Congress allows this President's emergency declaration to stand will likely have ramifications only on this matter or the building of a border wall. If the President is successful, he will likely come back for more. He will likely circumvent Congress again, in the same unconstitutional way.

Not only will President do it, future Presidents will do it.

I ask you this: How are we to tell a future President, if this President is successful, that gun deaths, which number in the tens of thousands, are not a national emergency, that opioid deaths are not a national emergency, that climate change is not a national emergency? This will allow a President to sideline Congress from much of domestic policy.

Bear in mind, over the years, Congress has already, on its own, I believe, given up a lot of its authority with respect to foreign policy.

It is also clear that there is no emergency at the border. Border crossings are at a four-decade low. The folks who are coming today are presenting themselves to Border Patrol agents seeking asylum, not trying to get around the border.

There are more law enforcement officers at our border—Federal, State, and local officers—than at any time in our Nation’s history.

Since its founding, this country has become the most powerful and prosperous on the face of the Earth without a border wall. That is why most Americans disagree with the President usurping the power of Congress to build his border wall.

In fact, not only do they disagree with that, they disagree with using military construction money on this border project. Cities like mine, San Antonio, stand to lose millions of dollars in military funding.

Mr. Speaker, I urge my colleagues to vote for this resolution.

Mr. GRAVES of Missouri. Mr. Speaker, let’s be clear: Congress explicitly authorized the President to undertake certain military construction projects that are not otherwise authorized by law when it passed the National Security Act. The President is working within the legal boundaries that the Congress gave him.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Speaker, the gentleman from Missouri is exactly right. It is the statutes that allow this President to do this.

The statutes don’t provide for national emergencies on climate change. They don’t allow for national emergencies on gun violence. But they do allow it in terms of this particular issue.

The President is exactly right. There is a crisis at the border. Mr. Speaker.
The Constitution could not be clearer: “No money shall be drawn from the Treasury, but in consequence of appropriations made by law.” That command reflects a fundamental principle that is older than our democracy itself: The federal government may not unilaterally spend taxpayers’ money or redirect a budget set by the people’s representatives.

Earlier this year, Congress reached a bipartisan compromise to fund the government, and it was signed by the President. Congress allocated limited funding for fencing in certain areas, but squarely rejected the President’s request to build a military barrier across the southern border.

Almost immediately, the President decided to rewrite the budget set by Congress, and he told us exactly why. He was not satisfied with what he got from the process that the Constitution dictates, so he did an end run and made it an emergency. He and his aides have barely even tried to pretend that the so-called emergency is a real one. They know that illegal immigration is at historically low levels. They know that children and families fleeing violence are coming here to make lawful asylum claims, not as some kind of invading army.

They know that illegal drugs overwhelmingly get smuggled through ports of entry, and that a wall would do nothing to change that. But they refuse to let the facts and the law stand in the way of their political agenda.

Even worse, the emergency law that President Trump invoked allows the military to redirect funds only if an emergency “requires the use of the armed forces.” And those funds can be used only for construction projects that are “necessary to support such use of the armed forces.”

But a wall cannot possibly be “necessary to support” a military operation on the border because our laws prohibit the military from engaging in law enforcement activities. The military cannot enforce an immigration law, so the President’s actions are doubly unlawful. There is no real emergency; and even if there were, the President could not redirect military funds for a purpose expressly prohibited to the military.

Fortunately, the Constitution does not get suspended based on President Trump’s pronouncements about what is convenient or “faster.” Our Nation’s Founders left it up to all of us, including those of us in Congress, to act as guardians against exactly this type of assault on our constitutional order.

In that spirit, I proudly support this joint resolution, and I call upon my colleagues on both sides of the aisle to stand up and do the same.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS), who is on the Judiciary Committee.

Mr. COLLINS of Georgia. Mr. Speaker, on February 15, the President exercised his clear authority under a clear Federal statute, duly-enacted by Congress, to use funds already appropriated by Congress for the purpose of securing our southern border.

Mr. Speaker, I am glad about one thing about being here, I am glad that, for many of the times that I have been here, I came through the Rules Committee, and others, and talked about Article I authority. I am glad now to see that we have others who have now figured that Article I probably needs to be enforced.

What is interesting is it is selective enforcement against a President they don’t like, for a purpose they don’t want, for a wall that they don’t want to have because securing a border is not the top agenda for them.

I get it if you don’t like it. But argue with the law. The statute itself and the President’s actions, in accordance with it, rest solidly within the separation of powers, and are certainly constitutional.

If you are citing the Supreme Court case of Youngstown against the President’s action today during this debate, then I suggest you haven’t read the case. That reasoning of the Youngstown case, when the President is acting unilaterally and not pursuant to a duly-elected statute by Congress.

Maybe the selective memory here is because the previous President actually did that. He instituted the DACA program under no things that he could have found to actually work on.

Then we discuss the issue of, is there an actual emergency on the border? You know, a President once noted, he said: “We have seen a significant rise in apprehensions and processing of children and individuals from Central America who are crossing into the United States in the Rio Grande Valley areas of the Southwest border. The individuals who embark upon this perilous journey are subject to violent crime, abuse, extortion, as they rely on dangerous human smuggling networks to transport them through Central America and Mexico.”

Most may think that was from the current President. It was not. It was from President Obama when he was requesting more money for the emergency on the border.

The problem is the factual basis is there. I mean, I didn’t even have to hear in the Judiciary Committee, and I had to look at the faces of our Border Patrol agents and ICE agents, and others dealing with this on a day-to-day basis while all they get, many times from this body, is hate and derision when they are doing their job that we sent them to do.

My problem comes back here—if we can argue about different things—this was under the law and done by Republicans and Democrats for the last almost 40 years. If you want to fix this, then you have done what you should do under law. You have brought your resolution of disapproval.

But if you really wanted to take Article I authority, then actually look at the law itself. If you actually want to change it that is what this body ought to be doing.

If you don’t like the fact that the President can do something and especially my friends across the aisle who don’t want this President to do anything, then fix the law. Go into this emergency declaration and say, we will define what a national emergency is. We will do that.

They even want to do that because they don’t want to bind the hands because they know that the law was written for a purpose that has been upheld for over 40 years. This is simply a show. It is a farce.

Let’s just get to the political aspect of this and say. Mr. Speaker, we don’t like the President. We don’t like what he is doing. Oops, we forgot about this law, and the President said, I will act under the authority given to me by Congress.

You can have all the arguments you want, but at the end of the day, Mr. Speaker, when you cast this vote, don’t hide behind Article I. Don’t hide between separation of powers. Go to the law and look at what the law says and vote “no.”

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Missouri has 22½ minutes remaining.

The gentleman from Georgia has 22½ minutes remaining.

Mr. JOHNSTON of Georgia. Mr. Speaker, I yield 1 minute to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Speaker, the President’s emergency declaration is, in fact, a power grab to go outside the bounds of the law and get what he failed to achieve in constitutional legislation. And in this process, I think it was the President’s and the Congress’s intention to actually go outside the law and accomplish what the American people and Congress to pay for his ineffective, wasteful, multi-billion-dollar concrete wall, the President is now trying a desperate end run around Congress with his unlawful emergency declaration.

The President is declaring an emergency over a crisis that does not exist. The statute only applies to national emergencies that require use of the armed forces for military construction projects “that are necessary to support such use of the armed forces.” The border wall is not a military construction project. It does not require the use of the military.
The immigration law is the responsibility of the Federal immigration enforcement agencies, not the military.

The President’s declaration violates Federal law and that is the crisis. This is a crisis, a crime against our Constitution. It is an assault; it is a rape, what the President is doing now, against the Constitution, against this legislative body.

I am just in another world that I, as a constitutional, strict constructionist, am on this side of the aisle on an issue like this.

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

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

I might remind my colleagues that Title X, Section 9, Clause 7, originally said Mexico will pay for, so the self-proclaimed master negotiator, Mr. Trump, failed to get a border wall that he put forward, regardless of merit, his put in place by Congress to confront a border security funding, President Trump, a self-proclaimed master negotiator, failed to get a border wall that he originally said Mexico will pay for, so

For President Trump to claim we need to build a wall to support our Armed Forces, it is absurd and ridiculous. This emergency declaration is just an overreaching and dangerous power grab by President Trump's decision to use executive authority to carry out this approach and keep America safe.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I am glad that the other side acknowledges that the people approaching our southern border are not men from Mexico, but they are families with children fleeing violence in Central America. That is an important distinction.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BROWN), vice chair of the House Armed Services Committee.

Mr. BROWN of Maryland. Mr. Speaker, there is no national emergency on our southern border. There are no terrorists who are being apprehended. There is no invading hostile force, and border crossings remain at a 40-year low.

Pulling resources from military construction projects, as President Trump would do, projects meant to improve readiness and support our servicemembers, impacts our national security. It will hurt military families who are already dealing with military housing with mold and lead poisoning, and outdated schools and medical facilities.

This declaration of national emergency will keep thousands of Active-Duty troops needlessly deployed at the southern border and away from their scheduled training activities and operational readiness.

This is a fake emergency; and for President Trump to claim we need to build a wall to support our Armed Forces, it is absurd and ridiculous. This emergency declaration is just an overreaching and dangerous power grab to push forward the President’s anti-immigrant agenda and supposedly boost his re-election chances.

There is no national emergency; only a crisis in the designation.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

I might point out to my colleagues just how much of a national emergency this is.

It was President Obama who recognized the crisis at the border. In 2014, President Obama requested $3.7 billion in emergency supplemental funding for what he described as a humanitarian crisis, a humanitarian crisis at the border. He specifically cited an increase in family units trying to cross the border and the lack of resources to accommodate them.

Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Speaker, without a doubt, there is a crisis at the border. Changing demographics have created unprecedented challenges for the Border Patrol.

In the early 2000s, most illegal border crossers were young Mexican men and our laws allowed us to quickly return them to Mexico. But today, the flow of Mexican men has been replaced with a mix of men, women, and children from Central American countries.

Human traffickers are exploiting the loopholes in our laws and understand how our immigration system is broken. These smugglers tell vulnerable families that their child is like their “visa” to stay in the U.S., if they can just get them in. They are families from Central America. That is an important distinction.

Family apprehensions for fiscal year 2019 are already 572 percent higher than fiscal year 2013. And these traffickers don’t care about the people they smuggle. The result is that immigrants of all ages are arriving on our doorstep in terrible health.

Border Patrol projects a 133 percent increase over last year in migrants needing medical treatment after crossing the border. These changing migrant flows, along with law enforcement officers to act as paramedics, rather than enforcing the laws that Congress has passed.

We need an “all-of-the-above” approach to border security, and that includes manpower, 21st century technology, and barriers. With this approach, we will deter human smugglers and others crossing hundreds of miles of open desert with innocent children.

We know this approach works. In areas where we’ve built a wall, such as Yuma, illegal traffic has plummeted by 95 percent. Let’s build on this success.

I encourage my colleagues to stand by President Trump’s decision to use executive authority to carry out this approach and keep America safe.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I am glad that the other side acknowledges that the people approaching our southern border are not men from Mexico, but they are families with children fleeing violence in Central America. That is an important distinction.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BROWN), vice chair of the House Armed Services Committee.

Mr. BROWN of Maryland. Mr. Speaker, there is no national emergency on our southern border. There are no terrorists who are being apprehended. There is no invading hostile force, and border crossings remain at a 40-year low.

Pulling resources from military construction projects, as President Trump would do, projects meant to improve readiness and support our servicemembers, impacts our national security. It will hurt military families who are already dealing with military housing with mold and lead poisoning, and outdated schools and medical facilities.

This declaration of national emergency will keep thousands of Active-Duty troops needlessly deployed at the southern border and away from their scheduled training activities and operational readiness.

This is a fake emergency; and for President Trump to claim we need to build a wall to support our Armed Forces, it is absurd and ridiculous. This emergency declaration is just an overreaching and dangerous power grab to push forward the President’s anti-immigrant agenda and supposedly boost his re-election chances.

There is no national emergency; only a crisis in the designation.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

I might point out to my colleagues just how much of a national emergency this is.

It was President Obama who recognized the crisis at the border. In 2014, President Obama requested $3.7 billion in emergency supplemental funding for what he described as a humanitarian crisis, a humanitarian crisis at the border. He specifically cited an increase in family units trying to cross the border and the lack of resources to accommodate them.

Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Speaker, without a doubt, there is a crisis at the border. Changing demographics have created unprecedented challenges for the Border Patrol.

In the early 2000s, most illegal border crossers were young Mexican men and our laws allowed us to quickly return them to Mexico. But today, the flow of Mexican men has been replaced with a mix of men, women, and children from Central American countries.

Human traffickers are exploiting the loopholes in our laws and understand how our immigration system is broken. These smugglers tell vulnerable families that their child is like their “visa” to stay in the U.S., if they can just get them in. They are families from Central America. That is an important distinction.

Family apprehensions for fiscal year 2019 are already 572 percent higher than fiscal year 2013. And these traffickers don’t care about the people they smuggle. The result is that immigrants of all ages are arriving on our doorstep in terrible health.

Border Patrol projects a 133 percent increase over last year in migrants needing medical treatment after crossing the border. These changing migrant flows, along with law enforcement officers to act as paramedics, rather than enforcing the laws that Congress has passed.

We need an “all-of-the-above” approach to border security, and that includes manpower, 21st century technology, and barriers. With this approach, we will deter human smugglers and others crossing hundreds of miles of open desert with innocent children.

We know this approach works. In areas where we’ve built a wall, such as Yuma, illegal traffic has plummeted by 95 percent. Let’s build on this success.

I encourage my colleagues to stand by President Trump’s decision to use executive authority to carry out this approach and keep America safe.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I am glad that the other side acknowledges that the people approaching our southern border are not men from Mexico, but they are families with children fleeing violence in Central America. That is an important distinction.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BROWN), vice chair of the House Armed Services Committee.

Mr. BROWN of Maryland. Mr. Speaker, there is no national emergency on our southern border. There are no terrorists who are being apprehended. There is no invading hostile force, and border crossings remain at a 40-year low.

Pulling resources from military construction projects, as President Trump would do, projects meant to improve readiness and support our servicemembers, impacts our national security. It will hurt military families who are already dealing with military housing with mold and lead poisoning, and outdated schools and medical facilities.

This declaration of national emergency will keep thousands of Active-Duty troops needlessly deployed at the southern border and away from their scheduled training activities and operational readiness.

This is a fake emergency; and for President Trump to claim we need to build a wall to support our Armed Forces, it is absurd and ridiculous. This emergency declaration is just an overreaching and dangerous power grab to push forward the President’s anti-immigrant agenda and supposedly boost his re-election chances.

There is no national emergency; only a crisis in the designation.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

I might point out to my colleagues just how much of a national emergency this is.
Senate, the head of the U.S. Northern Command said that border crossers do not pose a military threat.

Mr. Speaker, there is no emergency.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Champaign (Mr. Crawford).

Mr. CRAWFORD. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, I rise in opposition to this resolution.

When President Trump declared a national emergency, he did so in response to the ongoing humanitarian crisis at our border and with full statutory authority vested in laws passed in this very Chamber.

The majority claims that this resolution of disapproval is in response to a power grab by a President acting out of line. Yet, by merely disapproving of the emergency declaration, they are preserving his statutory powers they claim are inappropriate.

If my colleagues across the aisle are so concerned about separation of powers, why don’t they simply reform the laws in title 10 and title 50 that the President is using to respond to this crisis? The answer is because this resolution is not about the division of powers; it is not even about border security. The only reason this legislation is being considered on the floor today is to obstruct the President’s agenda.

The President has made it clear that he will use all statutory tools at his disposal to secure the border, and that is exactly what he is doing in declaring this emergency.

Mr. Speaker, I urge my colleagues to oppose this legislation.

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire the amount of time remaining?

The SPEAKER pro tempore. The gentleman from Missouri has 16 3/4 minutes remaining. The gentleman from Georgia has 18 minutes remaining.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in opposition to the gentleman from Illinois (Mr. Garcia).

Mr. GARCIA of Illinois. Mr. Speaker, my colleagues make some very good points. They make convincing arguments about executive overreach and the misuse of Federal funds. I thank them for those statements, and I would like to ask a more personal question.

Since when do we call human beings in need a national emergency? Have all of President Trump’s other arguments failed? Is he running out of insults for people like me, people who came from Mexico to have a better life in this country?

He used to call people like me bad hombres. When that failed, he turned to other insults. And after they lose their shock value, he calls us rapists, then murderers. At that point, he ran out of insults for people like me, so he referred to us as coyotes.

Now, when all other labels have failed to achieve his central campaign promise to build a medieval border wall, he calls people like me a national emergency?

We must reject this premise as the presence of people like me in this country, of people like my constituents in my district, a national emergency. The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentlewoman from West Virginia (Mrs. Miller).

Mrs. MILLER. Mr. Speaker, I rise today because we must secure our border. We are in the midst of a national security and humanitarian crisis on our southern border which must be addressed.

Earlier this month, Congress secured important and necessary funding to protect over 55 miles of our most dangerous border where it has been so desperately needed. We have also provided funding for over 600 new border officers.

This was a good step in the right direction, but as we see again today, our colleagues from across the aisle remain unwilling to address our intensifying border crisis. With the national emergency declaration, President Trump is taking the steps our country needs to stay safe and secure.

Yes, this is an emergency. Cartels, human traffickers, and drug smugglers take advantage of our weak border for their own gain, and it must be stopped.

We need to stop traffickers from bringing young girls and women into our country where they are sold into prostitution and slavery. As a mother and a grandmother, this breaks my heart.

We need to stop violent gangs like MS-13 from entering our cities and bringing their violence and evil onto our streets.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. Jeffries), our Caucus chair.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman for yielding.

Mr. Speaker, I rise in opposition to this so-called declaration that is anchored in a phony, fraudulent, and fake national emergency.

There is no crisis at the border. There is no basis in law or in fact for this unconstitutional emergency declaration.

Illegal border crossings have not increased; they have decreased. There is no evidence of increased criminal activity on the border. There is no evidence of increased drug trafficking on the border. There is no evidence that terrorists are pouring into the United States of America on the southern border.

This is a fantasy made up by a xenophobic administration to support a medieval border wall that this Article I Congress rejected. That is why House Democrats will work to defeat it.

Mr. Speaker, vote “yes” on the resolution of disapproval.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. Olson).

Mr. OLSON. Mr. Speaker, I thank my friend from Missouri for yielding, as I want to share my thoughts on this purely political effort by the new Democratic majority.

Mr. Speaker, the U.S. and Mexico border is 2,400 miles long. My home State of Texas is half that border, 1,200 miles.

Texas knows something others in this Chamber apparently don’t know: We are at war on the southern border with the drug cartels.

I say it again. We are at war on the southern border with the drug cartels from Mexico.

The drug cartels are at the heart of every single problem we have on our southern border. They have a war going with our families, our kids, and our schools with record numbers of heroin, cocaine, and deadly fentanyl.

The drug cartels are at war with our world values by financing modern-day sex slaves or forced labor. All of Texas’ counties—from Amarillo to Texarkana, to Beaumont, to Brownsville, to Marfa—are impacted. They are at war with these drug cartels.

The majority had better wake up and have no more figments of imagination. It is time to put politics aside and admit we are at war with the drug cartels.

Mr. Speaker, let’s fight this war to win and vote against the resolution this administration is pushing the drug cartels.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. Thompson), the chair of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from Georgia for yielding to me.

Mr. Speaker, I rise in strong support of the resolution.

I was in west Texas this past weekend and saw nothing to justify the President’s designation of a national emergency. There aren’t gangs of violent criminals and terrorists over-taking our southern border.

If there were a crisis, it is hard to imagine a worse or less effective response than a border wall, which will take months, if not years, to build.

What I did see there are efforts to harden ports of entry. In fact, just days before I arrived in El Paso, sharp barbed wire was installed in the middle of a busy port of entry. This barbed wire did not give off the impression that this busy port of entry was welcoming commerce or visitors to the United States. When questioned, officials could not say who had signed off on this project or how it fits into border security.

It is time for the administration to stop fear-mongering and accept reality. The only crisis on the border is a humanitarian crisis, one created by this administration. We are in the midst of a national security and humanitarian crisis on our southern border which must be addressed.

If my colleagues across the aisle remain unwilling to address our intensifying border crisis, then we will work to defeat this resolution of disapproval. We all know this is a purely political effort by the new Democratic majority.
stop the President from stripping Congress of its constitutional power of the purse.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentlewoman from West Virginia (Mrs. MILLER).

Mrs. MILLER. Mr. Speaker, we need to stop violent gangs like MS-13 from entering our cities and bringing their violence and evil onto our streets. We need to stop the drug smugglers from devastating our communities and flooding our towns with opioids, like heroin and fentanyl.

My home State of West Virginia has been hit hard by the opioid epidemic and especially from illegal drugs smuggled across the border. Just several weeks ago, Customs and Border Protection seized enough fentanyl to kill every person in West Virginia 32 times over. Imagine how much more is still slipping through the unsecured areas. Our country cannot afford inaction any longer. We need to build this wall.

Mr. JOHNSON of Georgia. Mr. Speaker, I am proud to yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader of this House of Representatives.

Mr. HOYER. Mr. Speaker, this issue is not about a wall. It is about the Constitution. It is about this institution. It is about the balance that we say is equal, the Article I institution and the Article II institution.

That is important to remember. That is why this argument is so very important.

It is not about just a single policy. It is about the kind of government that our Founding Fathers instituted, which has been the envy of the world and the example to many.

Mr. Speaker, I thank my friend, Congressman CASTRO of Texas, and the Congressional Hispanic Caucus for introducing this legislation.

I was at the border in California and in New Mexico just a few days ago. I was at the border in El Paso with my distinguished colleague, the former executive, called judge, of that area. She will speak shortly. Ms. ESCOBAR will say there is no war at the border and there is no crisis at the border. She will explain that better than I can. She lives there.

At the border, I saw a lot of heartbreak and challenge, but I did not see a national emergency that would justify the President ignoring the Constitution and trying to make funding decisions without congressional approval. That is the issue.

For my colleagues to say this is a partisan issue, let me call your attention to the statements of approximately 20 Members of the United States Senate.

The President admitted on February 15 that this is a true emergency when he said: "I could do the wall over a longer period of time. I didn't need to do this, but I'd rather do it much faster.''

Not that he needed to do it much faster, but he would just rather do it much faster. Of course, if the Mexicans were paying for it, perhaps he could have.

Congress has a chance to answer the President and make it clear that he cannot make and end run around the Constitution and claim powers reserved for the taxpayers' representatives.

Mr. Speaker, the Congress of the United States needs to have a spine and not lay at the feet of the President for anything he labels a crisis. "Whatever you want, sir." That is not what the people elected us to do. We are their representatives, not the President's representatives, whether it is President Obama, President Trump, President Clinton, President Bush, or President Reagan, all of whom I have served with—two Bushes.

Our Founding Fathers had enough of King George, so they adopted a Constitution that said: We are not going to have a King George. We are not going to have an authoritarian regime. We are not going to have the executive setting policy. They said the Congress sets policy.

By the way, 300 of us in this body voted for the funding levels for border security. It didn't squeak by, by some partisan advantage—300 of us, which is to say well over 66 percent.

Now, Congress has a chance to answer the President and make it clear. The President demanded that the American taxpayers give him billions for the wall that Democrats and Republicans alike say is expensive and ineffective.

Again, this is not about the wall. This is about our Constitution, our institution, and our self-respect.

He has chosen to ignore the will of the American people, as expressed by their representatives. He has opted to set aside the wisdom of our Founders for the expedience of getting his own way.

Constitutional law professor Roger Sloane of Boston University noted, last week: "To my knowledge, no President has ever tried to use national emergency funding to appropriate funds Congress refused to appropriate."

Overwhelming Senate vote; overwhelming vote in this body.

He went on to say: "Politically, it would mean the President would be seeking . . . to override a bipartisan judgment that the American taxpayers give him billions for the wall that Democrats and Republicans alike say is expensive and ineffective."

Have we no self-respect? Have we no sense of the balance between the executive and the legislative branches of government?

We are the Article I branch, the policy makers, the people who raise money and spend money, not the President—any President, Republican or Democrat. And a lot of Republican colleagues, including Senator MCCONNELL, said: Mr. President, don't do this.

Right up until the time Senator MCCONNELL said: I will support you, Mr. President.

First, he was against this, and now he is for it. The respected Harvard Law School constitutional scholar Laurence Tribe said of the President, on Thursday: "He is simply trying to do what emperors and kings do, not what a President of the United States should do."

In the Washington Post this weekend, columnist Max Boot noted why we are now at a pivotal moment for Members of the President's party in the Congress, who are being asked to choose between loyalty to the President and fidelity to the Constitution.

I am sorry the Chamber is not filled. I thought of asking for a quorum call. I didn't.

Fidelity to the President or fidelity to the Constitution, that is the choice we make today. That is why this is a pivotal moment. We choose between the Constitution and its principles, which have made our country the world's envied democracy for almost two and a half centuries.

Boot continued with this: "Trump's administration is an affront to all that Republicans stand for."

The premise is you continue to stand for this institution and our Constitution.

They claim to be pro-military, but Trump's action would take money away from the defense budget. They claim to be pro-property rights, but Trump's action would result in the taking of private property along the border. And they claim to be constitutional conservatists, but Trump's action is an obvious violation of Article I of the Constitution: 'No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.'

I used to have people coming up here and taking out the Constitution and saying: Have you read this document? Do you know what it says?

Let me repeat it: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law."

Now, I have heard the scare rhetoric, and I suggest to my colleagues, with all due respect, that kind of rhetoric has preceded every despot's takeover of power in the world. There was a crisis. They had to declare military law. They had to suspend the constitution and suspend the laws.

That is how despots take power. We stand at the gate to ensure that doesn't happen. But we will say more with our votes.

If we vote yes, we will say that Congress is still the voice of the American people. We will say that we are still faithful to the oath we took to protect the Constitution and laws of our land. And we will say that America, as our Founders promised, has no sovereign but we, the people—"we," not me, not I. We, the people.

We must not allow the President to set a dangerous precedent of stripping Congress of its power of the purse. This is the first time. You can say there are a lot of other emergencies. That is correct. But this is unique. We must not
allow him to set the precedent whereby any chief executive, Republican or Democrat, can declare an emergency any time or she doesn’t agree with Congress’ funding.

This is not a partisan resolution. It is supported and encouraged by former and current Republican Members who recognize how dangerous it would be for the Congress not to act. A group of 23 former Republican Members of Congress, including former Senators Olympia Snowe, Dick Lugar, Chuck Hagel, and others, wrote to the Speaker of the House requesting this resolution. I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), who just asked to recognize how dangerous it would be for Congress to remain the borders of the Constitution.

Today, a conservative Senator from North Carolina, a Republican conservative Senator from North Carolina, said this: ‘I have grave concerns when our institution looks the other way at the expense of weakening Congress’ power.’

Senators MURKOWSKI and COLLINS have already said they would support this resolution.

So let us act and do so in one powerful voice—not as Democrats, not as Republicans, as Americans; as representatives; as people who have put their faith in us to make a judgment to protect their country, their Constitution; as Americans who believe in our Constitution and the wisdom of our Founders who gave Congress alone the authority to appropriate funds and gave the representatives of the people and the States a powerful check on the executive.

I ask all my Republican colleagues: How would you vote if Barack Obama were President of the United States today? Think of that. Because if you cannot answer ‘I would vote the same way,’ then you are not being true to your country, to our Constitution, and to your oath.

If any Member cares at all about the equal status of the Article I branch of the Constitution, he or she should vote for this resolution. Vote for conscience and Constitution, not party and politics.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), who just came back from deployment down at the southern border.

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

I want to start by saying something: Everybody here in this Chamber means well. Everybody here in this Chamber believes they are fighting for the right things for this country. Unfortunately, sometimes with these debates, they get heated and we begin to ascribe bad motives to the other side. I ascribe no bad motives to my colleagues on the other side of the aisle, and there are no bad motives on our side. It is just a little bit of a difference in how we see it.

We are all passionate about this issue, which is why I got involved in the quality of the debate we are having here. But I am going to tell you why I came to believe that this was a national emergency.

I was sent down to the border with the National Guard. I went down and did 2 weeks with my unit, which is down there for 2 months.

As part-timers, we go down and we fill in and augment different amounts of time. I flew surveillance aircraft. It is called an RC-26.

We actually work with Border Patrol, and what we would do is, through technology, some of the technology that exists, they would get indications of a group coming over the border. We would have a central authority that would see these groups coming over the border and would take the limited air assets we had and put them on these groups to surveil them and then coordinate with Border Patrol for whatever, to come in and get them. And what we saw, frankly, was pretty eye-opening for me.

First off, Arizona has some very rugged territory. I have worked Texas, by the way, three times doing this exact same mission. I am going to give you an opportunity to guess who the President was when I did this mission three other times. It wasn’t President Obama, because he understood the need for the guard on the border.

So we would see these groups come over. They would go through this rugged terrain.

By the way, I never worked an area in Arizona where there was a barrier. We never had to. But there is a lot of area that isn’t.

We would then respond, and basically, 9 times out of 10, any time these groups got any indication that Border Patrol was nearby or there was an aircraft overhead, they would do what we call a bomb burst. It looks like that on the infrared we are using. They would run in all different directions, and many people would get separated.

But do you know who the first to bomb blast away from that group was? The first people, every time, were the coyotes who paid their life savings to to bring them over the border every time.

In fact, one time that exact scenario happened, and a lady was left lost in the desert, hunkered down in a bush. Had Border Patrol not found her, she will be deported for that because she came in illegally. But if Border Patrol had not found her, I believe that there is a chance that she could have been one of the at least 200 bodies that they find every year in the desert because of drug traffickers, by their coyotes who are paid for and who pay money to the drug cartels.

That is a big part of where these cartels in Mexico get their money, funneling people over the border, human trafficking. We know the statistics of the chance of assault during that. We know that kind of stuff.

It wasn’t my mission, but my crew was on a mission, the very first one, where an illegal was apprehended, and he had 70 pounds of methamphetamine on him.

Now, I know there is way more than 70 pounds of methamphetamine out there in the United States, but there are way more people we are not seeing come over that border as well.

People sometimes look at the rugged terrain of Arizona and say, well, with mountains and hills, that is the natural wall.

By the way, I went hiking on those mountains and hills during my time off, I will say that.

But the other interesting thing is a significant amount of the people we were looking were actually on those mountains and hills. They were on the mountains and hills because that rugged terrain is just as difficult for Border Patrol to navigate as them.

In fact, I watched as a Border Patrol helicopter followed a man probably 100 feet away. This is on video. Border Patrol can release this video if they want.

The man was running. The Border Patrol cannot insert Border Patrol agents to capture him. This guy is still gone today. He had to have been a coyote or a drug trafficker.

Seeing this repeatedly made me realize this is not a national emergency because of immigration. I actually believe in comprehensive immigration reform. I want to work with the other side of the aisle to fix all these problems that I think we really actually all agree on. We just can’t admit we agree on all this stuff. I look at this and I say this is an 80 percent solution that we can fix.

But when I came back from the border and I came back from seeing the real issue that makes this a national emergency—drugs, human trafficking—that is when I realized something had to be done.

A wall and a barrier is not compassionate. I think border security and compassion actually go hand in hand. Because what we are saying is: Come over to the United States of America, but do it the right and legal way. Because, otherwise, these coyotes in the cartel are going to take advantage of you, take your life savings, and take you through a very dangerous route. And when the going gets tough, they are going to leave you to die, because they did that to 200 of them last year in Arizona.

It was an eye-opening experience.

Mr. Speaker, I appreciate the passion everybody has in this. I respect everybody’s debate in this. This is how I came to the conclusion I did.

Please vote ‘no’ on this.

Mr. JOHNSON of Georgia. Mr. Speaker, it amuses me when my friends on
the other side cause the public to believe that there are people coming across our border, trying to sneak in, when the truth of the matter is the people who are presenting themselves at our southern border, primarily, are people fleeing violent Central America, families, women, children fleeing violence in Central America, presenting themselves at lawful points of entry, not trying to jump the Rio Grande, but at lawful points of entry, and seeking to apply for asylum. That is what my friend on the other side tried to make into something that would be such that President Trump is authorized to spend moneys that have not been appropriated, and it is a farce.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), my dear colleague.

Mr. LEWIS. Mr. Speaker, I rise in strong support of this resolution.

Some of you may be old enough to remember Martin Luther King Jr., traveled to Berlin in 1964. He reminded those gathered that a man-made barrier could not change the fact that the people on both sides of the wall were God’s children.

Mr. Speaker, ask you today: What does it profit our Nation to gain a wall and lose our soul? North and south of the border, we are one people. We are bound together by our common humanity.

Mr. Speaker, this executive action betrays our values, our democracy, and the very soul of our Nation.

As Members of Congress in a nation of immigrants, we have a constitutional mission and a mandate to preserve the balance of powers and to oppose this imperial act.

Today, each and every one of us has a moral obligation to do what is right, what is just, and what is fair by passing this resolution.

Mr. Speaker, I urge all of my colleagues to vote “yes.”

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire how much time is remaining?

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

The SPEAKER pro tempore. The gentleman from Missouri has 5 minutes remaining. The gentleman from Georgia has 11½ minutes remaining.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Ms. ESCOBAR).

Ms. ESCOBAR. Mr. Speaker, I come from El Paso, Texas, which is right on the U.S.-Mexico border. I live on the border. My family has lived on the border for more than 100 years. I can assure my colleagues that the border has never been safer; the border has never been more secure.

In fact, what I am more worried about today than what is happening on the U.S.-Mexico border, than those vulnerable asylum-seekers coming to our front door asking for help, is I am more worried that people in this Chamber are willing to ignore the oath of office that we took on the day that we were sworn in, that we would violate the Constitution that we promised to uphold.

I am also far more worried about the fact that they are willing to divert funding that is going to our U.S. military in favor of a political prop, a monument to xenophobia, a campaign promise. In fact, Fort Bliss in El Paso, Texas, stands to potentially lose $275 million.

Why didn’t they get it done when they had an iron grip over the House, the Senate, and the White House? Because there was no emergency.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we did take an oath of office to defend the Constitution. The Constitution applies to citizens of the United States. It does not apply to people who are not citizens of the United States.

Border security officers have made 266,000 arrests of criminal aliens in the last 2 fiscal years. These include criminal aliens charged or convicted of assaults, sex crimes, and killings. These are not victimless crimes.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CISNEROS), my good friend.

Mr. CISNEROS. Mr. Speaker, this emergency declaration unconstitutionally attempts to override Congress. The Constitution clearly grants Congress the power of the purse. This declaration took place after weeks of negotiations which resulted in Congress rejecting the President’s wall in a bipartisan manner.

This President could take billions of dollars of disaster relief aid from families, endanger military construction, and impact our military readiness. There is no national emergency at the southern border, only a humanitarian crisis created by our President.

This President has repeatedly taken actions that undermine our country’s ability to defend against real threats to national security.

Congress must act as a check on the President’s abuse of executive power. Congress has the opportunity to defend and protect the Constitution and assert its role as a coequal branch of government, and it must do so in order to set a precedent and protect our democracy. It is absolutely unacceptable that military families and communities across this country should be made to suffer from this unlawful and dangerous action. That is why I urge my colleagues to vote in support of this resolution and move forward with ending this fake national emergency.

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

Mr. JOHNSON of Georgia. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman from Georgia has 9 minutes remaining, and the gentleman from Missouri has 5 minutes remaining.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, what we are witnessing is a President who poses a direct threat to both our military families and America’s national security.

First, as we have heard, there is no border emergency. That is a fabrication. The administration’s own statistics show that crossings and apprehensions are at a historic low. The vast
majority of illegal drugs come in at our ports of entry. A wall will not stop that.

Many who cross our borders are women and children. They are not running from border agents. They are seeking them out for help and for asylum.

Second, this will make life harder for America’s military families, and, thus, hurt our national security. Who ever heard of making life tougher for the brave men and women who serve our country? It is monstrous, really, when you think about the sacrifices that they already make for this country.

As the chair of the Appropriations Committee Military Construction, Veterans Affairs and Related Agencies Subcommittee, tomorrow I will hold a hearing to ask our service Secretaries exactly which projects they previously told us they really needed, but now we are going to reinforce the front door wide open. We don’t know what is going across, but we are going to leave the back door open. We don’t know what is going across the border, but we are going to leave the back door wide open. We don’t know what is going across the border, but we are going to leave the back door wide open.

What will these leaders ask their troops to give up just so Trump can have a useless, wasteful wall? Training or intelligence facilities? Hangars for planes that cost billions? Schools for our military families’ children? This is a power grab.

After failing to get his way in a funding dispute with Congress, Trump is throwing a tantrum. He is using the tools of an authoritarian, jeopardizing our military readiness to steal himself a wall that he could not get the lawful way. The dangerous precedent he will set is one that no politician, no matter what party, will be able to undo.

The President says a wall will keep Americans safe, but stealing funds from military families makes us all less safe. Bypassing Congress and the Constitution, and starving military families of funding is not patriotism. It is everything that true patriots fight against.

The SPEAKER pro tempore Members have reminded us to refrain from gaging in personalitites toward the President. Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we keep hearing that most drugs coming into this country are coming in at ports of entry, and I would make a correction: Most drugs that are caught are caught at ports of entry. We don’t have any idea what is coming in across the border.

When we say that, this is like saying we are going to reinforce the front door, but we are going to leave the back door wide open. We don’t know how many drugs or the amount of drugs that are coming across the border, particularly in rural areas, because we just simply can’t patrol it.

As the gentleman from Illinois pointed out, you can’t deploy Border Patrol quick enough to catch much of this. So we don’t know how many drugs are coming through in other areas. We have a pretty good idea at ports of entry because we catch them there.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is harder for me to imagine, but border patrol officers wll somehow bestow upon us knowledge that people are jumping over it or going under it.

Those kinds of things do not work across the entire border. That may be true in a few places, but I am sure we have border wall and border fencing in the locations where it is necessary, but in the other locations, we need—in addition to more Border Patrol officers who are paid a living wage—we need the technology and the other assets that can surveil and help with the apprehension of people who are coming across the border at points that are not legal points of entry.

But the point is, today’s crisis that faces the people of Central America and drives them to our southern border is driving them to lawful points of entry to seek asylum protection under this Nation’s laws, and that is something that they are entitled to.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

The only crisis is the constitutional crisis that has been created by the President’s declaration of emergency by his direct and ill-conceived abuse of power which is noted in the Constitution as a violation of the Constitution.

It is sad that the President has declared a national emergency for the purpose of missappropriating funds from previously designated and important uses to build a wall, uses that would be dealt with in a national emergency in case of war that would then call for the building of direct materials and building necessary for troops engaging in war.

The only response to my good friend who has come back from the border and saw people going over the border is to engage more Border Patrol agents and train them to do the job that they are designated to do. We, as Democrats, support that.

Illegal border crossings are at a near 40-year low. Sixty national security personnel, ambassadors, CIA, DNI, and others have told us that this is wrongheaded. It is wrong.

The President’s declaration clearly violates Congress’ exclusive power of the purse, and if unchecked, would fundamentally alter the balance of powers, violating our Founder’s vision for America. That is unconstitutional.

To quote Thomas Paine in “Common Sense,” it says, “... in absolute governments the king is law, so in free countries the law ought to be king.” This is the abuse, the declaration, and we should vote for the underlying resolution to restore constitutional order.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Let me also indicate that as a member of the Homeland Security Committee, the numbers of Mexicans from Mexico has decreased.

The numbers coming now are what we call OTMs, other than Mexican. They are coming and fleeing bloodshed in countries where they are being threatened with a decapitation of their homeland.

Mothers are being told that if you stay, we know you are pregnant, you can have the baby, and we will kill you after the birth. These are the stories that those of us who visited the border are hearing over and over again.

If there is a crisis, it is a humanitarian crisis. We, as Democrats, have no problem with funding the resources necessary for the border, including, as indicated, the increase in personnel, technology, and transportation equipment.

I have been to the border when the need for night goggles and other types of equipment were rendered important. Let us do the right thing. Vote on this resolution, and do the constitutional duty of restoring order to this government.

Mr. Speaker, I rise in strong support of our Constitution and in defense of our republic and urge all members to join me in voting for H.J. Res. 46, which terminates the phony declaration of emergency issued by the President on February 15, 2019.

The reason this resolution is before us today is because of the petulant intransigence of a single person, the current President of the United States.

As a senior member of the Committee on the Judiciary and the Committee on Homeland Security, I have visited the southern border on numerous occasions in recent weeks and months and can state confidently that there is no national emergency or national security crisis justifies the President’s unlawful and unconstitutional decision or compels the Congress to abdicate its responsibilities under Article I to check and balance the Executive Branch.

The President is only pursuing this tactic of declaring a national emergency after realizing that Speaker NANCY PELOSI was absolutely correct when she informed him that he did not have the support in Congress to require the taxpayers to pay for his broken promise that “Mexico would pay for the wall, 100 percent!” according to every poll and the most recent polling data available, Americans overwhelmingly disapprove of the President’s national emergency declaration by a 61 percent–36 percent margin.

The President’s decision is opposed by both men and women in every region of the country, by every income group and education category.

National security experts across the political spectrum are unanimous in their assessment that the situation on the southern border does not constitute a national emergency, an assessment echoed by leading former Republican senators and Members of Congress.

They understand that after failing to convince the American people or Congress to pay
for his ineffective, wasteful, and immoral multi-billion dollar concrete wall, the President has now embarked on a course of conduct that is deeply corrosive of the constitutional system of checks and balances wisely established by the Framers and which has served this nation and the world for nearly 250 years. Having failed miserably to achieve his objective in the constitutional legislative process, the President is trying a desperate 11th hour end-run around Congress with an unlawful emergency declaration that contravenes the will of the American people and negates the awesome power of the purse vested exclusively in the Congress of the United States. The Congress will not tolerate this.

Despite being repeatedly admonished and in the face of overwhelming evidence to the contrary, the President continues to propagate false information regarding the state of our southern border.

Mr. Speaker, these are the facts.

Net migration from Mexico is now zero or slight (more people leaving than coming) because of a growing Mexican economy, an aging population and dropping fertility rates that have led to a dramatic decrease in unauthorized migration from Mexico.

Migrant apprehensions continue to be near an all-time low with only a slight increase from 2017.

The combined 521,090 apprehensions for Border Patrol and Customs agents in fiscal year 2018 were 32,288 apprehensions fewer than the 553,378 apprehensions in 2016.

To put this in perspective, on average, each of the 19,437 Border Patrol agents nationwide apprehended a total of only 19 migrants in 2018, which amounts to fewer than 2 apprehensions per month.

In the last few years, an increased proportion of apprehensions are parents seeking to protect their children from the violence and extreme poverty in Honduras, El Salvador, and Guatemala.

But with fewer Central Americans arriving to our southern border seeking protection, total apprehension rates are still at their lowest since the 1970s.

The absence of a massive wall on the southern border will not solve the drug smuggling problem because, as all law enforcement experts agree, the major source of drugs coming into the United States are smuggled through legal ports of entry.

The southern border region is home to about 15 million people living in border counties in California, Arizona, New Mexico, and Texas. These communities, which include cities such as San Diego, Douglas, Las Cruces, and El Paso, are among the safest in the country.

Congress has devoted more U.S. taxpayer dollars to immigration enforcement agencies (more than $21 billion now) than all other enforcement agencies combined, including the FBI, DEA, ATF, US Marshals, and Secret Service.

The bulk of this money goes to U.S. Customs and Border Protection (CBP), with a budget of $14.4 billion in fiscal year 2018 and more than 59,000 personnel. CBP is the largest law enforcement agency in the country, and more than 85 percent of the agency’s Border Patrol agents (i.e., 16,605 of 19,437) are concentrated on the southern border.

Expanded deployment of the military to the border to include active-duty troops could cost between $200 and $300 million in addition to the estimated $182 million for the earlier deployment by the President of National Guard to the border. Mr. Speaker, having been soundly defeated legislatively by Congress, a co-equal branch of government that wants to finance the border wall vanity project by diverting funds that the Congress has appropriated for disaster recovery and military construction.

The funds the President wants to steal were appropriated by Congress to help Americans devastated by the hurricanes Harvey, Irma and Maria, or for other purposes like military construction.

Congress did not, has not, and will not approve of any diversion of these funds to construct a border wall that the President repeatedly and deservingly boasted that Mexico would pay for.

In fact, the President has admitted he “didn’t have to do this,” but has opted to do so because “I want to see it built faster.”

Of course, this is a bipartisan group of nearly 60 national security officials including former secretaries of state, defense secretaries, CIA directors, and ambassadors to the UN issued a statement declaring that “there is no factual basis” justifying the President’s emergency declaration.

Instead of protecting our national security, the President’s declaration makes America less safe.

The President is stealing billions from high-priority military construction projects that ensure our troops have the essential training, readiness and quality of life necessary to keep the American people safe, directly undermining America’s national security.

The President’s declaration clearly violates the Congress’s exclusive power of the purse, and, if unchecked, would fundamentally alter the balance of powers, violating our Founders’ vision for America.

Opposing the President’s reckless and anti-American decision transcends partisan politics and partisanship is restored to bipartisan constitutional fidelity, and putting country first.

That is why nearly two dozen distinguished former Republican Members of Congress are urging Republicans in Congress to vote for H.J.R. 46 and uphold “the authority of the first branch of government to resist efforts to surrender our constitutional powers to an overreaching president.”

To quote Thomas Paine’s Common Sense: “In absolute governments, the King is law; so in free countries, the law ought to be King.” Mr. Speaker, I urge all members to uphold the rule of law and the Constitution, and reject the President’s power grab; I urge a resounding Yes vote on H.J. Res. 46.

Mr. GRAVES of Missouri. Mr. Speaker, I am and myself such time as I may consume.

Mr. Speaker, I make a point of clarification because the statement was made that individuals from outside this country coming to ports of entry seeking asylum were entitled to that. No one outside of this country is entitled to anything in this country.

They can be heard, but they are not entitled to asylum in the United States even when they ask for it, just because they aren’t entitled to anything within this country.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I believe that most learned colleagues in this Chamber understand that under U.S. law, we have granted asylum by approaching our border the right to apply for asylum. That doesn’t mean that asylum will be granted, but they certainly have the right to apply for it. It is the humane thing to do in a civilized society. This is the law that America has proceeded under for centuries, and now we have a naked power grab by the chief executive of this great Nation, the President of the United States, seeking to do the job of the legislative branch, and his own job. But there is a problem. It is only the legislative branch that appropriates funding for various occurrences.

The legislative branch has not given the President. The what the road to dictatorship is, a down payment on a border wall, which is a monument to a campaign promise that he made. This legislature has not given him that authority, and so in a naked power grab, he is seeking to do it by declaring an emergency when, in fact, no emergency exists.

Mr. Speaker, I yield 1 minute to the gentleman from the District of Columbia (Ms. NORTON), my friend, and a staunch advocate for the people of Washington, D.C.

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I don’t even want to speak to the underlying issue. I want to speak to what it is we are doing here with congressional power. The President signed a bill. He didn’t have to. He could have retained his power.

Now he proposes to ignore the bill he signed and act as if the Congress did not exist. This is, in my view, a down payment on a border wall, which is a monument to a campaign promise that he made. This legislature has not given him that authority, and so in a naked power grab, he is seeking to do it by declaring an emergency when, in fact, no emergency exists.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. Speaker, I urge all members to uphold the rule of law and the Constitution, and reject the President’s power grab; I urge a resounding Yes vote on H.J. Res. 46.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I believe that most learned colleagues in this Chamber understand that under U.S. law, we have granted asylum by approaching our border the right to apply for asylum. That doesn’t mean that asylum will be granted, but they certainly have the right to apply for it. It is the humane thing to do in a civilized society. This is the law that America has proceeded under for centuries, and now we have a naked power grab by the chief executive of this great Nation, the President of the United States, seeking to do the job of the legislative branch, and his own job. But there is a problem. It is only the legislative branch that appropriates funding for various occurrences.

The legislative branch has not given the President. The what the road to dictatorship is, a down payment on a border wall, which is a monument to a campaign promise that he made. This legislature has not given him that authority, and so in a naked power grab, he is seeking to do it by declaring an emergency when, in fact, no emergency exists.

Mr. Speaker, I yield 1 minute to the gentleman from the District of Columbia (Ms. PELOSI), the Speaker of this great House of Representatives.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for the eloquent way that he has presented this legislation to the floor of the House.

Mr. Speaker, I rise to quote from the Constitution of the United States. It begins with our statement of purpose of the Nation, with the preamble.
"We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Im mediately following that sacred purpose, it says: Article I, the legislative branch.

Perhaps it is time for our country to have a values-based civics lesson. I applaud our colleague, Congressman Castro, for his leadership in ensuring that this House was ready to reassert our responsibility under the Constitution and its systems of checks and balance.

In their wisdom, our Founders rejected the idea of a monarch. They didn’t want to live under that. They made it clear they fought a War of Independence to free themselves from that. Therefore, in their wisdom, they put forth in this Constitution a heart, soul, and core of it: the separation of powers, coequal branches of government to be a check and balance on each other.

They saw the wisdom of that and then, of course, added the Bill of Rights with further freedoms enumerated. But the core of the Constitution is the separation of power.

Today, we are on this floor of the House, and our colleagues have spoken eloquently about the reality or mythology of the crisis at the border that the President contends. They have spoken eloquently about the opportunity cost of the money that the President wants to use for this ill-conceived wall and what it means to our national security.

But we in this House of Representatives, Mr. Speaker, and every branch of public service in our country, takes an oath of office to support and defend the Constitution of the United States. It is our oath. We promise.

That Constitution is about the separation of powers that is being usurped by the executive branch. We in the legislative branch cannot let that happen.

In fact, I appeal to our Republican colleagues because I do believe and trust that they are people of their word, and if they take an oath to uphold this Constitution, they will honor it with their vote on the floor today, in keeping, by the way, with, under the previous House Speaker, our colleagues across the aisle placed a high priority on the separation of powers and Congress’ constitutional prerogatives.

The Republican A Better Way agenda, which they put forth in 2014, read as follows: “The people granted Congress the power to write laws, raise revenues, and spend and borrow money on behalf of the United States. There is no power more important... Yet for decades, Congress has let this power atrophy, thereby depriving the people of their voice.”

Their Better Way goes on to say: “The Founders insisted on a separation of powers to protect our constitutional liberties.”

Their proposal goes on to say that James Madison “warned that the Constitution is a mere parchment barrier” unless established and its powers to keep the others in check.

That is all in the Republican agenda for A Better Way of 2014, so you would think it would be in keeping with your vote today.

In that spirit, then-Speaker Ryan often lamented that Congress “keeps forfeiting the game, yielding to the executive branch, giving the President a blank check, not even bothering to read the fine print in some cases.”

We are not going to give any President, Democratic or Republican, a blank check to shred the Constitution of the United States. We would be delinquent in our duties as Members of Congress if we did not overturn what the President is proposing. He is asking each and every one of us to turn our backs on the oath of office that we took to the Constitution of the United States.

I do not believe that the Republicans want to do that. I don’t think it is consistent with what they had advocated in the near term and historically.

Is your oath of office to Donald Trump, or is your oath of office to the Constitution of the United States? You cannot let him undermine the strength of your pledge to protect and defend the Constitution.

Again, our colleagues have talked about the opportunity cost of taking money from our national security and spending it in this way.

I was at the border this weekend. We all have our stories and the rest, but whatever you think about the wall, let’s just put that aside for the moment. Whatever you think about where you tax the money from and where you put it, which is substantial, put that aside for the moment. The question is: What do you think about yourself, your Congress, your conscience, and your oath of office? I trust that our colleagues will be consistent in their beliefs and join us in honoring the oath we all take to support.

The resolution is not about politics. It is not about partisanship. It is about patriotism. It is about the Constitution of the United States, which I hold in my hand here. George Washington on the cover of this says: “Its only keepers, the people.”

We in the people’s House are the keepers of this Constitution. We in the Congress are the keepers of this Constitution. We in this Congress are in Article I, the Congress of the United States, spelled out very clearly in the Constitution that the powers given to the legislative branch are the power of the purse, the power to declare war, powers that are guarded very carefully by our Founders.

How can you ignore that? I urge strong bipartisan support of this vital resolution to honor our oath to bear true faith and allegiance to the Constitution.

Mr. Speaker, I urge a “yes” vote.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. GRAVES of Missouri. Mr. Speaker, is the majority prepared to close?

Mr. JOHNSON of Georgia. Mr. Speaker, I have no further speakers, and I am prepared to close.

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

I find it ironic, I guess, and actually it is kind of ludicrous, that we talk so much about how much this wall is going to cost and how inhumane it is and how immoral it is, yet we build thousands and thousands of miles and spend millions and millions of dollars on noise abatement walls, 30 feet high, 15 feet wide, in low-income minority communities and our urban areas all over the country. Yet we can’t do something to protect our border.

That is not a crisis, Mr. Speaker. This is a crisis. What we are talking about today is a crisis.

President Obama agreed when he requested emergency funding in 2014 to deal with the crisis on the border, when he declared a national emergency because of transnational drug traffickers.

Since fiscal year 2012, Customs and Border Patrol has seized 4 million pounds of drugs at ports of entry and more than 11 million pounds of drugs between ports of entry. And nearly three times as many drugs are seized between ports, Mr. Speaker.

Many of our colleagues on the other side of the aisle recognize the need for a border wall, voting to authorize a wall in 2016 and again under President Obama in 2017. It is not a partisan issue. It is about gaining support for A Better Way of 2014, so you would think it would be in keeping with their oath to the Chair.

Mr. JOHNSON of Georgia. Mr. Speaker, I urge a “yes” vote on this resolution, and I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I urge a “yes” vote on this resolution, and I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I urge a “yes” vote on this resolution, and I yield back the balance of my time.

Mr. Speaker, in approving the joint resolution terminating President Trump’s illegal power grab, the House has made it clear that the separation of powers is fundamental to the functioning of our democracy than the separation of powers among three coequal branches of government.

The facts are clear. President Trump has failed to convince a skeptical Congress to pay for an ineffective border wall.

Mr. Speaker, I urge my colleagues to support this resolution, but I must ask...
you to ask yourself this question: Will you allow your solemn vow of loyalty to President Trump to override your oath of office and your vow of fidelity to the Constitution? Vow to support this resolution. Mr. Speaker, I yield back balance of my time.

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

Mrs. LOWEY. Mr. Speaker, I rise today in support of the joint resolution to terminate President Trump’s phony declaration of an emergency at the southern border. Unable to convince Congress to pay for his wasteful border wall, the president has decided to make an end run around the legislative branch, upending democratic norms and creating a dangerous precedent.

To pay for the wall, the Administration intends to rob money from critical military construction projects and from other parts of the Defense Department and the Treasury. This would threaten national security, undermine the readiness of our military, and could disrupt critical infrastructure improvements that benefit service members and their families—all to prop up a political vanity project.

As we should be focused on real law enforcement needs, not a border wall that will do virtually nothing to keep Americans safe.

Today’s vote to block the president’s emergency declaration is a critical first step, and I am proud to cosponsor this resolution.

I hope my Republican colleagues recognize that this isn’t about politics—it’s about defending our democratic institutions and the rule of law from the executive branch.

It’s about protecting our institution and our Constitution in the face of an unprecedented power grab from a president who rejects Congress’ authority as a co-equal branch of government.

Mr. Speaker, the greatest power we have as members of Congress is the power of the purse. As we exercise that power, we should invest responsibly in priorities that strengthen and protect American families and communities.

We do not exist to rubber stamp the President. I urge my Republican colleagues to join us in defending our constitutional prerogatives and upholding the rule of law.

Mr. GRIJALVA. Mr. Speaker, today had I been present, I would have voted in strong support of this resolution. Mr. Speaker, I ask unanimous consent that the ayes appear to have it.

Mr. GRAVES of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The question was taken; and the ayes appeared to have it.

The joint resolution was ordered to the House Committee on Appropriations.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and the yeas and nays were ordered.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

The Clerk read the title of the bill.

Mr. BONAMICI. Mr. Speaker, I rise today to express my support for this resolution to terminate the President’s declaration of a national emergency along the southern border. I was detained due to severe weather and canceled flights in Oregon.

While there is no doubt that our immigration system is broken, the president’s wall and his proposed funding level is an irresponsible waste of taxpayer funds for a structure that would be ineffective and do very little for our national security. The emergency declaration is nothing more than a power grab by the president to fulfill a campaign promise, violating the Constitution’s system of separation of powers.

Congress has already rejected the president’s proposed border wall, and alternatively, by an overwhelmingly bipartisan vote, made robust investments in our border security. These investments include $1.375 billion for approximately 55 miles of physical barrier along the southern border, $564 million for immigration equipment at our ports of entry, $100 million for new, additional border security technology, serious investments in the Alternative to Detention program to provide relief to overcrowded detention facilities, and additional funding for attorneys and courtroom expansion to assist with the nation’s growing immigration court system backlog.

Despite these important investments, the president has proposed taking more than $6.7 billion to build his wall, including $3.6 billion from the Department of Defense’s (DoD) high-priority military construction projects. These funds are meant to support much-needed improvements on military bases around the world, and misallocating these funds could undermine the training, readiness, and quality of life for our military. Our Armed Forces. He has also proposed stripping $2.5 billion from the DoD’s drug interdiction program, which could have serious impacts on our ability to combat the flow of illegal narcotics.

Furthermore, the Military Construction Codification Act only authorizes the Secretary of Defense to reallocate funds for construction projects during a national emergency if the project is necessary to support a ‘use of the armed forces.’ Our Armed Forces are not responsible for enforcing our immigration laws and using these funds in this way is in direct violation of existing law.

Of serious additional legal concern is the fact that the administration would need to seize significant amounts of property not owned by the federal government in order to build a wall. Currently, more than two thirds of border property is owned by private parties or the relevant state. The Supreme Court held in Youngstown Steel and Tube that President Truman’s declaration of national emergency, even in the midst of an international armed conflict, did not permit him to unilaterally seize private property.

In recent days, more than two dozen former Republican lawmakers and almost 60 former senior national security officials have come out in opposition to President Trump’s national emergency declaration. These individuals are responsible for enforcing the relevant laws. Congress must reject this presidential overreach and assert its constitutional authority.

The bottom line is that the president’s national emergency declaration is an abuse of his constitutional authority and an affront to the separation of powers. Congress has the exclusive power of the purse, and the Constitution specifically prohibits the president from spending money that has not been appropriated. Congress entrusted the president with authority to reallocate funds during unforeseen and urgent situations, such as wars and natural disasters. By declaring an emergency when Congress has overwhelmingly rejected his request, the president to “ignore Congress” will deprive the American people “of the protections of true representative government.”

The American people have made clear their support for a border wall. In recent days, more than two dozen former Republican lawmakers and almost 60 former senior national security officials have come out in opposition to President Trump’s national emergency declaration. These individuals are responsible for enforcing the relevant laws. Congress must reject this presidential overreach and assert its constitutional authority.

The bottom line is that the president’s national emergency declaration is an abuse of his constitutional authority and an affront to the separation of powers. Congress has the exclusive power of the purse, and the Constitution specifically prohibits the president from spending money that has not been appropriated. Congress entrusted the president with authority to reallocate funds during unforeseen and urgent situations, such as wars and natural disasters. By declaring an emergency when Congress has overwhelmingly rejected his request, the president to “ignore Congress” will deprive the American people “of the protections of true representative government.”

The bottom line is that the president’s national emergency declaration is an abuse of his constitutional authority and an affront to the separation of powers. Congress has the exclusive power of the purse, and the Constitution specifically prohibits the president from spending money that has not been appropriated. Congress entrusted the president with authority to reallocate funds during unforeseen and urgent situations, such as wars and natural disasters. By declaring an emergency when Congress has overwhelmingly rejected his request, the president to “ignore Congress” will deprive the American people “of the protections of true representative government.”

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and the yeas and nays were ordered.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. GRAVES of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

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.

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 47) to provide for the management of the natural resources of the United States, and for other purposes.

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that the ayes appear to have it.

The Clerk will report the title of the bill.

The Clerk read the title of the bill.
The text of the bill is as follows:
S. 47

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Natural Resources Management Act".

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLES—PUBLIC LAND AND FORESTS

Subtitle A—Land Exchanges and Conveyances

Sec. 1001. Crags land exchange, Colorado.
Sec. 1002. Arapaho National Forest boundary adjustment.
Sec. 1003. Santa Ana River Wash Plan land exchange.
Sec. 1004. Udall Park land exchange.
Sec. 1005. Clarification of State land grants.
Sec. 1006. Custer County Airport conveyance.
Sec. 1007. Pascua Yaqui Tribe land conveyance.
Sec. 1008. La Paz County land conveyance.
Sec. 1009. Lake Blitstein land title stability.
Sec. 1010. Lake Emanin land conveyance.
Sec. 1011. Land conveyance and utility right-of-way, Henry's Lake Wilderness Study Area, Idaho.
Sec. 1012. Conveyance to Ute Mountain Ute Indian Corporation.
Sec. 1013. Public purpose conveyance to City of Hyde Park, Utah.
Sec. 1014. Jutina County conveyance.
Sec. 1015. Black Mountain Range and Bullhead City land exchange.
Sec. 1016. Cottonwood land exchange.
Sec. 1017. Embry-Riddle Tri-City land exchange.

Subtitle B—Public Land and National Forest System Management

Sec. 1101. Bolts Ditch access.
Sec. 1103. Frank and Jeanne Moore Wild Steelhead Special Management Area.
Sec. 1104. Maintenance or replacement of facilities and structures at Smith Gulch.
Sec. 1105. Repeal of provision limiting the export of timber harvested from certain Kake Tribal Corporation land.
Sec. 1106. Designation of Fowler and Boskoff Peaks.
Sec. 1107. Coronado National Forest land conveyance.
Sec. 1108. Deschutes Canyon-Steelhead Falls Wilderness Study Area boundary adjustment, Oregon.
Sec. 1109. Maintenance of Federal mineral leases based on extraction of helium.
Sec. 1110. Small miner waivers to claim maintenance fees.
Sec. 1111. Saint Francis Dam Disaster National Memorial and National Monument.
Sec. 1112. Owyhee Wilderness Areas boundary modifications.
Sec. 1113. Chugach National Forest land study.
Sec. 1114. Wildfire technology modernization.
Sec. 1115. McCoy Flats Trail System.
Sec. 1116. Technical corrections to certain laws relating to Federal land in the State of Nevada.

Sec. 1117. Ashley Karst National Recreation and Geologic Area.
Sec. 1118. John Wesley Powell National Conservation Area.
Sec. 1119. Alaska Native Vietnam era veterans land allotment.
Sec. 1120. Red River gradient boundary sur.
Sec. 1121. San Juan County settlement implementation.
Sec. 1122. Rio Puerco Watershed management program.
Sec. 1123. Ashley Smith Conveyance.
Subtitle C—Wilderness Designations and Withdrawals

PART I—GENERAL PROVISIONS

Sec. 1201. Organ Mountains-Desert Peaks conservation.
Sec. 1202. Cerro del Vult and Rio San Antonio Wilderness Areas.
Sec. 1204. Emigrant Creek withdrawal.
Sec. 1205. Oregon Wildlands.

PART II—EMERY COUNTY PUBLIC LAND MANAGEMENT

Sec. 1211. Definitions.
Sec. 1212. Administration.
Sec. 1213. Effect on water rights.
Sec. 1214. Savings clause.

SUBPART A—SAN RAFAEL SWELL RECREATION DESIGNATION

Sec. 1221. Establishment of Recreation Area.
Sec. 1222. Management of Recreation Area.
Sec. 1223. San Rafael Swell Recreation Area Advisory Council.

SUBPART B—WILDERNESS AREAS

Sec. 1231. Additions to the National Wilderness Preservation System.
Sec. 1232. Administration.
Sec. 1233. Fish and wildlife management.
Sec. 1234. Release.

SUBPART C—WILD AND SCENIC RIVER DESIGNATION

Sec. 1241. Green River wild and scenic river designation.

SUBPART D—LAND MANAGEMENT AND CONVEYANCES

Sec. 1251. Goblin Valley State Park.
Sec. 1252. Jurassic National Monument.
Sec. 1253. Public land disposal and acquisition.
Sec. 1254. Public purpose conveyances.
Sec. 1255. Exchange of BLM and School and Institutional Trust Lands Administration land.

Subtitle D—Wild and Scenic Rivers

Sec. 1301. Escalante, Paria, Green River, and Salmon Brook wild and scenic river segments.
Sec. 1302. Wood-Pawcatuck watershed wild and scenic river segments.
Sec. 1303. Nashua wild and scenic rivers, Massachusetts and New Hampshire.

Sec. 1401. Definitions.

PART I—DESIGNATION OF WILDERNESS IN THE CALIFORNIA DESERT CONSERVATION AREA

Sec. 1411. California desert conservation and recreation.

PART II—DESIGNATION OF SPECIAL BOUNDARY ADJUSTMENT

Sec. 1431. Death Valley National Park boundary adjustment.
Sec. 1432. Mojave National Preserve.
Sec. 1433. Joshua Tree National Park.

PART IV—OFF-HIGHWAY VEHICLE RECREATION AREAS

Sec. 1441. Off-highway vehicle recreation areas.

PART V—MISCELLANEOUS

Sec. 1451. Transfer of land to Anza-Borrego Desert State Park.
Sec. 1452. Wildlife corridors.
Sec. 1453. Prohibited uses of acquired, donated, and conservation land.
Sec. 1454. Tribal uses and impairment.
Sec. 1455. Release of Federal reversionary land interests.
Sec. 1456. California State school land.
Sec. 1457. Designation of wild and scenic rivers.
Sec. 1458. Conforming amendments.
Sec. 1459. Juniper Flats.

Sec. 1461. Desert tortoise conservation center.

TITLES—NATIONAL PARKS

Subtitle A—Special Resource Studies

Sec. 2001. Special resource study of James K. Polk presidential home.
Sec. 2003. Special resource study of President John F. Kennedy.

Subtitle B—National Park System Boundary Adjustments and Related Matters

Sec. 2101. Shiloh National Military Park boundary adjustment.
Sec. 2102. Ocmulgee Mounds National Historic Park boundary.
Sec. 2103. Kennesaw Mountain National Battlefield Park boundary.
Sec. 2104. Fort Frederica National Monument, Georgia.
Sec. 2105. Fort Scott National Historic Site boundary.
Sec. 2106. Florissant Fossil Beds National Monument boundary.
Sec. 2107. Voyager National Park boundary adjustment.
Sec. 2108. Acadia National Park boundary.
Sec. 2109. Authority of Secretary of the Interior to accept certain properties, Missouri.
Sec. 2110. Home of Franklin D. Roosevelt National Historic Site.

Subtitle C—National Park System Redesignation

Sec. 2201. Designation of Saint-Gaudens National Historical Park.
Sec. 2202. Redesignation of Robert Emmet Park.
Sec. 2203. Fort Sumter and Fort Moultrie National Historical Park.
Sec. 2204. Reconstruction Era National Historical Park and Reenactment Era National Historic Network.
Sec. 2205. Golden Spike National Historical Park.
Sec. 2206. World War II Pacific sites.

Subtitle D—New Units of the National Park System

Sec. 2301. Medgar and Myrlie Evers Home National Monument.
Sec. 2302. Mill Springs Battlefield National Monument.

Subtitle E—National Park System Management

Sec. 2401. Denali National Park and Preserve natural gas pipeline.
TITLE VII—WILDLIFE HABITAT AND CONSERVATION
Sec. 7001. Wildlife habitat and conservation.
Sec. 7003. John H. Chaffee Coastal Barrier Resources System.

TITLE VIII—WATER AND POWER
Subtitle A—Reclamation Title Transfer
Sec. 8001. Purpose.
Sec. 8002. Definitions.
Sec. 8003. Authorization of transfers of title to eligible facilities.
Sec. 8004. Eligibility criteria.
Sec. 8005. Liability.
Sec. 8006. Benefits.
Sec. 8007. Compliance with other laws.
Subtitle B—Equitable Distribution of Fish Recovery Programs
Sec. 8101. Extension of authorization for annual base funding of fish recovery programs; removal of certain reporting requirement.
Sec. 8102. Report on recovery implementation programs.
Subtitle C—Yakima River Basin Water Enhancement Project
Sec. 8201. Authorization of phase III.
Sec. 8202. Modification of purposes and definitions.
Sec. 8203. Yakima River Basin Water Conservation Conveyance.
Sec. 8204. Yakima Basin water projects, operations, and authorizations.
Subtitle D—Bureau of Reclamation Facility Conveyances
Sec. 8301. Conveyance of Maintenance Complex and District Office of the Arbuckle Project, Oklahoma.
Sec. 8302. Contra Costa Canal transfer.
Subtitle E—Project Authorizations
Sec. 8401. Extension of Equus Beds Division of the Wichita Project.
Subtitle F—Modifications of Existing Programs
Sec. 8501. Watersmart.
Subtitle G—Bureau of Reclamation Transparency
Sec. 8601. Definitions.
Sec. 8602. Asset Management Report enhancements for reserved works.
Sec. 8603. Asset Management Report enhancements for transferred works.

TITLE IX—MISCELLANEOUS
Sec. 9001. Every Kid Outdoors Act.
Sec. 9002. Good Samaritan Search and Recovery Act.
Sec. 9003. 21st Century Conservation Service Corps Act.
Sec. 9006. 21st Century Respect Act.
Sec. 9007. American World War II Heritage Cities.
Sec. 9008. Quindaro Townsite National Commemorative Site.
Sec. 9009. Designation of National Comedy Center in Jamestown, New York.
Sec. 9010. John H. Chaffee Coastal Barrier Resources System.

SECT. 1001. CRAGS LAND EXCHANGE, COLORADO
(a) PURPOSES.—The purposes of this section are—
(1) to authorize, direct, expedite and facilitate the land exchange set forth herein; and
(2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the National Forest near Pike's Peak, Colorado, via acquisition of the non-Federal land and trail easement.
(b) DEFINITIONS.—In this section:
(1) BHI.—The term ‘‘BHI’’ means Broadmoor Hotel, Inc., a Colorado corporation.
(2) FEDERAL LAND.—The term ‘‘Federal land’’ means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a nonexclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled ‘‘Proposed Crags Land Exchange—Federal Parcel—Emerald Valley Ranch’’ and dated March 2015.
(3) NON-FEDERAL LAND.—The term ‘‘non-Federal land’’ means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—
(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled ‘‘Proposed Crags Land Exchange—Non-Federal Parcel—Crags Property’’ and dated March 2015; and
(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled ‘‘Proposed Crags Land Exchange—Barr Trail Easement to United States’’ and dated March 2015, which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.
(4) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Agriculture, unless otherwise specified.
(5) LAND EXCHANGE.—
(a) IN GENERAL.—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.
(b) LAND TITLE.—Title to the non-Federal land conveyed and donated to the Secretary under this section shall be acceptable to the Secretary and shall conform to the title applicable to land acquired under this section.
(6) PERPETUAL ACCESS EASEMENT.—BHI shall grant a non-exclusive perpetual access easement to be granted to BHI as shown on the map referred to in subsection (b)(2) shall allow—
(A) BHI to fully maintain, at BHI’s expense, and use Forest Service Road 371 from its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and
(B) full and continued public and administrative access and use of Forest Service Road 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.
(7) ROUTE AND CONDITION OF ROAD.—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.
(8) EXCHANGE COSTS.—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this section, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.
(d) EQUAL VALUE EXCHANGE AND APPRAISALS.—
APPRAISALS.—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed——

(A) in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions;

(ii) the Uniform Standards of Professional Appraisal Practice; and

(iii) appraisal instructions issued by the Secretary; and

(B) by an appraiser mutually agreed to by the Secretary and BHI.

(2) EQUAL VALUE EXCHANGE.—The values of the Federal land and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) SURPLUS OF FEDERAL LAND VALUE.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(B) USE OF FUNDS.—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be deposited in the fund established under Public Law 90–171 (commonly known as the “Sisk Act”); 16 U.S.C. 484a; and shall be used —

(1) deposited in the fund established under Public Law 90–171 (commonly known as the “Sisk Act”); 16 U.S.C. 484a; and

(ii) by an appraiser mutually agreed to by the Secretary and BHI mutually agree otherwise.

(3) EXCHANGE TIMETABLE.—It is the intent of Congress that the land exchange directed by this section be consummated no later than 1 year after the date of enactment of this Act.

(4) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(A) MINOR ERRORS.—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(B) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control.

(C) AVAILABILITY.—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the head-quarters of the Pike-San Isabel National Forest a copy of all maps referred to in this section.

SEC. 1002. ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Arapaho National Forest in the State of Colorado is as depicted on the map entitled “Arapaho National Forest Map,” adopted March 13, 1907, and dated November 6, 2013, and described as lots three, four, eight, and nine of section 13, Township 4 North, Range 76 West, Sixth Principal meridian, minus and described in this subsection may be included in the boundary adjustment only after the Secretary of Agriculture obtains written permission for such action from the lot owner or owners.

(b) BOWEN GULCH PROTECTION AREA.—The Secretary of Agriculture may, by mutual agreement with the Conservation District for the Bowen Gulch Protection Area established under section 6 of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j). (c) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306(a)(2)(B)(i) of title 54, United States Code, the boundaries of the Arapaho National Forest, as modified under subsection (a), shall be considered to be the boundaries of the Arapaho National Forest for the purposes of section 200306(a)(2)(B)(i) of title 54, United States Code.

(d) PUBLIC MOTORIZED USE.—Nothing in this section opens privately owned lands within the boundary described in subsection (a) to public motorized use.

(e) ACCESS TO NON-FEDERAL LANDS.—Notwithstanding the provisions of section 8(f) of the California Wilderness Act of 1988 (16 U.S.C. 399d(f)) regarding motorized travel, the owners of any non-Federal lands within the boundary described in subsection (a) who historically have accessed their lands through lands now or hereafter owned by the United States within the boundary described in subsection (a) shall have the continued right of motorized access to their lands across the existing roadway.

SEC. 1003. SANTA ANA RIVER WASH LAND EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) CONSERVATION DISTRICT.—The term “Conservation District” means the Santa Barbara River Watershed Conservation District, a political subdivision of the State of California.

(2) FEDERAL EXCHANGE PARCEL.—The term “Federal exchange parcel” means the approximately 310 acres of Federal land identified in subsection (a) of section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1720, 1721), subject to valid existing rights, and conditioned upon any equalization payment necessary under section 1002 of this Act.

(b) EXCHANGE OF LAND; EQUALIZATION OF VALUE.

(1) EXCHANGE AUTHORIZED.—Notwithstanding the land use planning requirements of sections 202, 210, and 211 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1720, 1721), subject to valid existing rights, and conditioned upon any equalization payment necessary under section 1002 of this Act, if the Conservation District offers to convey the exchange parcel to the United States, the Secretary shall—

(A) convey to the Conservation District all right, title, and interest of the United States in and to the Federal land, and any such portion of the non-Federal exchange parcel as may be required to equalize the values of the lands exchanged; and

(B) accept from the Conservation District a conveyance of all right, title, and interest of the Conservation District in and to the non-Federal land, and any such portion of the non-Federal exchange parcel as may be required to equalize the values of the lands exchanged.

(2) EQUALIZATION PAYMENT.—To the extent an equalization payment is necessary under section 1002(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(b)), the amount of such equalization payment shall first be made by way of in-kind transfer of the fair market value of the Federal exchange parcel to the Conservation District, or transfer of such portion of the non-Federal exchange parcel to the United States, as the case may be, and any such amount of equalization payment shall be credited against any required equalization payment. To the extent such credit is not sufficient to offset the entire amount of equalization payment indicated, any remaining amount of equalization payment shall be treated as follows:

(A) If the equalization payment is to equalize values by which the Federal land exceeds the non-Federal land and the credited value of the non-Federal exchange parcel, Conservation District may make the equalization payment to the United States, subject to valid existing rights, and conditioned upon any equalization payment necessary under section 1002(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(b)), in the event Conservation District opts not to make the indicated equalization payment, the exchange shall not proceed.

(2) CONVERSION TO NON-FEDERAL LAND.—If necessary to equalize the fair market values of the lands otherwise to be exchanged.
of the Federal exchange parcel, the Secretary shall order the exchange without requirement of any additional equalization payment by the United States to the Conservation District.

(3) APPRAISALS.—
(A) The value of the land to be exchanged under this section shall be determined by an independent appraiser, as approved by the appropriate offices of the Bureau of Land Management.
(B) The appraisals shall be conducted in accordance with nationally recognized appraisal standards, and the Secretary may correct any minor errors in the map or in the legal descriptions. The map and legal descriptions shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) COSTS OF CONVEYANCE.—As a condition of conveyance, any costs related to the conveyance under this section shall be paid by the Conservation District.

(5) APPLICABLE LAW.—
(A) The Act of February 20, 1909 (35 Stat. 641), shall not apply to the Federal land and any public exchange land transferred under this section.

(B) The exchange of lands under this section shall be subject to continuing rights of the Conservation District under the Act of February 20, 1909 (35 Stat. 641), on the non-Federal land to be exchanged portion of the non-Federal exchange parcel for the continued use, maintenance, operation, construction, or relocation of, or expansion of, groundwater recharge facilities on the non-Federal land, to accommodate groundwater recharge of the Bunker Hill Basin to the extent that such activities are not in conflict with a land management or reclamation plan.

(c) CANCELLATION OF SECRETARIAL ORDER 241.—
Secretarial Order 241, dated November 11, 1929 (withdrawing a portion of the Federal land for an unconstructed transmission line), is terminated and the withdrawal thereby effected is revoked.

SEC. 1004. UDALL PARK LAND EXCHANGE.
(a) DEFINITIONS.—In this section:
(1) CITY.—The term “City” means the city of Tucson, Arizona.
(2) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 172.8-acre parcel of City land identified in the patent numbered 02-90-0001 and dated October 4, 1969, and more particularly described as lots 3 and 4, Section 4NW1/4, sec. 5, T 14 S., R. 15 E., Gila and Salt River Meridian, Arizona.

(b) CONVEYANCE OF FEDERAL REVERSIONARY INTEREST IN LAND LOCATED IN TUCSON, ARIZONA.—
(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall convey to the City, without consideration, the non-Federal land in the City of Tucson, in and to the non-Federal land for the purpose of unencumbering the title to the non-Federal land to enable economic development of the non-Federal land.

(2) LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall determine in a manner satisfactory to the Secretary.

(3) ADDITIONAL TERMS AND CONDITIONS.—The appraisals shall require such additional terms and conditions to the conveyance under paragraph (1), consistent with that paragraph, as the Secretary considers appropriate to protect the interests of the United States.

(4) COSTS.—The City shall pay all costs associated with the conveyance under paragraph (1), including the costs of any surveys, recording costs, and other reasonable costs.

SEC. 1005. CONFIRMATION OF STATE LAND GRANTS.
(a) IN GENERAL.—Subject to valid existing rights, the State of Utah may select any lands in T. 6 S., R. 1 W., Salt Lake Base and Meridian, that are owned by the United States, under the administrative jurisdiction of the Bureau of Land Management, and identified as available for disposal in the Record of Decision for the Pony Express Resource Management Plan and Rangeland Program Summary for Utah County (January 1990), as amended by the Record of Decision for the Bunker Hill Basin (November 1997), in fulfillment of the land grants made in sections 6, 8, and 12 of the Act of July 16, 1894 (28 Stat. 107) as generally depicted on the map entitled “Proposed Utah County Quantity Grants” and dated June 27, 2017, to further the purposes of the State of Utah School and Institutional Trust Lands Administration, without further land use planning action by the Bureau of Land Management.

(b) APPLICATION.—The criteria listed in Decision 3 of the Lands Program of the resource management plan described in subsection (a) shall not apply to any land selected under that subsection.

(c) EFFECT ON LIMITATION.—Nothing in this section affects the limitation established under section 2815(d) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

SEC. 1006. CUSTIS COUNTY AIRPORT CONVEYANCE.
(a) DEFINITIONS.—In this section:
(1) COUNTY.—The term “County” means Custis County, South Dakota.
(2) FEDERAL LAND.—The term “Federal land” means all right, title, and interest of the United States in and to approximately 65.7 acres of National Forest System land, generally depicted on the map.
(3) MAP.—The term “map” means the map entitled “Custis County Airport Conveyance” and dated October 19, 2017.

(b) LAND CONVEYANCE.—
(1) IN GENERAL.—Subject to the terms and conditions described in paragraph (2), if the County submits to the Secretary an offer to acquire the Federal land for the market value, as determined by the appraisal under paragraph (3), the Secretary shall convey the Federal land to the County.

(2) TERMS AND CONDITIONS.—The conveyance under paragraph (1) shall be—
(A) subject to valid existing rights;
(B) made by quitclaim deed; and
(C) subject to any other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(3) APPRAISAL.—The appraisal shall convey to the District all right, title, and interest of the United States in and to the

(b) LAND TO BE HELD IN TRUST.—
(1) PARCEL A.—Subject to paragraph (2) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 39.65 acres of Federal land generally depicted on the map as “Parcel A” are declared to be held in trust by the United States for the benefit of the Tribe.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date after the date on which the District relinquishes all right, title, and interest of the District in and to the approximately 39.65 acres of land described in paragraph (1).

(c) LANDS TO BE CONVEYED TO THE TRIBES.—
(1) PARCEL B.—
(A) IN GENERAL.—Subject to valid existing rights and payment to the United States of the fair market value of the land, the Secretary shall convey to the District all right, title, and interest of the United States in and to the

(b) LAND TO BE HELD IN TRUST.—
(1) PARCEL A.—Subject to paragraph (2) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 39.65 acres of Federal land generally depicted on the map as “Parcel A” are declared to be held in trust by the United States for the benefit of the Tribe.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date after the date on which the District relinquishes all right, title, and interest of the District in and to the approximately 39.65 acres of land described in paragraph (1).

(c) LANDS TO BE CONVEYED TO THE TRIBES.—
(1) PARCEL B.—
(A) IN GENERAL.—Subject to valid existing rights and payment to the United States of the fair market value of the land, the Secretary shall convey to the District all right, title, and interest of the United States in and to
the approximately 13.24 acres of Federal lands generally depicted on the map as "Parcel B".

(B) **DETERMINATION OF FAIR MARKET VALUE.**—The fair market value of the property to be conveyed under subparagraph (A) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(C) **COSTS OF CONVEYANCE.**—As a condition of the conveyance under this paragraph, all costs associated with the conveyance shall be paid by the District.

(2) **Used.**—(A) **In GENERAL.**—If, not later than 1 year after the completion of the appraisal required by subparagraph (C), the District submits its offer to the Secretary an offer to acquire the Federal reversionary interest in all of the approximately 27.5 acres of land conveyed to the District under Recreation and Public Purposes Act and generally depicted on the map as "Parcel C", the Secretary shall convey to the District such reversionary interest in the lands covered by the offer. The consideration for "Parcel C" conveyance not later than 30 days after the date of the offer.

(B) **SURVEY.**—Not later than 90 days after the effective date of this Act, the Secretary shall complete a survey of the lands described in this paragraph to determine the precise boundaries and acreage of the lands subject to the Federal reversionary interest. The survey shall be paid by the District.

(C) **DETERMINATION OF FAIR MARKET VALUE.**—The appraisal shall be completed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(D) **CONSIDERATION.**—As consideration for the conveyance of the Federal reversionary interest under this paragraph, the District shall pay to the Secretary an amount equal to the appraised value of the Federal interest, as determined under subparagraph (C). The consideration shall be paid not later than 30 days after the date of the conveyance.

(E) **COSTS OF CONVEYANCE.**—As a condition of the conveyance under this paragraph, all costs associated with the conveyance, including the cost of the survey required by subparagraph (B) and the appraisal required by subparagraph (C), shall be paid by the District.

(f) **GAMING PROHIBITION.**—The Tribe may not conduct gaming activities on lands taken into trust pursuant to this section, either as a matter of claimed inherent authority, under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), or under regulations promulgated by the Secretary or the National Indian Gaming Commission.

(g) **WATER RIGHTS.**—

(1) **In GENERAL.**—There shall be no Federal reserved right to surface water or ground water, surface or ground water, and to take water into trust by the United States for the benefit of the Tribe under this section.

(2) **STATE WATER RIGHTS.**—The Tribe retains any water rights which are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this section.

(h) **EASEMENTS OR ABANDONMENT.**—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this section may not be extinguished or abandoned.

(i) **ADMINISTRATION.**—Nothing in this section affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95-375.

SEC. 1008. LA PAZ COUNTY LAND CONVEYANCE.

(a) **DEFINITIONS.**—In this section:

(1) **COUNTY.**—The term "County" means La Paz County, Arizona.

(2) **FEDERAL LAND.**—The term "Federal land" means all Federal lands within the approximate 5,935 acres of land managed by the Bureau of Land Management and designated as "Federal land to be conveyed" on the map.

(b) **MAP.**—The term "Map" means the map prepared by the Bureau of Land Management entitled "Proposed La Paz County Land Conveyance" and dated October 1, 2018.

(c) **CONVEYANCE TO LA PAZ COUNTY, ARIZONA.**—

(1) **IN GENERAL.**—With the approval of the Secretary, the Secretary shall convey the Federal land to the County not later than 30 days after the date of the offer.

(2) **RESTRICTIONS ON CONVEYANCE.**—

(A) **In GENERAL.**—The conveyance under paragraph (1) shall be for the fair market value of the Federal land to be conveyed, as determined—

(i) by subparagraph (C), shall be paid by the District.

(ii) by subparagraph (C), shall be paid by the District.

(B) **INCLUSION.**—The term "omitted land" includes—

(i) any Federal land that contains significant cultural, environmental, wildlife, or recreational resources.

(ii) a condition of the conveyance under paragraph (1) shall have the effect of conveying or patent of omitted land to a claimant or the Secretary relating to any survey, platting, legal description, or associated activities required to prepare and issue a patent under that subsection shall be—

(i) the Secretary shall convey to the claimant the omitted land, including any mineral interests, that has been held in good faith and in peaceful, adverse possession by a claimant or an ancestor or grantor of the claimant, under claim or color of title, based on the Original Survey.

(ii) the Secretary shall convey to the claimant the omitted land, including any mineral interests, that has been held in good faith and in peaceful, adverse possession by a claimant or an ancestor or grantor of the claimant, under claim or color of title, based on the Original Survey.

(iii) the Secretary shall convey to the claimant the omitted land, including any mineral interests, that has been held in good faith and in peaceful, adverse possession by a claimant or an ancestor or grantor of the claimant, under claim or color of title, based on the Original Survey.

(iv) the Secretary shall convey to the claimant the omitted land, including any mineral interests, that has been held in good faith and in peaceful, adverse possession by a claimant or an ancestor or grantor of the claimant, under claim or color of title, based on the Original Survey.
the approximately 2,025 acres of National Forest System land.

The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means San Juan County, Utah.

(2) MAP.—The term “map” means the map entitled “Lake Fannin Conveyance” and dated November 21, 2013.

(3) NATIONAL FOREST SYSTEM LAND.—The term “National Forest System land” means the approximately 2,025 acres of National Forest System land generally depicted on the map.

(b) LAND CONVEYANCE.—

(1) IN GENERAL.—Subject to the terms and conditions described in paragraph (2), if the County submits to the Secretary an offer to acquire the National Forest System land for the fair market value, as determined by the appraisal under paragraph (3), the Secretary shall convey the National Forest System land to the County.

(2) TERMS AND CONDITIONS.—The conveyance under paragraph (1) shall be—

(A) subject to valid existing rights;

(B) made by quitclaim deed; and

(C) subject to any other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) APPRAISAL.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal to determine the fair market value of the National Forest System land.

(2) B STANDARDS.—The appraisal under subparagraph (A) shall be conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(d) MAP.—

(A) AVAILABILITY OF MAP.—The map shall be kept on file and available for public inspection in the appropriate office of the Forest Service.

(B) CORRECTION OF ERRORS.—The Secretary may correct errors in the map.

(e) CONSIDERATION.—As consideration for the conveyance under paragraph (1), the County shall pay to the Secretary an amount equal to the fair market value of the National Forest System land, as determined by the appraisal under paragraph (3).

(f) SURVEY.—The exact acreage and legal description of the National Forest System land to be conveyed under paragraph (1) shall be determined by a survey satisfactory to the Secretary and the County.

(g) TRANSFER OF CONVEYANCE.—As a condition for the conveyance under paragraph (1), the County shall agree to manage the land conveyed under that subsection for public recreational purposes.

(h) ENSURE SUSTAINABILITY.—

(A) AS A CONDITION ON THE CONVEYANCE.—As a condition on the conveyance under paragraph (1), the County shall pay to the Secretary all costs associated with the conveyance, including the costs of—

(i) the appraisal under paragraph (3); and

(ii) the survey under paragraph (6).

SEC. 1011. LAND CONVEYANCE AND UTILITY RIGHTS FOR THE HENRY’S LAKE WILDERNESS STUDY AREA, IDAHO.

(a) CONVEYANCE AND RIGHT-OF-WAY AUTHORIZED.—Notwithstanding section 603(c) of the Public Land Law and Order of the Secretary of the Interior of 1976 (43 U.S.C. 1732(c)), the Secretary may—

(1) convey to the owner of a private residence located at 3787 Valhalla Road in Island Park, Idaho (in this section referred to as the “owner”), all right, title, and interest of the United States in and to the approximately 0.5 acres of Federal land in the Henry’s Lake Wilderness Study Area described as lot 14, section 33, Township 16 North, Range 28 East, Meridian, Fremont County, Idaho; and

(2) grant Fall River Electric in Ashton, Idaho, the right to operate, maintain, and rehabilitate a natural gas transmission pipeline approximately 0.4 acres of Federal land in the Henry’s Lake Wilderness Study Area described as lot 13, section 23, Township 16 North, Range 28 East, Meridian, Fremont County, Idaho, which includes an electrical distribution line and access road, 850’ in length, 20’ in width.

(b) CONSIDERATION; CONDITIONS.—

(1) LAND DISPOSAL.—The Secretary shall convey the land under subsection (a)(1) in accordance with section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) and part 2711.3-3 of title 43, Code of Federal Regulations. As consideration for the conveyance the owner shall pay to the Secretary an amount equal to the fair market value as valued by a qualified land appraisal and approved by the Appraisal and Valuation Services Office of the Federal Land Acquisitions; and

(2) APPRAISAL.—The Secretary shall grant the right-of-way granted under subsection (a)(2) in accordance with section 205 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1715), and part 2710.00 of title 43, Code of Federal Regulations.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions as are consistent with the conveyance of the land and the grant of the right-of-way under this section as the Secretary considers appropriate to protect the rights and interests of the United States.

SEC. 1012. CONVEYANCE TO UKPEAGVIK INUPIAT CORPORATION.

(a) IN GENERAL.—Not later than 1 year after the date on which the Secretary receives a written request by the City of Hyde Park, Idaho (in this section referred to as the “City”), the Secretary shall convey to the owner of a private residence located at 3787 Valhalla Road in Island Park, Idaho (in this section referred to as the “owner”), all right, title, and interest of the United States in and to the approximately 80-acre parcel of public land described in subsection (b)(1) for public recreation or other public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 669a).

(b) DESCRIPTION OF LAND.—

(1) IN GENERAL.—The parcel of public land referred to in subsection (a) is the approximately 80-acre parcel of public land described as lot 15, section 33, Township 16 North, Range 28 East, Meridian, Fremont County, Idaho, which is approximately 2.025 acres of National Forest System land.

(2) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be on file and available for public inspection in appropriate offices of the Bureau of Land Management.

(c) SURVEY.—The exact acreage and legal description of the land conveyed under this section shall be determined by a survey satisfactory to the Secretary.

(d) CONVEYANCE COSTS.—As a condition for the conveyance under this section, all costs associated with the conveyance shall be paid by the City.

SEC. 1014. JUAB COUNTY CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means Juab County, Utah.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) LAND EXCHANGE.—

(1) IN GENERAL.—Nothing in this section affects acquisitions by the Secretary of the non-Federal land described in paragraph (2).

(2) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 2.17 acres of non-Federal land located at 740 South Main Street, Nephi, Utah, as depicted as Tax Lot Numbers #XA00-0655-111 and #XA00-0655-2 on the map entitled “Nephi Plat B” and dated May 6, 1981.

(c) BOUNDARY OF THE JUAB COUNTY CONVEYANCE PARCEL.—

(1) IN GENERAL.—Not later than 1 year after the date on which the Secretary receives a request from the County to convey the non-Federal land, the Secretary shall convey the land to the County within consideration all right, title, and interest of the United States in and to the Nephi Work Center conveyance parcel.

(2) COSTS.—Any costs relating to the conveyance under paragraph (1), including processing and transaction costs, shall be paid by the County.

(3) USE OF LAND.—The land conveyed to the County under paragraph (1) shall be used by the County for the following purposes:

(A) To house suppression and fuels mitigation personnel;

(B) To facilitate fire suppression and fuels mitigation activities; and

(C) For infrastructure and equipment necessary to carry out subparagrapghs (A) and (B).

SEC. 1015. BLACK MOUNTAIN RANGE AND BULLHEAD CITY LAND EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means Bullhead City, Arizona.

(2) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 1,100 acres of land owned by Bullhead City in the Black Mountain Range generally depicted as “Bullhead City Land to be Exchanged to BLM” on the Map.

(b) MAP.—

(1) M A P.—The map shall be entitled “Bullhead City Land Exchange” and dated August 24, 2018.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 345.2 acres of land in Bullhead City, Arizona, generally depicted on the map entitled “Bullhead City Land to be Exchanged to BLM” on the Map.

(b) LAND EXCHANGE.—
(1) In general.—If after December 15, 2020, the City offers to convey to the Secretary all right, title, and interest of the City in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to the City all right, title, and interest of the United States in and to the Federal land.

(2) Land title.—Title to the non-Federal land shall be considered a donation to the Secretary under this section shall be in a form acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) Exchange costs.—The City shall pay for all appraisals, and other costs to the Secretary as may be necessary to process and consummate the exchange under this section.

(c) Equal Value Exchange and Appraisals.—(1) Appraisals.—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed—

(A) in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Laws; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(B) by an appraiser mutually agreed to by the Secretary and the City.

(2) Equal Value Exchange.—The values of the non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) Surplus of Federal Land Value.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the City shall reduce the amount of land it is requesting from the Federal Government to create an equal value in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)). Land that is not exchanged because of equalization under this subparagraph shall remain subject to lease under the Act of June 14, 1926 (commonly known as the “Reclamation and Public Purposes Act”) (44 Stat. 741, chapter 578, 43 U.S.C. 869 et seq.).

(B) Use of funds.—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Policy and Management Act (43 U.S.C. 2305(a)); and

(ii) used in accordance with that Act (43 U.S.C. 2301 et seq.).

(3) Surplus of non-Federal Land Value.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the United States shall acquire, at fair cash equalization payment to the City, and surplus value of the non-Federal land shall be considered a donation by the City to the United States for all purposes of law.

(d) Withdrawal provisions.—Lands acquired by the Secretary under this section are, upon such acquisition, automatically and permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(e) Management of land.—Land acquired by the Secretary under this section shall become part of the Coconino National Forest and be managed in accordance with the laws, regulations, and policies applicable to the National Forest System.

(f) Maps, Estimates, and Descriptions.—(1) Minor errors.—The Secretary and the County may, by mutual agreement—

(A) make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange; and

(B) correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(2) Conflict.—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and the City mutually agree otherwise.

(3) Availability.—The Secretary shall file and make available for public inspection in the Arizona headquarters of the Bureau of Land Management a map of all maps referred to in this section.

SEC. 1016. COTTONWOOD LAND EXCHANGE.

(a) Definitions.—In this section:

(1) County.—The term “County” means Yavapai County, Arizona.

(2) Federal Land.—The term “Federal land” means all right, title, and interest of the United States in and to approximately 80 acres of land in Yavapai County, Arizona, generally depicted as “Coconino National Forest Parcels Federal Land” on the map.

(b) Map.—The term “map” means the map entitled “Cottonwood Land Exchange”, with the revision date July 5, 2018.

(c) Surplus of Federal Land Value.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the United States shall acquire, at fair cash equalization payment to the County, and surplus value of the non-Federal land becomes part of the Coconino National Forest System.

(b) Surplus of non-Federal Land Value.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the United States shall convey to the Secretary an offer to acquire the reversionary interest in the Federal land at fair cash equalization payment to the Secretary.

(c) Surplus of Federal Land Value.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the County shall acquire the reversionary interest in the Federal land at fair cash equalization payment to the Secretary.

(2) Equal Value Exchange.—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) Surplus of Federal Land Value.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the County shall acquire the reversionary interest in the Federal land at fair cash equalization payment to the Secretary.

(B) Surplus of Non-Federal Land Value.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the Secretary shall convey to the Secretary an offer to acquire the reversionary interest in the non-Federal land at fair cash equalization payment to the Secretary.

(c) Surplus of Federal Land Value.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the County shall acquire the reversionary interest in the Federal land at fair cash equalization payment to the Secretary.

(c) Surplus of Non-Federal Land Value.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the Secretary shall convey to the Secretary an offer to acquire the reversionary interest in the non-Federal land at fair cash equalization payment to the Secretary.

(d) Withdrawal provisions.—Lands acquired by the Secretary under this section are, upon such acquisition, automatically and permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(e) Management of land.—Land acquired by the Secretary under this section shall become part of the Coconino National Forest and be managed in accordance with the laws, regulations, and policies applicable to the National Forest System.

(f) Maps, Estimates, and Descriptions.—(1) Minor errors.—The Secretary and the County may, by mutual agreement—

(A) make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange; and

(B) correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(2) Conflict.—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and the County mutually agree otherwise.

(3) Availability.—The Secretary shall file and make available for public inspection in the headquarters of the Coconino National Forest a copy of all maps referred to in this section.

SEC. 1017. EMBRY-RIDDLE TRIP-CITY LAND EXCHANGE.

(a) Definitions.—In this section:

(1) Non-Federal land.—The term “non-Federal land” means the approximately 16-acre parcel of University land identified in section 3(a) of Public Law 105-363 (112 Stat. 3297).

(2) University.—The term “University” means Embry-Riddle Aeronautical University, Florida.

(b) Conveyance of Federal Reversionary Interest in Land Located in the County of Yavapai, Arizona.—(1) In general.—Notwithstanding any other provision of law, if after the completion of the appraisal required under subsection (c), the University submits to the Secretary an offer to acquire the reversionary interests of the United States in and to the non-Federal land, the Secretary shall convey to the University the reversionary interests of the United States in and to the non-Federal land for the purpose of unencumbering the title to the non-Federal land to enable economic development of the non-Federal land.

(2) Legal descriptions.—As soon as practicable after the date of enactment of this Act, the exact legal description of the non-Federal land shall be determined in a manner satisfactory to the Secretary.

(3) Additional terms and conditions.—The Secretary may require such additional terms and conditions to the conveyance under paragraph (1), consistent with this section, as the Secretary considers appropriate to protect the interests of the United States.

(4) Costs.—The University shall pay all costs associated with the conveyance under
paragraph (1), including the costs of the appraiser required under subsection (c), the costs of any surveys, recording costs, and other reasonable costs.

(c) Procedure.—(1) In GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the reversionary interests of the United States in and to the non-Federal land.

(2) APPLICABLE LAW.—The appraisal shall be completed in accordance with—
(A) the Uniform Standards of Professional Appraisal Practice;
(B) the Uniform Standards of Professional Appraisal Practice.

(d) Requiring the payment of amounts.—(1) In GENERAL.—As consideration for the conveyance of the reversionary interests of the United States in and to the non-Federal land under this section, the United States shall pay to the Secretary an amount equal to the appraisal value of the interests of the United States, as determined under subsection (c), and any amounts received under paragraph (1) shall be—
(A) deposited in the Federal Land Disposal Account established by section 230(a) of the Federal Land Disposal Facilitation Act (43 U.S.C. 2305(a)); and
(B) used in accordance with that Act (43 U.S.C. 2301 et seq.).

Subtitle B—On the Land and National Forest System Management

SEC. 1101. BOLTS DITCH ACCESS.

(a) ACCESS GRANTED.—The Secretary of Agriculture shall permit by special use authorization nonmotorized access and use, in accordance with section 259.6 of title 36, Code of Federal Regulations, of the Bolts Ditch Headgate and the Bolts Ditch segment within the Holy Cross Wilderness, Colorado, as designated by Public Law 96-560 (94 Stat. 3265), for the purpose of the diversion of water and use, maintenance, and repair of such ditch and headgate by the Town of Minturn, Colorado, a Colorado Home Rule Municipality.

(b) LOCATION OF FACILITIES.—The Bolts Ditch headgate and ditch segment referenced in subsection (a) are as generally depicted on the map entitled “Bolts Ditch Headgate and Ditch Segment” and dated November 2015.

SEC. 1102. CLARIFICATION RELATING TO A CERTAIN DESCRIPTION UNDER THE NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT.

Section 104(a)(5) of the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 (Public Law 109-110; 119 Stat. 2228, as inserted in the period at the end “,” which, notwithstanding section 102(a)(4)(B), includes the N₂/₈ NE1/₈ SW1/₈, the N₂/₈ NE1/₈ SE1/₈, and the N₂/₈ SW1/₈ SE1/₈, sec. 34, Township 22 North, Range 2 East, Gila and Salt River Meridian, Coconino County, Arizona, comprising approximately 25 acres’.

SEC. 1103. FRANK AND JEANNE MOORE WILD STEELHEAD SPECIAL MANAGEMENT AREA.

(a) FINDINGS.—Congress finds that—
(1) Frank Moore has committed his life to family, friends, his country, and fly fishing;
(2) Frank Moore is a World War II veteran who stormed the beaches of Normandy along with 150,000 troops during the D-Day Allied invasion and was awarded the Chevalier of the French Legion of Honor for his bravery;
(3) Frank Moore returned home after the war, continued and pursued his passion of fishing on the winding rivers in Oregon;
(4) as the proprietor of the Steamboat Inn along the Wallowa River in Oregon for nearly 20 years, Frank Moore, along with his wife Jeanne, shared his love of fishing, the flowing river, and the great outdoors, with visitors from all over the United States and the world;
(5) Frank Moore has spent most of his life fishing on the winding rivers in Oregon and specifically the State of Oregon Fish and Wildlife Commission;
(6) Frank Moore has been recognized for his conservation work with the National Wildland Conservation Foundation of the Year award, the Wild Steelhead Coalition Conservation Award, and his 2010 induction into the Fresh Water Fishing Hall of Fame; and
(7) in honor of the many accomplishments of Frank Moore, both on and off the river, approximately 99,653 acres of Forest Service land in the State of Oregon should be designated as the “Frank and Jeanne Moore Wild Steelhead Special Management Area”.

(b) DEFINITIONS.—
(1) MAP.—The term “Map” means the map entitled “Frank Moore Wild Steelhead Special Management Area Designation Act” and dated June 23, 2016.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(c) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means the Frank and Jeanne Moore Wild Steelhead Special Management Area designated by subsection (c)(1).

(d) CONSIDERATION.—
(1) DEPOSIT; USE.—Amounts received under paragraph (1), including the costs of the appraisal, shall be—
(A) deposited in the Forest Service Special Management Area Trust Fund established under section 349 of title 16, Code of Federal Regulations, of the Bolts Ditch Segment” and dated November 2015.

SEC. 1104. MAINTENANCE OR REPLACEMENT OF FACILITIES AND STRUCTURES AT SMITH GULCH.

The authorization of the Secretary of Agriculture to maintain or replace facilities or structures for commercial recreation services at Smith Gulch under section 3(a)(2)(D) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(2)(D))—
(1) may include improvements or replacements that the Secretary of Agriculture determines are necessary—
(A) to carry out the purposes of this Act; (B) to replace existing facilities; and (C) to include any costs not otherwise provided for in this Act.

(2) holds not to exceed the amount of funds available under this Act.

SEC. 1105. REPEAL OF PROVISION LIMITING THE EXPORT OF TIMBER HARVESTED FROM THE KAKE TRIBAL CORPORATION LAND.

Section 42 of the Alaska Native Claims Settlement Act (43 U.S.C. 1628h) is amended—
(1) by striking subsection (h); and
(2) by redesignating subsection (l) as subsection (l); and
(3) in subsection (l) (as so redesignated) in the first sentence, by striking “and to provide” and all that follows through “subdivision”.

SEC. 1106. DESIGNATION OF FOWLER AND BOSKOFF PEAKS.

(a) DESIGNATION OF FOWLER PEAK.—
SPECIAL USE PERMIT NUMBERED SAN5039–02, and dated October 2017.

SALES OF THE PROPERTIES UNDER THIS SECTION

SALES OF THE PROPERTIES UNDER THIS SECTION SHALL BE FOR CASH CONSIDERATION.

PROPERTIES—The term "property" means—

(a) DEFINITIONS—In this section:

(1) PERMITTEE.—(A) The term "permittee" means a person who, on the date of enactment of this Act, holds a valid permit for use of a property.

(b) INCLUSIONS.—The term "inclosure" includes any heirs, executors, and assigns of the permittee or interest of the permittee.

(c) PROPERTY.—The term "property" means—

(i) an approximately 1.1 acres of National Forest System land in sec. 4, T. 10 S., R. 16 E., Gila and Salt River Meridian, as generally depicted on the map entitled "Coronado National Forest Land Conveyance Act of 2017", special use permit numbered SAN5005–03, and dated October 2017;

(ii) an approximately 3.9 acres of National Forest System land in sec. 23, T. 10 S., R. 16 E., Gila and Salt River Meridian, as generally depicted on the map entitled "Coronado National Forest Land Conveyance Act of 2017", special use permit numbered SAN5039–02, and dated October 2017;

(iii) an approximately 4.5 acres of National Forest System land in sec. 8, T. 10 S., R. 16 E., Gila and Salt River Meridian, as generally depicted on the map entitled "Coronado National Forest Land Conveyance Act of 2017", special use permit numbered SAN5016–05, and dated October 2017;

(d) C O NSIDERATION.—A sale of a property shall—

(i) include the value of any appurtenant easements; and

(ii) exclude the value of any private improvements made by a permittee of the property before the date on which the defect existed.

SEC. 1107. CORONADO NATIONAL FOREST LAND CONVEYANCE.

SEC. 1108. DESCUTES CANYON-STEELEHEAD FALLS WILDERNESS STUDY AREA BOUNDARY ADJUSTMENT, OREGON.

SEC. 1109. MAINTENANCE OF FEDERAL MINERAL LEASES BASED ON EXTRACTION OF HELIUM.
(B) pays the claim maintenance fee under subsection (b)(1)(B).

SEC. 1111. SAINT FRANCIS DAM DISASTER NATIONAL MONUMENT.

(a) DEFINITIONS.—In this section:

(1) MEMORIAL.—The term ‘‘Memorial’’ means the Saint Francis Dam Disaster National Monument authorized under subsection (b)(1).

(2) MONUMENT.—The term ‘‘Monument’’ means the Saint Francis Dam Disaster National Monument established by subsection (d)(1).

(3) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Agriculture.

(b) SAINT FRANCIS DAM DISASTER NATIONAL MEMORIAL.—

(1) ESTABLISHMENT.—The Secretary may establish a memorial at the Saint Francis Dam site in the county of Los Angeles, California, for the purpose of honoring the victims of the Saint Francis Dam disaster of March 12, 1928.

(2) REQUIREMENTS.—The Memorial shall be—

(A) known as the ‘‘Saint Francis Dam Disaster National Memorial’’; and

(B) managed by the Forest Service.

(c) DUTIES OF THE SECRETARY WITH RESPECT TO MONUMENT.—

(1) CONSULTATION.—In developing and implementing the management plan, the Secretary shall, with respect to methods of protecting and providing access to the Monument, consider the recommendations of any person, community, public or private, or person designated by the Secretary, for the purpose of honoring the victims of the Saint Francis Dam disaster.

(2) USES.—The term ‘‘uses’’ means the National Forest System; (iii) the laws generally applicable to the National Forest System; and (iv) any other applicable laws.

(d) USE OF MOTORIZED VEHICLES.—The use of motorized vehicles within the Monument may be permitted only—

(i) on roads dedicated for use by motorized vehicles in the management plan required under paragraph (1);

(ii) for administrative purposes; or

(iii) for emergency response.

(3) GRAZING.—The Secretary shall permit grazing within the Monument, where established before the date of enactment of this Act—

(i) subject to all applicable laws (including regulations and Executive orders); and

(ii) consistent with the purpose described in subsection (a)(2).

(4) NO BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section affects as if included in this Act, except that the Secretary may correct minor errors in the maps.

(B) AVAILABILITY.—The maps referred to in subsection (a) shall be available in the appropriate offices of the Bureau of Land Management.

SEC. 1112. OWYHEE WILDERNESS AREAS BOUNDARY MODIFICATIONS.

(a) DEFINITIONS.—In this section:

(1) CAC.—The term ‘‘CAC’’ means the Chugach Alaska Corporation.

(2) CAC LAND.—The term ‘‘CAC land’’ means land conveyed by the United States to the Chugach Alaska Corporation.

(3) USE OF MOTORIZED VEHICLES.—The use of motorized vehicles within the Monument may be permitted only—

(i) on roads dedicated for use by motorized vehicles in the management plan required under paragraph (1);

(ii) for administrative purposes; or

(iii) for emergency response.

(4) GRAZING.—The Secretary shall permit grazing within the Monument, where established before the date of enactment of this Act—

(i) subject to all applicable laws (including regulations and Executive orders); and

(ii) consistent with the purpose described in subsection (a)(2).

(5) STUDY.—The term ‘‘study’’ means the study conducted under subsection (b)(1).

(b) MAPS.—

(1) EFFECT.—The maps referred to in subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the maps.

(2) AVAILABILITY.—The maps referred to in subsection (a) shall be available in the appropriate offices of the Bureau of Land Management.

SEC. 1113. CHUGACH REGION LAND STUDY.

(a) DEFINITIONS.—In this section:

(1) CAC.—The term ‘‘CAC’’ means the Chugach Alaska Corporation.

(2) CAC LAND.—The term ‘‘CAC land’’ means land conveyed to the Chugach Alaska Corporation.

(3) USE OF MOTORIZED VEHICLES.—The use of motorized vehicles within the Monument may be permitted only—

(i) on roads dedicated for use by motorized vehicles in the management plan required under paragraph (1);

(ii) for administrative purposes; or

(iii) for emergency response.

(4) GRAZING.—The Secretary shall permit grazing within the Monument, where established before the date of enactment of this Act—

(i) subject to all applicable laws (including regulations and Executive orders); and

(ii) consistent with the purpose described in subsection (a)(2).

(5) STUDY.—The term ‘‘study’’ means the study conducted under subsection (b)(1).

(b) CHUGACH REGION LAND EXCHANGE STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture and the State, shall—

(i) consolidate ownership of the surface and subsurface estate in the surface estate was acquired by the State or by the United States as part of the program.

(2) PROGRAM.—The term ‘‘program’’ means the Habitat Protection and Acquisition Program of the Exxon Valdez Oil Spill Trustee Council.

(3) STUDY REQUIREMENTS.—The study shall—

(A) assess the social and economic impacts of the program, including impacts caused by split ownership patterns created by Federal acquisitions under the program, on—

(i) the Region; and

(ii) CAC and CAC land;

(B) identify parcels of accessible and economically viable Federal land that can be offered in exchange for CAC land identified by CAC as available for exchange; and

(C) provide recommendations for land exchange options with CAC that would—

(i) consolidate ownership of the surface and mineral estate of Federal land under the program; and

(ii) convey to CAC Federal land identified under subparagraph (B).
(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the study, including—

(1) a recommendation on options for 1 or more changes to wildland fire management operations in order to accelerate the deployment and integration of unmanned aircraft technologies into the operations of the Secretaries; and

(2) detailed information on—

(A) the acres of Federal land identified for exchange; and

(B) any other recommendations provided by the Secretary.

SEC. 1114. WILDFIRE TECHNOLOGY MODERNIZATION.

(a) PURPOSE.—The purpose of this section is to promote the use of the best available technology to enhance the effective and cost-efficient response to wildfires.

(1) to meet applicable protection objectives; and

(2) to increase the safety of—

(A) firefighters; and

(B) the public.

(b) DEFINITIONS.—In this section:

(1) SECRETARIES.—The term ‘‘Secretary’’ means—

(A) the Secretary of Agriculture; and

(B) the Secretary, at the Secretary’s discretion.

(2) S ECRETARY CONCERNED.—The term ‘‘Secretary concerned’’ means—

(A) the Secretary of Agriculture, with respect to activities under the Department of Agriculture; and

(B) the Secretary, with respect to activities under the Department of the Interior.

(c) U NMANNED AIRCRAFT SYSTEMS.—

(1) DEFINITIONS.—In this subsection, the terms ‘‘unmanned aircraft’’ and ‘‘unmanned aircraft system’’ have the meanings given those terms in section 44801 of title 49, United States Code.

(2) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall establish, a research, development, and testing program, or expand an applicable existing program, to assess unmanned aircraft system technologies, including optionally piloted aircraft, across the full range of wildland fire management operations in order to accelerate the deployment and integration of unmanned aircraft technologies into the operations of the Secretaries.

(3) EXPANDING USE OF UNMANNED AIRCRAFT SYSTEMS.—In carrying out the program established under paragraph (2), the Secretary, in coordination with the Federal Aviation Administration, State wildland firefighting agencies, and other Federal agencies, shall enter into an agreement with the Secretary of Agriculture, shall develop consistent protocols and plans for the use of unmanned aircrafts of unmanned aircraft system technologies, including for the development of real-time maps of the location of wildland fires.

(d) SMOKE PROJECTIONS FROM ACTIVE WILDLAND FIRES.—

The Secretary shall establish a program, to be known as the ‘‘Interagency Wildland Fire Air Quality Response Program’’, under which the Secretaries concern—

(1) to the maximum extent practicable, shall assign 1 or more air resource advisors to a type 1 incident management team managing a Federal wildland fire; and

(2) may assign 1 or more air resource advisors to a type 2 incident management team managing a wildland fire.

(e) MEDICAL PRIVACY OF FIREFIGHTERS.—

(C) all injuries or deaths resulting from vehicle accidents; and

(D) all injuries or deaths resulting from aircraft crashes.

(2) USE OF EXISTING DATA GATHERING AND ANALYSIS ORGANIZATIONS.—Section 9(b)(3) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208(b)(3)) is amended by adding at the end the following:

‘‘(e) MEDICAL PRIVACY OF FIREFIGHTERS.—The collection, storage, and transfer of any medical data collected under section 264(a) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note; Public Law 104–191); and

(2) other applicable regulations, including parts 160, 162, and 164 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this subsection).’’.

(f) RAPID RESPONSE EROSION DATABASE.—

(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the National Aeronautics and Space Administration and the Secretary of Commerce, shall establish and maintain a database, to be known as the ‘‘Rapid Response Erosion Database’’ (referred to in this subsection as the ‘‘Database’’).

(2) OPEN-SOURCE DATABASE.—

(A) AVAILABILITY.—The Secretary shall make the Database (including the original source code)—

(i) web-based; and

(ii) available without charge.

(B) COMPONENTS.—To the maximum extent practicable, the Database shall provide for—

(i) the automatic incorporation of spatial data relating to vegetation, soils, and elevation into an applicable map created by the Secretary concerned; the changes in land-cover and soil properties caused by a wildland fire; and

(ii) the generation of a composite map that can be used by the Secretary concerned to model the effectiveness of treatments in the burned area to prevent flooding, erosion, and landslides under a range of weather scenarios.

(3) USE.—The Secretary concerned shall use the Database, as applicable, in developing recommendations for emergency stabilization treatments or modifications to drainage structures to protect values-at-risk following a wildland fire.

(4) COORDINATION.—The Secretary shall make the Database, and any results generated in using the Database, with any State or unit of local government.

(g) PREDICTING WHERE WILDFIRES WILL SPREAD.—

(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the National Aeronautics and Space Administration and the Secretary of Commerce, through the capabilities and assets located at the National Laboratories, shall establish and maintain a system to predict the locations of future wildfires for fire-prone areas of the United States.
(2) COOPERATION; COMPONENTS.—The system established under paragraph (1) shall be based on, and seek to enhance, similar systems in existence on the date of enactment of this Act, including the Fire Danger Assessment System. (3) USE IN FORECASTS.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall use the system established under paragraph (1), to the maximum extent practicable, for purposes of developing any wildland fire potential forecasts. (4) TERMINATION.—The Secretaries may share the system established under paragraph (1), and any results generated in using the system, with any State or unit of local government. (5) SAVINGS CLAUSE.—Nothing in this section—(i) requires the Secretary concerned to establish a new program, system, or database to replace an existing program, system, or database that meets the objectives of this section; or (ii) provides the Secretary concerned from using existing or future technology that—(A) is more efficient, safer, or better meets the needs of firefighters, other personnel, or the public; or (B) meets the objectives of this section. SEC. 1115. MCCOY FLATS TRAIL SYSTEM. (a) DEFINITIONS.—In this section: (1) COUNTY.—The term "County" means Uintah County, Utah. (2) DECISION RECORD.—The term "Decision Record" means the Decision Record prepared by the Bureau of Land Management for the Environmental Assessment for the McCoy Flats Trail System numbered DOI-BLM-G010-2012-0057 and dated October 2012. (3) STATE.—The term "State" means the State of Utah. (4) TRAIL SYSTEM.—The term "Trail System" means the McCoy Flats Trail System established by subsection (b)(1). (b) ESTABLISHMENT.—(1) IN GENERAL.—Subject to valid existing rights, there is established the McCoy Flats Trail System in the County, to be administered in accordance with the Decision Record. (2) AVAILABILITY; TRANSMITTAL TO CONGRESS.—(A) The term "Decision Record" means the Decision Record prepared by the Bureau of Land Management for the Environmental Assessment Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3751) is amended—(i) in paragraph (1)—(I) by striking paragraphs (B) through (D) and redesignating subparagraph (E) as subparagraph (D); and (II) by inserting after subparagraph (A) the following: (B) FEDERAL LAND.—The term "Federal land" means the Federal land covered by the Decision Record. (ii) in paragraph (3)—(I) by striking paragraph (B) and redesignating subparagraph (C) as paragraph (B); and (II) by inserting after paragraph (5) the following: (C) MAP AND LEGAL DESCRIPTION.—(I) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary may prepare a map and legal description of the Trail System. (II) AVAILABILITY; TRANSMITTAL TO CONGRESS.—The map and legal description prepared under paragraph (1) shall be—(A) available in appropriate offices of the Bureau of Land Management; and (B) transmitted by the Secretary to—(i) the Natural Resources Committee of the House of Representatives; and (ii) the Committee on Energy and Natural Resources of the Senate. (3) FORCING AND EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical or typographical errors in the map and legal description. (d) ADMINISTRATION.—The Secretary shall administer the Trail System in accordance with—(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); (2) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); (3) other applicable law; and (e) MANAGEMENT PLAN.—(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation and coordination with the County and affected Indian Tribes, shall develop a management plan for the Trail System. (2) PUBLIC COMMENT.—The management plan shall be developed with opportunities for public participation and input. (3) INTERIM MANAGEMENT.—Until the completion of the management plan, the Trail System shall be administered in accordance with the Decision Record. (4) RECREATIONAL OPPORTUNITIES.—In developing the management plan, the Secretaries shall seek to provide for new mountain bike recreational opportunities within the Trail System, consistent with this section. (5) USE.—The Trail System shall be used for nonmotorized mountain bike recreation, as described in the Decision Record. (g) ACQUISITION.—(1) IN GENERAL.—On the request of the State, the Secretary shall seek to acquire State land, or interests in State land, located within the Trail System by purchase from a willing seller or exchange. (2) ADMINISTERED STATE LAND.—Any land acquired under this subsection shall be administered as part of the Trail System. (h) FEES.—No fees shall be charged for access to, or use of, the Trail System and associated parking areas. SEC. 1116. TECHNICAL CORRECTIONS TO CERTAIN LAWS RELATING TO FEDERAL LAND IN THE STATE OF NEVADA. (a) AMENDMENT TO CONVEYANCE OF FEDERAL LAND IN STOREY COUNTY, NEVADA.—Section 8 of the Cedar City Land Conveyance Act of 2013 (Public Law 113-231; 128 Stat. 1368-1374) is amended—(1) in paragraph (1)—(I) by striking paragraphs (B) through (D) and redesignating subparagraph (E) as subparagraph (D); and (II) by inserting after subparagraph (A) the following: (B) FEDERAL LAND.—The term "Federal land" means the Federal land covered by the map entitled 'Storey County Land Conveyance' and dated June 6, 2013.'. (2) in paragraph (2)—(A) in subparagraph (A)(ii), by striking "after completing the mining claim validity review under paragraph (2)(B), if requested by the Committee on Energy and Natural Resources of the Senate."; and (B) after subparagraph (A) the following—(i) in clause (i)—(I) in the matter preceding clause (I), by striking "each parcel of land located in a mining townsit" and inserting "any Federal land"; (II) in clause (I), by striking "mining townsites" and inserting the following—(I) "mining townsite" and inserting "Federal land (including improvements)"; (ii) by striking clause (ii); and (iii) by striking the subparagraph designation and heading and all that follows through "With respect" in the matter preceding clause (I) of clause (i) and inserting the following—(B) VALID MINING CLAIMS.—With respect—(I) by redesigning subparagraphs (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately; and (II) in paragraph (4)(A), by striking "a mining townsite conveyed under paragraph (3)(B)(1)(ii) and inserting "Federal land covered under paragraph (2)(B)(1)(ii);" (4) in paragraph (5), by striking "a mining townsite under paragraph (5)" and inserting "Federal land"; (5) in paragraph (6), in the matter preceding subparagraph (A), by striking "mining townsite" and inserting "Federal land"; (6) in paragraph (7), by striking "mining townsite to be conveyed by the United States under paragraph (3)" and inserting "the Federal land"; (7) in paragraph (10), by striking the "examination" and all that follows through the period at the end and inserting "the conveyance under paragraph (2) should be completed by not later than 18 months after the date of enactment of the Natural Resources Management Act."; (8) by striking paragraphs (2) and (10); (9) by redesigning subparagraphs (3) through (7) and (9) and (10) as paragraphs (2) through (6) and (7) and (8) respectively; and (11) by adding at the end the following—(C) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management. (b) MODIFICATION OF UTILITY CORRIDOR.—The Secretary shall realign the utility corridor established by section 301(a) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2142) to be aligned as generally depicted on the map entitled "Proposed LCRIDA Utility Corridor Realignment" and dated March 14, 2017, by modifying the map entitled "Lincoln County Conservation, Recreation, and Development Act" (referred to in this subsection as the "Map") and dated October 1, 2004, by—(1) removing the utility corridor from sections 5, 6, 7, 8, 9, 10, 11, 14, and 15, T. 7 N., R. 68 E., of the Map; and (2) redesignating the utility corridor so as to appear on the Map in—(A) sections 31, 33, and 32, T. 8 N., 68 E.; (B) sections 4, 5, 6, and 7, T. 7 N., R. 68 E.; and (C) sections 1 and 12, T. 7 N., 67 E. (c) FINAL CORRECTIVE PATENT IN CLARK COUNTY, NEVADA.— The Final Corrective Patent.—Patent number 27-2005-0081, issued by the Bureau of Land Management on February 18, 2005, is affirmed and validated as having been issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100–275; 102 Stat. 52), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for the benefit of the desert tortoise, other species, and the habitat of the desert tortoise and other species to increase the likelihood of the recovery of the desert tortoise and other species. (1) RATIFICATION OF RECONFIGURATION.—The process used by the United States Fish and Wildlife Service and the Bureau of Land Management in reconfiguring the land described in paragraph (1), as depicted on Exhibit 1–4 of the Final Environmental Impact Statement for the Planned Development Project MSHP, Lincoln County, NV (FWS–RB–ES–2008–N0138), and the reconfiguration process for specific portions of the Corps of Engineers Permit No. 000005042, are ratified.
(d) ISSUANCE OF CORRECTIVE PATENT IN LINCOLN COUNTY, NEVADA.—

(1) In General.—The Secretary, acting through the Director of the Bureau of Land Management, shall make and issue a corrective patent for the 7,548 acres of land in Lincoln County, Nevada, depicted on the map prepared by the Bureau of Land Management entitled "Proposed Wilderness Boundary Adjustment High Schells Wilderness Area," and dated January 19, 2017.

(2) Definitions.—The Nevada Wilderness Protection Act of 1989; the Nevada Wilderness Protection Act of 1989 (Public Law 101-198; 16 U.S.C. 1132 note) is amended by adding the following:

"SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.

"The boundary of the Arc Dome Wilderness established under section 2(2) is adjusted to exclude the land identified as 'Arc Dome Wilderness' on the map entitled 'Arc Dome Boundary Adjustment' and dated November 3, 2014.'"

"SEC. 1117. ADDITIONAL RECREATION AND GEOLOGIC AREA.

(a) Definitions.—In this section:

(1) Management Plan.—The term "Management Plan" means the management plan for the Recreation Area prepared under subsection (e)(2)(A).

(2) Map.—The term "Map" means the map entitled "Proposed Wilderness Boundary Adjustment High Schells Wilderness Area' and dated January 19, 2017.

(b) Purpose.—The purposes of the Recreation Area shall consist of approximately 173,475 acres of land in the Ashley National Forest, as generally depicted on the Map.

(c) Exclusions.—The term "Exclusions" means the Secretary shall only allow uses inside the Recreation Area, where established before the date of enactment of this Act, to include the use of snowmobiles or other over snow vehicles within the boundaries of the Recreation Area, where established before the date of enactment of this Act.

(d) Map and Legal Description.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(e) Administration.—The term "Secretary" means the Secretary of the Interior.

(f) Motorized Vehicles.—

(1) In General.—The Secretary shall only allow the use of snowmobiles or other over snow vehicles within the Recreation Area, where established before the date of enactment of this Act.

(ii) provide for public input in the preparation of the management plan.

(iii) Uses.—The Secretary shall only allow such uses of the Recreation Area that would—

(1) further the purposes for which the Recreation Area is established; and

(2) promote the long-term protection and management of the ground karst system of the Recreation Area.

(g) Motorized Vehicles.—

(1) In General.—Except as needed for emergency response or other administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) New Roads.—No new permanent or temporary roads or other motorized vehicle routes shall be constructed within the Recreation Area after the date of enactment of this Act.

(3) Existing Roads.—

(A) In General.—Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads in a safe and functional condition, shall be permitted.

(B) Preparation.—The Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives an annual report on the condition of the Recreation Area resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary.

(C) Over Snow Vehicles.—

(1) In General.—Subject to valid existing road use authorities and the requirements of this section, the Secretary shall only allow the use of snowmobiles and other over snow vehicles within the Recreation Area.

(2) Winter Recreation Use Plan.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives a winter recreation use plan for the Recreation Area, including the changes to the management plan for the use of motorized vehicles, including snowmobiles, within the Recreation Area in accordance with applicable authorizations and permits.

(3) Cooperative Agreements.—

(A) General.—In general, the Secretary shall enter into a cooperative agreement with local agencies to provide for the continued delivery of water to the Ashley Valley if water flows cease or become diminished due to impairment of the karst system, subject to such terms and conditions as the Secretary determines to be necessary;

(B) Access.—

(1) In General.—Not later than 2 years after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives a report on the condition of the Recreation Area resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary.

(2) Over Snow Vehicles.—

(1) In General.—Subject to valid existing road use authorities and the requirements of this section, the Secretary shall only allow the use of snowmobiles and other over snow vehicles within the Recreation Area.

(2) Winter Recreation Use Plan.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives a winter recreation use plan for the Recreation Area, including the changes to the management plan for the use of motorized vehicles, including snowmobiles, within the Recreation Area in accordance with applicable authorizations and permits.

(3) Cooperative Agreements.—

(A) General.—In general, the Secretary shall enter into a cooperative agreement with local agencies to provide for the continued delivery of water to the Ashley Valley if water flows cease or become diminished due to impairment of the karst system, subject to such terms and conditions as the Secretary determines to be necessary;

(B) Access.—

(1) In General.—Not later than 2 years after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives a report on the condition of the Recreation Area resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary.

(2) Over Snow Vehicles.—

(1) In General.—Subject to valid existing road use authorities and the requirements of this section, the Secretary shall only allow the use of snowmobiles and other over snow vehicles within the Recreation Area.

(2) Winter Recreation Use Plan.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives a winter recreation use plan for the Recreation Area, including the changes to the management plan for the use of motorized vehicles, including snowmobiles, within the Recreation Area in accordance with applicable authorizations and permits.

(3) Cooperative Agreements.—

(A) General.—In general, the Secretary shall enter into a cooperative agreement with local agencies to provide for the continued delivery of water to the Ashley Valley if water flows cease or become diminished due to impairment of the karst system, subject to such terms and conditions as the Secretary determines to be necessary;
as the Secretary considers to be necessary in accordance with—

(1) applicable law (including regulations);

(2) the purposes of the Recreation Area;

and

(3) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 96th Congress (H. Rept. 96–617).

(f) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State with respect to the management of fish and wildlife on Federal land in the State.

(k) WILDLIFE WATER PROJECTS.—The Secretary, in consultation with the State, may authorize wildlife water projects (including guzzlers) within the Recreation Area.

(i) WATER RIGHTS.—Nothing in this section—

(1) constitutes an express or implied reservation by the United States of any water rights with respect to the Recreation Area;

(2) affects any water rights in the State;

(3) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water; or

(4) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(5) affects state water compact in existence on the date of enactment of this Act; or

(6) shall be considered to be a relinquishment or abandonment of any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(m) TYPICAL.—Subject to valid existing rights, all Federal land in the Recreation Area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(n) VEGETATION MANAGEMENT.—Nothing in this section prevents the Secretary from conducting vegetation management projects, including fuels reduction activities, within the Recreation Area for the purposes of improving water quality and reducing risks from fire.

(o) WILDLAND FIRE OPERATIONS.—Nothing in this section prohibits the Secretary, in consultation with other Federal, State, local, and Tribal agencies, as appropriate, from conducting wildland fire treatment operations or restoration operations in the Recreation Area, consistent with the purposes of this section.

(p) RECREATION FEES.—Except for fees for improved campgrounds, the Secretary is prohibited from collecting recreation entrance or recreation use fees within the Recreation Area.

(q) COMMUNICATION INFRASTRUCTURE.—Nothing in this section affects the continued use of communications infrastructure (including necessary upgrades) within the Recreation Area, in accordance with applicable authorizations and permits.

(r) NON-FEDERAL LANDS.—

(1) IN GENERAL.—Nothing in this section affects non-Federal land or interests in non-Federal land within the Recreation Area.

(2) ACCESS.—The Secretary shall provide reasonable access to non-Federal land or interests in non-Federal land within the Recreation Area.

(s) OUTFITTING AND GUIDE ACTIVITIES.—Outfitting and guide services with the Recreation Area, including commercial outfitting and guide services, are authorized in accordance with this section and other applicable law (including regulations).

SEC. 1118. JOHN WESLEY POWELL NATIONAL CONSERVATION AREA.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term "Map" means the Bureau of Land Management map entitled "Proposed John Wesley Powell National Conservation Area" and dated December 10, 2018.

(2) NATIONAL CONSERVATION AREA.—The term "National Conservation Area" means the John Wesley Powell National Conservation Area established by subsection (b)(1).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the John Wesley Powell National Conservation Area in the State of Utah.

(2) AREA INCLUDED.—The National Conservation Area shall consist of approximately 29,868 acres of public land administered by the Bureau of Land Management as generally depicted on the Map.

(c) PURPOSES.—The purposes of the National Conservation Area are to conserve, protect, and enhance for the benefit of present and future generations the nationally significant historic, cultural, natural, scientific, scenic, recreational, archaeological, educational, and wildlife resources of the National Conservation Area.

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare and file a map and legal description of the National Conservation Area with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the map or legal description.

(3) AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) MANAGEMENT.—The Secretary shall manage the National Conservation Area in a manner that conserves, protects, and enhances the resources of the National Conservation Area.

(f) MINING.—Subject to the provisions of this section, any mining operation or activity or use on land outside the National Conservation Area, including any activity or use on Federal land in the State, is subject to—

(1) applicable law (including regulations); and

(2) purposes of the National Conservation Area.

(g) ACQUISITION.—

(1) IN GENERAL.—Subject to valid existing rights, all State-owned land within the boundaries of the National Conservation Area shall be acquired by the United States after the date of enactment of this Act.

(2) ACTION.—Nothing in this section affects the jurisdiction of the State with respect to the management of fish and wildlife on Federal land in the State.

(h) WILDLIFE WATER PROJECTS.—The Secretary, in consultation with the State of Utah, may authorize wildlife water projects (including guzzlers) within the National Conservation Area.

(i) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State.

(j) WILDLIFE WATER PROJECTS.—The Secretary, in consultation with the State of Utah, may authorize wildlife water projects (including guzzlers) within the National Conservation Area.

(k) WILDLIFE WATER PROJECTS.—Nothing in this section affects the authority of the Secretary to undertake Greater sage-grouse (Centrocercus urophasianus) conservation projects to maintain and improve Greater sage-grouse habitat, including the management of vegetation through mechanical means, to further the purposes of the National Conservation Area.

(l) WATERS.—Nothing in this section—

(1) constitutes an express or implied reservation by the United States of any water rights with respect to the National Conservation Area;

(2) affects any water rights in the State;

(3) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(4) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(5) affects state water compact in existence on the date of enactment of this Act; or

(6) shall be considered to be a relinquishment or abandonment of any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(m) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the National Conservation Area.

(2) INCLUSION.—The fact that an authorized activity or use on land outside the National Conservation Area is included in the National Conservation Area shall not be considered to affect the jurisdiction of the United States with respect to the management of fish and wildlife on Federal land in the State.
CONGRESSIONAL RECORD — HOUSE  

February 26, 2019

116TH CONGRESS 1ST SESSION  

H2156  

H2156

Conservation Area can be seen or heard within the National Conservation Area shall not preclude the activity or use outside the boundary of the Area.

(o) Withdrawing.—(1) IN GENERAL.—Subject to valid existing rights, all Federal land in the National Conservation Area (including any land acquired after the date of enactment of this Act) is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) patent entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(p) Vegetation Management.—Nothing in this section prevents the Secretary from conducting vegetation management projects, including fuels reduction activities, within the National Conservation Area that are consistent with this section and that further the purposes of the National Conservation Area.

(q) Wildland Fire Operations.—Nothing in this section prohibits the Secretary, in consultation with other Federal, State, local, and Tribal agencies, as appropriate, from conducting wildland fire prevention and restoration operations in the National Conservation Area, consistent with the purposes of this section.

(r) Recreation Fees.—Except for improved campgrounds, the Secretary is prohibited from collecting fees under any provision of law for entering or using Federal land within the National Conservation Area.

(s) Outfitting and Guide Activities.—Outfitting and guide services within the National Conservation Area, including commercial outfitting and guide services, are authorized in accordance with this section and other applicable law (including regulations).

(t) Occupational Use.—(1) IN GENERAL.—Nothing in this section affects non-Federal land or interests in non-Federal land within the National Conservation Area.

(2) Reasonable Access.—The Secretary shall provide reasonable access to non-Federal land or interests in non-Federal land within the National Conservation Area.

(u) Research and Interpretive Management.—The Secretary may establish programs for the conduct of scientific, historical, cultural, archeological, and natural studies through the use of public and private partnerships that further the purposes of the National Conservation Area.

SEC. 1119. ALASKA NATIVE VETRAI ERANS LAND ALLOTMENT.

(a) Definitions.—In this section:

(1) AVAILABLE FEDERAL LAND.—

(A) IN GENERAL.—The term "available Federal land" means Federal land in the State that—

(i) is vacant, unappropriated, and unreserved and is identified as available for selection under subsection (b)(5); or

(ii) has been selected by, but not yet conveyed to, the military service requirements under subparagraph (i), shall submit to the Secretary an application to select such Federal land.

(B) EXCLUSIONS.—The term "available Federal land" does not include any Federal land in the State that is—

(i) a right-of-way of the TransAlaska Pipeline; or

(ii) an inner or outer corridor of such a right-of-way.

(c) Selection by Eligible Individuals.—(1) IN GENERAL.—An eligible individual may apply for an allotment during the 5-year period beginning on the effective date of the final regulations issued under paragraph (2) for an parcel of available Federal land, the Secretary shall—

(A) give preference to the selection application received on the earliest date; and

(B) provide to each person whose selection application of whom is rejected under subparagraph (A) an opportunity to select a substitute parcel of available Federal land.

(2) Identify Available Federal Land Administered by the Bureau of Land Management.—(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the State, Regional Corporations, and Village Corporations, shall identify Federal land administered by the Bureau of Land Management as available Federal land for allotment selection in the State by eligible individuals.

(B) Certification; Survey.—The Secretary shall—

(i) certify that the available Federal land identified under subparagraph (A) is free of known contamination; and

(ii) survey the available Federal land identified under subparagraph (A) to determine the size and boundaries.

(C) Maps.—As soon as practicable after the date on which available Federal land is identified under subparagraph (A), the Secretary shall submit to Congress a map in the Federal Register that—

(1) identifies the available Federal land with which paragraph (3) is subject to the requirements of subparagraph (D).

(D) Conveyances.—Any available Federal land conveyed to an eligible individual under this paragraph shall be subject to—

(i) valid existing rights; and

(ii) the reservation of minerals to the United States.

(E) Intent of Congress.—It is the intent of Congress that not later than 1 year after the date on which an eligible individual submits an allotment selection application for an parcel of available Federal land that meets the requirements of this section, as determined by the Secretary, the Secretary shall issue to the eligible individual a certificate of allocation with respect to the available Federal land covered by the allotment selection application, subject to the requirements of paragraph (3).

(F) Identification of Available Federal Land in Units of the National Wildlife Refuge System.—(1) Report.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) conduct a study to determine whether any additional Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment selection; and

(B) report the findings and conclusions of the study to Congress.

(2) Identification of Available Federal Land in Units of the National Wildlife Refuge System.—The Secretary shall in the report required under paragraph (1)—

(A) conduct a study to determine whether any additional Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment selection; and

(B) report the findings and conclusions of the study to Congress.
Secretary determines should be made available, consistent with the mission of the National Wildlife Refuge System and the specific purposes for which the unit was established under this section.

(3) FACTORS TO BE CONSIDERED.—In determining whether Federal lands within units of the National Wildlife Refuge System in the State are to be made available for allotment under paragraph (1)(A), the Secretary shall take into account—

(A) the proximity of the Federal land made available for allotment selection under subsection (b)(5) to eligible individuals;

(B) the proximity of the units of the National Wildlife Refuge System in the State to eligible individuals; and

(C) the amount of additional Federal land within units of the National Wildlife Refuge System that the Secretary estimates would be necessary to make allotments available for selection by eligible individuals.

(4) IDENTIFYING FEDERAL LAND IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.—In identifying whether Federal lands within units of the National Wildlife Refuge System in the State are to be made available for allotment under paragraph (2)(B), the Secretary shall not identify any Federal land in a unit of the National Wildlife Refuge System—

(A) the conveyance of which, independently or as part of a group of allotments—

(i) could significantly interfere with biological, cultural, scenic, recreational, natural quiet, or subsistence values of the unit of the National Wildlife Refuge System;

(ii) would obstruct access by the public or the Fish and Wildlife Service to the resource values of the unit;

(iii) could trigger development or future uses that would adversely affect the resource values of the surrounding National Wildlife Refuge System land;

(iv) could open an area of a unit to new access and uses that adversely affect resource values of the unit; or

(v) could interfere with the management plan of the unit;

(B) that is located within 300 feet from the shore of a navigable water body;

(C) that is not consistent with the purposes for which the unit of the National Wildlife Refuge System was established;

(D) that is designated as wilderness by Congress; or

(E) that is within the Arctic National Wildlife Refuge.

(d) LIMITATION.—No Federal land may be identified for selection or made available for allotment within a unit of the National Wildlife Refuge System unless it has been authorized by an Act of Congress subsequent to the date of enactment of this Act. Further, any proposed conveyance of land within a unit of the National Wildlife Refuge System must have been identified by the Secretary in accordance with subsection (c)(4) in the manner required by subsection (c) and include patent provisions that the land remains subject to the laws and regulations regarding the use and development of the Refuge.

SEC. 1120. RED RIVER GRADIENT BOUNDARY SURVEY.

(a) DEFINITIONS.—In this section:

(1) AFFECTED AREA.—

(A) IN GENERAL.—The term "affecte area" means land along the approximately 116-mile stretch of the Red River, from its confluence with the north fork of the Red River on the west to the 98th meridian on the east.

(B) EXCLUSIONS.—The term "affecte area" does not include any portion of the land located within the boundary depicted on the survey prepared by the Bureau of Land Management entitled "Township 5 South, Range 14 West, of the Indian Meridian, Oklahoma, Dependent Survey and Survey" and dated February 20, 2006.

(2) GRADIENT BOUNDARY SURVEY METHOD.—The term "gradient boundary survey method" means the measurement technique used to locate the South Bank boundary line in accordance with the methodology established in Oklahoma v. Texas, 261 U.S. 340 (1923) (recognizing that the boundary line along the Red River is subject to erosion or change).

(3) LANDOWNER.—The term "landowner" means any individual, group, association, corporation, organization, Indian tribe or member of such an Indian tribe, or other private or governmental legal entity that owns an interest in land in the affected area.

(4) SECRETARY.—The term "Secretary" means the Secretary, acting through the Director of the Bureau of Land Management.

(b) SURVEY REQUIRED.—(1) SURVEY REQUIRED.—

(A) IN GENERAL.—The Secretary shall commission a survey to identify the South Bank boundary line in the affected area.

(B) REQUIREMENTS.—The survey shall—

(i) adhere to the gradient boundary survey method;

(ii) span the length of the affected area;

(iii) be conducted by 1 or more independent third-party surveyors that are—

(aa) the Texas General Land Office;

(bb) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(cc) each affected federally recognized Indian Tribe; and

(iv) subject to the availability of appropriations, be completed not later than 2 years after the date of enactment of this Act.

(2) APPROVAL OF THE SURVEY.—

(A) IN GENERAL.—Not later than 60 days after the date on which the survey or a portion of the survey is completed, the Secretary shall submit the survey for approval to—

(i) the Texas General Land Office;

(ii) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(iii) each affected federally recognized Indian Tribe.

(B) TIMING OF APPROVAL.—Not later than 60 days after the date on which each of the Texas General Land Office, the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma, and each affected federally recognized Indian Tribe notify the Secretary of the approval of the survey or a portion of the survey or the applicable office or federally recognized Indian Tribe notifies the Secretary that it will not approve the survey or portion of the survey, subject to subparagraph (D).

(C) SUBMISSION OF PORTIONS OF SURVEY FOR APPROVAL.—As portions of the survey are completed, the Secretary may submit the completed portions of the survey for approval under subparagraph (A).

(D) WRITTEN APPROVAL.—The Secretary shall only approve the survey, or a portion of the survey, that has the written approval of each of—

(i) the Texas General Land Office;

(ii) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(iii) each affected federally recognized Indian Tribe.

(c) SURVEY OF INDIVIDUAL PARCELS.—Surveys of individual parcels in the affected area shall be conducted in accordance with the boundary survey approved under subsection (b)(2).

(d) NOTICE AND AVAILABILITY OF SURVEY.—Not later than 60 days after the date on which the boundary survey is approved under subsection (b)(2), the Secretary shall—

(1) publish notice of the approval of the survey in—

(A) the Federal Register; and

(B) 1 or more local newspapers; and

(2) on request, furnish to any landowner a copy of—

(A) the survey; and

(B) any field notes relating to—

(i) the individual parcel of the landowner; or

(ii) any individual parcel adjacent to the individual parcel of the landowner.

(e) EFFECT OF SECTION.—Nothing in this section—

(1) modifies any interest of the State of Oklahoma, Texas, or the sovereignty, property, or trust rights of any federally recognized Indian Tribe, relating to land located north of the South Bank boundary line established by article II, section B of the Boundary Compact enacted by the States of Oklahoma and Texas identified through the gradient boundary survey method that does not impact or alter the permanent political boundary line between the States along the Red River, as outlined under article II, section B of the Red River Boundary Compact enacted by the States and consented to by Congress pursuant to Public Law 106–288 (114 Stat. 919).

(2) modifies any land patented under the Act of December 22, 1923 (45 Stat. 1069, chapter 47; 43 U.S.C. 1068) (commonly known as the "Color of Title Act"), before the date of enactment of this Act;

(3) modifies or supersedes the Red River Boundary Compact enacted by the States of Oklahoma and Texas and consented to by Congress pursuant to Public Law 106–288 (114 Stat. 919);

(4) creates or reinstates any Indian reservation or any portion of such a reservation;

(5) modifies any interest or any property or trust rights of any individual Indian allottee or applicant;

(6) alters any valid right of the State of Oklahoma or the Kiowa, Comanche, or Apache Indian tribes to the mineral interest trust fund established under the Act of June 12, 1926 (44 Stat. 740, chapter 572).

SEC. 1121. SAN JUAN COUNTY SETTLEMENT IMPLEMENTATION.

(a) EXCHANGE OF COAL PREFERENCE RIGHT LEASE APPLICATIONS.—

(1) DEFINITION OF BIDDING RIGHT.—In this subsection, the term "bidding right" means any appropriate legal documentation, including an entry in an account managed by the Secretary,
issued or created under subpart 3345 of title 43, Code of Federal Regulations, that may be used—

(A) in lieu of a monetary payment for 50 percent of the monetary value of a coal lease sale under the Mineral Leasing Act (30 U.S.C. 181 et seq.); or

(B) as a monetary credit against 50 percent of any initial annual revenue payments due under any Federal coal lease.

(2) **USE OF BIDDING RIGHT.**—

(A) IN GENERAL.—If the Secretary retires a coal preference right lease application under the Mineral Leasing Act (30 U.S.C. 181 et seq.) by issuing a bidding right in exchange for the retirement of the coal preference right lease application, the bidding right subsequently may be used in lieu of 50 percent of the amount owed for any monetary payment of—

(i) a bonus in a coal lease sale; or

(ii) rental or royalty under a Federal coal lease.

(B) **PAYMENT CALCULATION.**—

(i) IN GENERAL.—The Secretary shall calculate a payment of amounts owed to a relevant State under section 35(a) of the Mineral Leasing Act (30 U.S.C. 181(a)) based on the combined value of the bidding rights and amounts received.

(ii) **AMOUNTS RECEIVED.**—Except as provided in this paragraph, purposes of calculating the payment of amounts owed to a relevant State under clause (i) only, a bidding right shall be considered amounts received.

(C) **REQUIREMENT.**—The total number of bidding rights issued by the Secretary under subparagraph (A) before October 1, 2028, shall not exceed the number of bidding rights that reflect a value equivalent to $67,000,000.

(3) **SOURCE OF PAYMENTS.**—The Secretary shall make the payment to the relevant State under paragraph (2) from monetary payments received by the Secretary when bidding rights are exercised under this section.

(4) **TREATMENT OF PAYMENTS.**—A payment to a State under this subsection shall be treated as a payment under section 35(a) of the Mineral Leasing Act (30 U.S.C. 181(a)).

(5) **TRANSFERABILITY; LIMITATION.**—

(A) **TRANSFERABILITY.**—A bidding right issued for a coal preference right lease application under the Mineral Leasing Act (30 U.S.C. 181 et seq.) shall be fully transferable to any other person.

(B) **NOTIFICATION OF SECRETARY.**—A person who transfers a bidding right shall notify the Secretary of the transferor by any method determined to be appropriate by the Secretary.

(C) **EFFECTIVE PERIOD.**—

(i) IN GENERAL.—A bidding right issued under the Mineral Leasing Act (30 U.S.C. 181 et seq.) shall terminate on the expiration of the 7-year period beginning on the date the bidding right is issued.

(ii) **TOLLING OF PERIOD.**—The 7-year period described in clause (i) shall be tolled during any period in which exercise of the bidding right is precluded by temporary injunctive relief, administrative, legislative, or judicial suspension of, the Federal coal leasing program.

(6) **DEADLINE.**—

(A) IN GENERAL.—If an existing settlement of a coal preference right lease application has not been implemented as of the date of enactment of this Act, not later than 180 days after that date of enactment, the Secretary shall complete the bidding rights valuation process in accordance with the terms of the Act for the relevant State. The value of the land selected under paragraph (2)(A) and the land subject to selections cancelled under paragraph (1) shall be determined by appraisal conducted under subparagraph (B).

(B) **APPRaisalS.**—

(i) **IN GENERAL.**—The value of the land selected under paragraph (2)(A) and the land subject to selections cancelled under paragraph (1) shall be determined by appraisals conducted in accordance with—

(I) the Uniform Standards of Professional Appraisal Practice; and

(II) the Uniform Standards of Professional Appraisal Practice.

(ii) **TIMEFRAME.**—

(I) **LAND SUBJECT TO SELECTIONS CANCELLED.**—Not later than 18 months after the date of enactment of this Act, the appraisal conducted under subparagraph (i) shall be completed.

(II) **NEW SELECTIONS.**—The appraisals under clauses (i) and (ii) of paragraph (2)(A) shall be completed as the Navajo Nation finalizes those land selections.

(4) **BOUNDARY.**—For purposes of this subsection and the Act referred to in paragraph (1), the present boundary of the Navajo Reservation is depicted on the map entitled "Navajo-Hopi Reservation Boundary" and dated November 16, 2015.

(5) **DESIGNATION OF AH-SHI-SLE-PAH WILDERNESS.**—

(A) **IN GENERAL.**—In accordance with the Wilderness Act (16 U.S.C. 1311 et seq.), the approximately 7,242 acres of land as generally depicted on the map entitled "San Juan County Wilderness Designations" and dated April 2, 2015, is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the "Ah-shi-sle-pah Wilderness" (referred to in this subsection as the "Wilder- ness").

(B) **MANAGEMENT.**—

(A) **IN GENERAL.**—Subject to valid existing rights, the Wilderness shall be administered by the Director of the Bureau of Land Management in accordance with this subsection and the Wilderness Act (16 U.S.C. 1311 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(B) **ADJACENT MANAGEMENT.**—

(i) **IN GENERAL.**—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(ii) **NONWILDERNESS ACTIVITIES.**—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(C) **INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.**—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall be—

(i) become part of the Wilderness; and

(ii) be managed in accordance with—

(I) the Wilderness Act (16 U.S.C. 1311 et seq.);

(II) this subsection; and

(III) any other applicable laws.

(D) **GRAZING.**—Grazing of livestock in the Wilderness, where otherwise authorized by law, prior to the date of enactment of this Act, shall be allowed to continue in accordance with—

(i) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1313(d)(4)); and

(ii) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5467 of the 96th Congress (H. Rept. 96-617).

(8) **RELEASE OF WILDERNESS STUDY AREAS.**—Congress finds that, for the purposes of section 628(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the land within the Ah-shi-sle-pah Wilderness Study Area not designated as wilderness by this subsection has been studied for wilderness designation and is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(D) **EXPANSION OF BISTI/DE-NA-ZIN WILDERNESS.**—

(A) **IN GENERAL.**—There is designated as wilderness and as a component of the National Wilderness Preservation System certain Federal land comprising approximately 2,250 acres, as generally depicted on the map entitled "San Juan County Wilderness Designations" and dated April 2, 2015, which is incorporated in and shall be considered to be a part of the Bisti/De-Na-Zin Wilderness. The expansion of the Bisti/De-Na-Zin Wilderness. Subject to valid existing rights, the land designated as wilderness by paragraph (1) shall be administered...
by the Director of the Bureau of Land Management (referred to in this subsection as the ‘‘Director’’), in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.); or

(B) any other applicable laws.

(ii) the Committee on Natural Resources of the House of Representatives.

SEC. 1122. RIO PUERCO WATERSHED MANAGEMENT PROGRAM.


SEC. 1123. ASHLEY SPRINGS LAND CONVEYANCE.

(a) CONVEYANCE.—In accordance with—

(1) the Wilderness Act (16 U.S.C. 1313 et seq.); and

(2) the San Juan Basin Wilderness Protection Act of 1984 (Pub. L. 98–603; 98 Stat. 3153; 110 Stat. 4211); and

(b) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 98th Congress (H. Rept. 98–617).

(b) ROAD MAINTENANCE.—Nothing in paragraph (2), the Secretary, acting through the Director of the Bureau of Indian Affairs, shall ensure that L-54 between I-40 and Alamo, New Mexico, is maintained in a condition that is safe for motorized use.

(c) USE OF FUNDS.—In carrying out paragraph (1), the Secretary and the Director of the Bureau of Indian Affairs may not require any Indian Tribe to use any funds—

(A) owned by the Indian Tribe; or

(B) provided to the Indian Tribe pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.).

(d) ROAD UPGRADE.—Nothing in this subsection requires the Secretary or any Indian Tribe to upgrade the condition of L-54 as of the date of enactment of this Act.

(e) INVENTORY.—An upgrade to L-54 may not be made without the written agreement of the Pueblo of Laguna.

(f) INVENTORY.—Nothing in this subsection requires compliance with Land Management by the Secretary—

(A) as components of the National Landscape Conservation System; and

(B) as required by law.
(II) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(4) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land that is within the boundary of a wilderness area that is acquired by the United States shall—

(A) become part of the wilderness area within the boundaries of which the land is located; and

(B) be managed in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); (ii) this section; and

(iii) all other applicable laws.

(5) GRAZING.—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(6) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(A) low-level overflights of military aircraft over the wilderness areas, including military overflights that can be seen or heard within wilderness areas; (B) the designation of new units of special airspace over the wilderness areas; or

(C) the use or establishment of military flight training routes over the wilderness areas.

(7) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this subsection restricts or precludes—

(i) an activity on land outside any wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(B) PARAGLIDING.—The use of paragliding within areas of the East Potrillo Mountains Wilderness designated by paragraph (1)(D) in which the use has been established before the date of enactment of this Act, shall be allowed to continue in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and the conditions that the Secretary determines to be necessary.

(9) CLIMATOLOGIC DATA COLLECTION.—Subject to such terms and conditions as the Secretary may prescribe, nothing in this section precludes the installation and maintenance of hydrological, meteorological, or climatological collection devices in wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, or water resource operation activities.

(10) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife located on public lands, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones where, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administered by, or compliance with applicable laws.

(11) WITHDRAWALS.—

(A) IN GENERAL.—Subject to valid existing rights, the Federal land within the wilderness areas and any land or interest in land that is within the boundary of a wilderness area shall—

(i) be administered as a wilderness area after the date of enactment of this Act is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws; and

(ii) location, entry, and patent under the mining laws; and

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(B) PARCEL B.—The approximately 6,498 acres of land generally depicted as “Parcel B” on the map entitled “Organ Mountains Area” and dated September 21, 2016, is withdrawn in accordance with subparagraph (A), except that the land is not withdrawn for purposes of surface oil and gas pipeline or road rights-of-way.

(C) PARCEL C.—The approximately 1.297 acres of land generally depicted as “Parcel C” on the map entitled “Organ Mountains Area” and dated September 21, 2016, is withdrawn in accordance with subparagraph (A), except that the land is withdrawn from disposal under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (38 U.S.C. 889 et seq.).

(D) PARCEL D.—

(i) IN GENERAL.—The Secretary of the Army shall allow for the conduct of certain recreational activities on the approximately 2,085 acres of land generally depicted as “Parcel D” on the map entitled “Organ Mountains Area” and dated September 21, 2016 (referred to in this paragraph as the “parcel”), which is a portion of the public land withdrawn and reserved for military purposes by Public Land Order 833 dated May 21, 1922 (17 Fed. Reg. 4823).

(ii) OUTDOOR RECREATION PLAN.—

(I) IN GENERAL.—The Secretary of the Army shall develop a plan for public outdoor recreation on the parcel that is consistent with the primary military mission of the parcel.

(II) REQUIREMENT.—In developing the plan under clause (I), the Secretary of the Army shall ensure, to the maximum extent practicable, that outdoor recreation activities may be conducted on the parcel, including hunting, hiking, wildlife viewing, and camping.

(iii) CLOSURES.—The Secretary of the Army may close the parcel or any portion of the parcel to the public as the Secretary of the Army determines to be necessary to protect—

(I) public safety; or

(II) the safety of the military members training on the parcel.

(iv) TRANSFER OF ADMINISTRATIVE JURISDICTION; WITHDRAWAL.—

(I) IN GENERAL.—On a determination by the Secretary of the Army that military training capabilities, personnel safety, and installation security would not be hindered as a result of a transfer of administrative jurisdiction over the parcel, the Secretary of the Army shall transfer the parcel to the Secretary administrative jurisdiction over the parcel.

(II) WITHDRAWAL.—On transfer of the parcel under subclause (I), the parcel shall be—

(aa) under the jurisdiction of the Director of the Bureau of Land Management; and

(bb) withdrawn from—

(AA) entry, appropriation, or disposal under the public land laws; (BB) location, entry, and patent under the mining laws; and

(CC) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(III) RESERVATION.—On transfer under subclause (I), the parcel shall be reserved for management of the resources of, and military training conducted on, the parcel in accordance with a memorandum of understanding entered into under clause (v).

(v) MEMORANDUM OF UNDERSTANDING RELATING TO PARCEL D.—

(I) IN GENERAL.—If, after the transfer of the parcel under clause (iv)(I), the Secretary of the Army requests that the Secretary enter into a memorandum of understanding, the Secretary shall enter into a memorandum of understanding with the Secretary of the Army providing for the conduct of military training on the parcel.

(II) REQUIREMENTS.—The memorandum of understanding entered into under subclause (I) shall—

(aa) address the location, frequency, and type of training activities to be conducted on the parcel; and

(bb) provide to the Secretary of the Army access to the parcel for the conduct of military training.

(cc) authorize the Secretary or the Secretary of the Army to close the parcel or a portion of the parcel if the Secretary or the Secretary of the Army determines to be necessary to protect—

(1) public safety; or

(2) the safety of the military members training; and

(dd) to the maximum extent practicable, provide for the protection of natural, historic, and cultural resources in the area of the parcel.

(vi) MILITARY OVERFLIGHTS.—Nothing in this subparagraph restricts or precludes—

(I) low-level overflights of military aircraft over the parcel, including military overflights that can be seen or heard within the parcel; or

(II) the designation of new units of special airspace over the parcel; or

(III) the use or establishment of military flight training routes over the parcel.

(12) ROBLEDO MOUNTAINS.—

(A) IN GENERAL.—The Secretary shall manage the Federal land described in subparagraph (B) in a manner that preserves the character of the land for the future inclusion of the land in the National Wilderness Preservation System.

(B) LAND DESCRIPTION.—The land referred to in subparagraph (A) is certain land administered by the Bureau of Land Management, comprising approximately 100 acres as generally depicted as “Lookout Peak Communication Site” on the map entitled “Desert Peaks Complex” and dated October 1, 2018.

(C) USES.—The Secretary shall permit only such uses on the land described in subparagraph (B) as were permitted on the date of enactment of this Act.

(13) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Doña Ana County administered by the Bureau of Land Management not designated as wilderness by paragraph 1 or described in paragraph 12—

(A) has been adequately studied for wilderness designation;

(B) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(C) shall be managed in accordance with—

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); (ii) this section; and

(iii) any other applicable laws.

(14) PRIVATE LAND.—In accordance with section 5 of the Wilderness Act (16 U.S.C. 1133), the Secretary shall ensure adequate access to non-Federal land located within the boundary of a wilderness area.

(c) BORDER SECURITY.—

(1) IN GENERAL.—Nothing in this section—

(A) prevents the Secretary of Homeland Security from undertaking law enforcement and border security activities, in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), within the wilderness areas, including the ability to use authorized access within a wilderness area while in pursuit of a suspect;
(b) affects the 2006 Memorandum of Understanding among the Department of Homeland Security, the Department of the Interior, and the Department of Agriculture regarding cooperative national security and counterterrorism efforts on Federal land along the borders of the United States; or
(C) prevents the Secretary of Homeland Security from conducting any low-level overflights over the wilderness areas that may be necessary for law enforcement and border security purposes.

(2) WITHDRAWAL AND ADMINISTRATION OF CERTAIN AREA.—

(A) WITHDRAWAL.—The area identified as “Parcel B” and “Parcel C” described in subparagraph (B) that is acquired by the United States shall—

(i) become part of the Monument; and
(ii) be managed in accordance with—

(aa) the Uniform Appraisal Standards for Federal Land Acquisitions; and
(bb) the Uniform Appraisal Standards for Professional Appraisal Practice.

(2) INCORPORATION OF ACQUIRED LAND INTO THE MONUMENT.—

(A) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the wilderness areas shall be administered in accordance with—

(ii) the Uniform Appraisal Standards for Federal Land Acquisitions; and
(iii) the Uniform Appraisal Standards for Professional Appraisal Practice.

(B) EFFECT OF SUBSECTION.—Nothing in this paragraph—

(i) shall be equal, as determined by appraisal conducted in accordance with clause (ii); or
(ii) if not equal, shall be equalized in accordance with clause (iii).

(II) APPRAISALS.—

(I) IN GENERAL.—The Bureau of Land Management in Río Arriba County, New Mexico, comprising approximately 8,120 acres, as generally depicted on the map entitled “Río Grande del Norte National Monument” and the State Land Office.

(C) APPLICABLE LAW.—A land exchange under subparagraph (A) shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(D) CONDITIONS.—A land exchange under subparagraph (A) shall be subject to—

(i) valid existing rights; and
(ii) such terms as the Secretary and the State shall agree to.

(E) IDENTIFICATION OF LAND FOR EXCHANGE.—The Secretary and the Commissioner of Public Lands of New Mexico shall jointly identify the Bureau of Land Management land and State trust land that is within the State in and to parcels of State trust land within the boundary of the Monument identified under that subparagraph or described in paragraph (2)(B).

(3) Restrictions on development and use.

(A) USE OF MOTOR VEHICLES.—The use of motor vehicles, motorized equipment, and mechanical transport shall be prohibited in wilderness areas.

(B) PROHIBITION ON MOTOR VEHICLES, MOTORIZED EQUIPMENT, AND MECHANICAL TRANSPORT.—No person may use a motor vehicle, motorized equipment, or mechanical transport

(C) USE OF MOTOR VEHICLES.—The use of motor vehicles, motorized equipment, and mechanical transport shall be prohibited in the area described in subparagraph (A) except as necessary for—

(i) the administration of the area including the conduct of law enforcement and border security activities in the area; or
(ii) grazing uses by authorized permittees.

(D) RESTORATION.—Nothing in this paragraph precludes the Secretary from allowing within the area described in subparagraph (A) the installation and maintenance of communication or surveillance infrastructure necessary for law enforcement or border security activities.

(3) RESTRICTED ROUTE.—The route excluded from public access under subsection (A) shall be—

(A) closed to public access; but
(B) available for administrative and law enforcement uses, including border security activities.

(D) ORGAN MOUNTAINS-DESERT PEAKS NATIONAL MONUMENT.—

(A) State of New Mexico.—In preparing and implementing the management plan for the Monument, the Secretary shall include a watershed health assessment to identify opportunities for restoration.

(2) INCORPORATION OF ACQUIRED STATE TRUST LAND AND INTERESTS IN STATE TRUST LAND.—

(A) IN GENERAL.—Any land or interest in land that is within the State trust land described in subparagraph (B) that is acquired by the United States shall—

(i) become part of the Monument; and
(ii) be managed in accordance with—

(I) Presidential Proclamation 9131 (79 Fed. Reg. 30431); and
(II) the Uniform Appraisal Standards for Professional Appraisal Practice.

(B) DESCRIPTION OF ACQUIRED LAND.—The State trust land referred to in subparagraph (A) is comprised of—

(i) the Rio Grande del Norte National Monument; and
(ii) the Cerrro del Yuta Wilderness.

(C) CONDITIONS.—Land administered by the Secretary under this section shall be—

(i) the Río Grande del Norte National Monument; and
(ii) the Cerrro del Yuta Wilderness.

(D) LIMITATION.—No exchange of land shall be made with land outside a wilderness area that can be seen or reached from the wilderness area.

(E) ACTIVITIES OUTSIDE WILDERNESS AREAS.—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not include the activity or use outside the boundary of the wilderness area.

(F) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(c)), the public land within the San Antonio Wilderness Study Area not designated as wilderness by this section—

(A) has been adequately studied for wilderness designation.; and
(B) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(c)); and
(C) shall be managed in accordance with this section.

(G) CERTIFICATION.—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(A) promptly notify the Governor of New Mexico; and
(B) enter into an agreement with the Governor of New Mexico for the Governor to develop and submit to the Secretary a State Wilderness management plan for the wilderness areas designated by this Act.

SEC. 1292. CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.

(a) Definitions.—In this section—

(1) MAP.—The term "map" means the map entitled "Rio Grande del Norte National Monument Proposed Wilderness Areas" and dated July 28, 2015.

(2) Wilderness area.—The term "wilderness area" means a wilderness area designated by subsection (b)(1).

(b) Designation of Cerrro del Yuta and Río San Antonio Wilderness Areas.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the wilderness areas in the State of New Mexico, known as the "Cerro del Yuta Wilderness".

(2) BÍO SAN ANTONIO WILDERNESS.—Certain land administered by the Bureau of Land Management in Río Arriba County, New Mexico, comprising approximately 8,120 acres, as generally depicted on the map, which shall be known as the "Río San Antonio Wilderness".

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundary of the wilderness area that is acquired by the United States shall—

(A) become part of the wilderness area in which the land is located; and
(B) be managed in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and
(ii) any other applicable laws.

(4) Grazing.—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(A) section 603(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and
(B) the guidelines set forth in appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(5) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the wilderness areas.

(B) ACTIVITIES OUTSIDE WILDERNESS AREAS.—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not include the activity or use outside the boundary of the wilderness area.

(6) Release of wilderness study areas.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(c)), the public land within the San Antonio Wilderness Study Area not designated as wilderness by this section—

(A) has been adequately studied for wilderness designation; and
(B) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(c)); and
(C) shall be managed in accordance with this section.
Secretary shall file the map and legal descriptions of the wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) FORCE OF LAW.—The map and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the legal description and map.

(C) PUBLIC AVAILABILITY.—The map and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(D) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The wilderness areas shall be administered as components of the National Landscape Conservation System.

(F) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of New Mexico with respect to fish and wildlife located on public land in the State.

(10) WITHDRAWALS.—Subject to valid existing rights, any Federal land within the wilderness areas designated by paragraph (1), including any land or interest in land that is acquired by the United States after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws; and

(B) location, entry, and patent under the mining laws; and

(11) TREATY RIGHTS.—Nothing in this section enlarges, diminishes, or otherwise modifies treaty rights.

SEC. 1203. METHOW VALLEY, WASHINGTON, FEDERAL LAND WITHDRAWAL

(a) DEFINITION OF MAP.—In this section, the term "Map" means the map entitled "Methow Headwaters Withdrawal Proposal Legislative Map" and dated May 24, 2010.

(b) WITHDRAWAL.—Subject to valid existing rights, the approximately 340,079 acres of Federal land and interests in the land located within the area depicted on the Map as "Proposed Withdrawal" is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws; and

(B) location, entry, and patent under the mining laws; and

(11) TREATY RIGHTS.—Nothing in this section enlarges, diminishes, or otherwise modifies treaty rights.

SEC. 1203. METHOW VALLEY, WASHINGTON, FEDERAL LAND WITHDRAWAL

(a) DEFINITION OF MAP.—In this section, the term "Map" means the map entitled "Methow Headwaters Withdrawal Proposal Legislative Map" and dated May 24, 2010.

(b) WITHDRAWAL.—Subject to valid existing rights, the approximately 340,079 acres of Federal land and interests in the land located in the Okanogan-Wenatchee National Forest within the area depicted on the Map as "Proposed Withdrawal" is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws; and

(B) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing and geothermal leasing laws.

(c) ACQUIRED LAND.—Any land or interest in land within the area depicted on the Map that is acquired by the United States after the date of enactment of this Act shall, on acquisition, be immediately withdrawn in accordance with this section.

(d) AVAILABLE OF MAP.—The Map shall be kept on file and made available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

SEC. 1204. EMIGRANT CREVICE WITHDRAWAL

(a) DEFINITION OF MAP.—In this section, the term "map" means the map entitled "Emigrant Crevice Proposed Withdrawal Area" and dated October 10, 2010.

(b) WITHDRAWAL.—Subject to valid existing rights in existence on the date of enactment of this Act, the National Forest System land and interests in the National Forest System land, as depicted on the map, is withdrawn from—

(1) location, entry, and patent under the mining laws; and

(2) disposition under all laws pertaining to mineral and geothermal leasing.

(c) ACQUIRED LAND.—Any land or interest in land within the area depicted on the Map that is acquired by the United States after the date of enactment of this Act shall, on acquisition, be immediately withdrawn in accordance with this section.

(d) MAP.—

(1) SUBMISSION OF MAP.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file the map with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary of Agriculture may correct clerical and typographical errors in the map.

(e) PUBLIC AVAILABILITY.—The map filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

(f) EFFECT.—Nothing in this section affects any recreational use, including hunting or fishing, or any right to fish or hunt with or within the area depicted on the map under applicable law as of the date of enactment of this Act.

SEC. 1205. OREGON WILDLANDS

(a) WILDERNESS ADDITIONS, DISPROPORTIONS AND TECHNICAL CORRECTIONS.—

(1) ADDITIONS TO ROGUE WILD AND SCENIC RIVER.

(A) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (5) and inserting the following:

"(5) ROGUE RIVER."

(A) IN GENERAL.—The segment of the river extending from the mouth of the Applegate River downstream to the Lobster Creek Bridge, to be administered by the Secretary of the Interior or the Secretary of Agriculture, as agreed to by the Secretaries of the Interior and Agriculture or as directed by the President.

(B) ADDITIONS.—In addition to the segment described in subparagraph (A), there are designated the following segments in the Rogue River:

(i) Kelsey creek.—The approximately 6.8-mile segment of Kelsey Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 29, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(ii) East Fork Kelsey Creek.—The approximately 0.2-mile segment of East Fork Kelsey Creek from its headwaters to Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 31, Willamette Meridian, to the confluence with Kelsey Creek, as a wild river.

(iii) Scenic river.—The approximately 0.1-mile segment of East Fork Kelsey Creek from its headwaters to Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, as a scenic river.

(II) WILD RIVER.—The approximately 1.9-mile segment of Little Kempley Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a wild river.

(iii) Recreational River.—The approximately 1.4-mile segment of Mule Creek from its headwaters to Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 28, Willamette Meridian, as a scenic river.

(v) West Fork Whisky Creek.—The approximately 0.3-mile segment of West Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian, downstream to road 33-8-26 crossing, as a wild river.

(vi) Scenic river.—The approximately 0.5-mile segment of West Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian, downstream to road 33-8-26 crossing, as a scenic river.

(II) WILD RIVER.—The approximately 2.6-mile segment of East Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian, downstream to road 33-8-26 crossing, as a wild river.

(iii) Recreational River.—The approximately 1.4-mile segment of West Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian, downstream to road 33-8-26 crossing, as a scenic river.

(II) WILD RIVER.—The approximately 3.7-mile segment of East Fork Big Windy Creek from its headwaters to road 34-9-8-36, as a scenic river.

(iii) Scenic river.—The approximately 1.2-mile segment of Little Windy Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a scenic river.

(II) WILD RIVER.—The approximately 1.9-mile segment of Little Windy Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a wild river.

(iv) Scenic river.—The approximately 1.2-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a scenic river.

(v) Scenic river.—The approximately 1.2-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a wild river.
“(II) WILD RIVER.—The approximately 1.8-mile segment of Jenny Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xiii) RUM CREEK.—(I) SCENIC RIVER.—The approximately 2.2-mile segment of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 22, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xii) DOUGAL CREEK.—(I) SCENIC RIVER.—The approximately 0.8-mile segment of Dugal Creek from its headwaters to 0.1 miles downstream from road 34–8–36, as a scenic river.

“(xii) WILD RIVER.—The approximately 1.0-mile segment of Ditch Creek from road 34–8–36 to the confluence with the Rogue River, as a wild river.

“(xxi) QUAIL CREEK.—The approximately 1.7-mile segment of Quail Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 14, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xxi) MEADOW CREEK.—The approximately 4.1-mile segment of Meadow Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxii) RUSSIAN CREEK.—The approximately 2.5-mile segment of Russian Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 20, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xxii) ALDER CREEK.—The approximately 1.2-mile segment of Alder Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxiv) BOOZE CREEK.—The approximately 1.5-mile segment of Booze Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxiv) BRONCO CREEK.—The approximately 1.8-mile segment of Bronco Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxvi) COPSEY CREEK.—The approximately 1.5-mile segment of Copsey Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxvii) CORRAL CREEK.—The approximately 0.5-mile segment of Corral Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxviii) COWLEY CREEK.—The approximately 0.9-mile segment of Cowley Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxix) DITCH CREEK.—The approximately 1.6-mile segment of Ditch Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xl) FRANCIS CREEK.—The approximately 0.9-mile segment of Francis Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xli) LONG GULCH.—(i) SCENIC RIVER.—The approximately 1.4-mile segment of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, as a scenic river.

“(xli) WILD RIVER.—The approximately 1.1-mile segment of Bailey Creek from its headwaters to the Wild Rogue Wilderness boundary on the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, as a wild river.

“(xlii) BAILEY CREEK.—(I) SCENIC RIVER.—The approximately 1.4-mile segment of Bailey Creek from its headwaters to the Wild Rogue Wilderness boundary on the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, as a scenic river.

“(xliii) SHADY CREEK.—The approximately 0.7-mile segment of Shady Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xliii) SLIDE CREEK.—(I) SCENIC RIVER.—The approximately 0.5-mile segment of Slide Creek from its headwaters to road 34–9–6, as a scenic river.

“(li) MANAGEMENT.—Each river segment described in clause (iv) is withdrawn from all forms of—

(A) LICENSING BY COMMISSION.—The Federal Energy Regulatory Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other works or structures directly affecting any stream described in clause (iv), except to maintain or repair water resources projects in existence on the date of enactment of this Act.

(B) MANAGEMENT.—(i) IN GENERAL.—No department or agency of the United States shall—

(aa) grant, license, or otherwise, a water resources project affecting any stream segment that is described in clause (iv), except to maintain or repair water resources projects in existence on the date of enactment of this Act.

(bb) in the matter preceding clause (i) (as so redesignated), by striking "The 44.5-mile" and inserting the following:

"The approximately 2.2-mile segment of Centennial Gulch, downstream to the confluence with the Rogue River.

(C) WITHDRAWAL.—Subject to valid existing rights, the Federal land located within 1/4 mile on either side of the stream segments described in clause (iv) is withdrawn from all forms of—

(I) entry, appropriation, or disposal under the public land laws;

(II) location, survey, and patent under the mining laws; and

(III) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(D) DESCRIPTION OF STREAM SEGMENTS.—The following are the stream segments referred to in clause (i):

(I) KELSEY CREEK.—The approximately 2.5-mile segment of Kelsey Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 25, Willamette Meridian.

(II) GRAVE CREEK.—The approximately 10.2-mile segment of Grave Creek from the east boundary of T. 34 S., R. 9 W., sec. 1, Willamette Meridian, downstream to the confluence with the Rogue River.

(III) CENTENNIAL GULCH.—The approximately 2.2-mile segment of Centennial Gulch from its headwaters to its confluence with the Rogue River in T. 34 S., R. 7 W., sec. 18, Willamette Meridian.

(IV) QUAIL CREEK.—The approximately 0.8-mile segment of Quail Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 1, Willamette Meridian.

(V) DITCH CREEK.—The approximately 0.7-mile segment of Ditch Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5, Willamette Meridian.

(VI) GALICE CREEK.—The approximately 2.2-mile segment of Galice Creek from its headwaters to the confluence with the North Fork Galice Creek downstream to the confluence with the Rogue River in T. 34 S., R. 8 W., sec. 36, Willamette Meridian.

(VII) QUARTZ CREEK.—The approximately 3.3-mile segment of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek in T. 35 S., R. 7 W., sec. 4, Willamette Meridian.

(VIII) NORTH FORK GALICE CREEK.—The approximately 5.7-mile segment of the North Fork Galice Creek from its headwaters to its confluence with the South Fork Galice Creek in T. 35 S., R. 8 W., sec. 8, Willamette Meridian.

(E) TECHNICAL CORRECTIONS TO THE WILD AND SCENIC RIVERS ACT.—(A) CETHECO, ORREGON.—Section 3(a)(69) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(69)) is amended by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting appropriately; redesignating subparagraph (i) (as so redesignated), by striking “The 44.5-mile” and inserting the following:

...
“(A) DESIGNATIONS.—The 4.15-mile;”

(iii) in clause (i) (as so redesignated)—

(II) by striking “25.5-mile” and inserting “27.5-mile”; and

(II) by inserting “Boulder Creek at the Kalmiopsis Wilderness boundary” and inserting “Mislatnah Creek”;

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

(II) by striking “8-mile” and inserting “7.5-mile”;

and

(II) by striking “Boulder Creek to Steel Bridge” and inserting “Mislatnah Creek to Eagle Creek”;

(v) in clause (iii) (as so redesignated)—

(II) by striking “11-mile” and inserting “9.5-mile”;

and

(II) by striking “Steel Bridge” and inserting “Eagle Creek”; and

(vi) by adding at the end the following:

“(B) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) its location under all laws pertaining to mineral and geothermal leasing or mineral materials.”.

(B) WYCHUS CREEK, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102)) is amended—

(i) in the paragraph heading, by striking “WYCHUS CREEK”;

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(iii) in the matter preceding clause (i) (as so redesignated)—

(II) by striking “The 15.4-mile” and inserting “The 15.4-mile”;

and

(II) by striking “McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork” and inserting “Plainview Ditch, including the Soap Creek, the North and South Forks of Wychus Creek, the East and West Forks of Park Creek, and Park Creek”;

(iv) in clause (ii) (as so redesignated), by striking “McAllister Ditch” and inserting “Plainview Ditch”;

(v) by adding at the end the following:

“(B) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.”.

(3) WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK, WASHINGTON, AND FRANKLIN CREEK, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(215) WASSON CREEK, OREGON.—The 10.1-mile segment in the following classes:

(A) The 4.2-mile segment from the eastern boundary of T. 21 S., R. 9 W., sec. 17, down- stream to the western boundary of T. 21 S., R. 10 W., sec. 12, to be administered by the Secretary of Agriculture as a wild river.

(B) The 1.5-mile segment from the eastern boundary of T. 21 S., R. 10 W., sec. 12, downstream to the eastern boundary of the northwest quarter of T. 21 S., R. 10 W., sec. 22, to be administered by the Secretary of Agriculture as a wild river.

(214) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from its headwaters to the private land boundary in sec. 8, to be administered by the Secretary of Agriculture as a wild river.

(212) ROCK CREEK.—The approximately 1.7-mile segment of Rock Creek from its headwaters to the south boundary of T. 33 S., R. 14 W., sec. 30, Willamette Meridian, as a wild river.

(211) SOUTH FORK.—The approximately 0.9-mile segment of the South Fork Elk from its source in the southeast quarter of T. 33 S., R. 12 W., sec. 32, Willamette Meridian, downstream to 0.01 miles below Forest Service Road 3353, as a scenic river.

(210) WILD RIVER.—The approximately 5.5-mile segment of the North Fork Elk from 0.01 miles below Forest Service Road 3353 to its confluence with the South Fork Elk, as a wild river.

(209) NORTH FORK.—

(i) SCENIC RIVER.—The approximately 0.6-mile segment of the North Fork Elk from its source in T. 33 S., R. 12 W., sec. 21, Willamette Meridian, downstream to 0.01 miles below Forest Service Road 3353, as a scenic river.

(ii) WILD RIVER.—The approximately 5.5-mile segment of the North Fork Elk from 0.01 miles below Forest Service Road 3353 to its confluence with the North Fork Elk, as a wild river.

(208) SOUTH FORK.—

(i) SCENIC RIVER.—The approximately 0.9-mile segment of the South Fork Elk from its source in secs. 35 and 36, T. 33 S., R. 13 W., Willamette Meridian, as a wild river.

(ii) BEAR CREEK.—The approximately 2.8-mile segment of the unnamed tributary locally known as ‘‘East Fork Blackberry Creek’’ from its headwaters in T. 33 S., R. 13 W., sec. 26, Willamette Meridian, to its confluence with Blackberry Creek, as a wild river.

(207) MCCURDY CREEK.—The approximately 1.6-mile segment of McCurdy Creek from—

(i) its headwaters to Forest Service Road 3525, as a wild river; and

(ii) Forest Service Road 3525 to its confluence with the Elk River, as a scenic river.

(206) EAST FORK BLACKBERRY CREEK.—The approximately 2.8-mile segment of the unnamed tributary locally known as ‘‘East Fork Blackberry Creek’’ from its headwaters in T. 33 S., R. 13 W., sec. 26, Willamette Meridian, to its confluence with Blackberry Creek, as a wild river.

(205) BUTLER CREEK.—The approximately 4-mile segment of Butler Creek from—

(i) its headwaters to the south boundary of T. 33 S., R. 13 W., sec. 8, Willamette Meridian, as a wild river; and

(ii) from the south boundary of T. 33 S., R. 13 W., sec. 8, Willamette Meridian, to its confluence with Elk River, as a scenic river.

(204) EAST FORK SHAMROCK CREEK.—The approximately 2.8-mile segment locally known as the ‘‘East Fork of Butler Creek’’ from its headwaters on Mount Butler in T. 32 S., R. 13 W., sec. 26, Willamette Meridian, to its confluence with Butler Creek, as a scenic river.

(203) PURPLE MOUNTAIN CREEK.—The approximately 2.5-mile segment locally known as ‘‘Purple Mountain Creek’’ from—

(i) its headwaters in secs. 35 and 36, T. 33 S., R. 14 W., Willamette Meridian, to 0.01 miles above Forest Service Road 3525, as a wild river; and

(ii) 0.01 miles above Forest Service Road 3525 to its confluence with the Elk River, as a scenic river.”
by paragraph (76) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by clause (i) is withdrawn from all forms of—

(i) location, entry, or patent under the mining laws; and

(ii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(ii) Designation of Wild and Scenic River Segments—

(I) General.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by subsection (d) is amended by adding at the end the following:

`````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````````
(1) IN GENERAL.—Subject to valid existing rights, there is established the San Rafael Swell Recreation Area in the State.

(2) AREA INCLUDED.—The Recreation Area shall include approximately 231,965 acres of Federal land managed by the Bureau of Land Management, as generally depicted on the Map.

(b) PURPOSES.—The purposes of the Recreation Area are to provide for the protection, conservation, and enhancement of the recreational, cultural, natural, scenic, wildlife, ecological, historical, and educational resources of the Recreation Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the enactment of this Act, the Secretary shall file a map and legal description of the Recreation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subpart, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) LANDING AVAILABILITY.—A copy of the map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

SEC. 1222. MANAGEMENT OF RECREATION AREA.

(a) IN GENERAL.—The Secretary shall administer the Recreation Area—

(1) in a manner that conserves, protects, and enhances the purposes for which the Recreation Area is established; and

(2) in accordance with—

(A) this section;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(b) The Secretary shall allow only uses of the Recreation Area that are consistent with the purposes for which the Recreation Area is established.

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan and management of the Recreation Area.

(2) REQUIREMENTS.—The Management Plan shall—

(A) describe the appropriate uses and management of the Recreation Area;

(B) be developed with extensive public input;

(C) take into consideration any information developed in studies of the land within the Recreation Area; and


(d) MOTORIZED VEHICLES: NEW ROADS.—

(1) MOTORIZED VEHICLES.—Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) NEW ROADS.—No new permanent or temporary road, or the use of motorized vehicle routes shall be constructed within the Recreation Area after the date of enactment of this Act.

(3) RESTRICTING ROADS.—

(A) IN GENERAL.—Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads free of debris or other safety hazards, shall be permitted after the date of enactment of this Act, consistent with the requirements of this section.

(B) EFFECT.—Nothing in this subsection prevents the Secretary from rerouting an existing road in the Recreation Area resources from degradation or to protect public safety, as determined to be appropriate by the Secretary.

(c) APPLICABLE LAW.—The Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and


(d) MEMBERS.—The Council shall include 7 members, to be appointed by the Secretary, from the maximum extent practicable—

(1) 1 member shall represent the Emery County Commission;

(2) 1 member shall represent motorized recreational users;

(3) 1 member shall represent nonmotorized recreational users;

(4) 1 member shall represent permitees holding grazing allotments within the Recreation Area or wilderness areas designated in this part;

(5) 1 member shall represent conservation organizations;

(6) 1 member shall have expertise in the historical uses of the Recreation Area; and

(7) 1 member shall be appointed from the elected leadership of a Federally recognized Indian Tribe that has significant cultural or historical connections to, and expertise in, the landscape, archaeological sites, or cultural sites within the County.

Subpart B—Wilderness Areas

SEC. 1231. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

(a) ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1311 et seq.), the following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) BIG WILD HORSE MESA.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 1,819 acres, generally depicted on the Map as “Proposed Big Wild Horse Mesa Wilderness”, which shall be known as the “Big Wild Horse Mesa Wilderness”.

(2) COLD WASH.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 11,001 acres, generally depicted on the Map as “Proposed Cold Wash Wilderness”, which shall be known as the “Cold Wash Wilderness”.

(3) DESOLATION CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 142,996 acres, generally depicted on the Map as “Proposed Desolation Canyon Wilderness”, which shall be known as the “Desolation Canyon Wilderness”.

(4) DEVIL’S CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 12,501 acres, generally depicted on the Map as “Proposed Devil’s Canyon Wilderness”, which shall be known as the “Devil’s Canyon Wilderness”.

(5) EAGLE CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 13,832 acres, generally depicted on the Map as “Proposed Eagle Canyon Wilderness”, which shall be known as the “Eagle Canyon Wilderness”.

(6) HORSE VALLEY.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 12,201 acres, generally depicted on the Map as “Proposed Horse Valley Wilderness”, which shall be known as the “Horse Valley Wilderness”.

(7) LABYRINTH CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 54,635 acres, generally depicted on the Map as “Proposed Labyrinth Canyon Wilderness”, which shall be known as the “Labyrinth Canyon Wilderness”.

(8) LITTLE OCEAN DRAW.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 20,690 acres, generally depicted on the Map as “
"Proposed Little Ocean Draw Wilderness", which shall be known as the "Little Ocean Draw Wilderness".

(9) LITTLE WILD HORSE CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 19,936 acres, generally depicted on the Map as "Proposed Little Wild Horse Canyon Wilderness", which shall be known as the "Little Wild Horse Canyon Wilderness".

(10) LOWER LAST CHANCE.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 16,343 acres, generally depicted on the Map as "Proposed Lower Last Chance Wilderness", which shall be known as the "Lower Last Chance Wilderness".

(11) MEXICAN MOUNTAIN.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 7,176 acres, generally depicted on the Map as "Proposed Mexican Mountain Wilderness", which shall be known as the "Mexican Mountain Wilderness".

(12) MIDDLE WILD HORSE MESA.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 60,442 acres, generally depicted on the Map as "Proposed Middle Wild Horse Mesa Wilderness", which shall be known as the "Middle Wild Horse Mesa Wilderness".

(13) MUDDY CREEK.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 98,023 acres, generally depicted on the Map as "Proposed Muddy Creek Wilderness", which shall be known as the "Muddy Creek Wilderness".

(14) NELSON MOUNTAIN.—(A) In general.—Certain Federal land managed by the Forest Service, comprising approximately 257 acres, and certain Federal land managed by the Bureau of Land Management, comprising approximately 35 acres, generally depicted on the Map as "Proposed Nelson Mountain Wilderness", which shall be known as the "Nelson Mountain Wilderness".

(B) Transfer of Administrative Jurisdiction.—Administrative jurisdiction over the 257-acre portion of the Nelson Mountain Wilderness designated by subparagraph (A) is transferred from the Bureau of Land Management to the Forest Service.

(15) RED'S CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 17,325 acres, generally depicted on the Map as "Proposed Red's Canyon Wilderness", which shall be known as the "Red's Canyon Wilderness".

(16) SAN RAFAEL REEF.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 60,412 acres, generally depicted on the Map as "Proposed San Rafael Reef Wilderness", which shall be known as the "San Rafael Reef Wilderness".

(17) SID'S MOUNTAIN.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 17,325 acres, generally depicted on the Map as "Proposed Sid's Mountain Wilderness", which shall be known as the "Sid's Mountain Wilderness".

(18) TURTLE CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 29,029 acres, generally depicted on the Map as "Proposed Turtle Canyon Wilderness", which shall be known as the "Turtle Canyon Wilderness".

(2) Effect.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this part, except that the Secretary may correct clerical or typographical errors in the maps and legal descriptions.

(3) Availability.—Each map and legal description filed under paragraph (1) shall be available on file and on public inspection in the appropriate office of the Secretary.

SEC. 1232. Administration.

(a) Management.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) Recreational Climbing.—Nothing in this part prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(c) Trail Plan.—After providing opportunities for public comment, the Secretary shall establish a trail plan that addresses hiking and equestrian trails on the wilderness areas in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) Livestock.—(1) In general.—The grazing of livestock in the wilderness areas shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–465).

(2) Inventory.—With respect to each wilderness area in which grazing of livestock is allowed to continue before the date of enactment of this Act, the Secretary shall conduct an inventory of all livestock, if established before the date of enactment of this Act, and the same inventory shall be conducted thereafter.

(3) Management.—In the wilderness areas, if established before the date of enactment of this Act, the Secretary, in collaboration with any affected grazing permittee, shall conduct a vegetation and wildlife survey of the wilderness area.

(4) Grazing.—Subject to section 1231(a)(13), the Secretary, in collaboration with any affected grazing permittee, may authorize the grazing of livestock, subject to such terms and conditions as the Secretary determines to be necessary.

(5) Commercial Services.—Commercial services (including authorized outfitter and guide activities) within the wilderness areas may be authorized to the extent necessary for activities that are appropriate for realizing the recreational or other wilderness values of the wilderness areas, in accordance with section 4(d)(9) of the Wilderness Act (16 U.S.C. 1133(d)(9)).

(b) Land Acquisition and Incorporation of Acquired Land and Interests.—

(1) Acquisition Authority.—The Secretary may acquire land and interests in land within the boundaries of a wilderness area by donation, purchase from a willing seller, or exchange.

(2) Incorporation.—Any land or interest in land within the boundaries of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area.

(1) Water Rights.—

(1) Statutory Construction.—Nothing in this subpart—

(A) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as a wilderness area; or

(B) shall affect any water rights in the State existing on the date of enactment of this Act, including any water rights held by the State or other individuals.

(D) shall be construed as establishing a precedent with regard to any future wilderness designation;

(D) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(E) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportions water among and between the States and other States.

(2) State Water Law.—The Secretary shall follow the procedural and substantive requirements of the State in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas.

(2) Memorandum of Understanding.—The Secretary shall enter into a memorandum of understanding with the County, in accordance with section 1231(a)(13) of the Act (16 U.S.C. 1131 et seq.), to clarify the approval processes for the use of motorized equipment and mechanical transport for search and rescue activities in the Wilderness established by section 1231(a)(13).

SEC. 1233. Fish and Wildlife Management.

Nothing in this subpart affects the jurisdiction of the State with respect to fish and wildlife on public land located in the State.

SEC. 1234. Release.

(a) Finding.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(c)), the approximately 17,420 acres of public land administered by the Bureau of Land Management in the County that has not been designated as wilderness by section 1231(a) has been adequately studied for wilderness designation.

(b) Release.—The public land described in subsection (a)—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(c)); and

(2) shall be managed in accordance with—

(A) applicable law; and

Congressional Record -- House
February 26, 2019

Subpart C—Wild and Scenic River
Designation

SEC. 1241. GREEN RIVER WILD AND SCENIC RIVER DESIGNATION.

(a) In General.—(1) Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1290(a)(5)(B)(ii)) is amended by adding at the end the following:

“(B) A 63-mile segment, as generally depicted on the map entitled ‘Emery County Public Land Management Act of 2018 Overview Map’ and dated December 11, 2018, to be administered by the Secretary of the Interior, in the following designations:”

(1) W I L D RIVER S E G M E N T .—The 63-mile segment of the Green River designated by paragraph (224) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a) (as added by subsection (a)), the acquired land shall be incorporated in, and be administered as part of, the applicable wild, scenic, or recreational river.

(2) S C ENIC RIVER S E G M E N T .—The 49.2-mile segment from Bull Bean, south to the county line between Emery and Wayne Counties, as a scenic river.”

(b) I N C OR P O R A T I O N OF A C Q U I R E D N O N - F E D E R A L LAND.—Any non-Federal land within or adjacent to a river segment of the Green River designated by paragraph (224) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a) (as added by subsection (a)), the acquired land shall be incorporated in, and be administered as part of, the applicable wild, scenic, or recreational river.

Subpart D—Land Management and Conveyances

SEC. 1251. GOBLIN VALLEY STATE PARK.

(a) In General.—The Secretary shall offer to acquire a portion of the Division of Recreation of the Utah Department of Natural Resources (referred to in this section as the “State”), approximately 6,261 acres of land located in the County that has been identified on the Map as the “Proposed Goblin Valley State Park Expansion”, without consideration, for the management by the State as a State park, consistent with uses allowed under the Act of June 14, 1924 (commonly known as the “Recreation and Public Purposes Act”) (44 Stat. 741, chapter 578; 43 U.S.C. 1001 et seq.).

(b) R E V E R S I O N A R Y C L A U S U E R E Q U I R E D .—A conveyance under subsection (a) shall include a reversionary clause to ensure that management of the Monument described in subsection (a) shall revert to the Secretary if the land is no longer being managed as a State park in accordance with subsection (a).

SEC. 1252. APPOINTMENT OF NATIONAL MONUMENT.

(a) E S T A B L I S H M E N T P U R P O S E S .—To conserve, interpret, and enhance for the benefit of present and future generations the paleontological, scientific, educational, and recreational resources of the area and subject to valid existing rights, there is established in the State the Jurassic National Monument (as referred to in this section and commonly known as “the Monument”), consisting of approximately 850 acres of Federal land administered by the Bureau of Land Management in the County and generally depicted as “Proposed Jurassic National Monument” on the Map.

(b) M A P AND LEGAL D E S C R I P T I O N .—

(1) In General.—Not later than 2 years after the date of enactment of this Act, the Secretary shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and legal description of the Monument.

(2) E F F E C T .—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map and legal description, subject to the requirement that, before making the proposed corrections, the Secretary shall submit to the State and any affected county the proposed corrected description.

(3) P U B L I C A V A I L A B I L I T Y .—A copy of the map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) W I T H H A L .—Subject to valid existing rights, any Federal land within the boundaries of the Monument and any land for interest in land that is acquired by the United States for inclusion in the Monument, after the date of enactment of this Act is withdrawn from

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing laws, geothermal leasing laws, and minerals material laws.

(d) M A N A G E M E N T .—

(1) In General.—The Secretary shall manage the Monument—

(A) in a manner that conserves, protects, and enhances the resources and values of the Monument, including the resources and values described in subsection (a); and

(B) in accordance with—

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1710 et seq.); and

(ii) any other Federal law.

(2) N A T I O N A L L A N D S C A P E C O N S E R V A T I O N S Y S T E M .—The Monument shall be managed as a component of the National Landscape Conservation System.

(e) M A N A G E M E N T P L A N .—

(1) In General.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Monument.

(2) COMPONENTS.—The management plan developed under paragraph (1) shall include—

(A) a description of the Monument, consistent with the provisions of this section; and

(B) allow for continued scientific research at the Monument during the development of the management plan for the Monument, subject to any terms and conditions that the Secretary determines to be necessary in accord

(f) I N T E R P R E T A T I O N , E D U C A T I O N , A N D S C I E N T I F I C R E S E A R C H .—

(1) In General.—The Secretary shall provide for public interpretation of, education and scientific research on, the paleontological resources of the Monument.

(2) C O O P E R A T I V E A G R E E M E N T S .—The Secretary may enter into cooperative agreements with appropriate public entities to carry out paragraph (1).

(g) S P E C I A L M A N A G E M E N T A R E A S .—

(1) In General.—No establishment of the Monument shall not modify the management status of any area within the boundary of the Monument that is managed as an area of critical environmental concern.

(2) C O N F L I C T O F L A W S .—If there is a conflict between the laws applicable to an area described in paragraph (1) and this section, the provisions of this section shall control.

(h) M O T O R I Z E D V E H I C L E S .—

(1) Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Monument shall be allowed only on roads and trails designated for use by motorized vehicles under the management plan for the Monument developed under subsection (e).

(j) W A T E R R I G H T S .—Nothing in this section constitutes an express or implied reservation by the United States for water or water rights with respect to the Monument.

(k) G R A Z I N G.—The graze livestock in the Monument, if established before the date of enactment of this Act, and the Secretary shall continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with

(1) applicable law (including regulations);

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs accompanying H.R. 2570 of the 101st Congress (House Report 101–465); and

(3) the purposes of the Monument.

SEC. 1253. PUBLIC LAND DISPOSAL AND ACQUISITION.

(a) In General.—In accordance with applicable law, the Secretary may sell public land located in the County that has been identified as suitable for disposal based on specific criteria as listed in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) (as amended by section 301 of the Federal Land and Public Purposes Act) (44 Stat. 741, chapter 578; 43 U.S.C. 1001 et seq.), the proceeds from the sale of public land under subsection (a) shall be deposited in a separate account in the Treasury, to be known as the “Emery County Land Acquisition Account” (referred to in this section as the “Account”).

(b) A V A I L A B I L I T Y .—

(1) In General.—Amounts in the Account shall be available to the Secretary, without further appropriation, to purchase from willing sellers land or interests in land within a wilderness area or the Recreation Area.

(2) A P P L I C A B I L I T Y .—Any purchase of land or interest in land under subparagraph (A) shall be in accordance with applicable law.

(c) P R O T E C T I O N OF C U LT U R A L R E S O U R C E S .—To the extent that the funds in the Account in excess of the amounts needed to carry out paragraph (A), the Secretary may use the excess amounts for the protection of cultural resources on Federal land within the County.

SEC. 1254. PUBLIC PURPOSES CONVEYANCES.

(a) In General.—Notwithstanding the land use and planning requirements of sections 202 and 208 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), on request by the applicable local governmental entity, the Secretary shall convey without consideration the following parcels of public land to be used for public purposes:

(1) E M E R Y C I T Y R E C R E A T I O N A R E A .—The approximately 840-acre parcel as generally depicted on the Map, to the City of Emery, Utah, for the creation or enhancement of public recreation opportunities consistent with uses allowed under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (44 Stat. 741, chapter 578; 43 U.S.C. 1001 et seq.).

(2) H U N T I N G T O N A I R P O R T .—The approximately 330-acre parcel as generally depicted on the Map, to Emery County, Utah, for the development or expansion of commercial or public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (44 Stat. 741, chapter 578; 43 U.S.C. 1001 et seq.).
for the Emery County Sheriff's Office sub-
section consistent with uses allowed under
the Act of June 14, 1926 (commonly known as
the "Recreation and Public Purposes Act")
(44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.).

(4) BUCKHORN INFORMATION CENTER.—The
approximately 5-acre parcel as generally de-
picted on the Emery County, Utah, Map for
the Buckhorn Information Center con-
sistent with uses allowed under the Act of
June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (44
Stat. 741, chapter 578; 43 U.S.C. 869 et seq.).

(b) MAP AND LEGAL DESCRIPTION.—
(1) IN GENERAL.—As soon as practicable
after the date of enactment of this Act, the
Secretary shall file a map and legal descrip-
tion of each parcel of land to be conveyed
under this Act.

(A) the Committee on Energy and Natural
Resources of the Senate; and

(B) the Committee on Natural Resources
of the House of Representatives.

(2) EFFECT.—Each map and legal descrip-
tion filed under paragraph (1) shall have the
same force and effect as if included in this
part, except that the Secretary may correct
clerical or typographical errors in the map
and legal description.

(3) PUBLIC AVAILABILITY.—Each map and
legal description filed under paragraph (1)
shall be on file and available for public in-
spection in the Price Field Office of the Bu-
reau of Land Management.

(c) APPRAISALS.

(1) IN GENERAL.—If a parcel of land con-
veyed under subsection (a) is used for a pur-
pose other than the purpose described in that
subsection, the parcel of land shall, at the
discretion of the Secretary, revert to the
United States.

(2) RESPONSIBILITY FOR REMEDIATION.—In
the case of a reversion under paragraph (1), if the Secretary determines that the parcel of
land is contaminated with hazardous waste,
the local governmental entity to which the
parcel of land was conveyed under subsection
(a) shall be responsible for remediation.

SEC. 1255. EXCHANGE OF BLM AND SCHOOL AND INSTITUTIONAL TRUST LANDS AD-
MINISTRATION LAND.

(a) DEFINITIONS.—In this section:

(1) EXCHANGE MAP.—The term "Exchange
Map" means the map prepared by the Bureau
of Land Management entitled "Emery Coun-
ty Public Land Management Act—Proposed
Land Exchange" and dated December 10,
2018.

(2) FEDERAL LAND.—The term "Federal
land" means public land located in the State
of Utah that is identified on the Exchange
Map as—

(A) "BLM Surface and Mineral Lands Pro-
posed for Transfer to SITLA";

(B) "Bureau of Land Management Lands Pro-
posed for Transfer to SITLA"; and

(C) "BLM Surface Lands Proposed for Trans-
fer to SITLA".

(3) SURPLUS LAND.—The term "non-
Federal land" means the land owned by the
State in the Emery and Uintah Counties
that is identified on the Exchange Map as—

(A) "SITLA Surface and Mineral Land Pro-
posed for Transfer to BLM";

(B) "SITLA Minerals Lands Proposed for
Transfer to BLM"; and

(C) "SITLA Surface Lands Proposed for
Transfer to BLM".

(4) STATE.—The term "State" means the
State, acting through the School and Institu-
tional Trust Lands Administration.

(b) EXCHANGE OF FEDERAL LAND AND NON-
FEDERAL LAND.—

(1) IN GENERAL.—If the State offers to con-
vey the title to the non-Federal land, the Secretary, in accordance with this section, shall—

(A) accept the offer; and

(B) on receipt of all right, title, and inter-
est in and to the non-Federal land, convey
to the State (or a designee) all right, title,
and interest of the United States in and to the
Federal land.

(2) CONVEYANCE OF PARCEL IN PHASES.—

(A) IN GENERAL.—Notwithstanding that ap-
praisals for all of the parcels included in the
applicable phase are approved.

(B) NO AGREEMENT ON EXCHANGE.—If any
dispute or delay arises with respect to the
value of the Federal land or non-Federal land
under paragraph (1), the Secretary and the State may
mutually agree to set aside the individual parcel
to allow the exchange of the other parcels of
Federal land and non-Federal land to pro-
ceed.

(3) EXCLUSION.—Notwithstanding that ap-
praisals for all of the parcels included in the
applicable phase are approved.

(B) LAND USE PLANNING.—With respect to
the Federal land to be conveyed under para-
graph (1), the Secretary shall not be required
to undertake any additional land use plan-
ning under section 202 of the Federal Land
Policy and Management Act of 1976 (43
U.S.C. 1712) before the conveyance of the
Federal land.

(5) VALID EXISTING RIGHTS.—The land ex-
change under paragraph (1) shall be subject to valid existing rights.

(6) TITLE APPROVAL.—Title to the Federal
land and non-Federal land to be exchanged
under paragraph (1) shall be determined in a
form acceptable to the Secretary and the State.

(c) APPRAISALS—

(1) IN GENERAL.—The value of the Federal
land and the non-Federal land to be ex-
changed under subsection (b)(1) shall be
determined by appraisals conducted by 1 or
more independent and qualified appraisers.

(2) STATE APPRAISER.—The Secretary
and the State may agree to use an independ-
ent and qualified appraiser:

(A) retained by the State; and

(B) approved by the Secretary.

(3) APPLICABLE LAW.—The appraisals under
paragraph (1) shall be conducted in accord-
ance with nationally recognized appraisal standards, including, as appropriate—

(A) the Uniform Appraisal Standards for
Federal Land Acquisitions; and

(B) the Uniform Standards of Professional
Appraisal Practice.

(4) MINERALS.—

(A) MINERAL REPORTS.—The appraisals
under clause (i) shall include, as appro-
priate, the Uniform Appraisal Standards for
Federal Land Acquisitions; and

(B) MINING CLAIMS.—To the extent permis-
sible under applicable appraisal standards,
designated by this part, State trust land located within any of the wilderness areas or national conservation areas in Washington County, Utah, established under subtitle O of title I of the Federal Land Policy and Management Act of 2009 (Public Law 111–11; 123 Stat. 1075); and

(ii) the State, to the extent necessary to equalize any varying imbalance of value after all available Washington County, Utah, land described in clause (i) has been conveyed to the Secretary, conveying to the Secretary the non-Federal State trust land as identified and agreed on by the Secretary and the State.

(B) SURPLUS OF NON-FEDERAL LAND.—If the value of the non-Federal land exceeds the value of the Federal land, the value of the Federal land and the non-Federal land shall be equalized —

(i) the Secretary making a cash equalization payment to the State, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)) by removing non-Federal land from the exchange.

(g) INDIAN TRIBES.—The Secretary shall consult with any federally recognized Indian Tribe in the vicinity of the Federal land and non-Federal land to be exchanged under subsection (b)(1) before the completion of the land exchange.

(h) APPURTENANT WATER RIGHTS.—Any conveyance of Federal land or non-Federal land under subsection (b)(1) shall include the conveyance of water rights appurtenant to the parcel conveyed.

(i) GRAZING PERMITS.—

(I) IN GENERAL.—If the Federal land or non-Federal land exchanged under subsection (b)(1) is subject to a lease, permit, or contract, the Secretary, as holder of the lease, permit, or contract, shall be entitled to a preference right to renew the lease, permit, or contract.

(2) CANCELLATION.—

(A) IN GENERAL.—Nothing in this section prevents the Secretary or the State from canceling or modifying a grazing permit, lease, or contract if the Federal land or non-Federal land subject to the permit, lease, or contract is sold, conveyed, transferred, or utilized for non-grazing purposes by the Secretary or the State.

(B) LIMITATION.—Except to the extent reasonably necessary to accommodate surface operations in support of mineral development, the Secretary shall not cancel or modify a grazing permit, lease, or contract because the land subject to the permit, lease, or contract has been leased for mineral development.

(4) BASE PROPERTIES.—If non-Federal land conveyed by the State under subsection (b)(1) is used by a grazing permittee or lessee to meet the base property requirements for a Federal grazing permit or lease, the land shall continue to qualify as a base property for

(A) the remaining term of the lease or permit; and

(B) the term of any renewal or extension of the lease or permit.

(j) WITHDRAWAL OF FEDERAL LAND FROM MINERAL ENTRY PRIOR TO EXCHANGE.—Subject to valid existing rights, the Federal land to be conveyed to the State under subsection (b)(1) is withdrawn from mineral location, entry, and patent under the mining laws pending conveyance of the Federal land to the State.

Subtitle D—Wild and Scenic Rivers

SEC. 1301. LOWER FARMINGTON RIVER AND SALMON BROOK WILD AND SCENIC RIVER SYSTEM.

(a) FINDINGS.—Congress finds that—

(1) the Lower Farmington River and Salmon Brook Study Act of 2005 (Public Law 109–370) authorizes the Farmington River downstream from the segment designated as a recreational river by section 3(a)(i)(56) of the Wild and Scenic Rivers Act (16 U.S.C. 1277) beginning with the Connecticut River, and the segment of the Salmon Brook including its main stem and east and west branches for potential inclusion in the National Wild and Scenic Rivers System;

(2) the studied segments of the Lower Farmington River and Salmon Brook support natural, cultural, and recreational resources of exceptional significance to the citizens of Connecticut and the Nation;

(3) concurrently with the preparation of the study, the Farmington River and Salmon Brook Wild and Scenic Study Committee prepared the Lower Farmington River and Salmon Brook Management Plan, June 2011 (hereinafter referred to in this section as the “management plan”), that establishes objectives, standards, and action programs that will ensure the long-term protection of the outstanding values of the river segments without Federal management of affected lands not owned by the United States;

(4) the Lower Farmington River and Salmon Brook Wild and Scenic Study Committee has voted in favor of Wild and Scenic River designation for the river segments, and has included this recommendation as an integral part of the management plan;

(5) there is strong local support for the protection of the Lower Farmington River and Salmon Brook, including votes of support for Wild and Scenic designation from the governing bodies of all ten communities abutting the study area;

(6) the State of Connecticut General Assembly has endorsed the designation of the Lower Farmington River and Salmon Brook as components of the National Wild and Scenic Rivers System; and

(7) the Rainbow Dam and Reservoir are located entirely outside of the river segment designated by subsection (b), and, based on the findings of the study of the Lower Farmington River pursuant to Public Law 109–370, this hydropower project (including all aspects of its facilities, operations, and transmission lines) by the Federal Energy Regulatory

“(C) The approximately 2.4-mile segment of the main stem of Salmon Brook extending from the confluence of the East and West Branches to the confluence with the Farming-

(D) The approximately 12.6-mile segment of the West Branch of Salmon Brook extending from its headwaters in Hartford, Con-

(E) The approximately 1.4-mile segment of the East Branch of Salmon Brook, extending from the Massachusetts-Connecticut State line to the confluence with the West Branch of Salmon Brook as a recreational river.

(F) In general.—The river segments designated by subsection (b) shall be managed in accordance with the management plan and such amendments to the management plan as the Secretary determines are consistent with this section. The management plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(d)).

(1) IN GENERAL.—The Secretary shall coordinate the management responsibilities of the Secretary under this section with the Lower Farmington River and Salmon Brook Wild and Scenic Committee, as specified in the management plan in—

(i) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—In order to provide for the long-term protection, preservation, and enhancement of the river segment designated by subsection (b), the Secretary is authorized to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with—

(i) the State of Connecticut;

(ii) the towns of Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartford, Simsbury, and Windsor in Connecticut; and

(iii) appropriate local planning and environmental organizations.

(B) CONSISTENCY.—All cooperative agreements provided for under this section shall be consistent with the plan and may include provisions for financial or other assistance from the United States.

(3) LOCAL MANAGEMENT.—For the purposes of the segments designated in subsection (b), the zones or subzones adopted by the towns in Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartford, Simsbury, and Windsor in Connecticut, including provisions for conservation of floodplains, wetlands, and waterscapes associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(4) MANAGEMENT OF LAND.—The provisions of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) that prohibit Federal acquisition of lands by condemnation shall not apply to the segments designated in subsection (b). The authority of the Secretary to acquire lands for the purposes of the segments designated in subsection (b) shall be limited to acquisition by donation or acquisition with the consent of the owner of the lands, and shall be subject to the additional criteria set forth in the management plan.

(5) RAINBOW DAM.—The Rainbow Dam, as made by subsection (b) shall not be construed to—

(A) prohibit, pre-empt, or abridge the potential future licensing of the Rainbow Dam facility (including any and all aspects of its facilities, operations and transmission lines) by the Federal Energy Regulatory
Commission as a federally licensed hydroelectric power project under the Federal Power Act (16 U.S.C. 791a et seq.), provided that the Commission may, in the discretion of the Secretary, in cooperation with the states, develop a plan that the Secretary determines is consistent with the Wood-Pawcatuck Watershed Wild and Scenic Rivers Stewardship Plan that the Secretary determines is consistent with the Wood-Pawcatuck Watershed Wild and Scenic Rivers Stewardship Plan, shall be considered to satisfy each requirement described in section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(2) The approximately 3-mile segment of the Pawcatuck River from South County Trail Bridge, Charlestown and South Kingstown, Rhode Island, to its outlet in Worden Pond, as a wild river.

(3) The approximately 3-mile segment of the Pawcatuck River from South County Trail Bridge, Charlestown and South Kingstown, Rhode Island, to its outlet in Worden Pond, as a wild river.

(4) The approximately 4-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, as a wild river.

(5) The approximately 5-mile segment of the Queen River from its headwaters in Exeter and West Greenwich, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(6) The approximately 6-mile segment of the Usquepaugh River from the Kingston Road Bridge to its confluence with the Pawcatuck River in South Kingstown, Rhode Island, as a recreational river.

(7) The approximately 8-mile segment of the Shunock River from its headwaters in North Stonington, to its confluence with the Pawcatuck River as a recreational river.

(8) The approximately 14-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(9) The approximately 11-mile segment of the Usquepaugh River from the Kingston Road Bridge to its confluence with the Pawcatuck River in South Kingstown, Rhode Island, as a recreational river.

(10) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(11) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(12) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(13) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(14) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(15) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(16) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(17) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(18) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(19) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(20) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(21) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(22) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.

(23) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.
“(i) The approximately 16.3-mile segment of the Squannacook River from its headwaters in Ash Swamp, Townsend, Massachusetts, extending downstream to the confluence with the Nashua River in Shirley/Ayer, Massachusetts, except as provided in subparagraph (B),

(ii) The approximately 9.5-mile segment of the Nissitissit River from its headwaters in Brookline, New Hampshire, to the confluence of the river with the Nashua River in Pepperell, Massachusetts.

(b) MANAGEMENT.—

(A) IN GENERAL.—The designation of the river segments in subparagraph (A) shall exclude—

(i) with respect to the Ice House hydroelectric project (FERC P-12769), from 700 feet upstream from the crest of the dam to 500 feet downstream from the crest of the dam;

(ii) with respect to the Pepperell hydroelectric project (FERC P17271), from 2,940 feet upstream from the crest of the dam to 1,000 feet downstream from the crest of the dam;

(iii) with respect to the Hollingsworth and Vose dam (non-FERC), from 1,200 feet upstream from the crest of the dam to 2,665 feet downstream from the crest of the dam.

(b) MANAGEMENT.—

(1) PROCESS.—

(A) IN GENERAL.—The river segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)) shall be managed in accordance with—

(i) the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan developed pursuant to the study described in section 317(b)(2) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)(2)) (referred to in this subsection as the ‘‘management plan’’), dated February 15, 2018; and

(ii) the Hoosic River Stewardship Plan (Appendix A, ‘‘Working Dams’’);

(B) CONSIDERATION.—Each cooperative agreement entered into under this paragraph shall be consistent with the management plan and may include the financial or other assistance from the United States.

(b) EFFECT ON WORKING DAMS.—

(1) IN GENERAL.—The designation of the river segments by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)), does not—

(i) impact or alter the existing terms of permitting, licensing, or operation of—

(I) the Pepperell hydroelectric project (FERC Project P-12724) in Nashua River, Pepperell, MA;

(II) the Ice House hydroelectric project (FERC Project P-12769), Nashua River, Ayer, MA; and

(III) the Hollingsworth and Vose dam (non-FERC industrial facility, Squannacook River, West Groton, MA) as further described in the management plan (Appendix A, ‘‘Working Dams’’);

or (ii) preclude the Federal Energy Regulatory Commission from licensing, relicensing, or otherwise authorizing the operation or continued operation of the Pepperell and Ice House hydroelectric projects under the terms of licenses or exemptions in effect on the date of enactment of this Act; or

(iii) limit actions taken to modernize, upgrade, or carry out other changes to such projects authorized pursuant to clause (i), subject to written approval by the Secretary that the changes are consistent with the purposes of the designation.

(2) LAND MANAGEMENT.—

(A) ZONING.—For the purpose of the segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)), the zoning ordinances adopted by the municipalities described in paragraph (3)(A)(II), including provisions for conservation of floodplains, wetlands, and waterfront areas, shall be deemed to satisfy the requirements for a comprehensive management plan.

(B) ACQUISITION.—The authority of the Secretary to acquire land for the purposes of the segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)) shall be—

(i) limited to acquisition by donation or acquisition with the consent of the owner of the land; and

(ii) subject to the additional criteria set forth in the management plan.

(C) NO CONDEMNATION.—No land or interest in land within the boundary of the river segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)) may be acquired by condemnation.

(3) RELATION TO THE NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(c)), each segment of the Nashua, Squannacook, and Nissitissit Rivers designated as a component of the Wild and Scenic Rivers System under this section shall not—

(A) be administered as a unit of the National Park System; or

(B) be subject to regulations that govern the National Park System.

Subtitle E—California Desert Protection and Recreation

SEC. 1401. DEFINITIONS.

In this subtitle—

(1) CONSERVATION AREA.—The term ‘‘Conservation Area’’ means the California Desert Conservation Area.

(2) SECRETARY.—The term ‘‘Secretary’’ means—

(A) the Secretary, with respect to land administered by the Department of the Interior; or

(B) the Secretary of Agriculture, with respect to National Forest System land.

STATE.—The term ‘‘State’’ means the State of California.

PART I—DESIGNATION OF WILDERNESS IN THE CALIFORNIA DESERT CONSERVATION AREA

SEC. 1411. CALIFORNIA DESERT CONSERVATION AND RECREATION.

(a) DESIGNATION OF WILDERNESS AREAS TO BE ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT.—Section 102 of the California Desert Protection Act of 1994 (16 U.S.C. 1312 note; Public Law 103–433; 108 Stat. 4472) is amended by adding at the end the following:

(70) AVAWATZ MOUNTAINS WILDERNESS.—Certain land in the California Desert Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 89,500 acres, as generally depicted on the map entitled ‘‘Proposed Avawatz Mountains Wilderness’’ and purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(A) GOLDEN VALLEY WILDERNESS.—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 1,250 acres, as generally depicted on the map entitled ‘‘Proposed Golden Valley Wilderness Addition’’ and dated November 7, 2018, which shall be added to and administered as part of the ‘‘Golden Valley Wilderness’’.

(B) KINGSTON RANGE WILDERNESS.—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 52,410 acres, as generally depicted on the map entitled ‘‘Proposed Kingston Range Wilderness Additions’’ and dated November 7, 2018, which shall be added to and administered as part of the ‘‘Kings Range Wilderness’’.
Land Management, comprising approximately 3,930 acres, as depicted as “Proposed Palo Verde Mountains Wilderness Additions” on the map entitled “Proposed Vinagre Wash Special Management Area and Proposed Wilderness” and dated December 4, 2018, which shall be added to and administered as part of the “Palo Verde Mountains Wilderness”. (4) Certain wilderness areas—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 1,141 acres, as depicted as “Proposed Indian Pass Wilderness Additions” on the map entitled “Proposed Vinagre Wash Special Management Area and Proposed Wilderness” and dated December 4, 2018, which shall be added to and administered as part of the “Indian Pass Mountains Wilderness”.

(5) Wilderness areas to be administered by the National Park Service.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following land in Death Valley National Park is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be added to, and administered as part of the Death Valley National Park Wilderness established by section 601(a)(1) of the California Desert Protection Act of 1994 (16 U.S.C. 1132 note; Public Law 103–433; 108 Stat. 4496):

(A) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS—BOWLING ALLEY.—Approximately 28,923 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Bowling Alley”, numbered 143/100,082D, and dated November 1, 2018.

(B) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS—WARM SPRINGS.—Approximately 23,650 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Warm Springs Canyon-Galena Canyon”, numbered 143/100,081D, and dated November 1, 2018.

(C) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS—AXE HEAD.—Approximately 8,528 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Axe Head”, numbered 143/100,085D, and dated November 1, 2018.

(D) ADDITIONS TO EXISTING WILDERNESS AREA ADMINISTERED BY THE FOREST SERVICE.—

(1) In general.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the land described in paragraph (a) is designated as wilderness and as a component of the National Wilderness Preservation System; and

(2) Description of land.—The land referred to in paragraph (1) is certain land in the San Bernardino National Forest, comprising approximately 7,141 acres, as generally depicted on the map entitled “San Gorgonio Wilderness Additions—Proposed” and dated November 7, 2018.

(3) Management and related activities.—

(A) In general.—The Secretary may carry out such activities in the wilderness area described in paragraph (2) as are necessary for the enforcement of the Wilderness Act (16 U.S.C. 1132(d)(1)) and House Report 98–49 of the 98th Congress, and

(B) Funding priorities.—Nothing in this subsection limits the provision of any fundings for the administration of the wilderness area designated by paragraph (1).

(C) Revisions and development of local fire management plans.—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(i) not later than 1 year after the date of enactment of this Act, establish agency appropriations for responding to fire emergencies in the wilderness area designated by paragraph (1), the Secretary shall—

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(D) Administration.—In accordance with subparagraph (A) and other applicable Federal law, to ensure a timely and efficient response to fire emergencies in the wilderness area designated by paragraph (1), the Secretary shall—

(i) establish procedures for responding to fire emergencies in the wilderness area designated by paragraph (1), and

(ii) enter into agreements with appropriate State or local firefighting agencies relating to the wilderness area.

(E) Effect on utility facilities and rights-of-way.—Nothing in this section or any amendments made by this Act precludes the reallocation or reauthorization of any valid existing right-of-way or customary operation, maintenance, repair, upgrading, or replacement activities in a right-of-way acquired by or issued, granted, or permitted to the Southern California Edison Company or successors or assigns of the Southern California Edison Company.

(F) Release of wilderness study areas.—The Secretary may carry on any amendment made by this Act before the date of enactment of this Act has been adequately studied for wilderness designation.

(2) Description of study areas.—The study areas referred to in subsection (a) are—

(A) the Cady Mountains Wilderness Study Area;

(B) the Soda Mountains Wilderness Study Area;

(C) the Kingston Range Wilderness Study Area;

(D) the Avawatz Mountain Wilderness Study Area;

(E) the Death Valley 17 Wilderness Study Area; and

(F) the Great Falls Basin Wilderness Study Area.

(3) Release.—The following are no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)):

(A) Any portion of a wilderness study area described in paragraph (2) that is not designated as a wilderness area or is described in paragraph (2) that is not designated as a wilderness area or is a wilderness addition by this subtitle (including an amendment made by this subtitle) or any other Act enacted before the date of enactment of this Act.

(B) Any portion of a wilderness study area described in paragraph (2) that is not transferred to the administrative jurisdiction of the National Park Service for inclusion in a unit of the National Park System by this subtitle (including an amendment made by this subtitle) or any other Act enacted before the date of enactment of this Act.

PART II—DESIGNATION OF SPECIAL MANAGEMENT AREA SEC. 1241. VINAGRE WASH SPECIAL MANAGEMENT AREA.

Title I of the California Desert Protection Act of 1994 (16 U.S.C. 1132 note; Public Law 103–433; 108 Stat. 4472) is amended by adding at the end the following:

"SEC. 109. VINAGRE WASH SPECIAL MANAGEMENT AREA.

(a) Definitions.—In this section:

(1) MANAGEMENT AREA.—The term ‘Management Area’ means the Vinagre Wash Special Management Area established by subsection (b).

(2) MAP.—The term ‘map’ means the map entitled ‘Proposed Vinagre Wash Special Management Area and Proposed Wilderness’ and dated December 4, 2018.

(3) PUBLIC LAND.—The term ‘public land’ has the meaning given the term ‘public lands’ in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(b) STATE.—The term ‘State’ means the State of California.

(c) Establishment.—There is established the Vinagre Wash Special Management Area in the State, to be managed by the Secretary.

(d) Purpose.—The purpose of the Management Area is to conserve, protect, and enhance—

(1) the plant and wildlife values of the Management Area; and

(2) the outstanding and nationally significant ecological, geological, scenic, recreational, archaeological, cultural, historic, and other resources of the Management Area.

(e) Boundaries.—The Management Area shall consist of the public land in Imperial County, California, comprising approximately 81,880 acres, as generally depicted on the map as ‘Proposed Special Management Area’.

(f) Map; legal description.—

(1) In general.—As soon as practicable, but not later than 3 years, after the date of enactment of this section, the Secretary shall—

(i) add to the map and legal description of the Management Area to—

(ii) the Great Falls Basin Wilderness Study Area;

(2) Effect.—The map and legal description submitted under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct any errors in the map and legal description.

(g) Availability.—Copies of the map submitted under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(h) Management.—

(1) In general.—The Secretary shall manage the Management Area—

(i) in a manner that conserves, protects, and enhances the purposes for which the Management Area is established; and

(2) in accordance with—

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
PART II—MANAGEMENT AREA

SEC. 1432. MOJAVE NATIONAL PRESERVE.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Mojave National Preserve is adjusted to include:

(1) The approximately 2,879 acres of land managed by the Bureau of Land Management that are depicted as “BLM Proposed Boundary Addition” on the map entitled “Joshua Tree National Park Proposed Boundary Additions”, numbered 156/149,375, and dated November 1, 2018;

(2) The approximately 1,639 acres of land that are depicted as “MDLT Proposed Boundary Addition” on the map entitled “Joshua Tree National Park Proposed Boundary Additions”, numbered 156/149,375, and dated November 1, 2018.

(b) AVAILABILITY OF MAPS.—The map described in subsection (a) and the maps depicting paragraphs (1) and (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer any land added to the Joshua Tree National Park under subsection (a) and the additional land described in paragraph (2) as part of Joshua Tree National Park; and

(2) In accordance with applicable laws (including regulations).

SEC. 1433. JOSHUA TREE NATIONAL PARK.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Joshua Tree National Park is adjusted to include:

(1) The approximately 23,923 acres of Bureau of Land Management land in San Bernardino County, California, abutting the southern end of the Death Valley National Park that lies between Death Valley National Park and the Ivanpah Military Reservation to the south and which runs approximately 34 miles from west to east, as depicted on the map entitled “Death Valley National Park Proposed Boundary Addition-Bowling Alley”, numbered 143/128,605A, and dated November 1, 2018; and

(2) The approximately 6,368 acres of Bureau of Land Management land in Inyo County, California, located in the northeast area of Death Valley National Park that is within, and surrounded by, land under the jurisdiction of the Bureau of Land Management that is managed by the Bureau of Land Management and is depicted on the map entitled “Death Valley National Park Proposed Boundary Addition-Crater”, numbered 143/100,079D, and dated November 1, 2018.

(b) AVAILABILITY OF MAP.—The maps described in paragraphs (1) and (2) of subsection (a) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—Nothing in this section affects any valid right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized energy transport facility activities in a right-of-way issued, granted for the northern Allegra, and Utah distribution circuits referred to as the Southern California Edison Company or the successors or assigns of the Southern California Edison Company that is located on land described in paragraphs (1) and (2) of subsection (a), including, at a minimum, the use of mechanized vehicles, helicopters, or other aerial devices.

(2) EXISTING RIGHTS-OF-WAY AND REPLACEMENTS.—Nothing in this section prohibits the upgrading or replacement of:

(A) Southern California Edison Company energy transport facilities referred to as the Jellystone, Burnt Mountain, Whitehorn, Allegea, and Utah distribution circuits referred to as the Southern California Edison Company or the successors or assigns of the Southern California Edison Company that is located on land described in paragraphs (1) and (2) of subsection (a), including, at a minimum, the use of mechanized vehicles, helicopters, or other aerial devices.
Secretary adjacent to Southern California Edison Joshua Tree Utility Facilities.

(3) Publication of Plans.—Not later than the date that is 1 year after the date of enactment of this Act, the secretary shall publish plans for regular and emergency access by the Southern California Edison Company to the rights-of-way of the Southern California Edison Company within the Joshua Tree National Park.

(4) Visitor Center.—Title IV of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–21 et seq.) is amended by adding, at the end thereof:

"SEC. 408. VISITOR CENTER.

"(a) In General.—The Secretary may acquire not more than 5 acres of land and interests in land, and improvements on the land and interests, outside the boundaries of the park, in the unincorporated village of Joshua Tree, for the purpose of operating a visitor center.

"(b) Boundary.—The Secretary shall modify the boundary of the park to include the land acquired under this section as a non-contiguous parcel.

"(c) Administration.—Land and facilities acquired under this section—

"(1) shall include the property owned (as of the date of enactment of this section) by the Joshua Tree National Park Association and commonly referred to as the ‘Joshua Tree National Park Visitor Center’;

"(2) shall be administered by the Secretary as part of the park; and

"(3) may be acquired only with the consent of the owner, with the donation, purchase with donated or appropriated funds, or exchange.

PART IV—OFF-HIGHWAY VEHICLE RECREATION AREAS

SEC. 1441. OFF-HIGHWAY VEHICLE RECREATION AREAS

Public Law 103–433 is amended by inserting after title XII (16 U.S.C. 410bbb et seq.) the following:

"TITLE XIII—OFF-HIGHWAY VEHICLE RECREATION AREAS

"SEC. 1301. DESIGNATION OF OFF-HIGHWAY VEHICLE RECREATION AREAS.

"(a) In General.—

"(1) DESIGNATION.—In accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and resource management plans developed under this title and subject to valid rights, the following land within the applicable recreation area shall be designated as Off-Highway Vehicle Recreation Areas:

"(A) DUMONT DUNES OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 7,620 acres, as generally depicted on the map entitled ‘Proposed Dunes Off-Highway Vehicle Recreation Area’ and dated November 7, 2018, which shall be known as the ‘Dumont Dunes Off-Highway Vehicle Recreation Area’.

"(B) STODDARD VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 92,340 acres, as generally depicted on the map entitled ‘Proposed Stoddard Valley OHV Recreation Area’ and dated November 7, 2018, which shall be known as the ‘Stoddard Valley Off-Highway Vehicle Recreation Area’.

"(C) EL MIRAGE OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 50,116 acres, as generally depicted on the map entitled ‘Proposed El Mirage OHV Recreation Area’ and dated December 10, 2018, which shall be known as the ‘El Mirage Off-Highway Vehicle Recreation Area’.

"(D) SPANNERL HILLS OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 92,340 acres, as generally depicted on the map entitled ‘Proposed Spangler Hills OHV Recreation Area’ and dated November 7, 2018, which shall be known as the ‘Spangler Hills Off-Highway Vehicle Recreation Area’.

"(E) RASOR OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 23,900 acres, as generally depicted on the map entitled ‘Proposed Rasor OHV Recreation Area’ and dated December 10, 2018, which shall be known as the ‘Rasor Off-Highway Vehicle Recreation Area’.

"(F) PROPOSED OHV RECREATION AREAS.—(1) RECREATIONAL ACTIVITIES.—

"(A) IN GENERAL.—The Secretary shall continue to authorize, maintain, and enhance the recreational uses of the off-highway vehicle recreation areas designated or expanded by subsection (a) if the Secretary determines that the development is incompatible with the purpose described in subsection (b).

"(B) EXCEPTION.—The Secretary may issue a temporary permit to a commercial vendor to provide accessories and other support for off-highway vehicle use in an off-highway vehicle recreation area designated or expanded by subsection (a) for a limited period and consistent with the purposes of the off-highway vehicle recreation area and applicable laws.

"(C) ADMINISTRATION.—

"(1) IN GENERAL.—The Secretary shall administer the off-highway vehicle recreation areas designated or expanded by subsection (a) in accordance with—

"(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

"(B) any other applicable laws (including regulations).

"(2) MANAGEMENT PLAN.—

"(A) IN GENERAL.—As soon as practicable, but not later than 3 years after the date of enactment of this title, the Secretary shall—

"(i) amend existing resource management plans applicable to the off-highway vehicle recreation areas designated or expanded by subsection (a); or

"(ii) develop new management plans for each off-highway vehicle recreation area designated or expanded under that subsection.

"(B) REQUIREMENTS.—All new or amended plans under subparagraph (A) shall be designed to preserve and enhance safe off-highway vehicle and other recreational opportunities within the applicable recreation area consistent with—

"(i) the purpose described in subsection (b); and

"(ii) any applicable laws (including regulations).

"(C) INTERIM PLANS.—Pending completion of a new management plan under subparagraph (A), the existing resource management plans shall govern the use of the applicable off-highway vehicle recreation area.

"(D) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the off-highway vehicle recreation area designated or expanded by subsection (a) is withdrawn from—

"(1) all forms of entry, appropriation, or disposal under the public land laws;

"(2) location, entry, and patent under the mining laws; and

"(3) right-of-way, leasing, or disposition under all laws relating to mineral leasing, geothermal leasing, or mineral materials.

"(E) SOUTHERN CALIFORNIA EDISON COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.

"(1) EFFECT OF TITLE.—Nothing in this title—

"(A) affects any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized energy transport facility activities (including the use of any mechanized vehicle, helicopter, and other aerial device) in a..."
right-of-way acquired by or issued, granted, or permitted to Southern California Edison Company (including any successor in interest or assign) that is located on land included in—

(i) the El Mirage Off-Highway Vehicle Recreation Area;

(ii) the Spangler Hills Off-Highway Vehicle Recreation Area;

(iii) the Stoddard Valley Off-Highway Vehicle Recreation Area; or

(iv) the Johnson Valley Off-Highway Vehicle Recreation Area.

(2) Affects the application, siting, route selection, right-of-way acquisition, or construction of the Coolwater-Lago transmission project, as may be approved by the California Public Utilities Commission and the Bureau of Land Management.

(3) Affects the upgrading or replacement of any Southern California Edison Company—

(i) utility facility, including such a utility facility known on the date of enactment of this title as—

(A) 'Pole Line 512 transmission lines or rights-of-way';

(B) 'Pole Line, Jack Ranch, and Kenworth distribution circuits or rights-of-way'; or

(C) 'Pole Line, Peacor distribution circuits or rights-of-way';

(ii) any utility transmission facility in a right-of-way issued, granted, or permitted by the Secretary adjacent to a utility facility referred to in clause (i); and

(4) Affects the application, siting, route selection, construction, or right-of-way acquisition of the Coolwater-Lago transmission project, as permitted by the California Public Utilities Commission and the Bureau of Land Management.

(5) Issued, granted, or permitted by the Secretary to in clause (i).

(6) So as not to impact the future conservation, protection, or enhancement of any valid, existing activities associated with valid, existing infrastructure.

(7) So as not to impact the future conservation, protection, or enhancement of any valid, existing activities associated with valid, existing infrastructure.

(8) Motorized vehicle.

(9) Motorized vehicle means a motorized or mechanized vehicle and includes, when used by a utility, mechanismed equipment, a helicopter, and any other aerial device necessary to maintain electrical or communications infrastructure.

(10) SCENIC AREA.

(a) ESTABLISHMENT. Subject to valid existing rights, there is established in Inyo County, California, the Alabama Hills National Scenic Area, to be comprised of the approximately 18,610 acres generally depicted on the map as 'National Scenic Area'.

(b) PURPOSE. The purpose of the Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the Scenic Area managed consistent with section 1402(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).

(c) MAP; LEGAL DESCRIPTIONS.

(i) IN GENERAL. Nothing in this title creates a protective perimeter or buffer zone around the Scenic Area.

(ii) RECREATIONAL ACTIVITIES. Except as otherwise specified in this title, or as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Scenic Area shall be permitted only on—

(A) roads and trails designated by the Secretary for use of motorized vehicles as part of a management plan sustaining a semigeneric motorized experience; or

(B) county-maintained roads in accordance with applicable State and county laws.

(B) BUFFER ZONES.

(i) IN GENERAL. Nothing in this title creates a protective perimeter or buffer zone around the Scenic Area.

(ii) RECREATIONAL ACTIVITIES. Except as otherwise specified in this title, or as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Scenic Area shall be permitted only on—

(A) roads and trails designated by the Secretary for use of motorized vehicles as part of a management plan sustaining a semigeneric motorized experience; or

(B) county-maintained roads in accordance with applicable State and county laws.

(iii) MOUNTAIN BIKING. Except as otherwise specified in this title, or as necessary for administrative purposes or to respond to an emergency, the use of mountain bikes in the Scenic Area shall be permitted only on—

(A) roads and trails designated by the Secretary for use of mountain bikes as part of a management plan sustaining a semigeneric mountain bike experience; or

(B) county-maintained roads in accordance with applicable State and county laws.

(iii) ACCESS. The Secretary shall provide private landowners adequate access to inholdings in the Scenic Area.

(iv) FILMING. Nothing in this title prohibits filming (including film production, sound filming, and still photography) within the Scenic Area.

(i) FISH AND WILDLIFE. Nothing in this title affects the jurisdiction or responsibilities of the State with respect to fish and wildlife.

(ii) LIVESTOCK. The grazing of livestock in the Scenic Area, including grazing under the Alabama Hills allotment and any other livestock allotment within the Scenic Area, is withdrawn from all forms of—

(A) mineral and geothermal leasing or mineral withdrawals, the Federal land within the Scenic Area is subject to—

(i) entry, appropriation, or disposal under the public land laws; and

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(iii) WILDLAND FIRE OPERATIONS. Nothing in this title prohibits the Secretary, in cooperation with other Federal, State, and
local agencies, as appropriate, from conducting wildland fire operations in the Scenic Area, consistent with the purposes described in subsection (b).

(1) IN GENERAL.—On completion of the survey described in subsection (b), the Secretary shall develop a comprehensive management plan for the long-term management of the Scenic Area.

(2) CONTENTS.—The management plan described in paragraph (1) shall—

(A) assess the impacts of habitat fragmentation on wildlife in the California Desert Conservation Area; and

(B) establish policies and procedures to ensure the preservation of wildlife corridors and facilitate species migration.

(3) RIGHTS-OF-WAY.—The Secretary shall—

(A) subject to such terms and conditions as the Secretary determines to be appropriate, allow use to:

(i) private entities to construct, operate, repair, maintain, or remove utility and other rights-of-way within or adjacent to the Scenic Area; and

(ii) utility and other rights-of-way within the Scenic Area.

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and any other applicable law;

(C) review and approve the determination of an agency under the Federal Land Policy and Management Act (Public Law 95–134) as to whether to consider a proposed use of utility and other rights-of-way within the Scenic Area.

(D) subject to such terms and conditions as the Secretary determines to be appropriate, allow access to utility facilities or utility and other rights-of-way within or adjacent to the Scenic Area; and

(E) consult with, State, Tribal, and local governmental entities, including Inyo County and the Tribe.

(4) CONDITIONS.—The management plan described in paragraph (1) shall—

(A) specify the purpose and goals of the utility or other right-of-way; and

(B) require that the management plan comply with:

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and any other applicable law;

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law;

(iii) the California Public Resources Code sections 5093.30–5093.40; and

(iv) any other applicable law.

(5) MANAGEMENT PLAN.—Consistent with this title, the Secretary shall establish provisions for maintenance of public utility and other rights-of-way within the Scenic Area.

SEC. 1405. MANAGEMENT PLAN.

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this title, in accordance with subsections (b) and (c) of this section, the Secretary shall develop a comprehensive plan for the long-term management of the Scenic Area.

(a) IN GENERAL.—In accordance with this title, the management plan shall include provisions for maintenance of public utility and other rights-of-way within the Scenic Area.

(b) DESCRIPTION OF LAND.—The land transferred under subsection (a) is certain Bureau of Land Management land in San Diego County, California, consisting of approximately 934 acres, as generally depicted on the map entitled 'Proposed Table Mountain Wilderness Study Area Transfer to the State' and dated March 3, 2018.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Scenic Area in accordance with section 1402(b).
Conservation Area using amounts from the land and water conservation fund established under section 200302 of title 54, United States Code.

(2) CONSERVATION AREA.—The term ‘Conservation Area’ means the California Desert Conservation Area.

(3) CONSERVATION LAND.—The term ‘conservation land’ means any land within the Conservation Area that is designated to satisfy the conditions of a Federal habitat conservation plan, general conservation plan, or State natural communities conservation plan, including—

‘‘(A) national conservation land established pursuant to section 202(b)(2)(D) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(b)(2)(D)); and

‘‘(B) areas of critical environmental concern established pursuant to section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)).

(4) DONATED LAND.—The term ‘donated land’ means any private land donated to the United States for conservation purposes in the Conservation Area.

(5) DONOR.—The term ‘donor’ means an individual or entity that donates private land to the Conservation Area to the United States.

(6) SECRETARY.—The term ‘Secretary’ means the Secretary, acting through the Director of the Bureau of Land Management.

(7) STATE.—The term ‘State’ means the State of California.

(b) PROHIBITIONS.—Except as provided in subsection (c), the Secretary shall not authorize the use of acquired land, conservation land, or donated land within the Conservation Area for any activities contrary to the conservation purposes for which the land was acquired, designated, or donated, including—

(1) disposal;

(2) right-of-way;

(3) leases;

(4) livestock grazing;

(5) infrastructure development, except as provided in subsection (c);

(6) mineral entry; and

(7) off-highway vehicle use, except on—

‘‘(A) designated routes;

‘‘(B) off-highway vehicle areas designated by law; and

‘‘(C) administratively designated open areas.

(c) EXCEPTIONS.—

(1) AUTHORIZATION BY SECRETARY.—Subject to paragraph (2), the Secretary may authorize limited exceptions to prohibited uses of acquired land, conservation land, or donated land within the Conservation Area if—

‘‘(A) a right-of-way application for a renewable energy development project or associated energy transport facility on acquired land or donated land was submitted to the Bureau of Land Management on or before December 1, 2009; or

‘‘(B) right-of-way applications for which the land was acquired, designated, or donated.

(2) CONDITIONS.—

‘‘(A) IN GENERAL.—If the Secretary grants an exception to the prohibition under paragraph (1), the Secretary shall require the permittee to donate private land of comparable value located within the Conservation Area to the United States to mitigate the use of the private land.

‘‘(B) APPROVAL.—The private land to be donated under subparagraph (A) shall be approved by the Secretary after—

‘‘(i) the Secretary consults with the Advisory Council on Historic Preservation, the State Historic Preservation Officer of Nevada, and the State Historic Preservation Officer of California.

‘‘(ii) takes all available actions that may be necessary to protect the cultural and historical significance of the area.

‘‘(iii) evaluates all available information regarding the cultural and historical significance of the area.

‘‘(iv) determines that the proposed cultural and historical significance of the area is not significant.

‘‘(B) TRIBAL CULTURAL RESOURCES MANAGEMEN

PLAN.—

(a) DEFINITIONS.—In this section:

(1) 1932 ACT.—The term ‘1932 Act’ means the Act of June 18, 1932 (47 Stat. 324, chapter 260), as amended—

(2) DISTRICT.—The term ‘District’ means the Metropolitan Water District of Southern California.

(b) RELEASE.—Subject to valid existing claims perfected prior to the effective date of the 1932 Act and the reservation of minerals set forth in the 1932 Act, the Secretary shall release, convey, or otherwise QT claim to the District, in a form recordable in local county records, and subject to the approval of the District, after consultation and without monetary consideration, all right, title, and remaining interest of the United States in, to, and under the land conveyed to the District pursuant to the 1932 Act or any other law authorizing conveyance subject to restrictions or reversionary interests retained by the United States, on request by the District.

(c) TERMS AND CONDITIONS.—A conveyance authorized by subsection (b) shall be subject to the following terms and conditions:

(1) The District shall convey, or reimburse the Secretary for, the costs incurred by the Secretary to make the conveyance, including title searches, surveys, deed preparation, attorneys’ fees, and similar expenses.

(2) By accepting the conveyance, the District agrees to indemnify and hold harmless the United States from any and all claims, charges, damages, suits, or actions asserted against the United States arising out of the conveyance or by reason of the boundary dispute relating to any parcel conveyed under this section.
SEC. 1456. CALIFORNIA STATE SCHOOL LAND.

Section 707 of the California Desert Protection Act of 1994 (16 U.S.C. 410aa–77) is amended—

(A) in subsection (a)—

(1) in the first sentence—

(i) by striking “Upon request of the California State Lands Commission (hereinafter in this Act referred to as the ‘Commissi—

(2) in subsection (b), by inserting “, national monuments, off-highway vehicle recreation areas,” after “more of the wilderness areas”; and

(3) in the second sentence, by striking “The Secretary shall negotiate in good faith to” and inserting the following:

“(2) AGREEMENT.—To the maximum extent practicable, not later than 10 years after the date of enactment of this title, the Secretary shall; and

(2) in subsection (b)(1), by inserting “, national monuments, off-highway vehicle recreation areas,” after “wilderness areas”.

SEC. 1457. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) AMARGOSA RIVER, CALIFORNIA.—Section 3(a)(196)(A) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(196)(A)) is amended to read as follows:

“(A) The approximately 7.5-mile segment of the Amargosa River in the State of California, the private property boundary in sec. 19, T. 22 N., R. 7 E., to 100 feet upstream of the Tule Spring Road crossing, to be administered by the Secretary of the Interior as a scenic river.”.

(b) ADDITIONAL SEGMENTS.—Section 3(a)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 130(a)) is amended by adding at the end the following:

“(228) SURPRISE CANYON CREEK, CALIFORNIA.—

“(A) IN GENERAL.—The following segments of Surprise Canyon Creek in the State of California, to be administered by the Secretary of the Interior:

“(i) The approximately 5.3 miles of Surprise Canyon Creek from the confluence of Frenchman’s Canyon and Water Canyon to 100 feet upstream of Chris Wicht Camp, as a wild river.

“(ii) The approximately 1.8 miles of Surprise Canyon Creek from 100 feet upstream of Chris Wicht Camp to the southern boundary of sec. 14, T. 21 S., R. 44 E., as a recreational river.

“(B) EFFECT ON HISTORIC MINING STRUCTURES.—Nothing in this paragraph affects—

“(a) the historic mining structures associated with the former Panamint Mining District.

“(229) DEEP CREEK, CALIFORNIA.—

“(A) IN GENERAL.—The following segments of Deep Creek in the State of California, to be administered by the Secretary of Agriculture:

“(i) The approximately 6.5-mile segment from 0.125 mile downstream of the Rainbow Dam site in sec. 33, T. 2 N., R. 2 W., San Bernardino Meridian, to 0.25 miles upstream of the Road N34 crossing, as a wild river.

“(ii) The 0.5-mile segment from 0.25 mile upstream of the Road N34 crossing to 0.25 mile downstream of the Road N34 crossing, as a scenic river.

“(iii) The 2.5-mile segment from 0.25 miles downstream of the Road N 34 crossing to 0.25 miles upstream of the Trail 2W01 crossing.

“(iv) The 0.5-mile segment from 0.25 miles downstream of the Trail 2W01 crossing to 0.25 mile downstream of the Trail 2W01 crossing, as a scenic river.

“(B) EFFECT ON HIKING TRAILS.—Nothing in this paragraph affects—

“(i) the hiking trails of the Rainbow Dam State Recreation Area.

“(ii) the hiking trails of the Amargosa River Recreation Area.

“(iii) the hiking trails of the Rainbow Dam State Recreation Area.

“(iv) the hiking trails of the Deep Creek Recreation Area.

“(B) EFFECT ON HISTORIC MINING STRUCTURES.—Nothing in this paragraph affects—

“(A) the historic mining structures associated with the former Panamint Mining District.

“(230) WHITewater RIVER, CALIFORNIA.—

“The following segments of the Whitewater River in the State of California, to be administered by the Secretary of Agriculture and the Secretary of the Interior, acting jointly:

“(A) The 5.8-mile segment of the North Fork Whitewater River from the source of the River near Mt. San Gorgonio to the confluence with the Middle Fork, as a wild river.

“(B) The 6.3-mile segment of the Middle Fork Whitewater River from the source of the River to the confluence with the South Fork, as a wild river.

“(C) The 4.9-mile segment of the South Fork Whitewater River from the section line between sections 33 and 34, T. 1 S., R. 2 E., San Bernardino Meridian, as a wild river.

“(D) The 1-mile segment of the South Fork Whitewater River from the confluence of the River with the East Fork to the section line between sections 32 and 33, T. 1 S., R. 2 E., San Bernardino Meridian, as a wild river.

“(E) The 1-mile segment of the Whitewater River from the confluence of the South and Middle Forks to the San Gorgonio Wilderness boundary, as a wild river.

“(F) The 3.6-mile segment of the main stem of the Whitewater River from the confluence of the South and Middle Forks to the San Gorgonio Wilderness boundary, as a wild river.

“(G) The 3.6-mile segment of the main stem of the Whitewater River from the San Gorgonio Wilderness boundary to 25.5 miles upstream of the southern boundary of section 35, T. 2 S., R. 3 E., San Bernardino Meridian, as a recreational river.

“(2) TITLES XIII AND XIV.—In titles XIII and XIV, the term ‘this Act’ means only—

“(a) TITLES I THROUGH IX.—The following:

“(i) the ‘California Desert Conservation Area’; and

“(ii) the ‘California Desert Conservation Area.

“(B) EFFECT ON HISTORIC MINING STRUCTURES.—Nothing in this paragraph affects—

“(A) the historic mining structures associated with the former Panamint Mining District.

“(2) titles I through IX of this Act; and

“(3) the Secretary shall negotiate in good faith to—

“(A) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Interior; and

“(B) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture.

“(C) STATE.—The term ‘State’ means the State of California.

“(D) IN GENERAL.—The Secretary shall negotiate in good faith to—

“(1) negotiate for an agreement’ and inserting the following:

“(2) AGREEMENT.—To the maximum extent practicable, not later than 10 years after the date of enactment of this title, the Secretary shall; and

“(2) in subsection (b), by inserting “, national monuments, off-highway vehicle recreation areas,” after “wilderness areas”.

SEC. 1458. JUNIPER FLATS.

The California Desert Protection Act of 1994 is amended by striking section 711 (16 U.S.C. 410aa–81) and inserting the following:

“SEC. 711. JUNIPER FLATS.

“Development of renewable energy generation facilities (excluding rights-of-way or facilities for the transmission of energy and telecommunication facilities and infrastructure) is prohibited on the approximately 27,990 acres of Federal land generally designated as the ‘BLM Land Available for Energy Development’ on the map entitled ‘Juniper Flats’ and dated November 7, 2013.”.

SEC. 1460. CONFORMING AMENDMENTS TO CALIFORNIA MILITARY LANDS WITHDRAWAL AND OVERFLIGHTS ACT OF 1994.

(a) FINDINGS.—Section 801(b)(2) of the California Military Lands Withdrawal and Overflights Act of 1994 (16 U.S.C. 410aa–82 note; Public Law 103–433) is amended by inserting “, special management areas, off-highway vehicle recreation areas, scenic areas,” before “designated by this Act”.

(b) OVERFLIGHTS; SPECIAL AIRSPACE.—Section 802 of the California Military Lands Withdrawal and Overflights Act of 1994 (16 U.S.C. 410aa–82) is amended—

(1) in subsection (a), by inserting “, scenic areas, off-highway vehicle recreation areas, special management areas” before “designated by this Act”;

(2) in subsection (b), by inserting “, scenic areas, off-highway vehicle recreation areas, special management areas” before “designated by this Act”; and

(3) in subsection (d), by adding at the end the following:

“(D) DEPARTMENT OF DEFENSE FACILITIES.—Nothing in this Act alters any authority of the Secretary of Defense to conduct military operations at installations and ranges within the California Desert Conservation Area that are authorized under any other provision of law.”.

SEC. 1461. DESERT TORTOISE CONSERVATION CENTER.

(a) IN GENERAL.—The Secretary shall establish, operate, and maintain a trans-State desert tortoise conservation center (referred to in this section as the “Center”) on public lands along the California-Nevada border—

(1) to support desert tortoise research, disease monitoring, handling training, rehabilitation, and reintroduction;

(2) to provide temporary quarters for animals collected from authorized salvage from renewable energy sites; and

(3) to ensure the full recovery and ongoing survival of the species.

(b) CENTER.—In carrying out this section, the Secretary shall—

(1) seek the participation of or contract with qualified organizations with expertise in desert tortoise disease research and experience with desert tortoise translocation techniques, and scientific training of professional biologists for handling tortoises, to staff and manage the Center;

(2) ensure that the Center engages in public outreach and education on tortoise handling; and

(3) consult with the State and the State of Nevada to ensure that the Center is operated consistent with State law.

(c) NON-FEDERAL CONTRIBUTIONS.—The Secretary may accept any contributions of non-Federal funds to establish, operate, and maintain the Center.

February 26, 2019

CONGRESSIONAL RECORD—HOUSE
TITLII—NATIONAL PARKS

Subtitle A—Special Resource Studies

SEC. 2001. SPECIAL RESOURCE STUDY OF JAMES K. POLK PRESIDENTIAL HOME.

(a) DEFINITION OF STUDY AREA.—In this section, the term ‘study area’ means the James K. Polk Home in Columbia, Tennessee, and adjacent property.

(b) SPECIAL RESOURCE STUDY.—

(1) The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(D) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 2002. SPECIAL RESOURCE STUDY OF THURGOOD MARSHALL SCHOOL.

(a) DEFINITION OF STUDY AREA.—In this section, the term ‘study area’ means—

(1) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(2) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

(b) SPECIAL RESOURCE STUDY.—

(1) STUDY.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(D) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 2003. SPECIAL RESOURCE STUDY OF PRECINCT STREET STATION.

(a) DEFINITION OF STUDY AREA.—In this section, the term ‘study area’ means the area indicated on the map in section 100507 of title 54, United States Code.

(b) SPECIAL RESOURCE STUDY.—

(1) STUDY.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local governmental entities, private and nonprofit organizations; or any other interested individual; and

(D) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 2004. AMACHE SPECIAL RESOURCE STUDY.

(a) DEFINITION OF STUDY AREA.—In this section, the term ‘study area’ means the site known as ‘Amache’, ‘Camp Amache’, and ‘Granada Relocation Center’ in Granada, Colorado, which was 1 of the 10 relocations where Japanese Americans were incarcerated during World War II.

(b) SPECIAL RESOURCE STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local governmental entities, private and nonprofit organizations, or any other interested individual; and

(D) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

Subtitle B—National Park System Boundary Adjustments and Related Matters

SEC. 2101. SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT.

(a) DEFINITION.—In this section, the term ‘boundary’ means the boundary as described in section 100507 of title 54, United States Code.

(b) ADJUSTMENT.—The Secretary may acquire the land described in paragraph (1) by donation, purchase from willing sellers...
with donated or appropriated funds, or exchange.

(3) ADMINISTRATION.—Any land acquired under this subsection shall be administered as part of the Park.

(c) ESTABLISHMENT OF AFFILIATED AREA.—
(1) IN GENERAL.—Parker’s Crossroads Battlefield in the State of Tennessee is established as an affiliated area of the National Park System.

(2) DESCRIPTION OF AFFILIATED AREA.—The affiliated area shall consist of the area generally depicted on the map entitled “Parker’s Crossroads Battlefield, Proposed Boundary”, numbered 903/30,073, and dated July 2014.

(3) AVAILABILITY OF MAP.—The affiliated area shall be managed in accordance with—
(A) this section; and
(B) any law generally applicable to units of the National Park System.

(4) MANAGEMENT ENTITY.—(A) The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(5) COOPERATIVE AGREEMENTS.—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance for the marketing, marking, interpretation, and preservation of the affiliated area.

(1) PROVISION OF THE SECRETARY.—Nothing in this section authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(2) GENERAL MANAGEMENT PLAN.—(A) IN GENERAL.—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area in accordance with section 100502 of title 54, United States Code.

(B) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan developed under subparagraph (A).

SEC. 2102. OCMLUIGE MOUNDS NATIONAL HISTORICAL PARK BOUNDARY.

(a) DEFINITIONS.—In this section:
(1) HISTORICAL PARK.—The term “Historical Park” means the Ocmluigie Mounds National Historical Park in the State of Georgia, as redesignated by subsection (b)(1)(A).

(2) MAP.—The term “map” means the map entitled “Proposed Ocmluigie Mounds National Historical Park Boundary Adjustment”, numbered 363/125996, and dated January 2016.

(3) STUDY.—The term “study area” means the Ocmluigie Mounds corridor between the cities of Macon, Georgia, and Hawkinsville, Georgia.

(b) OCMLUIGE MOUNDS NATIONAL HISTORICAL PARK.—
(1) REDesignATION.—(A) IN GENERAL.—The Ocmluigie National Monument, established pursuant to the Act of June 14, 1934 (48 Stat. 958, chapter 519), shall be known and designated as the “Ocmluigie Mounds National Historical Park”. References.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the “Ocmluigie National Monument” shall be deemed to include a reference to the “Ocmluigie Mounds National Historical Park”.

(2) BOUNDARY ADJUSTMENT.—(A) IN GENERAL.—The boundary of the Historical Park is modified to include approximately 2,100 acres of land, as generally depicted on the map.

(B) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) LAND ACQUISITION.—(A) IN GENERAL.—The Secretary may acquire land and interests in land within the boundaries of the Historical Park by donation, purchase from willing seller with donated or appropriated funds, or exchange.

(B) LIMITATION.—The Secretary may not acquire by condemnation any land or interests in land within the boundaries of the Historical Park.

(4) ADMINISTRATION.—The Secretary shall administer land and interests in land acquired under this section as part of the Park in accordance with applicable laws (including regulations).

SEC. 2104. FORT FREDERICA NATIONAL MONUMENT, GEORGIA.

(a) MAINTENANCE OF ACQUIRED LAND.—(1) IN GENERAL.—Section 4 of the Act of May 26, 1936 (16 U.S.C. 433g), is amended by striking “two hundred and fifty acres” and inserting “305 acres”.

(b) BOUNDARY EXPANSION.—(1) IN GENERAL.—The boundary of the Fort Frederica National Monument in the State of Georgia is modified to include the land generally depicted as “Proposed Acquisition Area” on the map entitled “Proposed Fort Frederica National Monument Proposed Boundary Expansion”, numbered 369/132,469, and dated April 2016.

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) ACQUISITION OF LAND.—The Secretary may acquire the land and interests in land described in paragraph (1) by donation or purchase with donated or appropriated funds from willing sellers.

(4) NO USE OF CONDEMNATION OR EMINENT DOMAIN.—The Secretary may not acquire by condemnation or eminent domain any land or interests in land under this section or for the purposes of this section.

SEC. 2105. FORT SCOTT NATIONAL HISTORIC SITE BOUNDARY.

Public Law 96-481 (92 Stat. 1610) is amended—
(1) in the first section—
(A) by inserting “; or by exchange” after “donation”;

(B) by striking the proviso; and

(2) in section 2—
(A) by striking “sec. 2, When” and inserting the following:

“SEC. 2. ESTABLISHMENT.

“(a) IN GENERAL.—When”;

(b) by adding at the end the following:

“(2) BOUNDARY MODIFICATION.—The boundary of the Fort Scott National Historic Site established under subsection (a) is modified as generally depicted on the map referred to as “Proposed Boundary Modification”, numbered 241/132,544, and dated May 3, 2016.”;

SEC. 2106. FLORISSANT FOSSIL BEDS NATIONAL MONUMENT.

The first section of Public Law 91-60 (83 Stat. 101) is amended—

SEC. 2107. VOYAGEURS NATIONAL PARK BOUNDARY ADJUSTMENT.

(a) BOUNDARIES.—(1) IN GENERAL.—Section 102(a) of Public Law 91-661 (16 U.S.C. 160a–1(a)) is amended—

(A) in the first sentence, by striking “‘Drawing’” each place it appears and inserting “‘Map’”;

(B) by adding to the end the following:

“(2) by striking ‘six thousand acres’ and inserting ‘6,900 acres’.”

SEC. 2108. VOYAGEURS NATIONAL PARK BOUNDARY ADJUSTMENT.

(a) BOUNDARIES.—(1) IN GENERAL.—Section 102(a) of Public Law 91-661 (16 U.S.C. 160a–1(a)) is amended—

(A) in the first sentence, by striking “‘drawing’” each place it appears and inserting “‘map’”;

(B) in the second and third sentences, by striking “drawing” each place it appears and inserting “map”.

(c) RECOMMENDATION. — Sec. 102(b)(2)(A) of Public Law 91-661 (16 U.S.C. 160a–1b(2)(A)) is amended—
(A) by striking “paragraph (1)(C) and (D)” and inserting “subparagraphs (C) and (D) of paragraph (1)”;

(B) in the second proviso, by striking “paragraph 1(E)” and inserting “paragraph 1(E)”;

(b) LAND ACQUISITIONS.—Section 201 of Public Law 91–661 (16 U.S.C. 160b) is amended—

(1) by striking the section designation and heading and all that follows through “(a) The Secretary” and inserting the following:

SEC. 201. LAND ACQUISITIONS.

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary shall revise the boundaries of the Park pursuant to this title.

“(2) CERTAIN PORTIONS OF TRACTS.—

“(A) IN GENERAL.—In any case in which only a portion of a tract of land is within the boundaries of the park—

“(i) the Secretary shall revise the boundaries of the Park to reflect the acquisition, and

“(ii) any such boundary revision shall not be a part of a more-comprehensive boundary revision; and

“(B) such limited boundary revisions as the Secretary determines to be appropriate to the permanent boundaries of the Park to take into account acquisitions or losses, by exchange, donation, or purchase from willing sellers using donated or appropriated funds, of land adjacent to or within the Park, respectively, in any case in which the total acreage of the land to be so acquired or lost is less than 10 acres, subject to the condition that—

“(i) any such boundary revision shall not be a part of a more-comprehensive boundary revision; and

“(ii) all such boundary revisions, considered collectively with any technical boundary revisions made pursuant to subparagraph (A), do not increase the size of the Park by more than a total of 100 acres, as compared to the size of the Park on the date of enactment of this paragraph.”;

(b) LIMITATION ON ACQUISITIONS OF LAND FOR ACADIA NATIONAL PARK.—Section 102(a) of Public Law 99–420 (16 U.S.C. 341 note) is amended by adding at the end the following:

“(k) REQUIREMENTS.—Before revising the boundaries of the Park pursuant to this section or section 101(c)(2)(B), the Secretary shall—

“(1) certify that the proposed boundary revision will contribute to, and is necessary for, the proper preservation, interpretation, or management of the Park;

“(2) consult with the governing body of each county, town, or other jurisdiction within which any property of the Park located within the State of Maine, including the common law, is held; and

“(3) obtain from each property owner the land or interest in land of which is proposed to be acquired for, or lost from, the Park written consent for the proposed boundary revision; and

“(4) submit to the Acadia National Park Advisory Commission established by section 106(a), the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Maine Congressional Delegation a written notice of the proposed boundary revision.

“(l) LIMITATION.—The Secretary may not use the authority provided by section 1005(b) of title 54, United States Code, to adjust the permanent boundaries of the Park pursuant to this title.

(c) ACADIA NATIONAL PARK ADVISORY COMMISSION.—

(1) IN GENERAL.—The Secretary shall reestablish and appoint members to the Acadia National Park Advisory Commission in accordance with section 103 of Public Law 99–420 (16 U.S.C. 341 note).

(2) CONFORMING AMENDMENT.—Section 103 of Public Law 99–420 (16 U.S.C. 341 note) is amended by striking subsection (f).

(3) REPEAL OF CERTAIN PROVISIONS RELATING TO ACADIA NATIONAL PARK.—The following are repealed:

(1) Section 3 of the Act of February 26, 1919 (40 Stat. 1178, chapter 65).

(2) The first section of the Act of January 19, 1929 (45 Stat. 1083, chapter 77).

(3) MODIFICATION OF USE RESTRICTION.—The Act of August 1, 1956 (64 Stat. 369, chapter 511), is amended—

(a) by striking “That the Secretary” and inserting the following:

“SECTION 1. CONVEYANCE OF LAND IN ACADIA NATIONAL PARK.

“The Secretary”;

(b) by striking “for school purposes” and inserting “for school purposes, subject to the conditions that use of the land shall not degrade or adversely impact the resources or values of Acadia National Park and that the land is available for use for recreational, educational, or similar public purposes”;

(4) CONTINUATION OF CERTAIN TRADITIONAL USES.—Title I of Public Law 99–420 (16 U.S.C. 341 note) is amended by adding at the end the following:

“SEC. 109. CONTINUATION OF CERTAIN TRADITIONAL USES.

“(a) DEFINITIONS.—In this section:

“(1) LAND WITHIN THE PARK.—The term ‘land within the Park’ means land within the Park that is owned or controlled by the United States—

“(A) that is within the boundary of the Park established by section 101; or

“(B)(i) that is outside the boundary of the Park; and

“(ii) in which the Secretary has or acquires a property interest or conservation easement pursuant to this title.

“(2) MARINE SPECIES; MARINE WORM; SHELLFISH.—The terms ‘marine species’, ‘marine worm’, and ‘shellfish’ have the meanings given those terms in section 601 of title 12 of the Maine Revised Statutes (as in effect on the date of enactment of this section).

“FIDELITY LAW.—The term ‘state law’ means the law (including regulations) of the State of Maine, including the common law.
“(4) TAKING.—The term ‘taking’ means the removal or attempted removal of a marine species, marine worm, or shellfish from the natural habitat of the marine species, marine worm, or shellfish.

“(b) CONTINUATION OF TRADITIONAL USES.—The Secretary shall allow for the traditional taking of marine species, marine worms, and shellfish, including within the Park between the mean high watermark and the mean low watermark in accordance with State law.”;

“(g) CONVEYANCE OF CERTAIN LAND IN ACADIA NATIONAL PARK TO THE TOWN OF BAR HARBOR, MAINE.—

(1) In general.—The Secretary shall convey to the Town of Bar Harbor all right, title, and interest of the United States in and to the .29-acre parcel of land in Acadia National Park identified as lot 105-055-000 on the tax map of the Town of Bar Harbor for section 110, dated April 1, 2015, to be used for—

(A) a solid waste transfer facility; or

(B) other public purposes consistent with uses allowed under the Act of June 14, 1929 (commonly known as the ‘Recreation and Public Purposes Act’) (44 Stat. 748, as amended by the Act of November 28, 1944) (commonly known as the ‘Recreation Act’).

(2) Requirements.—If the land conveyed under paragraph (1) is used for a purpose other than a purpose described in that paragraph, the land shall, at the discretion of the Secretary, revert to the United States.

SEC. 2109. AUTHORITY OF SECRETARY OF THE INTERIOR TO ACCEPT CERTAIN PROPERTY.

(a) SITE. Genevieve National Historical Park.—Section 713(a)(3) of the Energy and Natural Resources Act of 2017 (as enacted into law by section 121(2) of division G of the Consolidated Appropriations Act, 2018 (Public Law 115–141)) is amended by striking ‘‘SITE. Genevieve National Historical Park Proposed Boundary, numbered 571/122,626, and dated March 2018’’ and inserting ‘‘SITE. Genevieve National Historical Park Proposed Boundary Addition, numbered 571/149,942, and dated December 2018’’.

(b) HARRY S TRUMAN NATIONAL HISTORIC SITE.—Public Law 98–32 (54 U.S.C. 320101 note) is amended—

(1) in section 3, by striking the section designation and all that follows through ‘‘is authorized’’ and inserting the following:

‘‘SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

‘‘There are authorized;’’;

(ii) in the second sentence, by striking ‘‘The Secretary is further authorized, in the administration of the site, to’’ and inserting ‘‘the Secretary shall’’;

(iii) in the second sentence, by striking ‘‘(b) USE BY MARGARET TRUMAN DANIEL.—In administering the Harry S Truman National Historic Site, the Secretary may’’; and

(iv) by striking the section designation and all that follows through ‘‘and shall be’’ in the first sentence and inserting the following:

‘‘SEC. 3. DESIGNATION; USE BY MARGARET TRUMAN DANIEL.—

(a) Designation.—Any property acquired pursuant to subsection (a)(1) of this section—

(1) is designated as the ‘Harry S Truman National Historic Site’; and

(2) shall be;’’

(3) in the subsection—

(A) by redesignating subsection (e) as paragraph (2), indenting the paragraph appropriately, and moving the paragraph so as to appear immediately after subsection (c); and

(B) in subsection (c)—

(i) by striking the subsection designation and all that follows through ‘‘authorized to’’ and inserting ‘‘is authorized to’’;

(ii) in paragraph (2) as redesignated by subparagraph (A)—

(I) by striking ‘‘Farm House’’ and inserting ‘‘Farm Home’’; and

(II) by striking the paragraph designation and all that follows through ‘‘authorized and directed to’’ and inserting the following:

‘‘(2) TECHNICAL AND PLANNING ASSISTANCE.—The Secretary shall’’;

(C) in subsection (b)—

(i) by striking ‘‘(b)(1) The Secretary is further authorized to’’ and inserting the following:

‘‘(b) NOLAND/HAKENBERRY AND WALLACE HOUSES.—

(1) In general.—The Secretary may acquire, by donation from the city of Independence, Missouri, the land described in paragraph (2) for—

(A) inclusion in the Harry S Truman National Historic Site; and

(B) if the Secretary determines appropriate, use as a center of the historic site, which may include administrative services.

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) consists of the approximately 1.08 acres of land—

(A) owned by the city of Independence, Missouri;

(B) designated as Lots 6 through 19, DELAYS Subdivision, a subdivision in Independence, Jackson County, Missouri; and

(C) located in the area of the city bound by Truman Road on the south, North Lynn Street on the west, East White Oak Street on the north, and the city transit center on the east.

(3) BOUNDARY MODIFICATION.—On acquisition of the land under this subsection, the Secretary shall modify the boundary of the Harry S Truman National Historic Site to reflect that acquisition;’’

(ii) in subsection (a)—

(1) in the second sentence, by striking ‘‘The Secretary may also acquire, by any means described in paragraph (1), any fixtures’’; and

(ii) in the second sentence—

(I) by striking ‘‘of the Interior (hereinafter’’ and inserting ‘‘the Secretary, which may include administrative services’’; and

(ii) by striking ‘‘That (a) in order to’’ and inserting the following:

‘‘SECTION 1. SHORT TITLE; DEFINITION OF SECRETARY.

(a) SHORT TITLE.—This Act may be cited as the ‘Harry S Truman National Historic Site Establishment Act’.

(b) DEFINITION OF SECRETARY.—In this Act, the term ‘Secretary’ means the Secretary of the Interior.

SEC. 2. PURPOSE; ACQUISITION OF PROPERTY.

(a) PURPOSE; ACQUISITION.—

(1) In general.—

(A) the Secretary may acquire, by donation, purchase from a willing seller using donated or appropriated funds, or exchange, the approximately 89 acres of land identified as the ‘Morgan Property’ and generally depicted on the map entitled ‘‘Home of Franklin D. Roosevelt National Historic Site, Proposed Park Addition’’, numbered 384/138,461, and dated May 2017.

(B) AVAILABILITY OF MAP.—The map referred to in subsection (a) shall be available for public inspection in the appropriate offices of the National Park Service.

(c) BOUNDARY ADJUSTMENT, ADMINISTRATION.—On acquisition of the land referred to in subsection (a), the Secretary shall—

(1) adjust the boundary of the Home of Franklin D. Roosevelt National Historic Site to reflect the acquisition; and

(2) administer the site and as part of the Home of Franklin D. Roosevelt National Historic Site, in accordance with applicable laws.

Subtitle C—National Park System Redesignations

SEC. 2201. DESIGNATION OF SAINT-GAUDENS NATIONAL HISTORICAL PARK.

(a) IN GENERAL.—The Saint-Gaudens National Historic Site shall be designated as the ‘‘Saint-Gaudens National Historical Park’’.

(b) AMENDMENTS TO PUBLIC LAW 88–543.—Public Law 88–543 (78 Stat.749) is amended—

(1) by striking ‘‘National Historic Site’’ each place it appears and inserting ‘‘National Historical Park’’;

(2) in section 2(a), by striking ‘‘historic site’’ and inserting ‘‘Saint-Gaudens National Historical Park’’;

(3) in section 6, by—

(A) striking ‘‘national historical site’’ and inserting ‘‘Saint-Gaudens National Historical Park’’; and

(B) striking ‘‘part of the site’’ and inserting ‘‘traditional to the site’’;

(c) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the Saint-Gaudens National Historical Site shall be considered to be a reference to the ‘‘Saint-Gaudens National Historical Park’’.

SEC. 2202. REDESIGNATION OF ROBERT EMMET PARK

(a) REDESIGNATION.—The small triangular property designated by the National Park Service as reservation 302, shall be known as ‘‘Robert Emmet Park’’.

(b) REFERENCE.—Any reference in any law, regulation, document, record, map, or other record of the United States to the property referred to in subsection (a) is deemed to be a reference to ‘‘Robert Emmet Park’’.

(c) SIGNAGE.—The Secretary may post signs on or near Robert Emmet Park that include 1 or more of the following:

(1) Information on Robert Emmet, his contribution to Irish Independence, and his re- spects for the United States and the American Revolution.

(2) Information on the history of the statue of Robert Emmet located in Robert Emmet Park.

SEC. 2203. FORT SUMTER AND FORT MULTRIE NATIONAL HISTORICAL PARK

(a) DEFINITIONS.—In this section:

MAP.—The term ‘‘map’’ means the map entitled ‘‘Boundary Map, Fort Sumter and Fort Moultrie National Historical Park’’, numbered 392–90–068, and dated August 2009.

(b) DESIGNATIONS.—The term ‘‘Park’’ means the Fort Sumter and Fort Moultrie National Historical Park established by subsection (b).

(c) STATE.—The term ‘‘State’’ means the State of South Carolina.

(4) SULLIVAN’S ISLAND LIFE SAVING STATION HISTORIC DISTRICT.—The term ‘‘Sullivan’s Island Life Saving Station Historic District’’ means the Charleston Lighthouse, the boat- house, garage, bunkers, parking, and the mean low water mark.
(b) ESTABLISHMENT.—There is established the Fort Sumter and Fort Moultrie National Historical Park in the State as a single unit of the National Park System to preserve, maintain, and interpret the historically significant historical values and cultural resources associated with Fort Sumter National Monument, Fort Moultrie National Monument, and the Sullivan’s Island Life Saving Station Historic District.

(c) BOUNDARY.—The boundary of the Park shall be as generally depicted on the map.

(d) REVIEW STUDY.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall administer the Park in accordance with this section and the laws generally applicable to units of the National Park System, including:

(A) section 100101(a), chapter 1003, and sections 10075(a), 10075, and 102101 of title 54, United States Code; and

(B) chapter 3201 of title 54, United States Code.

(2) INTERPRETATION OF HISTORICAL EVENTS.—The Secretary shall provide for the interpretation of historical events and activities that occurred in the vicinity of Fort Sumter and Fort Moultrie, including:

(A) the Battle of Sullivan’s Island on June 28, 1776;

(B) the Siege of Charleston during 1780; and

(C) the Civil War, including:

(i) the bombardment of Fort Sumter by Confederate forces on April 12, 1861; and

(ii) other events of the Civil War that are associated with Fort Sumter and Fort Moultrie;

(D) the development of the coastal defense system in the United States during the period from the Revolutionary War to World War II, including:

(i) the Sullivan’s Island Life Saving Station;

(ii) the lighthouse associated with the Sullivan’s Island Life Saving Station; and

(iii) the coastal defense sites constructed during the period of fortification construction from 1898 to 1942, known as the “Endicott Period”; and

(E) other events of the Civil War that are directly related to the Reconstruction Era that are considered to be a reference to the historical significance of Reconstruction Era National Parks.

(f) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements and memoranda of understanding to provide technical assistance. These agreements shall:

(A) create and adopt an official, uniform symbol or device for the Network; and

(B) conduct research relating to Reconstruction and the Reconstruction Era.

(3) ELEMENTS.—The Network shall encompass the following elements:

(A) All units and programs of the National Park Service that are determined by the Secretary to relate to the Reconstruction Era.

(B) Other Federal, State, local, and privately owned properties that the Secretary determines:

(i) relate to the Reconstruction Era; and

(ii) are included in, or determined by the Secretary to be eligible for inclusion in, the National Register of Historic Places.

(C) Other governmental and nongovernmental sites, facilities, and programs of an educational, research, or interpretive nature that are directly related to the Reconstruction Era.

(4) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this section and to ensure effective coordination of the Federal and non-Federal elements of the Network and units and programs of the National Park Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to, the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities.

SECTION 2204. GOLDEN SPIKE NATIONAL HISTORICAL PARK AND RECONSTRUCTION ERA NATIONAL HISTORIC SITE

(a) DEFINITIONS.—In this section:

(1) PARK.—The term “Park” means the Golden Spike National Historical Park designated by subsection (b)(1).

(2) PROGRAM.—The term “Program” means the program to commemorate and interpret the Transcontinental Railroad authorized under subsection (e).

(3) SECRETARY.—The term “Secretary” means the Secretary, acting through the Director of the National Park Service.

(b) PROGRAM.—The term “Transcontinental Railroad” means the approximately 1,912-mile continuous railroad extending from Council Bluffs, Iowa, to San Francisco, California.

(c) REDESIGNATION.—The Golden Spike National Historic Site designated April 2, 1857, and placed under the administration of the National Park Service on August 1, 1972, is redesignated as the Reconstruction Era National Historical Park, and the Secretary shall update the plan incorporating the provisions of this section.

(d) SYMBOLS OR DEVICES.—The Secretary shall establish symbols or devices for the Network; and

(e) CONGRESSIONAL RECORD—HOUSE
(A) a historical assessment of the Transcontinental Railroad; and
(B) the identification of—
(i) existing National Park System land and affiliated areas, land managed by other Federal agencies, and Federal programs that may be related to preserving, commemorating, and interpreting the Transcontinental Railroad; and
(ii) any properties relating to the Transcontinental Railroad—
(I) that are designated as, or could meet the criteria for designation as, National Historical Landmarks; or
(II) that are included, or eligible for inclusion, on the National Register of Historic Places; and
(iii) any objects relating to the Transcontinental Railroad that have educational, research, or interpretive value; and
(IV) all Federal programs and non-governmental programs of an educational, research, or interpretive nature relating to the Transcontinental Railroad; and
(C) recommendations for—
(i) incorporating the resources identified under subparagraph (B) into the Program; and
(ii) other appropriate ways to enhance historical research, education, interpretation, and public awareness of the Transcontinental Railroad;
(3) REPORT.—Not later than 3 years after the date on which funds are made available to carry out the study under paragraph (2), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the findings and recommendations of the study.
(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—
(A) used in active freight railroad operations (or any ancillary purposes); or
(B) reasonably anticipated to be used for freight railroad operations in the future.
(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—
(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, interpretive guides, or electronic information;
(B) may enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and
(C) may—
(i) create and adopt an official, uniform symbol or device to identify the Program; and
(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).
(d) PROGRAMMATIC AGREEMENT.—
(1) IN GENERAL.—There is established the Pearl Harbor National Memorial, which shall be located in the State of Hawai‘i, in accordance with applicable laws (including regulations); and
(2) USE OF FUNDS.—Any funds for the purposes of the land and interests in land excluded from the monument under subparagraph (A) shall be made available for the purposes of the National Memorial.
(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of Hawai‘i included in the World War II Valor in the Pacific National Monument shall be considered a reference to the “Pearl Harbor National Memorial”.

CONGRESSIONAL RECORD — HOUSE
H2185
February 26, 2019

(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—
(A) used in active freight railroad operations (or any ancillary purposes); or
(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—
(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, interpretive guides, or electronic information;
(B) may enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and
(C) may—
(i) create and adopt an official, uniform symbol or device to identify the Program; and
(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).

(d) PROGRAMMATIC AGREEMENT.—
(1) IN GENERAL.—There is established the Pearl Harbor National Memorial, which shall be located in the State of Hawai‘i, in accordance with applicable laws (including regulations); and
(2) USE OF FUNDS.—Any funds for the purposes of the land and interests in land excluded from the monument under subparagraph (A) shall be made available for the purposes of the National Memorial.
(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of Hawai‘i included in the World War II Valor in the Pacific National Monument shall be considered a reference to the “Pearl Harbor National Memorial”.

(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—
(A) used in active freight railroad operations (or any ancillary purposes); or
(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—
(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, interpretive guides, or electronic information;
(B) may enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and
(C) may—
(i) create and adopt an official, uniform symbol or device to identify the Program; and
(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).

(d) PROGRAMMATIC AGREEMENT.—
(1) IN GENERAL.—There is established the Pearl Harbor National Memorial, which shall be located in the State of Hawai‘i, in accordance with applicable laws (including regulations); and
(2) USE OF FUNDS.—Any funds for the purposes of the land and interests in land excluded from the monument under subparagraph (A) shall be made available for the purposes of the National Memorial.
(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of Hawai‘i included in the World War II Valor in the Pacific National Monument shall be considered a reference to the “Pearl Harbor National Memorial”.

(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—
(A) used in active freight railroad operations (or any ancillary purposes); or
(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—
(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, interpretive guides, or electronic information;
(B) may enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and
(C) may—
(i) create and adopt an official, uniform symbol or device to identify the Program; and
(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).

(d) PROGRAMMATIC AGREEMENT.—
(1) IN GENERAL.—There is established the Pearl Harbor National Memorial, which shall be located in the State of Hawai‘i, in accordance with applicable laws (including regulations); and
(2) USE OF FUNDS.—Any funds for the purposes of the land and interests in land excluded from the monument under subparagraph (A) shall be made available for the purposes of the National Memorial.
(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of Hawai‘i included in the World War II Valor in the Pacific National Monument shall be considered a reference to the “Pearl Harbor National Memorial”.

(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—
(A) used in active freight railroad operations (or any ancillary purposes); or
(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—
(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, interpretive guides, or electronic information;
(B) may enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and
(C) may—
(i) create and adopt an official, uniform symbol or device to identify the Program; and
(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).

(d) PROGRAMMATIC AGREEMENT.—
(1) IN GENERAL.—There is established the Pearl Harbor National Memorial, which shall be located in the State of Hawai‘i, in accordance with applicable laws (including regulations); and
(2) USE OF FUNDS.—Any funds for the purposes of the land and interests in land excluded from the monument under subparagraph (A) shall be made available for the purposes of the National Memorial.
(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of Hawai‘i included in the World War II Valor in the Pacific National Monument shall be considered a reference to the “Pearl Harbor National Memorial”.

(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—
(A) used in active freight railroad operations (or any ancillary purposes); or
(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—
(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, interpretive guides, or electronic information;
(B) may enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and
(C) may—
(i) create and adopt an official, uniform symbol or device to identify the Program; and
(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).
Section 2301. Medgar and Myrlie Evers Home National Monument.

(a) Definitions.—In this section:

(1) College.—The term ‘‘College’’ means Tougaloo College, a private educational institution located in Tougaloo, Mississippi.

(2) Historic District.—The term ‘‘Historic District’’ means the Medgar Evers Historic District, as included on the National Register of Historic Places, and as generally depicted on the Map.

(b) Establishment.—In general.—Subject to paragraph (2), there is established the Medgar and Myrlie Evers Home National Monument in the State of Mississippi, to be administered by the Secretary of the National Park System to preserve, protect, and interpret for the benefit of present and future generations the history associated with the internment and detention of civilians of Japanese and other ancestors during World War II in Hawaii, and the impacts of war and martial law on society in the islands, and the location and diverse experiences of Prisoners of War at the Honolulu Internment Camp site.

(c) Administration.—

(A) In general.—The Secretary shall administer the Historic Site in accordance with this subsection and the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(B) Partnerships.—

(i) In general.—The Secretary may enter into agreements with, or acquire easements from, the owners of property adjacent to the Historic Site to provide public access to the Historic Site.

(ii) Interpretation.—The Secretary may enter into cooperative agreements with governmental and nongovernmental organizations to provide for interpretation at the Historic Site.

(C) Shared Resources.—To the maximum extent practicable, the Secretary may use the resources of the Honolulu Harbor National Memorial to administer the Historic Site.

(d) Abolishment of Honolulu National Monument.—

(A) In general.—In light of the establishment of the Honolulu National Historic Site, the Honolulu National Monument is abolished and the lands and interests therein are included within and made part of Honolulu National Historic Site. Any funds available for purposes of Honolulu National Monument shall be available for purposes of the Historic Site.

(B) References.—Any references in law (other than in this section), regulation, document, record, map or other paper of the United States to Honolulu National Monument shall be considered a reference to Honolulu National Historic Site.

Subtitle D—New Units of the National Park System


(a) Definitions.—In this section:

(1) Map.—The term ‘‘Map’’ means the map entitled ‘‘Mill Springs Battlefield National Monument, Nancy, Kentucky’’, numbered 297/145513, and dated June 2016.

(2) Monument.—The term ‘‘Monument’’ means the Mill Springs Battlefield National Monument established by subsection (b).

(b) Establishment.—In general.—Subject to paragraph (2), there is established the Mill Springs Battlefield National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations the national significance of the Mill Springs Battlefield in the American Civil Rights Movement.

(c) Determination by the Secretary.—The Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.

(d) Notice.—Not later than 30 days after the date on which the Secretary makes a determination under paragraph (2), the Secretary shall publish in the Federal Register notice of the establishment of the Monument.

(e) Boundary.—The boundary of the Monument shall be as generally depicted on the Map.

(f) Availability of Map.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.


(a) Definitions.—In this section:

(1) Map.—The term ‘‘Map’’ means the map entitled ‘‘Camp Nelson Heritage National Monument, Nicholasville, Kentucky’’, numbered 522/141,448, and dated April 2018.

(b) Establishment.—In general.—Subject to paragraph (2), there is established as a unit of the National Park System, the Mill Springs Battlefield National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations the national significance of the Mill Springs Battlefield in the Civil War.

(c) Determination by the Secretary.—The Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.

(d) Notice.—Not later than 30 days after the date on which the Secretary makes a determination under paragraph (2), the Secretary shall publish in the Federal Register notice of the establishment of the Monument.

(e) Boundary.—The boundary of the Monument shall be as generally depicted on the Map.

(f) Availability of Map.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 2304. Acquisition Authority.—The Secretary may only acquire land or an interest in land located within the boundary of the Monument by—

(A) donation;

(B) purchase from a willing seller with donated or appropriated funds; or

(C) exchange.

SEC. 2305. Management Plan.—In general.—The Monument shall be managed in accordance with—

(A) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(f) Acquisition Authority.—The Secretary shall submit to the Committee on Natural Resources of the Senate the general management plan, the Secretary shall prepare the general management plan in accordance with section 100502 of title 54, United States Code.

(g) Agreement.—The Secretary shall enter into agreements with the College to provide interpretive and educational services relating to the Monument and may enter into agreements with the College and other entities for the purposes of carrying out this section.

(h) Activities Outside National Monument.—The fact that an activity or use on land outside the Monument can be seen or heard within the Monument shall not preclude the activity or use outside the boundary of the Monument.

(i) Buffer Zones.—The term ‘‘Buffer Zones’’ means the area which is comprised of—

(A) the Medgar and Myrlie Evers Home National Monument in the State of Mississippi, as such monument is established by paragraph (a) of section 2301; and

(B) the Mill Springs Battlefield National Monument in the State of Kentucky, as such monument is established by paragraph (a) of section 2302.

(j) Activities Outside National Monument.—The term ‘‘Activities Outside National Monument’’ means the activities that the Monument shall be under the control of the Secretary within the boundaries of the Monument.
Subtitle E—National Park System Management

SEC. 2401. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE

(a) PERMIT.—Section 3(b)(1) of the Denali National Park Improvement Act (Public Law 113–33; 127 Stat. 516) is amended by striking—

‘‘(within, along, or near the approximately 7-mile segment of Parks Highway that runs through the Park’’;

(b) TERMS AND CONDITIONS.—Section 3(c)(1) of the Denali National Park Improvement Act (Public Law 113–33; 127 Stat. 516) is amended—

(1) in subparagraph (A), by inserting ‘‘and’’ after the semicolon;

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(c) APPLICABLE LAW.—Section 3 of the Denali National Park Improvement Act (Public Law 113–33; 127 Stat. 516) is amended by adding at the end the following:

‘‘(i) APPLICABLE LAW.—A high pressure gas transmission pipeline (including appurtenances) in a nonwilderness area within the boundary of the Park, shall not be subject to sections 100751(a), 100752, 100753, and 102101 of Reg. 54845 (October 31, 2018)); and

(d) RESPONSIBILITY.—The fact that an activity or use on the boundary of the Monument to constitute an interest in land have been acquired within the Monument; and

(e) PROPERTY.—Any land or interest in land have been acquired within the boundary of the Monument to constitute a manageable unit.

(c) BOUNDARIES.—The boundaries of the Monument shall be the boundaries generally depicted on the Map.

(d) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ACQUISITION AUTHORITY.—The Secretary may acquire any land or interest in land located within the boundary of the Monument by donation, purchase with donated or appropriated funds, or exchange.

(f) ADMINISTRATION.—

(i) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(A) this section;

(B) Presidential Proclamation 9811 (83 Fed. Reg. 54845 (October 31, 2018)); and

(C) the laws generally applicable to units of the National Park System, including—

(1) section 10001(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(g) MANAGEMENT PLAN.—

(i) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to the Secretary for the preparation of a general management plan for the Monument, the Secretary shall prepare a general management plan for the Monument in accordance with section 100502 of title 54, United States Code.

(ii) SUBMISSION TO CONGRESS.—On completion of the general management plan, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives the general management plan.

(h) NO BUFFER ZONES.—Nothing in this section creates a protective perimeter or buffer zone around the Monument.

(2) ACTIVITIES OUTSIDE NATIONAL MONUMENT.—The Secretary may authorize the activity or use on land outside the Monument can be seen or heard within the Monument shall not preclude the activity or use outside the boundary of the Monument.

(b) CONFLICT.—If there is conflict between this section and Proclamation 9811 (83 Fed. Reg. 54845; October 31, 2018), this section shall prevail.

(3) DEVELOPMENT MANAGEMENT PLANS FOR MEDICAL FACILITIES.—The Secretary may grant such an easement or right-of-way over Federal lands within Gateway National Recreation Area, for construction, operation, and maintenance of projects for control and prevention of flood and shoreline erosion.

‘‘2) CHARGES AND REIMBURSEMENT OF COSTS.—The Secretary may grant such an easement or right-of-way for any purpose, without charge for the value of the right so conveyed, except for reimbursement of costs incurred by the United States for processing the application through and managing such right. Amounts received as such reimbursement shall be credited to the relevant appropriation account.’’.

SEC. 2405. AUTHORITY TO GRANT EASEMENTS AND RIGHTS-OF-WAY OVER FEDERAL LANDS WITHIN GATEWAY NATIONAL RECREATION AREA.

Section 3 of Public Law 92–592 (16 U.S.C. 460cc–2) is amended by adding at the end the following:

‘‘(v) AUTHORITY TO GRANT EASEMENTS AND RIGHTS-OF-WAY.—

‘‘(1) IN GENERAL.—The Secretary of the Interior may grant such an easement or right-of-way over Federal lands within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flood and shoreline erosion.

‘‘(ii) CHARGES AND REIMBURSEMENT OF COSTS.—The Secretary may grant such an easement or right-of-way for any purpose, without charge for the value of the right so conveyed, except for reimbursement of costs incurred by the United States for processing the application through and managing such right. Amounts received as such reimbursement shall be credited to the relevant appropriation account.’’.

SEC. 2406. ADAMS MEMORIAL COMMISSION.

(a) COMMISSION.—There is established a commission to be known as the ‘‘Adams Memorial Commission’’ (referred to in this section as the ‘‘Commission’’) for the purpose of establishing a permanent memorial to honor John Quincy Adams and his wife, Louisa Catherine Adams, as provided by Public Law 107–62 (111 Stat. 411), located in the city of Washington, District of Columbia, including sites authorized by Public Law 107–315 (116 Stat. 2769).

(b) MEMBERSHIP.—The Commission shall be composed of—

(1) 4 persons appointed by the President, not more than 2 of whom may be members of the same political party;

(2) 4 Members of the Senate appointed by the President pro tempore of the Senate in consultation with the Majority Leader and Minority Leader of the Senate, of which not more than 2 appointees may be members of the same political party; and

(3) 4 Members of the House of Representatives appointed by the Speaker of the House of Representatives in consultation with the Majority Leader and Minority Leader of the House of Representatives, of which not more than 2 appointees may be members of the same political party.

(c) CHAIR AND VICE CHAIR.—The members of the Commission shall select a Chair and Vice Chair of the Commission. The Chair and Vice Chair shall not be members of the same political party.

(d) VACANCIES.—Any vacancy in the Commission shall not affect its powers if a quorum is present, but shall be filled in the same manner as the original appointment.

(e) MEETINGS.—

(1) INITIAL MEETING.—Not later than 45 days after the date on which a majority of the members of the Commission have been appointed, the Commission shall hold its first meeting.

(2) SUBSEQUENT MEETINGS.—The Commission shall meet at the call of the Chair.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number of members may hold hearings.
improvements within the land assignment and right of way, including the James J. Howard Marine Sciences Laboratory (‘Laboratory’), two parking lots, and the seawater supply and back flow pipes as generally depicted on the map entitled ‘Gateway National Recreation Area, James J. Howard Marine Science Laboratory Land Assignment, Lentent Day, April 2018 (‘Map’) and any related State personal property.

(2) LEASE AMENDMENT.—Upon the transfer authorized in paragraph (1), the Administrator of the National Oceanic and Atmospheric Administration may be amended to exclude any obligations of the State and the Department of the Interior related to the Laboratory and associated property and improvements transferred to the National Oceanic and Atmospheric Administration. However, all obligations of the State to rehabilitate Building 74 and modify landscaping on the surrounding property as depicted on the Map, under the Lease and pursuant to subsection (a), shall remain in full force and effect.

(3) USE BY THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Upon the transfer authorized in paragraph (1), the Administrator of the National Oceanic and Atmospheric Administration may be amended to use the land generally depicted on the Map as a land assignment and right of way and associated land and appurtenances for continued use of the Laboratory, including providing maintenance and repair, and access to the Laboratory, the parking lots and the seawater supply and back flow pipes, without consideration, except for reimbursement to the National Park Service of agreed upon reasonable actual costs of subsequently provided goods and services.

(4) AGREEMENTS BETWEEN THE NATIONAL PARK SERVICE AND THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Upon the transfer authorized in paragraph (1), the Director of the National Park Service and the Administrator of the National Oceanic and Atmospheric Administration shall enter into an agreement addressing responsibilities pertaining to the use of the land assignment within the Sandy Hook Unit of the Gateway National Recreation Area as authorized in paragraph (3). The agreement shall prohibit any new construction of land, permanent or nonpermanent, or significant alteration to the exterior of the Laboratory, without National Park Service approval.

(5) RESTORATION.—(A) Notwithstanding any provision of the Lease to the contrary, if the State does not transfer the improvements as authorized in paragraph (1), the improvements and the land in accordance with the standards set forth by the National Park Service, free of unacceptable encumbrances and in compliance with all applicable laws and regulations regarding known contaminants.

(B) If the National Oceanic and Atmospheric Administration accepts the improvements as authorized in paragraph (1) and these improvements are not used or in support of a marine science laboratory, the State shall demolish and restore the land in accordance with the standards set forth by the National Park Service, free of unacceptable encumbrances and in compliance with all applicable laws and regulations regarding known contaminants.

SEC. 2408. TRANSFER OF THE JAMES J. HOWARD MARINE SCIENCES LABORATORY.

Section 7 of Public Law 100–515 (16 U.S.C. 1244 note) is amended by striking subsection (b) and inserting the following:

‘‘(b) TRANSFER FROM THE STATE TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—

‘‘(1) IN GENERAL.—Notwithstanding any other provision of law, or the provisions of the Amendment and Lease Agreement (‘Lease’) between the Department of the Interior and the State of New Jersey (‘State’), upon notice to the National Park Service, the Secretary, without consideration, and the National Oceanic and Atmospheric Administration may accept, all State
“(B) to extinguish the requirement in the deed that alterations to structures on the property may not be made without the authorization of the Secretary.”

(2) EFFECTIVE DATE.—A reversionary interest may be conveyed under paragraph (1)(A)—

“(A) without consideration, if the land subject to the reversionary interest is required to be used in perpetuity for public recreational, educational, or similar purposes; or

“(B) for consideration in an amount equal to the fair market value of the reversionary interest, as determined based on an appraisai that is in accordance with—

“(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

“(ii) the Uniform Standards of Professional Appraisal Practice.”

(3) EXECUTION OF AGREEMENTS.—The Secretary shall execute appropriate instruments to carry out an agreement entered into under paragraph (1).

“(4) EFFECT ON PRIOR AGREEMENT.—Effective on the date on which the Secretary has executed instruments under paragraph (3) and all Federal interests in the land and properties acquired under this Act have been conveyed, the agreement between the National Park Service and the State Historical Society of Iowa, dated July 21, 1963, and entered into under subsection (d), shall have no force or effect.”.

SEC. 2412. DESIGNATION OF DEAN STONE BRIDGE AS NATIONAL BRIDGE.

(a) DESIGNATION.—The bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as “Bridge 2”) shall be known and designated as the “Dean Stone Bridge”.

(b) REFERENCES.—Any reference in a law, map, print, or any other record of the United States to the bridge referred to in subsection (a) shall be deemed to be a reference to the “Dean Stone Bridge”.

Subtitle F—National Trails and Related Matters

SEC. 2501. NORTH COUNTRY SCENIC TRAIL ROUTE ADJUSTMENT.

Section 5(a)(3) of the National Trails System Act (16 U.S.C. 1244(a)(3)) is amended by inserting at the end the following:

“(46) PIKE NATIONAL HISTORIC TRAIL.—The Pike National Historic Trail, a series of routes extending approximately 3,664 miles, which follows the route taken by Lt. Zebulon Montgomery Pike during the 1806-1807 Pike expedition that began in Fort Bellefontaine, Missouri, through Missouri, Arkansas, the States of Kansas, Nebraska, Colorado, New Mexico, and Texas, and ended in Natchitoches, Louisiana.”

SECTION 3.—CONSERVATION AUTHORIZATIONS

SEC. 3001. REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Title 54, United States Code, is amended—

“(1) in subsection (b), in the matter preceding paragraph (1), by striking “During the period ending September 30, 2018, there and inserting “There”;

“(2) in subsection (c)(1), by striking “through September 30, 2018” and inserting the following:

“(a) IN GENERAL.—There; and

“(b) by adding at the end the following:

“(B) $15,000,000.

“(c) EXECUTION OF AGREEMENTS.—The Secretary shall provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program, such as—

“(1) fee title land acquisition;

“(2) donation; and

“(3) perpetual and term conservation easements or agreements.

“(d) AVAILABILITY.—The Secretary shall ensure that the information provided under the program is made available to—

“(1) interested landowners; and

“(2) the public.

“(e) NOTIFICATION.—In any case in which the Secretary contacts a landowner directly about participation in a Federal conservation program, the Secretary shall, in writing—

“(1) notify the landowner of the program; and

“(2) make available information on the conservation program options that may be available to the landowner.

TITLE IV—SPORTSMEN’S ACCESS AND RELATED MATTERS

Subtitle A—National Policy

SEC. 4001. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) IN GENERAL.—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Order 13186 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

“(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and Tribal fish and wildlife agencies, and the public;

“(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

“(A) State management authority over wildlife resources; and
(B) private property rights; and
(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) EXCLUSION.—In this title, the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, and that is intended to enter commerce through sale.

Subtitle B—Sportsmen’s Access to Federal Land

SEC. 4103. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) AUTHORIZATION.—
(1) IN GENERAL.—Except in an emergency, Federal land shall be open to hunting, fishing, or recreational shooting, the Secretary concerned shall—
(A) a list of each area of Federal land temporarily or permanently closed under this section with respect to land described in paragraph (1)(A); and
(B) the Secretary, with respect to land described in paragraph (1)(B).

(b) E XCLUSION.—In this title, the term “Secretary” means—
(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and
(B) the Secretary with respect to land described in paragraph (1)(B).

(c) TEMPORARY CLOSURES.—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to hunting, fishing, or recreational shooting before permanently or temporarily closing the same area of land described in paragraph (1)(A).

(d) R EPORTING.—On an annual basis, the Secretary concerned shall—
(1) a notice of intent—
(i) a list of each area of Federal land temporarily or permanently closed under this section with respect to land described in paragraph (1)(A); and
(ii) an opportunity for public comment for a period of—
(I) not less than 60 days for a permanent closure; or
(II) not less than 30 days for a temporary closure.

(f) A PPLICATION.—This section shall not apply if the closure is—
(1) less than 14 days in duration; and
(2) covered by a special use permit.

SEC. 4104. SHOOTING RANGES.

(a) IN GENERAL.—The Secretary concerned shall—
(1) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—
(A) a list of each area of Federal land temporarily or permanently subject to a closure under this section; and
(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—
(A) a list of each area of Federal land temporarily or permanently subject to a closure; and
(B) the acreage of each closure; and
(C) a survey of—
(i) the aggregate areas and acreage closed under this section in each State; and
(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) A PPICATION.—This section shall not apply if the closure is—
(1) less than 14 days in duration; and
(2) covered by a special use permit.

SEC. 4105. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section—
(1) SECRETARY.—The term “Secretary” means—
(A) the Secretary of the Interior, with respect to land administered by—
(i) the Director of the National Park Service;
(ii) the Director of the United States Fish and Wildlife Service; and
(iii) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—
(A) a State office of the Bureau of Land Management; or
(B) a regional office of—
(i) the National Park Service;
(ii) the United States Fish and Wildlife Service; or
(iii) the Forest Service.

(b) E XCLUSION.—The Secretary concerned—
(1) I N GENERAL.—Except in an emergency, Federal land shall be open to hunting, fishing, or recreational shooting, the Secretary concerned shall—
(A) a list of each area of Federal land temporarily or permanently closed under this section with respect to land described in paragraph (1)(A); and
(B) the Secretary, with respect to land described in paragraph (1)(B).

(c) TEMPORARY CLOSURES.—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to that activity without a separate public notice and opportunity to comment in accordance with subsection (b)(2).

(d) R EPORTING.—On an annual basis, the Secretary concerned shall—
(1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and
(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—
(A) a list of each area of Federal land temporarily or permanently subject to a closure; and
(B) the acreage of each closure; and
(C) a survey of—
(i) the aggregate areas and acreage closed under this section in each State; and
(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) A PPICATION.—This section shall not apply if the closure is—
(1) less than 14 days in duration; and
(2) covered by a special use permit.

SEC. 4106. SHOOTING RANGES.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) EXCEPTION.—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range within—
(1) a component of the National Landscape Conservation System; or
(2) a component of the National Wilderness Preservation System; or
(3) any area that is—
(A) designated as a wilderness study area; or
(B) administratively classified as—
(i) wilderness ineligible; or
(ii) wilderness suitable; or
(C) a primitive or semiprimitive area; or
(D) a national monument, national volcanic monument, or national scenic area; or
(E) a component of the National Wild and Scenic Rivers System (including areas designated for study potential addition to the National Wild and Scenic Rivers System).

SEC. 4107. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section—
(1) SECRETARY.—The term “Secretary” means—
(A) the Secretary of the Interior, with respect to land administered by—
(i) the Director of the National Park Service;
(ii) the Director of the United States Fish and Wildlife Service; and
(iii) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—
(A) a State office of the Bureau of Land Management; or
(B) a regional office of—
(i) the National Park Service;
(ii) the United States Fish and Wildlife Service; or
(iii) the Forest Service.

(b) EXCLUSION.—The Secretary concerned shall—
(1) IN GENERAL.—Except in an emergency, Federal land shall be open to hunting, fishing, or recreational shooting, the Secretary concerned shall—
(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—
(A) a list of each area of Federal land temporarily or permanently subject to a closure; and
(B) the acreage of each closure; and
(C) a survey of—
(i) the aggregate areas and acreage closed under this section in each State; and
(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) A PPICATION.—This section shall not apply if the closure is—
(1) less than 14 days in duration; and
(2) covered by a special use permit.

SEC. 4108. SHOOTING RANGES.
(2) on foot or horseback.

(g) EFFECT.—

(1) IN GENERAL.—This section shall have no effect on whether a particular recreational use shall be included or excluded in a priority list under this section.

(2) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the priority list required under paragraph (a), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

Subtitle C—Open Book on Equal Access to Justice

Subtitle C—Open Book on Equal Access to Justice

SECTION 4201. FEDERAL ACTION TRANSPARENCY.

(a) MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.—

(1) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking "United States Code";

(B) by redesignating subsection (f) as subsection (j); and

(C) by striking subsection (e) and inserting the following:

"(e)(1) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Natural Resources Management Act, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall submit to the Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year under this section.

"(2) Each report under paragraph (1) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

(b) MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.—

(1) AGENCY PROCEEDINGS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion in the priority list.

(c) ACCESS OPTIONS.—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to Congress a list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title to—

(A) in subsection (c)(1), by striking "United States Code";

(B) a State, local, or Tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion in the priority list.

(D) Each report under paragraph (1) shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) in subsection (c)(1), by striking "United States Code";

(B) a State, local, or Tribal government; or

(C) a private landowner.

(E) WILLING OWNERS.—For purposes of providing notice of the availability of the priority list, whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title to—

(A) in subsection (c)(1), by striking "United States Code";

(B) a State, local, or Tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion in the priority list.

(d) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(WILLING OWNERS.—For purposes of providing notice of the availability of the priority list, whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title to—

(A) in subsection (c)(1), by striking "United States Code";

(B) a State, local, or Tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion in the priority list.

(D) Each report under paragraph (1) shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) in subsection (c)(1), by striking "United States Code";

(B) a State, local, or Tribal government; or

(C) a private landowner.

(E) WILLING OWNERS.—For purposes of providing notice of the availability of the priority list, whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title to—

(A) in subsection (c)(1), by striking "United States Code";

(B) a State, local, or Tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion in the priority list.

(A) in subsection (d)(3), by striking "United States Code";
(B) in subsection (e)—
(i) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and
(ii) by inserting “of such title” and inserting “of this title”.

(b) JUDGMENT FUND TRANSPARENCY.—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

“(d) Beginning not later than the date that is 60 days after the date of enactment of the Natural Resources Management Act, and unless the threat of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this section is tendered, the following information with regard to that payment:—

“(1) the name of the specific agency or entity whose actions gave rise to the claim or judgment;

“(2) the name of the plaintiff or claimant;

“(3) the name of counsel for the plaintiff or claimant;

“(4) the amount paid representing principal liability, and any amounts paid representing interest liability, including attorney fees, costs, and interest;

“(5) a brief description of the facts that gave rise to the claim;

“(6) a brief description of the capabilities of the agency that submitted the claim.”.

Subtitle D—Migratory Bird Framework and Hunting Opportunities for Veterans

SEC. 4301. FEDERAL CLOSING DATE FOR HUNTING OF DUCKS, Mergansers, and Coots.

Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) as amended by adding at the end the following:

“(c) FEDERAL FRAMEWORK CLOSING DATE FOR HUNTING OF DUCKS, Mergansers, and Coots.—

“(1) REGULATIONS RELATING TO FRAMEWORK CLOSING DATE.—

“(A) IN GENERAL.—In promulgating regulations under subsection (a) relating to the Federal framework for the closing date up to which the States may select seasons for migratory bird hunting, except as provided in paragraph (2), the Secretary shall, with respect to the hunting season for ducks, mergansers, and coots—

“(i) subject to subparagraph (B), adopt the recommendations of each respective State council (as defined in section 20.152 of title 50, Code of Federal Regulations) for the Federal framework if the Secretary determines that the recommendation is consistent with science-based and sustainable harvest management; and

“(ii) allow the States to establish the closing date for the hunting season in accordance with the Federal framework.

“(B) REQUIREMENT.—The framework closing date promulgated by the Secretary under subparagraph (A) shall not be later than January 31 of each year.

“(C) SPECIAL HUNTING DAYS FOR YOUTHS, VETERANS, AND ACTIVE MILITARY PERSONNEL.—

“(A) IN GENERAL.—Notwithstanding the Federal framework closing date under paragraph (1) and subject to subparagraphs (B) and (C), the Secretary shall allow States to select 2 days for youths and 2 days for veterans (as defined in section 101 of title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than for training), to hunt eligible ducks, geese, swans, mergansers, and gallinules. The Secretary determines that the addition of those days is consistent with science-based and sustainable harvest management. Such days shall be treated as separate from, and in addition to, the annual Federal framework hunting season lengths.

“(B) REQUIREMENT.—In selecting days under subparagraph (A), a State shall ensure that—

“(i) the days selected—

“(I) may include the hunting of duck, goose, swan, merganser, coot, moorhen, and gallinule species that are eligible for hunting under the applicable annual Federal framework; and

“(II) are not more than 14 days before or after the Federal framework hunting season for ducks, mergansers, and coots; and

“(ii) the total number of days in a hunting season for any migratory bird species, including any days selected under subparagraph (A), is not more than 107 days.

“(C) LIMITATION.—A State may combine the 2 days allowed for youths with the 2 days allowed for veterans and members of the Armed Forces on active duty under subparagraph (A), but in no circumstance may a State have more than a total of 4 additional days added to its regular hunting season for any purpose.

“(D) REGULATIONS.—The Secretary shall promulgate regulations in accordance with this subtitle for the Federal framework for migratory bird hunting for the 2019–2020 hunting season and each hunting season thereafter.

Subtitle E—Miscellaneous

SEC. 4401. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this title or the amendments made by this title—

“(1) amends or modifies any treaty or other right of any federally recognized Indian Tribe; or

“(2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

SEC. 4402. NO PRIORITY.

Nothing in this title or the amendments made by this title provides a preference to the hunting, fishing, or recreational shooting over any other use of Federal land or water.

SEC. 4403. STATE AUTHORITY FOR FISH AND WILDLIFE.

Nothing in this title—

“(1) authorizes the Secretary of Agriculture or the Secretary to require Federal licenses or permits to hunt and fish on Federal land; or

“(2) enlarges or diminishes the responsibility or authority of States with respect to fish and wildlife management.

TITLE V—HAZARDS AND MAPPING

SEC. 5001. NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.

(a) DEFINITIONS.—In this section:

“(1) SECRETARY.—The term “Secretary” means the Secretary of the United States Geological Survey.

“(2) SYSTEM.—The term “System” means the National Volcano Early Warning and Monitoring System established under subsection (b)(1)(A).

“(b) NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary shall establish within the United States Geological Survey a system, to be known as the “National Volcano Early Warning and Monitoring System,” to monitor, warn, and protect citizens of the United States from undue and avoidable harm from volcanic activity.

“(B) PURPOSES.—The purposes of the System are—

“(i) to organize, modernize, standardize, and stabilize the monitoring systems of the volcanic observatories in the United States, which includes the Alaska Volcano Observatory, California Volcano Observatory, Cascades Volcano Observatory, Hawaiian Volcano Observatory, and Yellowstone Volcano Observatory; and

“(ii) to unify the monitoring systems of volcano observatories in the United States into a single interoperative system.

“(C) OBJECTIVE.—The objective of the System is to monitor all the volcanoes in the United States at a level commensurate with the threat posed by the volcanoes by—

“(i) upgrading existing networks on monitored volcanoes; installing new networks on unmonitored volcanoes; and

“(ii) employing geodetic and other components when applicable.

“(2) SYSTEM COMPONENTS.—

“(A) IN GENERAL.—The System shall include—

“(i) a national volcano watch office that is operational 24 hours a day and 7 days a week; and

“(ii) a national volcano data center; and

“(iii) an external grants program to support research in volcano monitoring science and technology.

“(B) MODERNIZATION ACTIVITIES.—Modernization activities under the System shall include the comprehensive application of emerging technologies, such as digital broadband seismometers, real-time continuous Global Positioning System receivers, satellite and airborne radar interferometry, acoustic pressure sensing, and spectrometry to measure gas emissions.

“(C) MANAGEMENT.—

“(1) MANAGEMENT PLAN.—

“(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a 5-year management plan for establishing and operating the System.

“(ii) INCLUSIONS.—The management plan submitted under clause (i) shall include—

“(A) an annual cost estimates for modernization activities and operation of the System;

“(B) annual milestones, standards, and performance goals; and

“(C) recommendations for, and progress towards, establishing new, or enhancing existing, partnerships to leverage resources.

“(2) ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee to assist the Secretary in implementing the System, to be comprised of representatives of relevant agencies and members of the scientific community, to be appointed by the Secretary.

“(3) PARTNERSHIPS.—The Secretary may enter into cooperative agreements with institutions of higher education and State agencies designating the institutions of higher education and State agencies as volcano observatory partners for the System.

“(4) ANNUAL REPORT.—Annually, the Secretary shall submit to Congress a report that describes the activities carried out under this section.

“(5) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—

“Amounts made available under this section for fiscal year 2023 shall be used to carry out this section $55,000,000 for the period of fiscal years 2023.

“(B) EFFECT ON OTHER SOURCES OF FEDERAL FUNDING.—Amounts made available under Volunteer Service Programs, and $30,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023. “There is authorized to be appropriated to carry out this section $55,000,000 for the period of fiscal years 2023.
this subsection shall supplement, and not supplant, Federal funds made available for other United States Geological Survey hazards and programs.


(a) REAUTHORIZATION—

(1) IN GENERAL.—Section 9(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31h(a)) is amended by striking “1988” and inserting “2018”.


(3) CLERICAL AMENDMENT.—Section 3 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31a) is amended—

(i) in paragraph (4), by striking “section 6(d)(3)” and inserting “section 6(d)(3)”; and

(ii) in paragraph (5), by striking “section 6(d)(1)” and inserting “section 6(d)(1)”; and

(iii) in paragraph (9), by striking “section 6(d)(2)” and inserting “section 6(d)(2)”.

TITLE VI—NATIONAL HERITAGE AREAS

SEC. 6001. NATIONAL HERITAGE AREA DESIGNATIONS.

(a) IN GENERAL.—The following areas are designated as National Heritage Areas, to be administered in accordance with this section—

(1) APPALACHIAN FOREST NATIONAL HERITAGE AREA, WEST VIRGINIA AND MARYLAND.—(A) IN GENERAL.—There is established the Appalachian Forest National Heritage Area in the States of West Virginia and Maryland, as depicted on the map entitled “Appalachian Forest National Heritage Area”, numbered T07/80,000, and dated October 2007, including—

(i) Barbour, Braxton, Grant, Greenbrier, Hampshire, Hardy, Mineral, Morgan, Nicholas, Pendleton, Pocahontas, Preston, Randolph, Tucker, Upshur, and Webster Counties in West Virginia; and

(ii) Allegany and Garrett Counties in Maryland.

(B) LOCAL COORDINATING ENTITY.—The Appalachian Forest Heritage Area, Inc., shall be—

(i) the local coordinating entity for the National Heritage Area designated by subparagraph (A), to include in this subparagraph as the “local coordinating entity”;

(ii) governed by a board of directors that shall—

(A) include members to represent a geographic balance across the counties described in subparagraph (A) and the States of West Virginia and Maryland;

(B) have at least not fewer than 7, and not more than 15, members elected by the membership of the local coordinating entity;

(C) be selected to represent a balanced group of diverse interests, including—

(aa) the forest industry;

(bb) environmental interests;

(cc) cultural heritage interests;

(dd) the forest industry; and

(ee) regional agency partners;

(iv) exercise all corporate powers of the local coordinating entity; and

(v) subject to any limitations in the articles and bylaws of the local coordinating entity, carry on all activities and affairs of the local coordinating entity; and

(A) IN GENERAL.—There is established the Mountains to Sound Greenway National Heritage Area in the State of Washington, to include land in Whatcom, Skagit, Snohomish, San Juan, Island, King, Pierce, Thurston, Mason, Kitsap, Jefferson, Clallam, and Grays Harbor Counties in the State that at least partially located within the area that is ¼-mile landward of the shoreline, as generally depicted on the map entitled “Mountains to Sound Greenway National Heritage Area Proposed Boundary”, numbered T08/64,642, and dated August 2014.

(B) LOCAL COORDINATING ENTITY.—The Mountains to Sound Greenway Trust shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).

(C) MAP.—The map shall be on file and available for public inspection in the appropriate offices of—

(i) the National Park Service;

(ii) the Forest Service;

(iii) the Indian Tribes; and

(iv) the local coordinating entity.

(D) REFEREE.—The Secretary of the Interior, or the Secretary’s designee, shall be the REFEREE for the Management Plan.

(E) MANAGEMENT REQUIREMENTS.—With respect to the National Heritage Area designated by subparagraph (A)—

(i) the preparation of an interpretive plan under subsection (A); and

(ii) the preparation of a management plan for the National Heritage Area.

(F) MANAGEMENT PLAN.—The management plan for the National Heritage Area shall—

(i) be completed no later than 3 years from the date of the establishment of the National Heritage Area; and

(ii) be subject to any limitations in the articles and bylaws of the local coordinating entity.

(G) RIGHTS.—Subject to any limitations in the articles and bylaws of the local coordinating entity, the local coordinating entity, or the Secretary, may enter into agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, non-profit organizations established by States or political subdivisions of the State, Indian tribes, regional planning organizations, and other interested parties; and

(i) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, and other interested parties; and

(ii) to include in the management plan—

(A) to hire and compensate staff, which shall include individuals with expertise in natural resource management, cultural resource protection, and heritage programming;

(B) to obtain money or services from any source including any money or services that are provided under any other Federal law or program; and

(C) to contract for goods or services; and

(F) to undertake to be a catalyst for any other activity that benefits the National Heritage Area and is consistent with the approved management plan.

(2) DUTIES.—The local coordinating entity for each of the National Heritage Areas designated by subsection (a) shall—

(A) in accordance with subsection (c), prepare and submit a management plan for the National Heritage Area to the Secretary;

(B) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, non-profit organizations established by States or political subdivisions of the State, Indian Tribes, regional planning organizations, and other interested parties in carrying out the approved management plan by—

(i) carrying out programs and projects that regional, State, and Federal agencies and other interested parties in carrying out the approved management plan by;
(ii) establishing and maintaining interpretive exhibits and programs in the National Heritage Area; 
(iii) developing recreational and educational opportunities in the National Heritage Area; 
(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area; 
(v) protecting and restoring historic sites and buildings in the National Heritage Area that—
(A) is a property owner with respect to any person whose interests are affected by such a declaration, or 
(B) the authority of Indian Tribes to regulate use of Federal land within the boundaries of a National Heritage Area designated by subsection (a); 
(7) diminishes—
(a) the rights of any property owner (whether public or private), including the right to possess, use, and enjoy the property owner; or 
(b) the rights of any property owner (whether public or private) to obtain a just compensation for the taking, with respect to any person whose interests are affected by such a declaration, or 
(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the management plan under subparagraph (A), the Secretary shall—
(i) advise the local coordinating entity in writing of the reasons for the disapproval; 
(ii) make recommendations for revisions to the management plan; and 
(iii) not later than 180 days after the receipt of any proposed revision of the management plan from the local coordinating entity; 
(2) requires any property owner to—
(A) permit public access (including access by Federal, State, or local agencies) to property in the National Heritage Area; 
(B) to modify public access or use of property in the National Heritage Area; 
(C) to modify public access or use of property; or 
(D) to modify public access or use of property; 
(3) alters any duly adopted land use regulation, or any interest in real property; 
(4) requires any property owner—
(A) to permit public access (including access by Federal, State, or local agencies) to property in the National Heritage Area; 
(B) to modify public access or use of property in the National Heritage Area; 
(5) authorizes or implies the reservation or appropriation of water or water rights; 
(6) enforces or diminishes the treaty rights of any Indian Tribe within the National Heritage Area; 
(7) diminishes—
(A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within a National Heritage Area designated by subsection (a); or 
(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercising of treaty rights; or 
(C) requires any property owner to—
(A) permit public access (including access by Federal, State, or local agencies) to property in the National Heritage Area; 
(B) to modify public access or use of property in the National Heritage Area; 
(C) to modify public access or use of property; or 
(D) to modify public access or use of property; 
(1) I N GENERAL.—Not later than 3 years after the date of enactment of this Act, the local coordinating entity or any government, organization, or individual to further the National Heritage Area themes; 
(iv) increasing public awareness of, and appreciation for, the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area.

(iv) a program of implementation for the management plan that includes—
(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and 
(II) specific commitments for implementation of the management plan by the local coordinating entity or any government, organization, or individual for the first 5 years of operation; 
(v) the identification of sources of funding for carrying out the management plan; 
(vi) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this subsection; and 
(vii) an interpretive plan for the National Heritage Area; and 
(D) recommends policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.

(E) for any year that Federal funds have been received under this subsection—
(i) the local coordinating entity shall submit to the Secretary for audit all records concerning the expenditure of the funds; and 
(F) encourage by appropriate means economic viability that is consistent with the National Heritage Area; and 
(G) consult with State and Tribal governments after the date that is 3 years after the date of enactment of this Act, the local coordinating entity for each of the National Heritage Areas designated by subsection (a); 
(I) I N GENERAL.—The Secretary shall approve or disapprove the management plan by the local coordinating entity; 
(II) specific commitments for implementation of the management plan by the local coordinating entity or any government, organization, or individual for the first 5 years of operation; and 
(III) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.

H2194 CONGRESSIONAL RECORD — HOUSE February 26, 2019

25x20 VerDate Sep 11 2014 03:37 Feb 27, 2019 Jkt 089060 PO 00000 Frm 00090 Fmt 7634 Sfmt 0634 E:\CR\FM\A26FE7.026 H26FEPT1lotter on DSKBCFDHB2PROD with HOUSE
(B) prepare a report in accordance with paragraph (3).
(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—
(i) assess the progress of the local management entity with respect to—
(A) accomplishing the purposes of the authorizing legislation for the National Heritage Area;
(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;
(C) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in each National Heritage Area to determine the impact of the investments; and
(D) review the management structure, partnerships, relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.
(3) REPORT.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 6002. ADJUSTMENT OF BOUNDARIES OF LINCOLN NATIONAL HERITAGE AREA.
(a) BOUNDARY ADJUSTMENT.—Section 448(b)(1) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 819) is amended—
(1) by inserting ‘‘representative of the counties in the State of Utah and the State of Nevada’’ each place it appears and inserting ‘‘representative of the counties in the State of Utah and the State of Nevada and the State of Arizona’’; and
(2) by striking ‘‘Hudson River Valley National Heritage Area’’ and inserting ‘‘Hudson River Valley National Heritage Area and the Blue Ridge National Heritage Area’’.

SEC. 6003. FINGER LAKES NATIONAL HERITAGE AREA STUDY.
(a) DEFINITIONS.—In this section:
(1) HERITAGE AREA.—The term ‘‘Heritage Area’’ means the Finger Lakes National Heritage Area.
(2) STATE.—The term ‘‘State’’ means the State of New York.
(b) STUDY AREA.—The term ‘‘study area’’ means—
(A) the counties in the State of Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates; and
(B) any other areas in the State that—
(i) have heritage aspects that are similar to the areas described in subparagraph (A); and
(ii) are adjacent to, or in the vicinity of, those areas.
(2) STUDY.—
(1) IN GENERAL.—The Secretary, in consultation with State and local historic preservation officers, local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies, shall conduct a study to assess the feasibility of designating the study area as a National Heritage Area, to be known as the ‘‘Finger Lakes National Heritage Area’’.
(2) REQUIREMENTS.—The study shall include analysis, documentation, and determinations on whether the study area—
(A) has an assemblage of natural, historic, and cultural resources that—
(i) represent distinctive aspects of the heritage of the United States;
(ii) are worthy of recognition, conservation, interpretation, and continuing use; and
(iii) would be best managed—
(I) through partnerships among public and private entities; and
(II) by linking diverse and sometimes non-contiguous resources and active communities;
(B) reflects traditions, customs, beliefs, and folklore that are a valuable part of the story of the United States;
(C) provides outstanding opportunities—
(i) to conserve natural, historic, cultural, or scenic features; and
(ii) for recreation and education;
(D) contains resources that—
(i) are important to any identified themes of the study area; and
(ii) retain a degree of integrity capable of supporting interpretation;
(E) includes residents, business interests, nonprofit organizations, and State and local governments that—
(i) are involved in the planning of the Heritage Area;
(ii) have developed a conceptual financial plan that outlines the roles of all participants in the Heritage Area, including the Federal Government; and
(iii) have demonstrated support for the designation of the Heritage Area;
(F) has a potential management entity to work in partnership with individuals and entities described in subparagraph (E) to develop the Heritage Area while encouraging State and local economic activity; and
(G) has a conceptual boundary map that is supported by the public.
(c) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—
(1) the findings of the study under subsection (b); and
(2) any conclusions and recommendations of the Secretary.

SEC. 6004. NATIONAL HERITAGE AREA AMENDMENTS.
(a) RIVERS OF STEEL NATIONAL HERITAGE AREA.—Section 409(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 120 Stat. 3774; 122 Stat. 2551) is amended in the second sentence, by striking ‘‘$17,000,000’’ and inserting ‘‘$20,000,000’’.
(b) ESSEX NATIONAL HERITAGE AREA.—Section 508(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 120 Stat. 2551) is amended in the second sentence, by striking ‘‘$17,000,000’’ and inserting ‘‘$20,000,000’’.
(c) OHIO & ERIE NATIONAL HERITAGE CANALWAY.—Section 810(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 110 Stat. 4275; 122 Stat. 2551) is amended by striking the second sentence and inserting the following: ‘‘Not more than a total of $20,000,000 may be appropriated for the canalway under this title.’’.
(1) in subsection (1)(i), by striking ‘‘$12,000,000’’ and inserting ‘‘$14,000,000’’; and
(2) by striking subsection (j) and inserting the following:
‘‘(j) TERMINATION OF AUTHORITY.—The authority of the Secretary to provide assistance under this section terminates on September 30, 2021.’’.
(b) FISH AND WILDLIFE COORDINATION.—

(1) PURPOSE.—The purpose of this subsection is to protect water, oceans, coasts, and wildlife from invasive species.

(a) DEFINITIONS.—In this section—

(1) CONTROL.—The term ‘control’, with respect to an invasive species, means the eradication, suppression, or reduction of the population of the invasive species within the area in which the invasive species is present.

(2) ECOSYSTEM.—The term ‘ecosystem’ means the complex of a community of organisms and the environment of the organisms.

(3) ELIGIBLE STATE.—The term ‘eligible State’ means any of—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the United States Virgin Islands.

(4) INVASIVE SPECIES.—

(A) IN GENERAL.—The term ‘invasive species’ means an alien species, the introduction of which causes, or is likely to cause, economic or environmental harm or harm to human health.

(B) ASSOCIATED DEFINITION.—For purposes of subparagraph (A), the term ‘alien species’, with respect to a particular ecosystem, means any species (including the seeds, eggs, spores, or other biological material of the species that are capable of propagating the species) that is not native to the affected ecosystem.

(C) MANAGEMENT.—The terms ‘manage’ and ‘management’, with respect to an invasive species, mean the active implementation of any activity—

(A) to inhibit or stop the spread of the invasive species; and

(B) to inhibit further infestations of the invasive species, the spread of the invasive species, or harm caused by the invasive species, including investigations regarding methods for early detection and rapid response, prevention, control, or management of the spread of the invasive species.

(6) PREVENT.—The term ‘prevent’, with respect to an invasive species, means—

(A) to hinder the introduction of the invasive species into the United States; and

(B) to impede the spread of the invasive species within land or water by inspecting, intercepting, or confiscating invasive species threats prior to the establishment of the invasive species onto land or water of an eligible State.

(T) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

(A) the Secretary of the Army, with respect to Cellular land administered by the Corps of Engineers;

(B) the Secretary of the Interior, with respect to Federal land administered by the Secretary of the Interior through—

(i) the United States Fish and Wildlife Service;

(ii) the Bureau of Indian Affairs;

(iii) the Bureau of Land Management;

(iv) the Bureau of Reclamation; or

(v) the National Park Service;

(C) the Secretary of Agriculture, with respect to Federal land administered by the Secretary of Agriculture through the Forest Service; and

(D) the head or a representative of any other Federal agency the duties of whom relate to the planning and the treatment of, invasive species for the purpose of protecting water and wildlife on land and coasts and in oceans and water.

(B) SPECIES.—The term ‘species’ means a group of organisms, all of which—

(A) have a high degree of genetic similarity;

(B) are morphologically distinct;

(C) generally—

(i) interbreed at maturity only among themselves; and

(ii) produce fertile offspring; and

(D) show persistent differences from members of allied groups of organisms.

(C) STRATEGIC PLAN.—

(1) COORDINATION.—Each strategic plan under paragraph (1) shall be developed—

(A) in coordination with affected—

(i) eligible States; and

(ii) federal, State, and local agencies, organizations, or entities, including the State fish and wildlife agency, the Federal land management agency, and any other appropriate entity;

(B) to inhibit or reduce the populations of invasive species; and

(2) to effectuate restoration or reclamation efforts; or

(D) show persistent differences from

(E) FUNDINGS.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, the Secretary concerned shall use not less than 75 percent for on-ground control and management of invasive species, which may include—

(A) the purchase of necessary products, equipment, or services to conduct that control and management;

(B) the use of integrated pest management options, including options that improve the diversity and richness of ecosystems;

(C) the use of monitoring and detection activities for invasive species, including equipment, detection dogs, and mechanical devices;

(D) the use of administrative methods to remove invasive species from a vehicle or vessel;

(E) the use of other effective mechanical or manual control methods.

(F) INVESTIGATIONS, OUTREACH, AND PUBLIC AWARENESS.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 10 percent may be used for administrative costs incurred to carry out those programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c).

(G) ALLOCATION OF FUNDING.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 15 percent for investigations, development activities, outreach and public awareness efforts to address invasive species control and management needs.

(H) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this section, each Secretary concerned shall submit to Congress a report—

(i) the use of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 15 percent for investigations, development activities, outreach and public awareness efforts to address invasive species control and management needs.

(C) Administrative Costs.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 10 percent may be used for administrative costs incurred to carry out those programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c).

(1) EXPEDITED ACTION.—

(i) IN GENERAL.—The Secretary concerned shall use all tools and flexibilities available (as of the date of enactment of this section) to expedite the projects and activities described in paragraph (2).

(2) DESCRIPTION OF PROJECTS AND ACTIVITIES.—A project or activity referred to in paragraph (1) is a project or activity—

(A) to protect water or wildlife from an invasive species that, as determined by the Secretary concerned, is, or will be, carried out on land or water; and

(B) directly managed by the Secretary concerned; and

(ii) located in an area that—

(I) is a high risk for invasion, introduction, establishment, or spread of invasive species; and

(II) determined by the Secretary concerned to require immediate action to address the risk identified in subclause (I); and

(III) carried out in accordance with applicable agency procedures, including any applicable—

(1) land or resource management plan; or

(2) land use plan.

(3) ALLOCATION OF FUNDING.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, the Secretary concerned shall use not less than 75 percent for on-ground control and management of invasive species, which may include—

(A) the purchase of necessary products, equipment, or services to conduct that control and management;

(B) the use of integrated pest management options, including options that improve the diversity and richness of ecosystems;

(C) the use of monitoring and detection activities for invasive species, including equipment, detection dogs, and mechanical devices;

(D) the use of administrative methods to remove invasive species from a vehicle or vessel;

(3) TO FUND.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 15 percent for investigations, development activities, outreach and public awareness efforts to address invasive species control and management needs.

(2) FUNDINGS.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 10 percent may be used for administrative costs incurred to carry out those programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c).

(3) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this section, each Secretary concerned shall submit to Congress a report—

(i) describing the use of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 15 percent for investigations, development activities, outreach and public awareness efforts to address invasive species control and management needs.

(H) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this section, each Secretary concerned shall submit to Congress a report—

(i) describing the use of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 15 percent for investigations, development activities, outreach and public awareness efforts to address invasive species control and management needs.
"(2) specifying the percentage of funds expended for each of the purposes specified in subsections (g), (h), and (i);" 

"(k) RELATION TO OTHER AUTHORITIES.—" 

"(1) IN GENERAL.—The Secretary may make a payment to a recipient under this section only if the Secretary determines that the purposes of this section are consistent with an invasive species-related investigation carried out under a contract or cooperative agreement. In making such determination, the Secretary shall consider whether—" 

"(1) to develop solutions and specific recommendations for control and management of invasive species; and" 

"(2) to specify the percentage of funds available under a contract or cooperative agreement with another Federal agency, an eligible State, a political subdivision of an eligible State, or a private individual or entity to assist with the control and management of an invasive species."

"(2) PUBLIC WATER SUPPLY SYSTEMS.—Nothing in this section precludes the Secretary from providing assistance under section (l) to a political subdivision of an eligible State, or a private individual or entity to assist with the control and management of an invasive species.

"(3) COORDINATION WITH AFFECTED LOCAL GOVERNMENTS.—Each project and activity carried out pursuant to this section shall be coordinated with affected local governments in a manner that is consistent with section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9))."

"(4) WILDLIFE CONSERVATION.—

"(1) AUTHORIZATIONS.—

"(A) RAUTORIZATION OF AFRICAN ELEPHANT CONSERVATION ACT.—Section 2306(a) of the African Elephant Conservation Act (16 U.S.C. 2426(a)) is amended by striking "2007 through 2012" and inserting "2019 through 2023".

"(B) RAUTORIZATION OF ASIAN ELEPHANT CONSERVATION ACT OF 1997.—Section 8(a) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 2426(a)) is amended by striking "2007 through 2012" and inserting "2019 through 2023".

"(C) RAUTORIZATION OF RHINOCEROS AND TIGER CONSERVATION ACT OF 1994.—Section 10(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5396(a)) is amended by striking "2007 through 2012" and inserting "2019 through 2023".

"(D) A UTHORIZATION OF APPROPRIATIONS.—

"(1) GREAT APE CONSERVATION ACT OF 2004.—

"(A) PANEL.—Section 4(i) of the Great Ape Conservation Act of 2004 (16 U.S.C. 6303(i)) is amended—

"(i) by striking paragraph (1) and inserting the following:

"(1) CONVENTION.—Not later than 1 year after the date of enactment of the Natural Resources Management Act, and every 5 years thereafter, the Secretary may convene a panel of experts on great apes to identify the greatest needs and priorities for the conservation of great apes and (ii) by striking paragraph (2) as paragraph (5); and

"(ii) by inserting after paragraph (1) the following:

"(2) COMPOSITION.—The Secretary shall ensure that the panel referred to in paragraph (1) includes, to the maximum extent practicable, 1 or more representatives from—

"(A) from each country that comprises the natural range of great apes; and

"(B) with expertise in great ape conservation.

"(3) CONSERVATION PLANS.—In identifying the conservation needs and priorities under paragraph (1), the panel referred to in that paragraph shall consider—

"(A) the natural range of any species-specific action plan or strategy;

"(B) any applicable strategy developed or initiated by the Secretary; and

"(C) any other applicable conservation plan or strategy.

"(4) FONDS.—Subject to the availability of appropriations, the Secretary may use the amounts available to the Secretary to pay for the costs of convening and facilitating any meeting of the panel referred to in paragraph (2)."

"(2) AMENDMENTS TO GREAT APE CONSERVATION ACT OF 2004—

"(A) CONSERVATION PLANS.—In identifying the conservation needs and priorities under paragraph (1), the panel referred to in that paragraph shall consider—

"(A) the natural range of any species-specific action plan or strategy;

"(B) any applicable strategy developed or initiated by the Secretary; and

"(C) any other applicable conservation plan or strategy.

"(4) FONDS.—Subject to the availability of appropriations, the Secretary may use the amounts available to the Secretary to pay for the costs of convening and facilitating any meeting of the panel referred to in paragraph (2)."

"(B) MULTITRUST GRANTS.—Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended by adding at the end the following:

"(1) MULTYTRUST GRANTS.—

"(A) AUTHORIZATION.—The Secretary may award grants to a person who is otherwise eligible for a grant under this section a multiyear grant to carry out a project that the person determines would be effective, long-term conservation strategy for great apes and the habitat of great apes.

"(2) EFFECT OF SUBSECTION.—Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.

"(C) ADMINISTRATIVE EXPENSES.—Section 5(b)(2) of the Great Ape Conservation Act of 2004 (16 U.S.C. 6305(b)(2)) is amended by striking "$100,000" and inserting "$150,000.

"(D) AUTHORIZATION OF APPROPRIATIONS.—


"(3) AMENDMENTS TO MARINE TURTLE CONSERVATION ACT OF 2004—

"(A) PURPOSE.—Section 2 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601) is amended by striking subsection (b) and inserting the following:

"(b) PURPOSE.—The purpose of this Act is to conserve marine turtles, freshwater turtles, and tortoises in foreign countries and territories of the United States under the jurisdiction of the United States Fish and Wildlife Service programs;

"(2) AMENDMENTS TO MARINE TURTLE CONSERVATION ACT OF 2004—

"(A) CONSERVATION PLANS.—In identifying the conservation needs and priorities under paragraph (1), the panel referred to in that paragraph shall consider—

"(A) the natural range of any species-specific action plan or strategy;

"(B) any applicable strategy developed or initiated by the Secretary; and

"(C) any other applicable conservation plan or strategy.

"(4) FONDS.—Subject to the availability of appropriations, the Secretary may use the amounts available to the Secretary to pay for the costs of convening and facilitating any meeting of the panel referred to in paragraph (2).

"(B) MULTITRUST GRANTS.—Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended by adding at the end the following:

"(1) MULTYTRUST GRANTS.—

"(A) AUTHORIZATION.—The Secretary may award grants to a person who is otherwise eligible for a grant under this section a multiyear grant to carry out a project that the person determines would be effective, long-term conservation strategy for great apes and the habitat of great apes.

"(2) EFFECT OF SUBSECTION.—Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.

"(C) ADMINISTRATIVE EXPENSES.—Section 5(b)(2) of the Great Ape Conservation Act of 2004 (16 U.S.C. 6305(b)(2)) is amended by striking "$100,000" and inserting "$150,000.

"(D) AUTHORIZATION OF APPROPRIATIONS.—

"(1) GREAT APE CONSERVATION ACT.—

"(A) PURPOSE.—Section 2 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601) is amended by striking subsection (b) and inserting the following:

"(b) PURPOSE.—The purpose of this Act is to conserve marine turtles, freshwater turtles, and tortoises in foreign countries and territories of the United States under the jurisdiction of the United States Fish and Wildlife Service programs;

"(2) AMENDMENTS TO MARINE TURTLE CONSERVATION ACT—

"(A) CONSERVATION PLANS.—In identifying the conservation needs and priorities under paragraph (1), the panel referred to in that paragraph shall consider—

"(A) the natural range of any species-specific action plan or strategy;

"(B) any applicable strategy developed or initiated by the Secretary; and

"(C) any other applicable conservation plan or strategy.

"(4) FONDS.—Subject to the availability of appropriations, the Secretary may use the amounts available to the Secretary to pay for the costs of convening and facilitating any meeting of the panel referred to in paragraph (2).

"(B) MULTITRUST GRANTS.—Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended by adding at the end the following:

"(1) MULTYTRUST GRANTS.—

"(A) AUTHORIZATION.—The Secretary may award grants to a person who is otherwise eligible for a grant under this section a multiyear grant to carry out a project that the person determines would be effective, long-term conservation strategy for great apes and the habitat of great apes.

"(2) EFFECT OF SUBSECTION.—Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.

"(C) ADMINISTRATIVE EXPENSES.—Section 5(b)(2) of the Great Ape Conservation Act of 2004 (16 U.S.C. 6305(b)(2)) is amended by striking "$100,000" and inserting "$150,000.

"(D) AUTHORIZATION OF APPROPRIATIONS.—

"(1) GREAT APE CONSERVATION ACT.
(iii) by inserting before paragraph (4) (as so redesignated) the following:

"(3) FRESHWATER TURTLE.—

(A) IN GENERAL.—The term ‘freshwater turtle’ means any member of the family Carettochelyidae, Chelidae, Chelydridae, Dermatemydidae, Emydidae, Geoemydidae, Kinosternidae, Pelomedusidae, Platysternidae, Podemochelydae, or Trionychidae.

(B) INCLUSIONS.—The term ‘freshwater turtle’ includes—

(1) any part, product, egg, or offspring of a turtle described in subparagraph (A); and

(ii) a carcase of such a turtle.

(iv) by striking paragraph (4) (as so redesignated) the following:

"(5) HABITAT.—The term ‘habitat’ means any marine turtle, freshwater turtle, or tortoise habitat (including a nesting habitat) that is under the jurisdiction of United States Fish and Wildlife Service programs.

and

(v) by inserting after paragraph (8) (as so redesignated) the following:

"(9) TERRITORY OF THE UNITED STATES.—The term ‘territory of the United States’ means—

(A) any wildlife management authority of a foreign country or territory of the United States that has within its boundaries marine turtles, freshwater turtles, or tortoises; or

(B) an advisory board, to be known as the ‘Prevention of Wildlife Poaching and Trafficking Technology Advisory Board’.

(vi) in subsection (c)(2), by striking ‘‘and’’ and inserting ‘‘, or’’.

(vii) in subsection (c)(4), by striking ‘‘and’’ and inserting ‘‘, or’’.

and

(viii) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(c) OUTLINES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

(1) select a topic;

(2) issue a problem statement;

(3) advise the Secretary regarding any opportunity for technological innovation to prevent wildlife poaching and trafficking;

and

(4) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including with Federal, conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions.

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a project proposal under this section if the Secretary determines that the project will help to restore, recover, and sustain a viable population of marine turtles, freshwater turtles, or tortoises in the wild by assisting efforts in a foreign country or territory of the United States to implement a marine turtle, freshwater turtle, or tortoise conservation program.

(e) in subsection (e), by striking ‘‘marines, freshwater turtles, or tortoises’’ after ‘‘marine turtles’’;

(f) in subsection (g), by striking ‘‘(A) any wildlife management authority of a foreign country or territory of the United States that has within its boundaries marine turtles, freshwater turtles, or tortoises’’ after ‘‘marine turtles’’;

(g) in subsection (i), by striking ‘‘(A) any wildlife management authority of a foreign country or territory of the United States that has within its boundaries marine turtles, freshwater turtles, or tortoises’’ after ‘‘marines, freshwater turtles, or tortoises’’ after ‘‘marine turtles’’;

(h) in subsection (k)(2)(A), by striking ‘‘and’’ and inserting ‘‘, or’’.

(i) by inserting before paragraph (4) (as so redesignated) the following:

"(ii) a carcase of such a turtle.

and

(j) in subsection (k)(4), by striking ‘‘habitat’’ and inserting ‘‘habitat’’

(k) by inserting after subsection (l) the following:

"(m) PRIZE COMPETITION.—The Board shall offer 1 or more prizes annually for the prevention of wildlife poaching and trafficking.

(1) DEFINITIONS.—In this section:

(A) REDISTRIBUTION.—The term ‘redistribution’ means any reallocation of the amounts in excess of the amount described in paragraph (1), not less than 40 percent shall be used by the Secretary for freshwater turtle and tortoise conservation purposes in accordance with this Act; and

(B) MARINE TURTLE.—The term ‘marine turtle’ means any member of the family Testudinidae.

(1) HABITAT.—The term ‘habitat’ means any marine turtle, freshwater turtle, or tortoise habitat (including a nesting habitat) that is under the jurisdiction of United States Fish and Wildlife Service programs.

(2) CRITERIA FOR APPROVAL.—Section 7 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 666f) is amended to read as follows:

"(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) Out of any funds available for each fiscal year pursuant to the purpose in subsection (b)(5) by striking subsection (d) and inserting—

(2) not less than $1,510,000 shall be used by the Secretary for marine turtle conservation purposes in accordance with this Act; and

(3) the amounts in excess of the amount described in paragraph (1), not less than 40 percent shall be used by the Secretary for freshwater turtle and tortoise conservation purposes in accordance with this Act.

(3) PRIZE COMPETITIONS.—

(1) DEFINITIONS.—In this section:

(A) NON-FEDERAL FUNDS.—The term ‘non-Federal funds’ means funds provided by—

(i) a State;

(ii) a territory of the United States;

(iii) a nonprofit entity; or

(iv) a private for-profit entity;

(B) INCLUSIONS.—The term ‘prize competition’ includes—

(i) any technological advancement entered into the prize competition under subclauses (I) and (II);

(ii) a nonprofit organization; and

(iii) a private for-profit entity.

(2) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(3) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(A) DEFINITIONS.—In this paragraph:

(1) defines the Secretary as the Secretary of the Treasury; and

(2) defines the energy technologies as the energy technologies.

(B) REQUIREMENTS.—The Board shall—

(i) select a topic;

(ii) issue a problem statement;

(iii) advise the Secretary regarding any opportunity for technological innovation to prevent wildlife poaching and trafficking;

and

(iv) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields.

(4) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(a) the purposes and objectives of the prize competition;

(b) the projects and the amounts awarded under the prize competition;

(c) how the projects are consistent with the purposes of this Act; and

(d) any other information that the Secretary determines to be necessary to carry out this section.
(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii); 
(ii) the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and 
(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(3) THOMAS ROOSEVELT GENIUS PRIZE FOR PROMOTION OF WILDLIFE CONSERVATION.—

(A) DEFINITIONS.—In this paragraph:

(i) BOARD.—The term “Board” means the Promotion of Wildlife Conservation Technology Advisory Board established by subparagraph (C)(i).

(ii) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the promotion of wildlife conservation established under subparagraph (B).

(B) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition to be known as the “Theodore Roosevelt Genius Prize for the promotion of wildlife conservation”—

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the promotion of wildlife conservation; and

(ii) to award 1 or more prizes annually for a technological advancement that promotes wildlife conservation.

(C) ADVISORY BOARD.—

(i) ESTABLISHMENT.—There is established an advisory board, to be known as the “Promotion of Wildlife Conservation Technology Advisory Board”.

(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

(I) wildlife conservation and management;
(II) biology;
(III) technology development;
(IV) engineering;
(V) economics;
(IV) business development and management; and
(VII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

(I) select a topic;
(II) issue a problem statement;
(III) advise the Secretary regarding any opportunity for technological innovation to manage invasive species; and
(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, Federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the management of invasive species.

(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the management of invasive species;
(II) 1 or more State agencies with jurisdiction over the management of invasive species; and
(III) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of invasive species.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(E) JUDGES.—

(i) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(ii) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(I) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(F) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(4) THEODORE ROOSEVELT GENIUS PRIZE FOR MANAGEMENT OF INVASIVE SPECIES.—

(A) DEFINITIONS.—In this paragraph:

(i) BOARD.—The term “Board” means the Management of Invasive Species Technology Advisory Board established by subparagraph (C)(i).

(ii) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the management of invasive species established under subparagraph (B).

(iii) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the management of invasive species”—

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the management of invasive species; and

(ii) to award 1 or more prizes annually for a technological advancement that manages invasive species.

(C) ADVISORY BOARD.—

(i) ESTABLISHMENT.—There is established an advisory board, to be known as the “Management of Invasive Species Technology Advisory Board”.

(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

(I) invasive species;
(II) biology;
(III) technology development;
(IV) engineering;
(V) economics;
(IV) business development and management; and
(VII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

(I) select a topic;
(II) issue a problem statement;
(III) advise winners of the prize competition regarding any opportunity for technological innovation to manage invasive species; and
(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, Federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the management of invasive species.

(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the management of invasive species;
(II) 1 or more State agencies with jurisdiction over the management of invasive species; and
(III) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of invasive species.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).
(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(i).

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board established under this paragraph shall terminate on December 31, 2023.

(5) THEODORE ROOSEVELT GENIUS PRIZE FOR PROTECTION OF ENDANGERED SPECIES.—

(A) DEFINITIONS.—In this paragraph:

(i) Board.—The term ‘‘Board’’ means the Protection of Endangered Species Technology Advisory Board established by subparagraph (C)(i).

(ii) Prize competition.—The term ‘‘prize competition’’ means the Theodore Roosevelt Genius Prize for the protection of endangered species established under subparagraph (C)(i).

(iii) Duties.—Subject to clause (iv), with respect to the protection of endangered species—

(I) select a topic;

(II) issue a problem statement; (III) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the protection of endangered species;

(IV) advise winners of the prize competition under subclauses (I) and (II) of paragraph (3)(C); and

(V) advise the Secretary regarding any opportunity for technological innovation to protect endangered species; and

(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the protection of endangered species.

(iv) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(B) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) In general.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) SELECTING AN AGREEMENT.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(C) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select 1 or more annual winners of the prize competition.

(ii) DUTIES.—Subject to paragraph (3)(C), the Secretary shall—

(I) select a topic;

(II) issue a problem statement; and

(III) advise winners of the prize competition regarding any opportunity for technological innovation to promote the nonlethal management of human-wildlife conflicts.

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(D) FORMATION.—The Board established under this paragraph shall be comprised of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

(I) nonlethal wildlife management; (II) biology; (III) technology development; (IV) economics; (V) business development and management; and (VI) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(E) DUTIES.—Subject to clause (iv), with respect to the nonlethal management of human-wildlife conflicts—

(i) select a topic;

(ii) issue a problem statement; and

(iii) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the nonlethal management of human-wildlife conflicts.

(F) CERTIFICATION.—In selecting a topic and issuing a problem statement, the Secretary shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the nonlethal management of human-wildlife conflicts; and

(ii) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(i); (III) the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board established under this paragraph shall terminate on December 31, 2023.

(6) THEODORE ROOSEVELT GENIUS PRIZE FOR NONLETHAL MANAGEMENT OF HUMAN-WILDLIFE CONFLICTS.—

(A) DEFINITIONS.—In this paragraph:

(i) Board.—The term ‘‘Board’’ means the Nonlethal Management of Human-Wildlife Conflicts Technology Advisory Board established by subparagraph (C)(i).

(ii) Prize competition.—The term ‘‘prize competition’’ means the Theodore Roosevelt Genius Prize for the nonlethal management of human-wildlife conflicts established under subparagraph (B).

(B) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the ‘‘Theodore Roosevelt Genius Prize for the nonlethal management of human-wildlife conflicts’’.

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the nonlethal management of human-wildlife conflicts; and

(ii) to award 1 or more prizes annually for a technological advancement that promotes the nonlethal management of human-wildlife conflicts.

(C) ADVISORY BOARD.—

(i) ESTABLISHMENT.—There is established an advisory board, to be known as the ‘‘Nonlethal Management of Human-Wildlife Conflicts Technology Advisory Board’’.

(ii) COMPOSITION.—The Board shall be comprised of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

(I) nonlethal wildlife management; (II) biology; (III) technology development; (IV) economics; (V) business development and management; and (VI) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the nonlethal management of human-wildlife conflicts—

(I) select a topic;

(II) issue a problem statement; and

(III) advise winners of the prize competition regarding any opportunity for technological innovation to promote the nonlethal management of human-wildlife conflicts; and

(iv) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(B) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) In general.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) SELECTING AN AGREEMENT.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(C) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select 1 or more annual winners of the prize competition.

(ii) DUTIES.—Subject to paragraph (3)(C), the Secretary shall—

(I) select a topic;

(II) issue a problem statement; and

(III) advise winners of the prize competition regarding any opportunity for technological innovation to promote the nonlethal management of human-wildlife conflicts.

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(D) FORMATION.—The Board established under this paragraph shall be comprised of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

(I) nonlethal wildlife management; (II) biology; (III) technology development; (IV) economics; (V) business development and management; and (VI) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(E) DUTIES.—Subject to clause (iv), with respect to the nonlethal management of human-wildlife conflicts—

(i) select a topic;

(ii) issue a problem statement; and

(iii) advise winners of the prize competition regarding any opportunity for technological innovation to promote the nonlethal management of human-wildlife conflicts.

(F) CERTIFICATION.—In selecting a topic and issuing a problem statement, the Secretary shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the nonlethal management of native wildlife species at risk due to conflict with human activities; (II) 1 or more State, regional, or local wildlife organizations, the mission of which is awarded under this paragraph, the Secretary shall—

(i) select a topic;

(ii) issue a problem statement; and

(iii) advise winners of the prize competition regarding any opportunity for technological innovation to promote the nonlethal management of native wildlife species at risk due to conflict with human activities; and

(iv) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(i); (III) the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board established under this paragraph shall terminate on December 31, 2023.
institutions of higher education, industry associations, or individual stakeholders with an interest in the management of native wildlife species at risk due to conflict with human activity.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under paragraph (i) shall comply with all requirements under paragraph (7)(B).

(E) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint judges who shall except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) REPORT TO CONGRESS.—Not later than 60 days after the date of a prize which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(1) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(i); and

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(ii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(T) ADMINISTRATION OF PRIZE COMPETITIONS.—

(A) ADDITIONAL REQUIREMENTS FOR ADVISORY BOARDS.—An advisory board established under paragraph (2)(C)(i), (3)(C)(i), (4)(C)(i), (5)(C)(i), or (6)(C)(i) (referred to in this paragraph as a “Board”) shall comply with the following requirements:

(i) TERM; VACANCIES.—

(aa) The Chairperson of the Board shall serve for a term of 5 years.

(bb) A vacancy on the Board—

(aa) shall not affect the powers of the Board; and

(bb) shall be filled in the same manner as the original appointment was made.

(ii) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

(iii) MEETINGS.—

(I) IN GENERAL.—The Board shall meet at the call of the Chairperson.

(II) REMOTE PARTICIPATION.—

(aa) IN GENERAL.—Any member of the Board may participate in a meeting of the Board through the use of (AA) teleconferencing; or

(bb) any other remote business telecommunication method that allows each participating member to simultaneously hear each other participating member during the meeting.

(bb) PRESENCE.—A member of the Board who participates in a meeting remotely under item (II) shall be considered to be present at the meeting.

(iv) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold a meeting.

(V) CHAIRPERSON AND VICE CHAIRPERSON.— The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

(vi) ADMINISTRATIVE COST REDUCTION.—The Board shall, to the maximum extent practicable, minimize the administrative costs of the Board, including by encouraging the remote participation described in clause (ii)(A)(a) to reduce travel costs.

(B) AGREEMENTS WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—Any agreement entered into under paragraph (2)(D)(i), (3)(D)(i), (4)(D)(i), (5)(D)(i), or (6)(D)(i) shall comply with the following requirements:

(i) DUTIES.—An agreement shall provide that the National Fish and Wildlife Foundation shall—

(1) advertise the prize competition;

(2) solicit prize competition participants;

(3) administer funds relating to the prize competition;

(VII) provide advice and consultation to the Secretary on the selection of judges under paragraphs (2)(E), (3)(E), (4)(E), (5)(E), and (6)(E) based on criteria developed in consultation with, and subject to the final approval of, the Secretary;

(IX) announce 1 or more annual winners of the prize competition;

(X) subject to final approval by the Secretary, develop criteria for the selection of prize competition winners;

(XI) provide advice and consultation to the Secretary on the selection of judges under paragraphs (2)(E), (3)(E), (4)(E), (5)(E), and (6)(E) based on criteria developed in consultation with, and subject to the final approval of, the Secretary;

as provided in clause (ii), award 1 cash prize annually; and

(X) protect against unauthorized use or disclosure by the National Fish and Wildlife Foundation of any trade secret or confidential business information of a prize competition participant.

(2) ADDITIONAL CASH PRIZES.—An agreement shall provide that the National Fish and Wildlife Foundation may award more than 1 cash prize annually if the initial cash prizes referred to in clause (ix)(X) and any additional cash prize are awarded using only non-Federal funds.

(iii) SOLICITATION OF FUNDS.—An agreement shall provide that the National Fish and Wildlife Foundation—

(I) may request and accept Federal funds and non-Federal funds for a cash prize;

(ii) may accept a contribution for a cash prize in exchange for the right to name the prize; and

(iii) shall not give special consideration to any Federal agency or non-Federal entity in exchange for a donation for a cash prize awarded under this subsection.

(C) AWARD AMOUNTS.—

(i) IN GENERAL.—The amount of the initial cash prize referred to in subparagraph (B) is $100,000.

(ii) ADDITIONAL CASH PRIZES.—An agreement shall provide that the National Fish and Wildlife Foundation that non-Federal funds are available for an additional cash prize, the Secretary shall determine the amount of the additional cash prize.

SEC. 7002. REAUTHORIZATION OF NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.

Section 10 of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6109) is amended to read as follows:

“(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

(1) for each fiscal year—

(A) $10,000,000 for fiscal years 2019 through 2023.

(b) USE OF FUNDS.—Of the amounts made available under subsection (a) for each fiscal year, not less than 75 percent shall be expended for projects carried out at a location outside of the United States.”

SEC. 7003. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM TREASURY FUND.—

(1) IN GENERAL.—Subject to paragraph (3), each map included in the set of maps referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3509(a)) that relates to a Unit of such System referred to in paragraph (2) is replaced in such set with the map described in the following:

(A) The map entitled “Delaware Seashore Unit DE–07/DE–07P North Bethany Beach Unit H01” and dated March 18, 2016, with respect to Unit DE–07/DE–07P, and Unit H01.

(B) The map entitled “Pine Island Bay Unit NC–01/NC–01P” and dated March 18, 2016, with respect to Unit NC–01/NC–01P.

(C) The map entitled “Roosevelt Natural Area Unit NC–03P” and dated March 18, 2016, with respect to Unit NC–03P.

(D) The map entitled “Onslow Beach Complex L06 (1 of 2)” and dated March 18, 2016, with respect to Unit L06.

(E) The map entitled “Onslow Beach Complex L06 (2 of 2) Topsail Unit L06 (1 of 2)” and dated November 20, 2013, with respect to Unit L06.

(F) The map entitled “Topsail Unit L06 (2 of 2)” and dated November 20, 2013, with respect to Unit L06.

(G) The map entitled “Litchfield Beach Unit M02 Pawleys Inlet Unit M03” and dated March 18, 2016, with respect to Unit M02 and Unit M03.

(H) The map entitled “Fort Clinch Unit FL–01/FL–01P” and dated March 18, 2016, with respect to Unit FL–01/FL–01P.

(I) The map entitled “Usina Beach Unit P04 Conch Island Unit P05/P05P” and dated March 18, 2016, with respect to Unit P04A, Unit P05, and Unit P05P.

(J) The map entitled “Ponce Inlet Unit P08/P08P” and dated March 18, 2016, with respect to Unit P08 and Unit P08P.

(K) The map entitled “Spessard Holland Park Unit FL–13P” and dated March 18, 2016, with respect to Unit FL–13P, Unit P09A, and Unit P09AP.

(L) The map entitled “Topsail Beach Unit FL–14P” and dated March 18, 2016, with respect to Unit FL–14P.

(M) The map entitled “Hutchinson Island Unit P11/P11P” and dated March 18, 2016, with respect to Unit P11 and Unit P11P.

(N) The map entitled “Hutchinson Island Unit P11 (2 of 2)” and dated March 18, 2016, with respect to Unit P11.

(O) The map entitled “Blowing Rocks Unit FL–15 Jupiter Beach Unit FL–16P Carlin.
Unit FL–17P and dated March 18, 2016, with respect to Unit FL–15, Unit FL–16P, and Unit FL–17P.

(F) The map entitled "MacArthur Beach Unit FL–18P" and dated March 18, 2016, with respect to Unit FL–18P.

(Q) The map entitled "Birch Park Unit FL–19P" and dated March 18, 2016, with respect to Unit FL–19P.

(R) The map entitled "Lloyd Beach Unit FL–20P North Beach Unit P14A" and dated March 18, 2016, with respect to Unit FL–20P and Unit P14A.

(S) The map entitled "Tavernier Key Unit FL–39 Snake Creek Unit FL–40" and dated March 18, 2016, with respect to Unit FL–39 and Unit FL–40.

(T) The map entitled "Channel Key Unit FL–43 Toms Harbor Keys Unit FL–44 Deer Long" and dated March 18, 2016, with respect to Unit FL–43, Unit FL–44, and FL–45.

(U) The map entitled "Boot Key Unit FL–46" and dated March 18, 2016, with respect to Unit FL–46.

(V) The map entitled "Bowditch Point Unit P17A Bunche Beach Unit FL–47 FL–47P Sanibel Island Complex P1B P1B (1 of 2)" and dated March 18, 2016, with respect to Unit P17A, Unit FL–67, and Unit FL–67P.

(W) The map entitled "Bocilla Island Unit P21/P21P" and dated March 18, 2016, with respect to Unit P21 and Unit P21P.

(X) The map entitled "Venice Inlet Unit FL–72" and dated March 18, 2016, with respect to Unit FL–72.

(Y) The map entitled "Lido Key Unit FL–72P" and dated March 18, 2016, with respect to Unit FL–72P.

(Z) The map entitled "De Soto Unit FL–73P Rattlesnake Key Unit FL–78 Bishop Harbor Unit FL–82" and dated March 18, 2016, with respect to Unit FL–73P, Unit FL–78, and Unit FL–82.

(3) FACILITY.—The term "facility" means an eligible facility, if—

(a) owned by the Bureau; and

(b) for which operations and maintenance are performed, regardless of the source of funding—

(i) by an employee of the Bureau; or

(ii) through a contract entered into by the Commissioner.

(TITe VIII—WATER AND POWER
Subtitle A—Reclamation Title Transfer
SEC. 8001. PURPOSE.

The purpose of this subtitle is to facilitate the transfer of title to Reclamation project facilities to qualifying entities on the completion of repayment of capital costs.

SEC. 8002. DEFINITIONS.

In this subtitle—

(1) CONVEYED PROPERTY.—The term "conveyed property" means an eligible facility that has been conveyed to a qualifying entity under section 8003.

(2) ELIGIBLE FACILITY.—The term "eligible facility" means a facility that meets the criteria for potential transfer established under section 8003.

(3) FACILITY.—

(A) IN GENERAL.—The term "facility" includes a dam or appurtenant works, canal, lateral, ditch, gate, control structures, pumping station, other infrastructure, recreational facility, building, distribution and drainage works, and associated land or interest in land.

(B) EXCLUSIONS.—The term "facility" does not include a Reclamation project facility, or a portion of a Reclamation project facility—

(1) that is a reserved works as of the date of enactment of this Act;

(2) that generates hydropower marketed by a Federal power marketing administration; or

(3) that is managed for recreation under a lease, permit, license, or other management agreement that does not contribute to capital repayment.

(4) PROJECT USE POWER.—The term "project use power" means the electrical capacity, energy, and ancillary service components required to provide the minimum electrical service needed to operate or maintain Reclamation project facilities in accordance with the authorization for the Reclamation project.

(5) QUALIFYING ENTITY.—The term "qualifying entity" means an agency of a State or political subdivision of a State, a joint action or powers agency, a water users association, or an Indian Tribe or Tribal utility authorized to undertake the engineering and construction of the project under this subtitle.

(A) as of the date of conveyance under this subtitle, is the current operator of the eligible facility pursuant to a contract with Reclamation; and

(B) as determined by the Secretary, has the capacity to continue to manage the eligible facility for the same purposes for which the property has been managed under the reclamation laws.

(6) RECLAMATION.—The term "Reclamation" means the Bureau of Reclamation.

(7) RECLAMATION PROJECT.—The term "Reclamation project" means—

(A) any reclamation or irrigation project, including incidental features of the project—

(i) that is authorized by the reclamation laws;

(ii) that is constructed by the United States pursuant to the reclamation laws; or

(iii) that is constructed with funds from a reclamation or reclamation facilities to qualifying entities on the completion of repayment of capital costs.

(b) REPEAL OF REPORT.—Section 3 of Public Law 108–225 (16 U.S.C. 3503(a)) is amended—

(1) by inserting before the first sentence the following:

"(3) FACILITY.—The term "facility" means an eligible facility, if—

(a) owned by the Bureau; and

(b) for which operations and maintenance are performed, regardless of the source of funding—

(i) by an employee of the Bureau; or

(ii) through a contract entered into by the Commissioner.

(2) SEcreTARY.—The term "Secretary" means the Secretary, acting through the Commissioner of Reclamation.

SEC. 8003. AUTHORIZATION OF TRANSFERS OF TITLE TO ELIGIBLE FACILITIES.

(a) Authorization.—

(1) IN GENERAL.—Subject to the requirements of this subtitle, the Secretary, with the further authorization from Congress, may, on application of a qualifying entity, convey to a qualifying entity all right, title, and interest of the United States in and to any eligible facility, if—

(A) not later than 90 days before the date on which the Secretary makes the conveyance, the Secretary submits to Congress—

(i) a written notice of the proposed conveyance; and

(ii) a description of the reasons for the conveyance; and

(B) a joint resolution disapproving the conveyance is not enacted before the date on which the Secretary makes the conveyance.

(2) CONSULTATION.—A conveyance under paragraph (1) shall be made by written agreement between the Secretary and the qualifying entity, developed in consultation with any existing water and power customers affected by the conveyance of the eligible facility.

(b) ReserVATION OF EASEMENT.—The Secretary may reserve an easement over a conveyed facility if—

(1) the Secretary determines that the easement is necessary for the management of any interests retained by the Federal Government under this subtitle;

(2) the Reclamation project or a portion of the Reclamation project remains under Federal ownership; and

(3) the Secretary enters into an agreement with the easement holder admitting the easement with the applicable qualifying entity.
(c) INTERESTS IN WATER.—No interests in water shall be conveyed under this subtitle unless the conveyance is provided for in a separate, quantified agreement between the Secretary and the qualifying entity, subject to applicable State law and public process requirements.

SEC. 8001. ELIGIBILITY CRITERIA.

(a) ESTABLISHMENT.—The Secretary shall establish criteria for determining whether a facility is eligible for conveyance under this subtitle.

(b) MINIMUM REQUIREMENTS.—

(1) AGREEMENT OF QUALIFYING ENTITY.—The criteria established under subsection (a) shall include a requirement that a qualifying entity shall agree—

(A) to accept title to the eligible facility; and

(B) to use the eligible facility for substantially the same purposes for which the eligible facility is being used at the time the Secretary evaluates the potential transfer; and

(c) TO PROVIDE, AS CONSIDERATION FOR THE ASSET TO BE CONVEYED.—

The Secretary shall comply with all applicable Federal and State law and, except as provided in paragraph (3), the Secretary shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the eligible facility, other than losses caused by negligence committed by the United States or by agents or employees of the United States prior to the date of the conveyance.

(b) EFFECT.—Nothing in this section increases the liability of the United States beyond that currently provided in chapter 171 of title 28, United States Code commonly known as the ''Federal Tort Claims Act''.

SEC. 8006. BENEFITS.

After a conveyance of an eligible facility under the subtitle, the Secretary shall—

(1) the conveyed property shall no longer be considered to be part of a Reclamation project;

(ii) is consistent with the responsibilities of the Secretary to enter into an agreement under which the qualifying entity agrees to continue to be responsible for the environmental operations and applicable contracts; and

(C) if the eligible facility proposed to be transferred is a dam or diversion works (not including project facilities that receive or convey water from the diverting works) diverting water from a water body containing a species listed as a threatened or endangered species or critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), determine that—

(i) the eligible facility continues to comply with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in a manner that provides no less protection to the listed species as existed under the ownership; or

(ii) the eligible facility is not part of the Central Valley Project in the State of California;

(ii) the Secretary shall comply with all applicable Federal environmental laws, including—

(1) the total expenditures and the expenditures by categories of activities by the Recovery Implementation Programs; and

(3) the qualifying entity to which the conveyed property is conveyed may be eligible to receive project use power if—

(ii) the Secretary evaluates the potential transfer; and

(B) determine that the proposed transfer—

(i) would not have an unmitigated significant effect on the environment; and

(II) to ensure compliance with any applicable Tribal treaties and agreements; and

(C) the Secretary and the qualifying entity enter into an agreement under which the qualifying entity continues to be responsible for the environmental operations and applicable contracts; and

(ii) the Secretary and the qualifying entity agree to use only the portion of the project use power as power for delivery of Reclamation project water and use,

(iii) the Secretary determines in writing that the withdrawn land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(iii) the Secretary determines in writing that the conveyed land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(ii) the Secretary determines in writing that the conveyed land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(iii) the Secretary determines in writing that the conveyed land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(ii) the Secretary determines in writing that the conveyed land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(i) the Secretary determines in writing that the conveyed land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(ii) the Secretary determines in writing that the conveyed land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(iii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(ii) the project use power will be used for the delivery of Reclamation project water and use; and

(i) STRIKING PARAGRAPH (1) AND INSERTING THE FOLLOWING.—

(1) IRRIGATION ENTITY.—The term ''irrigation entity'' means a district, project, or other project power uses.
State-recognized authority, board of control, agency, or entity located in the Yakima River basin that manages and delivers irrigation water to farms in the Yakima River basin.

(3) Proratable irrigation entity.—The term "proratable irrigation entity" means an irrigation entity that possesses, or the member of which possesses, proratable water (as defined in section 102 of Public Law 103–434 (108 Stat. 4551)).

(4) State.—The term "State" means the State of Washington.

(5) Total water supply available.—The term "total water supply available" has the meaning given the term in applicable civil actions, as determined by the Secretary.


(7) Water supply available.—The term "water supply available" has the meaning given the term in applicable civil actions, as determined by the Secretary.

(b) Integrated Plan.—

(1) Initial development phase.—

(A) In general.—As the initial development phase of the Integrated Plan, the Secretary, in consultation and coordination with the State and the Yakama Nation, shall identify and implement projects under the Integrated Plan that are prepared to be commenced during the 10-year period beginning on the date of enactment of this Act.

(B) Requirement.—The initial development phase of the Integrated Plan under subparagraphs (B)(i) through (B)(iii) shall be carried out in accordance with—

(i) this subsection, including any related plans, reports, and correspondence referred to in this subsection; and


(2) Intermediate and final development phases.—

(A) Plans.—The Secretary, in coordination with the State and the Yakama Nation, shall develop an intermediate and final development phases of the Integrated Plan to achieve the purposes of title XII of Public Law 103–434 (108 Stat. 4556; 114 Stat. 1425), including—

(i) applicable feasibility studies, environmental reviews, and other relevant studies required to develop those plans.

(B) Intermediate development phase.—The Secretary, in coordination with the State and the Yakama Nation, shall develop an intermediate development phase of the Integrated Plan, to commence not earlier than the date that is 10 years after the date of enactment of this Act.

(C) Final development phase.—The Secretary, in coordination with the State and the Yakama Nation, shall develop a final development phase of the Integrated Plan, to commence not earlier than the date that is 20 years after the date of enactment of this Act.

(3) Requirements.—The projects and activities identified by the Secretary for implementation under the Integrated Plan shall be carried out only—

(A) subject to authorization and appropriation;

(B) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development

(C) on public review and a determination by the Secretary that design, construction, and operation of a proposed project or activity is in the best interest of the public; and

(D) in accordance with applicable laws, including—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) Effect of subsection.—Nothing in this subsection—

(A) shall be considered to be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390a et seq.);

(B) affects—

(i) any contract in existence on the date of enactment of this Act that was executed pursuant to the reclamation laws; or

(ii) any contract or agreement between the Bureau of Indian Affairs and the Bureau of Reclamation;

(C) affects, waives, abrogates, diminishes, defines, or interprets any treaty between the Yakama Nation and the United States; or

(D) constrains the authority of the Secretary to provide fish passage in the Yakima River basin, in accordance with the Hoover Drought Relief Pumping Plant constructed under this Act.

(5) Progress report.—Not later than 5 years after the date of enactment of this Act, the Secretary, in consultation with the State and in consultation with the Yakama Nation, shall submit to the Committee on Natural Resources and the Committee on Natural Resources of the House of Representatives a progress report on the development and implementation of the Integrated Plan.

(c) Financing, Construction, Operation, and Maintenance of Kachess Drought Relief Pumping Plant and Keechelus to Kachess Project.—

(1) Long-term agreements.—

(A) In general.—A long-term agreement negotiated pursuant to this section or the reclamation laws between the Secretary and a participating proratable irrigation entity in the Yakima River basin for the non-Federal financing, construction, operation, maintenance of the Drought Relief Pumping Plant or the Keechelus to Kachess Pipeline shall include provisions regarding—

(i) repayment costs; and

(ii) costs associated with the design, financing, construction, operation, maintenance, and mitigation of projects, with the costs of Federal oversight and review to be nonreimbursable to the participating proratable irrigation entities and the Yakima Project.

(B) Treatment.—A facility developed and operated by a participating proratable irrigation entity under this subsection shall not be considered to be a supplemental work for Bureau of Reclamation purposes under the Reclamation Project Act of 1939 (43 U.S.C. 483h(a)).

(2) Kachess Reservoir.—

(A) In general.—Any additional stored water made available by the construction of a facility to access and deliver inactive and natural storage in Kachess Lake and Reservoir under this subsection—

(i) shall be considered to be Yakima Project water;

(ii) shall be used exclusively by the Secretary to enhance the total water supply for years for which the total water supply available is not sufficient to provide a percentage of proratable entitlements in order to make that additional water available, in a quantity representing not more than 70 percent of proratable entitlements to the Kittitas Reclamation District, the Roza Irrigation District, and any other proratable irrigation entity participating in the construction, operation, or maintenance costs of a facility under this section, in accordance with such terms and conditions as the districts may agree, subject to the conditions that—

(I) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from Kachess Reservoir inactive storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions as the Bureau of Indian Affairs and the Yakama Nation may agree; and

(II) the additional supply made available under this clause shall be allocable to participating individuals and entities based on—

(aa) the proportion that—

(AA) the proratable entitlement of each participating individual or entity; or

(BB) the proratable entitlements of all participating individuals and entities; or

(bb) such other proportion as the participating entities may agree; and

(iii) shall not be the portion of the total water supply available.

(B) Effect of paragraph.—Nothing in this paragraph affects, as in existence on the date of enactment of this Act, any—

(i) contract;

(ii) law (including regulations) relating to repayment costs;

(iii) water rights; or

(iv) treaty right of the Yakama Nation.

(3) Project Power for Kachess Pumping Plant.—

(A) In general.—Subject to subparagraphs (B), (C), and (D) through (H), the Bonneville Power Administration, pursuant to the Bonneville Power Planning and Conservation Act (16 U.S.C. 839 et seq.), shall provide to the Secretary project power to operate the Kachess Pumping Plant as necessary and in the best interest of the public; and

(B) effect of paragraph.—Nothing in this section if inactive storage in the Kachess Reservoir is needed to provide drought relief for irrigation.

(C) Determinations by Secretary.—The project power described in subparagraph (A) may be provided only if the Secretary determines that—

(i) the energy is in effect—

(I) a drought declaration issued by the State; and

(II) conditions that have led to 70 percent or lower water delivery to proratable irrigation districts; and

(ii) it is appropriate to provide the power under that subparagraph.

(D) Period of availability.—The power described in subparagraph (A) shall be provided during the period—

(i) beginning on the date on which the Secretary makes the determinations described in subparagraph (B); and

(ii) ending on the earlier of—

(I) the date that is 1 year after that date; and

(II) the date on which the Secretary determines that—
aa) drought mitigation measures are still necessary in the Yakima River basin; or
(b) the power should no longer be provided for any other reason.

(2) Other costs.—The cost of power for pumping and station service, and the costs of transmitting power from the Federal Columbia River power system to the pumping facilities of the Yakima River Basin Water Enhancement Project, shall be borne by the irrigation districts receiving the benefits of the applicable water.

(3) Designation of commissioner.—For purposes of this paragraph, the Commissioner of Reclamation shall arrange transmission for any delivery of—
(a) Federal power over the Bonneville system through applicable tariff and business practice processes of that system; or
(b) power obtained from any local provider.

(4) Design and use of groundwater recharge projects.—The Secretary, in coordination with the State and the Yakama Nation, may provide technical assistance for, participate in, and enter into agreements, including with irrigation entities for the use of excess water in Yakima River Basin Water Enhancement Project facilities, for—
(i) groundwater recharge projects; and
(ii) aquifer storage and recovery projects.

(5) Operational control of water supplies.—

(b) Definitions.—Section 8201(a) of Public Law 103–434 (108 Stat. 450) is amended—
(1) by redesigning paragraphs (6), (7), (8), (9), (10), (11), (12), (13), (14), and (15) as paragraphs (8), (10), (11), (12), (13), (14), (15), (17), and (18), respectively;
(2) by inserting after paragraph (5) the following:
(6) Designated federal official.—The term ‘designated federal official’ means the Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

(7) Integrated plan.—The term ‘Integrated Plan’ has the meaning given in subsection (a) of the Natural Resources Conservation Act, as carried out in cooperation with, and in addition to, activities of the State of Washington and the Yakama Nation.

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:
(8) Municipal, industrial, and domestic water supply and use means the supply and use of water for—
(1) domestic consumption (whether urban or rural);
(2) and
(3) manufacturing, fabrication, processing, assembly, or other production of a good or commodity;
(4) production of energy;
(5) fish hatchery operations; and
(6) water conservation activities relating to a use described in subparagraph (A) through (E).

(8) by inserting after paragraph (15) (as so redesignated) the following:

(9) Water Conservation Programs.—The Secretary of the Interior shall establish a program to provide funding for, and accept non-Federal financing for, water conservation projects, regardless of whether the projects are in accordance with the Yakima River Basin Water Conservation Program established under section 1203 of Public Law 103–434 (108 Stat. 4551), that are intended to partially implement the Integrated Plan by providing conserved water to improve tributary and mainstream flow.

(b) Indian Irrigation Projects.—

(i) General.—The Secretary, acting through the Commissioner of Reclamation, may contribute to the preparation of plans and investigation measures, and, after the date on which the Secretary certifies that the measures are consistent with the water conservation objectives of this section, to any Indian irrigation project—
(A) that is located in the Pacific Northwest Region;
(B) that is identified in the report of the Government Accountability Office numbered GAO–15–45ST;
(C) that has been identified as part of a Bureau of Reclamation basin study pursuant to subtitle F of title IX of Public Law 111–11 (42 U.S.C. 10851 et seq.) to increase water supply for the Pacific Northwest Region; and
(D) that is a system to which would contribute to the flow of interstate water.

(b) Authorization of Appropriations.—There is authorized to be appropriated to carry out this subsection $75,000,000.

SEC. 8202. MODIFICATION OF PURPOSES AND DEFINITIONS.

(a) Purposes.—Section 1201 of Public Law 103–434 (108 Stat. 450) is amended—
(1) by striking paragraph (1) and inserting the following:
(1) to protect, mitigate, and enhance fish and wildlife and the recovery and maintenance of self-sustaining harvestable populations of fish and other aquatic life, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin through—
(A) improved water management and the constructions of fish passage at storage and diversion dams, as authorized under the Hoo- Power Plant Act of 1984 (43 U.S.C. 619 et seq.);
(2) (i) improved instream flows and water supplies;
(3) improved water quality, watershed, and ecosystem health; and
(4) protection, creation, and enhancement of wetlands; and
(E) other appropriate means of habitat improvement;
(2) by striking paragraph 2 (as redesignated), and inserting in its place the following:
(2) by inserting after paragraphs (2) and (3) the following:
(5) to realize sufficient water savings from implementing the Yakima River Basin Integrated Water Resource Management Plan, as amended, that 10,000 acre-feet of water savings are achieved by implementing the initial development phase of the Integrated Plan pursuant to section 8201(b)(1) of the Natural Resources Conservation Act, in addition to the 165,000 acre-feet of water savings targeted through the Basin Conservation Program, as authorized on October 31, 1994.

(b) Definitions.—Section 1202 of Public Law 103–434 (108 Stat. 450) is amended—
(1) by redesigning paragraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (8), (10), (11), (12), (13), (14), (15), (17), and (18), respectively;
(2) by inserting after paragraph (5) the following:
(6) Designated Federal official.—The term ‘designated federal official’ means the Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

(7) Integrated Plan.—The term ‘Integrated Plan’ has the meaning given in section 8201(a) of the Natural Resources Conservation Act, as carried out in cooperation with, and in addition to, activities of the State of Washington and the Yakama Nation.

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:
(8) Municipal, industrial, and domestic water supply and use means the supply and use of water for—
(1) domestic consumption (whether urban or rural);
(2) and
(3) manufacturing, fabrication, processing, assembly, or other production of a good or commodity;
(4) production of energy;
(5) fish hatchery operations; and
(6) water conservation activities relating to a use described in subparagraphs (A) through (E).

(4) by inserting after paragraph (15) (as so redesignated) the following:
(ii) in the third sentence, by striking “within 5 years of the date of enactment of this Act”; and

(B) in paragraph (2), by striking “irrigation” and inserting “the number of irrigated acres”;

(2) in subsection (c)—

(A) in paragraph (2)—

(i) all that follows subparagraphs (A) through (D), by striking the comma at the end of the subparagraph and inserting a semicolon;

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

(iii) in subparagraph (F), by striking “Department of Wildlife of the State of Washington,” and inserting “Department of Wildlife of the State of Washington, and”;

(iv) by striking subparagraph (G);

(1) in each of subparagraphs (A) through (C), by striking the comma at the end of the subparagraph and inserting a semicolon;

(ii) in subparagraph (D), by striking “and”;

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

(iv) by striking the comma at the end and inserting a semicolon;

(2) in paragraph (2), by striking “30 percent” and inserting “50 percent”;

(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title;

(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

(A) In General.—The State or the Federal Government may fund not more than the 17.5-percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding from the State and Federal Governments may fund not more than 30 percent of the total funding received’’ after “Program’’;

(B) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

(A) In General.—The State or the Federal Government may fund not more than the 17.5-percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding from the State and Federal Governments may fund not more than 30 percent of the total funding received’’ after “Program’’;

(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title;

(4) PAYMENT OF LOCAL SHARE BY state or FEDERAL GOVERNMENT.—

(A) In General.—The State or the Federal Government may fund not more than the 17.5-percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding from the State and Federal Governments may fund not more than 30 percent of the total funding received’’ after “Program’’;

(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title;

(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

(A) In General.—The State or the Federal Government may fund not more than the 17.5-percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding from the State and Federal Governments may fund not more than 30 percent of the total funding received’’ after “Program’’;

(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title;
(4) in subsection (c)—
   (A) in the subsection heading, by inserting “AND NONSURFACE STORAGE” after “NONSURFACE STORAGE”;
   and
   (B) in the matter preceding paragraph (1), by inserting “AND nonsurface storage” after “nonsurface storage”;
(5) by striking subsection (d); and
(6) by redesignating subsection (e) as subsection (d); and
(7) in paragraph (2) of subsection (d) (as so redesignated)—
   (A) in the first sentence—
      (i) by inserting “and implementation” after “investigation”;
   and
   (B) by striking the second sentence.
(d) CHANDLER PUMPING PLANT AND POWER-PLANT-OPERATIONS AT PROSSER DIVERSION DAM.—Section 1208(d) of Public Law 103–434 (108 Stat. 4682; 114 Stat. 1425) is amended by inserting “negatively” before “affected”.

Subtitle D—Bureau of Reclamation Facility Conveyances

SEC. 8301. CONVEYANCE OF MAINTENANCE COMPLEX AND DISTRICT OFFICE OF THE ARBuckle PROJECT, OKLAHOMA.

(a) Definitions.—In this section:
(1) AGREEMENT.—The term “Agreement” means the agreement entitled “Agreement between the United States and the Arbuckle Master Conservancy District for Transferring Title to the Federally Owned Maintenance Complex and District Office to the Arbuckle Master Conservancy District” and numbered 14AG64014.
(2) DISTRICT.—The term “District” means the Arbuckle Master Conservancy District, located in Murray County, Oklahoma.
(3) DISTRICT OFFICE.—The term “District Office” means—
   (A) the headquarters building located at 2440 East Main, Davis, Oklahoma; and
   (B) the approximately 0.83 acres of land described in the Agreement.
(4) MAINTENANCE COMPLEX.—The term “Maintenance Complex” means the caretaker’s residence, shop buildings, and any appurtenances located on the land described in the Agreement comprising approximately 2 acres.
(b) CONVEYANCY TO DISTRICT.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the District all right, title, and interest of the United States in and to the Maintenance Complex and District Office, Arbuckle Project, Oklahoma, consistent with the terms and conditions of the Agreement.

(c) LIABILITY.—
(1) IN GENERAL.—Effective on the date of conveyance, the District of the Maintenance Complex and District Office under this section, the United States shall not be held liable by any court for damages of any kind arising by acts or omissions, or occurrence relating to the Maintenance Complex or District Office, except for damages caused by acts of negligence committed by the United States or by an employee or agent of the United States prior to the date of conveyance.
(2) APPLICABLE LAW.—Nothing in this section increases the liability of the United States beyond the liability provided in chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(d) BENEFITS.—After the conveyance of the Maintenance Complex and District Office to the District under this section—
   (1) the Maintenance Complex and District Office shall not be considered to be a part of a Federal reclamation project; and
   (2) the District shall not be eligible to receive any benefits with respect to any facility comprising that Maintenance Complex and District Office, other than benefits that would be available to a similarly situated person with respect to a facility that is not part of a Federal reclamation project.

(e) COMMUNICATION.—If the Secretary has not completed the conveyance required under subsection (b) by the date that is 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a letter with sufficient detail that—
   (1) explains the reasons the conveyance has not been completed; and
   (2) specifies the date by which the conveyance will be completed.

SEC. 8302. CONTRA COSTA CANAL TRANSFER.

(a) DEFINITIONS.—In this section:
(1) ACQUIRED LAND.—The term “acquired land” means land in Federal ownership and over which the Federal Government holds an interest for the purpose of the construction and operation of the Contra Costa Canal, including land under the jurisdiction of—
   (A) the Bureau of Reclamation;
   (B) the Western Area Power Administration; and
   (C) the Department of Defense in the case of the Clayton Canal diversion traversing the Concord Naval Weapons Station.
(2) CONTRA COSTA CANAL.—
   (A) IN GENERAL.—The term “Contra Costa Canal” means the Contra Costa Canal Unit of the Central Valley Project, which exclusively serves the Contra Costa Water District in an urban area of Contra Costa County, California.
   (B) INCLUSIONS.—The term “Contra Costa Canal” includes pipelines, conduits, pumping plants, aqueducts, laterals, water storage and regulatory facilities, electric substations, related works and improvements, and all interests in land associated with the Contra Costa Canal Unit of the Central Valley Project in existence on the date of enactment of this Act.
(3) CONTRA COSTA CANAL AGREEMENT.—The term “Contra Costa Canal Agreement” means an agreement between the Secretary and the United States, pursuant to the Federal Reclamation Projects Act of 1939 (42 U.S.C. 4321 et seq.), the California Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and (4) ROCK SLOUGH FISH SCREEN FACILITY.—
   (A) IN GENERAL.—The term “Rock Slough fish screen facility” means the fish screen facility at the Rock Slough intake to the Contra Costa Canal.
   (B) EXCLUSION.—The term “Rock Slough fish screen facility” does not include the Rock Slough fish screen facility.
   (C) ROCK SLOUGH CANAL CONTRACTS.—
      (1) IN GENERAL.—The term “contracts” means the contracts entered into between the District and the United States, Contract No. 175–3401A–L7TR1 (2005), Contract No. 14–06–200–6072A (1972, as amended), and Contract No. 14–06–200–6972A (1985, as amended), for the purpose of providing for the operation and maintenance of water supply facilities subject to valid existing rights and exceptions for the District assuming from the Bureau of Reclamation title to the Rock Slough fish screen facility, as required under the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 2706).
   (D) ROCK SLOUGH FISH SCREEN FACILITY TITLE TRANSFER AGREEMENT.—The term “Rock Slough fish screen facility title transfer agreement” means an agreement between the Secretary and the Bureau of Reclamation to—
      (1) determine the legal, institutional, and financial terms surrounding the transfer of the Rock Slough fish screen facility; and
      (2) ensure the continued safe and reliable operations of the Rock Slough fish screen facility.

(2) CONVEYANCE OF LAND AND FACILITIES.—
   (1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall offer to convey and assign to the District—
      (A) all right, title, and interest of the United States in and to the Contra Costa Canal in the acquired land, including existing recreation agreements between the Bureau of Reclamation and the East Bay Regional Park District for Contra Loma Regional Park and other local agencies within the Contra Costa Canal; and
      (B) all rights interests reserved and developed as of the date of enactment of this Act for the Rock Slough fish screen facility pursuant to the Rock Slough fish screen facility title transfer agreement.
   (2) ROCK SLOUGH FISH SCREEN FACILITY.—
      (A) IN GENERAL.—The Secretary shall convey and assign to the District all right, title, and interest of the United States in and to the Rock Slough fish screen facility pursuant to the Rock Slough fish screen facility title transfer agreement.
      (B) COOPERATION.—Not later than 180 days after the conveyance of the Contra Costa Canal, the Secretary shall convene the California Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and (3) Parcels of Costs.—The District shall pay to the Secretary any administrative and real estate transfer costs incurred by the Secretary in carrying out the conveyances and assignments under paragraphs (1) and (2), including the cost of any boundary survey, title search, cadastral survey, appraisal, and other real estate transaction required for the conveyances and assignments under paragraph (A).

(4) COMPLIANCE WITH ENVIRONMENTAL LAWS.—
   (A) IN GENERAL.—Before carrying out the conveyances and assignments under paragraphs (1) and (2), the Secretary shall comply with all applicable requirements under—
      (i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and
      (ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and
   (B) EFFECT.—Nothing in this section modifies or alters any obligations under—
      (i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or
      (ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or
   (C) RELATIONSHIP TO EXISTING CENTRAL VALLEY PROJECT CONTRACTS.—
      (i) General Provisions.—In general.—Nothing in this section affects—
(A) the application of the reclamation laws to water delivered to the District pursuant to any contract with the Secretary; or
(B) subject to paragraph (2), the contracts.

(2) CONTRACTS.—The Secretary and the District may modify the contracts as necessary to comply with this section.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term "major repair and rehabilitation need" means—

(A) a budget level cost estimate of the appropriate use of water more than the water right of the Indian tribe described in clause (I);

(B) to otherwise increase the consumptive use of water more than the water right of the Indian tribe described in clause (I)."

Subtitle G—Bureau of Reclamation Transparency

SEC. 8601. DEFINITIONS.

In this part:

(1) ASSET.—

(A) IN GENERAL.—The term "asset" means any of the following assets that are used to achieve the mission of the Bureau to manage, develop, and protect water and related resources in a environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, projects, production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) INCLUSIONS.—The term "asset" includes assets described in subparagraph (A) that are considered to be mission critical.

(2) ASSET MANAGEMENT REPORT.—

(A) the annual plan prepared by the Bureau known as the "Asset Management Plan";

(B) any publically available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau to evaluate and manage infrastructure assets of the Bureau.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term "major repair and rehabilitation need" means major nonrecurring maintenance activities for a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

Subtitle F—Modifications of Existing Programs

SEC. 8501. WATERSMART.

Section 1026; 120 Stat. 1474) is amended by striking "within the States" and in
serting appropriately; and

(A) by redesignating clauses (i) and (ii) as subparagraphs (I) and (II), respectively, and in
dentifying subparagraphs (I) and (II) as so redesignated, by striking "and"; and

(B) by adding at the end the following:

"(III) any combination of the authorities described in items (aa) through (cc), or
"(II) subject to the guidance and instructions issued under subparagraph (B).

(B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

SEC. 8606. PUBLIC AVAILABILITY.—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the internet, the Asset Management Report required under subsection (d).

(5) CONFIDENTIALITY.—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) UPDATES.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a), and biennially thereafter, the Secretary shall update the report containing the sensitive or classified information.

SEC. 8603. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) IN GENERAL.—The Secretary shall coordinate with the new owner responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 8602(b). (b) GUIDANCE.—

(1) IN GENERAL.—After considering input from water and power contractors of the Bureau, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under this section.

(2) UPDATES.—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 8922(c).

TITLE IX—MISCELLANEOUS

SEC. 9001. EVERY KID OUTDOORS ACT.

(a) DEFINITIONS.—In this section:

(A) FEDERAL LAND AND WATERS.—The term "Federal land and waters" means any Federal land or body of water under the jurisdiction of any of the Secretaries to which the public has access.

(B) PROGRAM.—The term "program" means the Every Kid Outdoors program established under subsection (b)(1).

(3) SECRETARIES.—The term "Secretaries" means—

(A) the Secretary, acting through—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service;

(iii) the Director of the Bureau of Land Management; and

(iv) the Commissioner of Reclamation;

(B) the Secretary of Agriculture, acting through the Chief of the Forest Service;
(c) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration; and

(d) the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works.

(4) STATE.—The term ‘‘State’’ means each of the several States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

(5) STUDENT OR STUDENTS.—The term ‘‘student’’ or ‘‘students’’ means any fourth grader or home-schooled learner 10 years of age residing in the United States, including any territory or possession of the United States.

(b) EVERY KID OUTDOORS PROGRAM.—

(1) RELATIONSHIP WITH PROGRAMS; AND

(2) IMPLEMENTATION.—The Secretaries shall jointly establish a program, to be known as the ‘‘Every Kid Outdoors program’’, to provide free access to Federal land and waters for students and accompanying individuals in accordance with this subsection.

(2) ANNUAL PASSES.—

(A) IN GENERAL.—At the request of a student, the Secretaries shall issue a pass to the student, which allows access to Federal lands and waters for which access is subject to Federal law; and

(B) IN GENERAL.—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(3) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 1020(c) of title 5, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the ‘‘Federal Tort Claims Act’’), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) chapter 81 of title 5, United States Code (commonly known as the ‘‘Federal Employees Compensation Act’’), shall not apply to an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section, and the conduct of the good Samaritan search-and-recovery mission shall not constitute civilian employment.

(c) RELEASE OF FEDERAL GOVERNMENT LAND AND FACILITIES FROM LIABILITY.—

The Secretary shall not require an eligible organization or individual to have insurance as a condition for accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

(1) IN GENERAL.—The Secretary shall notify an eligible organization or individual of the approval or denial of the request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, not later than 48 hours after the request is made.

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) PARTNERSHIPS.—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

SEC. 9003. 21ST CENTURY CONSERVATION SERV.-ICE CORPS ACT.

(a) DEFINITIONS.—Section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722) is amended—

(1) in paragraph (2), by striking ‘‘under section 204H and inserting ‘‘by section 204(a)(1)’’;

(2) by redesignating paragraphs (8) through (14) as paragraphs (9) through (15), respectively;

(3) by inserting after paragraph (7) the following:

‘‘(8) INSTITUTION OF HIGHER EDUCATION.—

‘‘(A) IN GENERAL.—The term ‘‘institution of higher education’’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1001(b)); and

‘‘(B) EXCLUSION.—The term ‘‘institution of higher education’’ does not include—

‘‘(i) an institution described in section 101(h) of the Higher Education Act of 1965 (20 U.S.C. 1001(b)); or

‘‘(ii) an institution outside the United States, as described in section 102(a)(1)(C) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(1)(C));’’.

(4) in paragraph (9) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by inserting ‘‘and other conservation and restoration initiatives, as follows;’’;

and

(B) by adding at the end the following:

‘‘(ii) protect, restore, and maintain marine, estuarine, riverine, and coastal habitat ecosystem components—

(i) to promote the recovery of threatened species, endangered species, and managed fisheries; 

(ii) to restore fisheries, protected resources, and habitats impacted by oil and chemical spills and natural disasters; and

(iii) to enhance the resilience of coastal ecosystems, communities, and economies through habitat conservation.’’;

(5) in subparagraph (A) of paragraph (11) (as so redesignated), by striking ‘‘individuals between the ages of 16 and 30, inclusive,’’ and inserting ‘‘individuals between the ages of 16 and 30, inclusive, or veterans age 35 or younger’’;

(6) in paragraph (13) (as so redesignated)—

(A) in subparagraph (A), by striking ‘‘and’’ at the end;

and

(B) in subparagraph (B), by striking the period at the end and inserting ‘‘; and’’;

and

(C) by adding at the end the following:

‘‘(iii) with respect to the National Marine Sanctuary System, coral reefs, and other coastal, estuarine, and marine habitats, and other land and facilities administered by the National Oceanic and Atmospheric Administration, the Secretary of Commerce.’’; and

(7) by adding at the end the following:
“(15) VETERAN.—The term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.”

(b) PUBLIC LANDS Corps PROGRAM.—Section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723) is amended—

(1) by striking subsection (a) and inserting the following:

‘‘(a) ESTABLISHMENT OF PUBLIC LANDS Corps.—

‘‘(1) IN GENERAL.—There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a corps, to be known as the ‘Public Lands Corps.’

‘‘(2) EFFECT ON OTHER AGENCIES.—Nothing in this subsection precludes the establishment of a public lands corps by the head of a Federal department or agency other than the Department of the Interior, the Department of Agriculture, and the Department of Commerce a corps, to be known as the ‘Public Lands Corps’.

‘‘(3) FORMER MEMBERS.—Nothing in this section shall preclude a former member of the Public Lands Corps from eligibility for noncompetitive hiring status under section 513(a) of title 5, United States Code.’’;

(2) in subsection (b)—

(A) in the first sentence, by striking “individuals between the ages of 16 and 30, inclusive,” and inserting “individuals between the ages of 16 and 30, inclusive, and veterans age 35 or younger’’; and

(B) in the second sentence, by striking “section 137(b) of the National and Community Service Act of 1990” and inserting “section 205 of the Public Lands Corps Act of 1993 (16 U.S.C. 1724)”;

(3) by adding at the end the following:

“(c) TRANSPORTATION.—The Secretary may provide to Corps participants who reside in their own homes transportation to and from their homes for purposes of their participation in the Public Lands Corps.

“(d) COMPENSATION AND EMPLOYMENT STANDARDS.—The Secretary shall establish compensation and employment standards for the Public Lands Corps.

“(e) IN GENERAL.—The Public Lands Corps under this subtitle shall be subject to chapter 31 of title 5, United States Code.’’.

(3) in subsection (d) (as so redesignated) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately.

(4) in subsection (e) (as so redesignated)—

(A) by striking paragraphs (1), (2), (4) and (5) of section 207(a) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)); and

(B) by adding at the end the following:

“(5) IN GENERAL.—The Public Lands Corps under this section as the ‘Public Lands Corps’ includes data on the Corps, including—

“(A) the number of participants enrolled in the Corps and the type of service performed for each participant;

“(B) the projects carried out by Corps participants, categorized by type of project and Federal agency;

“(C) the total amount and sources of funding provided for the service of participants;

“(D) the type of service performed by participants and accomplishments of the service; and

“(E) any other similar data determined to be appropriate by the Chief Executive Officer of the Corporation for National and Community Service or the Secretaries.

“(6) DATA.—Not later than 1 year after the date of enactment of the Natural Resources Management Act, the Secretary of the Interior, in coordination with the Secretaries, shall submit to Congress a report that includes data on the Corps, including—

“(A) the number of participants enrolled in the Corps and the type of service performed for each participant;

“(B) the projects carried out by Corps participants, categorized by type of project and Federal agency;

“(C) the total amount and sources of funding provided for the service of participants;

“(D) the type of service performed by participants and accomplishments of the service; and

“(E) any other similar data determined to be appropriate by the Chief Executive Officer of the Corporation for National and Community Service or the Secretaries.

“(f) AGREEMENTS.—The Secretary may enter into cooperative agreements with Indian tribes and qualified youth or conservation corps for the establishment and administration of the Indian Youth Service Corps.

“(g) GUIDELINES.—No later than 18 months after the date of enactment of the Natural Resources Management Act, the Secretary of the Interior, in consultation with Indian tribes, shall issue guidelines for the management of the Indian Youth Service Corps, in accordance with this Act and any other applicable Federal laws.”

SEC. 9004. NATIONAL NORDIC MUSEUM ACT.

(a) DESIGNATION.—The Nordic Museum located at 2655 N.W. Market Street, Seattle, Washington, is designated as the ‘National Nordic Museum’.

(b) EFFECT OF DESIGNATION.—

(1) IN GENERAL.—The museum designated by subsection (a) is not a unit of the National Park System.

(2) USE OF FEDERAL FUNDS.—The designation of the museum by subsection (a) shall not require Federal funds to be expended for any purpose related to the museum.

SEC. 9005. DESIGNATION OF NATIONAL GEORGE C. MARSHALL MUSEUM AND LIBRARY.

(a) DESIGNATION.—The George C. Marshall Museum and Library in Lexington, Virginia, is designated as the ‘National George C. Marshall Museum and Library’ (referred to in this section as the ‘museum’).

(b) EFFECT OF DESIGNATION.—

(1) IN GENERAL.—The museum designated by subsection (a) is not a unit of the National Park System.

(2) USE OF FEDERAL FUNDS.—The designation of the museum by subsection (a) shall not require Federal funds to be expended for any purpose related to the museum.

SEC. 9006. 21ST CENTURY MILITARY VETERANS’ BILLS OF Rights Act.

(a) AMENDMENTS TO REGULATIONS REQUIRED.—

(1) SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall amend section 1901.202 of title 7, Code of Federal Regulations, for purposes of—
(A) replaces the reference to the term "Negro or Black" with "Black or African American";
(B) replacing the reference to the term "Spanish or Hispanic" with "Hispanic";
(C) replacing the reference to the term "Oriental" with "Asian American or Pacific Islander";
(2) ADMINISTRATOR OF GENERAL SERVICES.—The Administrator of General Services shall amend section 906.2 of title 36, Code of Federal Regulations, for purposes of—
(A) replacing the references to the term "Negro" with "Black or African American";
(B) replacing the definition of "Negro" with the definition of "Black or African American" as "an individual having origins in any of the Black racial groups of Africa";
(C) replacing the references to the term "Oriental" with "Asian American or Pacific Islander";
(D) replacing the references to the term "Eskimo" and "Aleut" with "Alaska Native";
(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments required by this section, shall be construed to affect Federal laws, except with respect to the use of terms by the Secretary of Agriculture and the Administrator of General Services, respectively, to the regulations affected by this section.

SEC. 9007. AMERICAN WORLD WAR II HERITAGE CITIES.

(a) DESIGNATION.—In order to recognize and ensure the continued preservation and importance of the history of the United States involvement in World War II, each calendar year the Secretary may designate 1 or more cities located in 1 of the several States or a territory of the United States as an "American World War II Heritage City". Not more than 1 city per State or territory may be designated under this section.

(b) APPLICATION FOR DESIGNATION.—The Secretary may—
(1) establish and publicize the process by which a city may apply for designation as an American World War II Heritage City based on the criteria in subsection (c); and
(2) encourage cities to apply for designation as an American World War II Heritage City.

(c) CRITERIA FOR DESIGNATION.—The Secretary, in consultation with the Smithsonian Institution or the President of the National Trust for Historic Preservation, shall specify the designation under subsection (b)(1) based on the following criteria:

(1) Contributions by a city and its environs to the World War II home-front war effort, including contributions related to—
(A) defense manufacturing, such as ships, aircraft, uniforms, and equipment;
(B) production of foodstuffs and consumer items for Armed Forces and home consumption;
(C) war bond drives;
(D) adaptations to wartime survival;
(E) achievements by a city and its environs to preserve the heritage and legacy of the city's contributions to the war effort and to preserve World War II history, including—
(A) the identification, preservation, restoration, and interpretation of World War II-related structures, facilities and sites;
(B) establishment of museums, parks, and markers;
(C) establishment of memorials to area men who lost their lives in service;
(D) organizing groups of veterans and home-front workers and their recognition;
(E) presentation of cultural events such as dances, plays, and lectures;
(F) publications outreach through the print and electronic media, and books; and
(G) recognition and ceremonies commemorating wartime event anniversaries.

SEC. 9008. QUINDARO TOWNSITE NATIONAL COMMEMORATIVE SITE.

(a) DEFINITIONS.—In this section:

(1) COMMEMORATIVE SITE.—The term "Commemorative Site" means the Quindaro Townsite National Commemorative Site designated by subsection (b)(1).

(2) STATE.—The term "State" means the State of Kansas or the State.

(b) DESIGNATION.—
(1) IN GENERAL.—The Secretary, in consultation with the State, Kansas City, Kansas, and affected subdivisions of the State, may enter into cooperative agreements with appropriate public or private entities, for the purposes of—

(A) protecting historic resources at the Commemorative Site; and

(B) providing educational and interpretive facilities and programs at the Commemorative Site for the public.

(2) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide technical and financial assistance to any entity with which the Secretary has entered into a cooperative agreement under paragraph (1).

(c) NO EFFECT ON ACTIONS OF PROPERTY OWNERS.—Designation of the Quindaro Townsite as a National Commemorative Site shall not prohibit any actions that may otherwise be taken by a property owner (including any owner of the Commemorative Site) with respect to the property of the owner.

(d) NO EFFECT ON ADMINISTRATION.—Nothing in this section affects the administration of the Commemorative Site by Kansas City, Kansas, or the State.

SEC. 9009. DESIGNATION OF NATIONAL COMEDY CENTER IN JAMESTOWN, NEW YORK.

(a) CONGRESSIONAL RECOGNITION.—Congress—
(1) recognizes that the National Comedy Center, located in Jamestown, New York, is the only museum of its kind that exists for the exclusive purpose of celebrating comedy in all its forms; and

(2) officially designates the National Comedy Center as the "National Comedy Center" (referred to in this section as the "Center").

(b) EFFECT OF RECOGNITION.—The National Comedy Center in this section is not a unit of the National Park System and the designation of the Center shall not be construed to require or permit Federal funds to be expended for any purpose related to the Center.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 25 minutes.

The Chair recognizes the gentleman from Arizona.

[1715]

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, it is my pleasure to rise today on behalf of a significant bipartisan benefit for conservation in the United States. S. 47, the lands package, is the product of many months of negotiation and many years of committee process.

The bill benefits all Americans. By protecting ecosystems, preserving our cultural heritage, and connecting the people to their lands, we demonstrate this Congress’ commitment to public lands that serve all Americans.

I am particularly proud that this package will permanently authorize the Land and Water Conservation Fund, a program that supports recreation access and conservation in all 50 States.

LWCF works for the people at no direct cost to the taxpayer. It enhances Americans’ enjoyment of public lands across this Nation. It is time to guarantee the future of this very important program.

In addition to LWCF, the package would add over 1 million acres of wilderness, redesign national monuments, and expand three national parks, to name a few of the over 100 provisions.

I am proud to support LWCF; I am proud to support S. 47; and I hope my colleagues will similarly support this bipartisan effort.

I want to offer my sincere thanks to my fellow collaborators on the legislation: Congressman BISHOP and Senators MURKOWSKI, MANCHIN, and CANTWELL. Their willingness to work and to compromise was crucial in turning this bill into a reality. I congratulate them on their efforts.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when I became chair of this committee, I vowed never to do this kind of a package. I thought that the bill would be debated and to be moved as a standalone.

Basically, we in the House did that. Unfortunately, the Senate did not, which is why there are at least 63 House-passed bills in this package, 62 of which were passed on suspension, that have been sitting in the Senate, languishing for up to a year and a half.

If somebody says they don’t have time to look at all the stuff that is in here, there have been months that they have been able to look at this stuff as it has been sitting over in the Senate.

Much of it is of parochial significance, which means it solves local challenges.
The very basis of all the bills that are in here is to put people above government. If indeed we are going to have public lands, there should be access to those lands.

That is one of the reasons why, for the first time in years, we have sportsmen activities that are put into this particular bill. So the sportsmen can assume if they are on public land, it is going to be open for recreational hunting and fishing and shooting and all kinds of outdoor recreation activities that are specifically allowed at the same time.

And a land manager cannot be arbitrary with that. If they are going to close it, there has to be a public process they go through that mandates consultation with local officials.

It is extremely important that bow hunters get some protection. Even duck hunters get some certainty in here. For the first time, we are going to have special days for duck hunting, for youth and veterans, as well as those who are in active duty.

For the first time, there are real reforms of the Land and Water Conservation Fund. When that program was established a half century ago, 60 percent of all the land was supposed to go into the State and local funds.

Those are the programs that your constituents are calling you and saying: These are the good things on why this program should be reauthorized.

But when that cap was taken off, the amount of money going to State and local programs was reduced. In the time of the Obama administration, it was down to 12 percent. Everything else was for land acquisition.

This bill reforms that permanently by saying no less than 40 percent has to go to those State and local funds that your constituents like.

No less than 3 percent has to go to fulfilling facility recreation access. That means that we are, for the first time, really empowering people and communities, State and local governments, as well as sportsmen.

I have always said that I want to shrink the Federal estate. This bill finally does shrink the Federal estate, in my State as well as nationwide.

We create four new monuments in this bill, but the right way; not expecting the President to make a declaration but, actually, for the Congress to pass a bill, to debate the bill, and then to pass the bill at the same time.

This legislation actually did use the Antiquities Act on one of these monuments—nice and cute—but we are going to do it the right way in this particular bill.

We are going to do wilderness the right way. No longer should an agency simply create wilderness by dicta or fiat. Congress will make those decisions of what is wilderness and what is not going to be wilderness.

Let me talk for just a second about wilderness, because it has some controversy in here.

Over half the wilderness that is established in this section of bills is in my home State of Utah, but, as Mr. CURTIS will tell you, the county commissioners, the local officials, endorse this action. They are happy with it because they gain access to other areas that can promote recreation and economic development, which they have been trying for decades.

A quarter of this is also in California, in one district. So we create wilderness in the national park, but, at the same time, we are taking wilderness study areas and really locking them at the same time. We are making exchanges so that some of the lands go into trust funds for education purposes, to fund the education of our kids—something that the East doesn’t need, but those of us who live in the Federally controlled West, we desperately need to do that.

For the first time we are taking EAJA, and we will actually have some transparency so we will really know what it costs for environmental litigation.

These are all issues we have been talking about for years in the House. These are issues that we repeatedly passed in the House. But, for now, we have a chance of actually making it happen.

Is this bill perfect? No. It is too big to be perfect.

Is the process for creating this perfect? Hell, no. But I am perfectly satisfied and willing to do this, because without this there will be no progress. The status quo will be maintained, and that is bad.

Senator GRAHAM used to say: If I am going from Washington back to Houston and I get as far as Memphis, that is not bad. If I end up in Boston, it is bad, but for Memphis, that is not necessarily bad.

We have been complaining for years about elements that are in this package of bills, and now we have a chance to actually be positive, to get to Memphis and beyond, and to actually get something done.

And if someone says: “It is no good enough. I am looking for something better,” we are holding out for something that never has been and never will be.

And it puts to the lie the complaints that we have exaggerated in the past. Congress is finally ready to act.

We should not refuse the solutions that are in front of us right now. This is a step forward, and this, obviously, is better than the alternatives.

I urge adoption of this package of compromise bills that have been worked out in advance, and I appreciate my colleagues on the Democratic side who have worked so hard to try and come up with a package of bills that we can all support.

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

Mr. GRIJALVA. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CUNNINGHAM), a member of the Committee on Natural Resources.

Mr. CUNNINGHAM. Mr. Speaker, I am proud to stand here today in support of H.R. 972, the Reconstruction Era National Historical Park Act.

I joined Majority Whip CLYBURN to reintroducing the Reconstruction Era National Historical Park Act, which expands the Reconstruction Era National Monument in Beaufort, South Carolina, and makes it a national park.

This bill also creates a national network of reconstruction era historical sites so they can receive the recognition that they deserve.

The Lowcountry’s vibrant reconstruction history is often overlooked or misunderstood, and this act would seek to correct that.

I am honored to work with Majority Whip CLYBURN to preserve, protect, and promote reconstruction history.

Mr. Speaker, I urge my colleagues to support H.R. 972.

Mr. BISHOP of Utah. Mr. Speaker, I yield to the gentleman from Colorado (Mr. NEGUSE), a member of the Committee on Natural Resources.

Mr. NEGUSE. Mr. Speaker, I want to thank former Chairman BISHOP and Chairman GRIJALVA for their work on this legislation.

This is a proud moment. We listened to a lot of angst a while ago, and now we look at two people working together to solve a problem. This is how Congress should work.

We are especially proud of this legislation because, as the chairman mentioned, there are 62 pieces of legislation that passed this House that are in this bill somewhere, including five which are mine.

I think it is important to the State of Alaska. What this bill does, as mentioned by the chairman and the past chairman, is gives opportunity to everybody to be involved. As the chairman said, it may not be everything we want to have a column. We didn’t get in it, but this is the beginning of working together on public lands as they should be, with those that are directly involved in it.

The legislation that was in this bill that was mine: There was the Alaska Native veterans and selection of lands—first time. Been trying 15 years, and we finally got it done.

It also has and expands the long overdue sand and gravel mineral rights to Alaska Native Natives in Barrow. A lot of this land surrounds Native villages, so this legislation solves a lot of those conflicts. And everybody supports it.

I am very excited about this legislation. I want to thank my senators for working on it and finally getting it done but, most of all, the committee, the Natural Resources Committee, where I was chairman for 6 years. This is a good piece of legislation, and I urge passage of this piece of legislation.

Mr. GRIJALVA. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. NEGUSE), a member of the Committee on Natural Resources.
Mr. NEUGE. Mr. Speaker, I rise today as a Coloradoan, an environmentalist, and a conservationist to support S. 47.

I want to thank my home-State colleagues in the Senate; of course, my friends from the other side of the aisle; and, most importantly, our chairman, Chairman GRIJALVA, for his leadership with respect to this bill.

In the great State of Colorado, we understand the value of our public lands. Our State's outdoor recreation economy brings in $28 billion and $10 billion in workers' wages alone.

Investing in our public lands, conserving our wild places, is good for our economy, and it is good for our future generations.

I am proud that this bill not only includes nine measures that would impact my State, but two provisions, in particular, that I introduced earlier this session.

I would directly benefit Colorado's Second Congressional District.

First, the Bolts Ditch Access and Use Act is an important provision that allows the town of Minturn, in Eagle County, to use water from the district, water rights with use of the Bolts Ditch headgate.

Secondly, the WEDGE Act incorporates 124 acres of land adjacent to Rocky Mountain National Park into Arapahoe National Forest. My goal was to take up both of these provisions on the House floor today, both of which will have a real local impact on the communities that I am so honored to represent in Colorado's Second District.

Not only this, but, of course, S. 47 provides permanent authorization of the Land and Water Conservation Fund, which is long overdue and a milestone for future generations.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Utah (Mr. CURTIS), my colleague.

Mr. CURTIS. Mr. Speaker, I rise today in support of this very important package, S. 47, the Natural Resources Management Act.

This bill is comprised of dozens of smaller bills, including two that I have had the opportunity to sponsor: the Emery County Public Land Management Act and the Endangered Fish Recovery Programs Extension Act.

The Emery County bill has been a locally driven effort and will bring long-term certainty to the area through various designations and expanding Goblin Valley State Park for better management. It will also generate millions of dollars for Utah school kids through the School Trust Land Exchanges.

Also in this package, the Endangered Fish Recovery Programs Extension Act will ensure access to critical water sources and continue to promote the recovery of four endangered species.

There are many, many who deserve praise for their years and decades of work on these bills. I would especially like to thank Republican leader BISHOP, who has been invaluable in pushing these bills across the finish line and, on a personal note, has mentored me through very difficult public transitions.

Especially today, I would like to give special recognition and appreciation to Emery County commissioners, who had the ability to see into the future to understand how important this was for their county and to work through all the difficult issues.

I am proud that this bill not only includes nine measures that would impact my State, but two provisions in particular, that I introduced earlier this session. I would directly benefit Colorado's Second Congressional District.

First, the Bolts Ditch Access and Use Act is an important provision that allows the town of Minturn, in Eagle County, to use water from the district, water rights with use of the Bolts Ditch headgate.

Secondly, the WEDGE Act incorporates 124 acres of land adjacent to Rocky Mountain National Park into Arapahoe National Forest. My goal was to take up both of these provisions on the House floor today, both of which will have a real local impact on the communities that I am so honored to represent in Colorado's Second District.

Not only this, but, of course, S. 47 provides permanent authorization of the Land and Water Conservation Fund, which is long overdue and a milestone for future generations.

Mr. GRIJALVA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LOWENTHAL), chair of the Subcommittee on Energy and Mineral Resources.

Mr. LOWENTHAL. Mr. Speaker, I strongly support the passage of this bipartisan public lands package. This broad, comprehensive proposal is important because it includes provisions that will permanently reauthorize the Land and Water Conservation Fund, but it will also designate over 1 million acres of wilderness on Federal lands in States across the West, including over 300,000 acres in California alone.

The bill also includes the Wildlife Innovation and Longevity Driver Act, or the WILD Act, a bill I am proud to colead in the House with my Alaska colleague, Representative DON YOUNG.

The WILD Act also includes the Wildlife Innovation and Longevity Driver Act, or the WILD Act, a bill I am proud to colead in the House with my Alaska colleague, Representative DON YOUNG.

Mr. BISHOP of Utah. Mr. Speaker, I rise today in support of this very important package, S. 47, the Natural Resources Management Act.

This bill is comprised of dozens of smaller bills, including two that I have had the opportunity to sponsor: the Emery County Public Land Management Act and the Endangered Fish Recovery Programs Extension Act.

The Emery County bill has been a locally driven effort and will bring long-term certainty to the area through various designations and expanding Goblin Valley State Park for better management. It will also generate millions of dollars for Utah school kids through the School Trust Land Exchanges.

Also in this package, the Endangered Fish Recovery Programs Extension Act will ensure access to critical water sources and continue to promote the recovery of four endangered species.

There are many, many who deserve praise for their years and decades of work on these bills. I would especially like to thank Republican leader BISHOP, who has been invaluable in pushing these bills across the finish line and, on a personal note, has mentored me through very difficult public transitions.

Especially today, I would like to give special recognition and appreciation to Emery County commissioners, who had the ability to see into the future to understand how important this was for their county and to work through all the difficult issues.

Finally, I would like to thank my colleagues on the Democratic side of the aisle for their willingness to work with me, to see through this proposal and to explain this through their eyes.

I am grateful for the friendships and relationships that I have developed through this process.

Mr. Speaker, I look forward to seeing both of my bills headed to the President's desk with the passage of S. 47.
Oregon (Mr. WALDEN), someone who used to be on our committee but went over to the dark side and is now former chairman somewhere else.

Mr. WALDEN. Mr. Speaker, as the top Republican on the Energy and Commerce Committee, I enjoy the relationship and camaraderie I have with the Natural Resources Committee, and I want to thank the gentleman from Utah and my friend Mr. GRIJALVA, the chairman of the committee for once again bringing this measure forward affecting fire on the crooked river Ranch.

The crooked river Ranch Fire Protection Act is essential to saving lives in central Oregon. With another wildfire season just on the horizon, the people of crooked river Ranch are really deeply concerned that they could become the next Paradise, California, and they are deeply concerned that their community could be turned into ash as wildfire feeds off the dense fuel loads that surround this community of 5,000 people.

They are there because of a lack of proper management to thin out the fuel loads because this area is in a wilderness study area. What we are doing is moving the boundary back about 800 acres. It will stay public. The BLM can come in and use mechanical treatment, literally, to reduce juniper and sagebrush so that the firefighters can come in and fight fire if they do get one.

We have heard which has created a dangerous environment and continues to threaten the people that live here.

This legislation will adjust that WSA. The important public safety legislation will give peace of mind to the residents of crooked river Ranch.

Last year, a fire only a few miles away burned 2,000 acres. It destroyed two homes in less than a day. The next fire season is not far away. We do not want to see images like this of homes turned to ash, lives destroyed in central Oregon, where we have a real opportunity to prevent that from happening thanks to this bipartisan legislation.

So I want to thank my Senators who worked on this. I want to thank Mr. GRIJALVA and Mr. BISHOP for their work on this, and I appreciate its being brought in as part of the package of bills that now will go to President Trump, who I am convinced will sign it into law.

Mr. GRIJALVA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), a member of the Natural Resources Committee.

Mrs. DINGELL. Mr. Speaker, I thank the gentleman from Arizona for yielding and for his leadership on this issue.

I rise in strong support of S. 47, the Natural Resources Management Act. And as my colleague from Utah so eloquently stated, this landmark public lands legislation is the product of years, decades of work at the committee level, and months of bipartisan, bicameral negotiations. It includes support from key conservation, sportsmen, and environmental stakeholders.

The outstanding provisions in this bill will enshrine and safeguard our Nation’s conservation legacy for decades to come. This begins with permanent reauthorization of the Land and Water Conservation Fund. It should never have expired. Permanent reauthorization of LWCF will mean this program and its important work can continue unimpeded for future generations.

Almost 20 years ago, John Dingell led the first effort to permanently reauthorize it with his friends Don Young, George Miller, Billy Tauzin, and Chris John, a geographically and diverse group of leaders who happened to like the outdoors and, yes, hunting and fishing.

LWCF funding has protected some of our country’s most treasured natural resources, while creating jobs, supporting local economies, and providing countless opportunities for recreation. Since 1965, LWCS has provided over $3.9 billion for over 40,000 projects in every county across this country, with every $1 invested returning $4 in economic value.

This benefits every congressional district, every county, and every State in this country. Preserving our beautiful and iconic places matters to us all and was the reason for initially starting it. The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. GRIJALVA. Mr. Speaker, I yield the gentlewoman from Michigan an additional 30 seconds.

Mrs. DINGELL. Being here today with this bipartisan group of people working to preserve our land, he is looking from up above and saying: Well done, all of you.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. WITTMAN), one of the hardworking members of our committee.

Mr. WITTMAN. Mr. Speaker, I rise today in strong support of S. 47, the Natural Resources Management Act.

Mr. Speaker, this bill signifies a strong bipartisan consensus and commitment to protecting our Nation's public resources, including parks, wildlife, habitat, and access to the outdoors.

Today’s vote will help preserve thousands of acres of public land so that Americans can visit, explore, fish, hunt, and enjoy wildlife in the outdoors it protects.

I am particularly proud of the measure which will provide long-term sustainability of the Land and Water Conservation Fund. This is a very important program that uses offshore energy...
resources to fund protected lands that are of national importance: our rivers, our scenic byways, our lakes. Clean water in western North Carolina, access to the great outdoors has been a great driver of our economy, and LWCF has helped fund the preservation and protection of our scenic byways.

Second, I stand in support of this important bill because it reauthorizes the Blue Ridge National Heritage Area. These two pieces of legislation, the LWCF reauthorization, and the Blue Ridge National Heritage Area, are two items that I have sponsored independently of this package, and I am glad they are a part of this resolution before us.

The Blue Ridge National Heritage Area ensures the preservation of the unique cultural history of western North Carolina and provides access to our land surrounding the Blue Ridge Parkway.

So those two important areas are just a small part of this larger package that has been hammered out in a bipartisan way. I commit it to my colleagues, and I ask for a ‘yea’ vote.

Mr. GRIJALVA. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. HILL).

Ms. HILL of California. Mr. Speaker, I thank the chairman for yielding to me.

Mr. Speaker, I rise in support of S. 47. In addition to permanently reauthorizing the Land and Water Conservation Fund, which is, of course, critically important, this bill also establishes a memorial for the St. Francis Dam disaster. This memorial is a project that has been a priority for my hometown, the city of Santa Clarita, for many years, and the site is just miles from where I grew up and where my sister now lives.

The St. Francis Dam was an integral part of our city’s water infrastructure back in the 1920s. On March 12, 1928, the dam failed, and the resulting flood killed over 450 people, cost millions of dollars, and destroyed many homes and other property. The collapse of the St. Francis Dam is considered one of the worst civil engineering failures of the 20th century and is the second deadliest disaster in California history.

I am proud that, in the 116th Congress, we will finally be able to magnify the stories of this tragedy and provide a constant reminder of how critical infrastructure is to the safety and security of our communities.

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. NEWHOUSE). We are sending out our members all over the place. He used to be a member of our committee. He has moved on to lesser roles now.

Mr. NEWHOUSE. Mr. Speaker, I thank Mr. Bishop, as well as Mr. Grijalva.

Mr. Speaker, I rise enthusiastically today to support this package that the House is considering. It includes one of my bills, the Yakima River Basin Water Enhancement Project Phase III Act. This legislation authorizes the next phase of the Yakima Basin Integrated Plan, which is a decades-long effort to address the water needs of the region, including the health of the ecosystem, conservationists, and certainly my constituents throughout the Yakima Basin.

Mr. Speaker, I have not only worked on this project for the last three Congresses, but I hate to say it, my efforts stretched back 30 years, more than I would like to admit, as a farmer, former State legislator, and as director of the State department of agriculture. Today demonstrates the closest we have ever come to sending this crucial legislation to the President to sign into law.

I firmly believe that the Yakima Workgroup and the Implementation Committee are a model for the rest of the Nation to follow to address divisive issues. I invite all of my colleagues to come see for themselves. This group represents a diverse array of local, Tribal, State, Federal, ag, environmental, and private interests. They have worked through decades of painstaking compromise, collaboration, and efforts to find solutions.

So I rise to thank all of them for their hard work, all of the Tribal leaders, the State-Federal partners, the commissioners of the counties, conservation organizations, the cities, local irrigation representatives, and certainly the Natural Resources staff who have worked very hard on this all along, including Mr. Bill Ball. Without their hard work and deep commitment to addressing this comprehensive issue, we would not be as close as we are today to getting this crucial step done.

Mr. Speaker, I urge the strong support of all my colleagues on both sides of the aisle for this package of legislation that Mr. Grijalva and I have worked through decades of pains-taking compromise, collaboration, and efforts to find solutions.

This legislation authorizes the Land and Water Conservation Fund, which is so important to Montana. Mr. GRIJALVA. Mr. Speaker, I yield 1 minute to the gentlewoman from Montana (Ms. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, I rise to thank both the chairman and the ranking member for their bipartisan work on this important bill.

Our public lands define our Montana way of life. Three principles guide my approach: conserve our public lands, increase public access, and trust our local communities.

These principles guided me to protect the gateway to Yellowstone National Park. I met with the residents and community leaders, and the consensus is clear: They don’t want mining in Paradise Valley. That is why I introduced the legislation to permanently ban mining on 30,000 acres of public land just outside Yellowstone Park. That measure is included in this package today.

This package also permanently reauthorizes the Land and Water Conservation Fund.

Susan and I raised our kids hunting, fishing, and backpacking on our public lands in Montana, and I know how critical LWCF is to Montana. Permanently protecting the gateway to Yellowstone and permanently reauthorizing LWCF will help preserve and expand public access to our public lands.

Mr. Speaker, I strongly urge passage of this bill. It is so important to Montana.

Mr. GRIJALVA. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Speaker, I rise today to support the Natural Resources Management Act, a bipartisan package that includes my bill, the Molalla River Wild and Scenic Rivers Act.

This legislation would designate over 21 miles of the Molalla River as wild and scenic, a Federal designation that will permanently ensure its protection and preservation as one of Oregon’s many national State treasures.

The idea to designate the Molalla River as a wild and scenic national river was initiated over 12 years ago by Molalla residents who were looking to preserve and protect their river. Mr. Speaker, I want to acknowledge and thank these community partners, chief among them the Molalla River Alliance, American Rivers, Molalla River Watch, Northwest Steelheaders, the Oregon Department of Fish and Wildlife, and the city of Molalla.

Mr. Speaker, I would also like to recognize the efforts of a few key individuals: Mike Moody, John Atkins, Jack Hammond, Mike Clarke, Kay Patterson, Craig Roberts, Bill Taylor, David Moryc, Bob Rees, and, frankly, so
many others who have worked tirelessly on this project. It is because of their hard work that the cultural, historical, and recreational benefits of the Molalla River will be protected for generations to come.

Mr. Speaker, I urge support for the Natural Resources Management Act.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN), a former member of our committee, but also a leader in the gentleman’s community.

Mr. DUNCAN. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, as the former chairman of the Congressional Sportsmen’s Caucus and an avid outdoorsman, I rise today in support of S. 47, the Natural Resources Management Act.

But let’s be clear. Where does most of the funding come from to fund the Land and Water Conservation Fund? The Land and Water Conservation Fund is overwhelmingly funded by royalties from oil and gas leasing on the Outer Continental Shelf. It is funded mostly from money energy companies that produce fossil fuels pay the Federal Government.

Even though we are going to overwhelmingly fund this bill with bipartisan support, permanently reauthorize a program that has enjoyed success since 1964, it will remain in jeopardy. Why? Because many of the Democrats supporting this have also supported this asinine, illogical, and scientifically unfounded proposal called the Green New Deal, a shift under the Green New Deal away from oil and gas to complete dependence on renewables, and you can kiss this fund goodbye.

How will they propose to pay for the Land and Water Conversation Fund? I can assure you it won’t be from royalties generated by renewable energy. It will be from higher taxes.

I support energy exploration. I support the reauthorization of this bill with as little cost to the American taxpayer. That is why I rise in support, but I implore everyone to think about how counterproductive the Green New Deal really is in actually conserving our precious environment.

It is time we hold the Green New Deal’s supporters accountable to the lack of logic and science behind their proposals that have been estimated to cost up to $93 trillion.

Mr. BISHOP. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. SCHRIER).

Ms. SCHRIER. Mr. Speaker, I thank Mr. GRIJALVA for yielding to me.

Mr. Speaker, I am excited to have the opportunity to speak on this bill, and I strongly encourage all of my colleagues to support this important lands package.

Now, there is one section, the same as Dan Newhouse’s, that is particularly near and dear to my heart and critical for my district and for the State of Washington. It is the Yakima River Basin Integrated Plan that you just heard about.

This forward-thinking legislation will ensure water security for our farmers, rivers, salmon, and communities for the foreseeable future. It allows Tribes to make important infrastructure improvements, protects local salmon habitat, and, therefore, is instrumental in surviving our dwindling Puget Sound orcas.

Mr. Speaker, I applaud my Republican colleague, Mr. NEWHOUSE, and also our Senators, MARIA CANTWELL and PATTY MURRAY, and so many people who worked hard on this plan to make it come true, for the effort they have put in over so many years to see this legislation through.

The Yakima River Basin Integrated Plan is a model for the rest of the country on how to address water scarcity in a changing climate. Partners with very divergent interests all came together with a common goal of protecting Washington’s environment and wildlife and ensuring our communities are resilient in the face of a changing climate.

This agreement will help Washington State for years to come.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK), Mr. Speaker, I rise today in strong support of the Natural Resources Management Act. I am especially proud this bill will permanently reauthorize the Land and Water Conservation Fund.

This vital piece of legislation will benefit millions of Americans in innumerable ways, from promoting recreational activity contributing to our Nation’s robust economy, along with furthering environmental protection and wildlife conservation. The Land and Water Conservation Fund benefits 98 percent of counties across the United States and contributes to an economy that encompasses 1 out of 15 American jobs.

Since its establishment over 50 years ago, the Land and Water Conservation Fund has greatly benefited my home district in Bucks and Montgomery Counties in Pennsylvania.

Treasured public lands, such as Nockamixon State Park and Tyler State Park, and cherished community venues, such as Hatfield Community Park, are all just a few of the examples of the beneficiaries of this valuable fund.

Mr. Speaker, I am encouraged by the strong bipartisan support the Natural Resources Management Act has received, and I compliment my colleagues from both sides of the aisle for advancing this. It is long overdue, and I urge all of my colleagues to vote in favor of this bill.

Mr. GRIJALVA. Mr. Speaker, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON) for her comments.

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding, and I thank my good friends for working together to produce this magnificent lands package.

Mr. Speaker, this lands package takes all our precious land seriously, including our urban parks. I particularly appreciate that this bill allows our cities in Los Angeles to receive full State grant funding for our city parks.

First off is Franklin Park in downtown D.C. to be rehabilitated with public-private partnership money using Federal, local, and private-sector funding.

This bill incentivizes the private sector to step up and do its part to see that our public parks are as good for business as they are for people. The Founders of the Capital city made sure that the Capital would be a city of parks. Watch us set an example for urban parks throughout the country by supporting this important legislation.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Tennessee (Mr. BURCHETT).

Mr. BURCHETT. Mr. Speaker, I thank Ranking Member BISHOP for yielding me this time.

Mr. Speaker, the Natural Resources Management Act is notable for its bipartisan support and for the conservation of our natural treasures.

Tennessee’s Second District, the district I represent, is home to a large portion of the Great Smoky Mountains National Park. It is the most visited national park in our Nation. Last year, more than 10 million visitors enjoyed the park, its wildlife, and its beautiful views and vistas.

The Foothills Parkway traverses the park, and it includes a bridge currently called, creatively enough, Bridge 2. S. 47 would rename the bridge for the late Dean Stone, a longtime editor of The Daily Times in Maryville, Tennessee.

During his tenure at The Daily Times, he advocated for the completion of the Foothills Parkway that enables so many to view the park. I hope to take my daughter, Isabel, and my wife, Kelly, up there shortly.

Bridge 2 posed one of the greatest challenges to the parkway’s completion. It has been described as an engineering marvel, Mr. Speaker, for the construction techniques that minimized its environmental impact.

It is fitting that this bridge bears Dean’s name, not only so we can continue our stewardship of these landscapes, but also so that we can honor the people who pushed us to preserve them and increase their accessibility.

Mr. GRIJALVA. Mr. Speaker, I wonder if I may inquire if the gentleman from Utah has any additional speakers.

Mr. BISHOP of Utah. Yes, I have a couple speakers.

Mr. BURCHETT. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

February 26, 2019
Mr. Speaker, I rise today to encourage my colleagues to support S. 47, the Natural Resources Management Act.

This legislation includes important provisions for public lands across our Nation, but specifically for three national parks in the State of Georgia. One of those includes my own piece of legislation, a boundary expansion for the Fort Frederica National Monument in the First Congressional District of Georgia.

Designed by General James Oglethorpe in 1733 on St. Simons Island, Fort Frederica was built to defend the young colony against attack from the Spanish in Florida. Nine years later, in 1742, General Oglethorpe's design was put to the test. The Spanish invaded the Georgia colony as part of the larger War of Jenkins' Ear headed directly for Fort Frederica.

The Spanish interned over 5,000 troops, while General Oglethorpe had fewer than 1,000 regular soldiers, Native Americans, and local colonists garrisoned inside the tabby structure. The English defeated the Spanish invasion, waded into the marsh, and ambushed the enemy troops in an engagement now called the Battle of Bloody Marsh. Consequently, this battle turned back the Spanish and was the last of their offensives into the colony of Georgia.

This story, battle, and fort is an important moment in Georgia history, taught to elementary students throughout the State as a marker of our resolve and a turning point that helped to create the State of Georgia that we now know.

In passing years, specifically with updates in technology, we increase our knowledge of history through new findings. That is exactly the opportunity we have here with Fort Frederica and why we need this legislation.

Students now know that land just outside the national park boundary was used as a campground and even a battery that protected the area from warships. This bill amends the existing Fort Frederica National Monument to include those locations inside the boundary, in an effort to better preserve those locations and continue to learn more about this area and the critical events that unfolded here in the First Congressional District of Georgia to create our home State of Georgia.

This legislation has been in the works for the last 12 years, beginning when the Saint Simons Land Trust temporarily purchased the additional land in 2007.

Mr. Speaker, I thank the committee for their work on this. We need to preserve this history for generations to come.

Mr. GRIJALVA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I appreciate those who have come down and spoken on this particular bill, especially when you can say the word "Oglethorpe" all the time. It is one of the great names in American history.

This is a piece of legislation that will find some solutions and move this forward. It is not perfect, but it actually solves some problems. Many are parochial, but significant, local concerns.

That is why this package is here. It passed the 63 bills that we have passed in the House but were sitting in the Senate. This has a chance of actually bringing some kind of clout to all of that.

Mr. Speaker, I urge favorable adoption of this piece of legislation, and I yield back the balance of my time.

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

Mr. Speaker, I thank everyone who voiced their support for S. 47.

Before we close and turn to a vote, I again express my thanks to my colleagues who helped bring this bill before us today. It is a major win for conservation across the United States, and I strongly encourage all my colleagues to vote in favor of this legislation.

The American people need to know from this Congress that there are opportunities to produce bipartisan wins, whether it is for conservation or public lands or, more importantly, for the people of this country. I think this bill represents that.

I extend my appreciation and my thanks to respective staffs on both sides of the aisle, for their hard work in bringing this together.

As my friend from Utah said at the outset of this conversation today, it is not a perfect bill, but it is an effort on the part of many of us who came to this with disparate views, different opinions, and opposition to some of its content. It was an effort to try to do something that reflected common ground. I think this bill reflects common ground. I think it is a win for all of us.

Mr. Speaker, I encourage all my colleagues to vote in support of S. 47, and I yield back the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I rise in strong support of S. 47, the Natural Resources Management Act.

This public lands package represents a real investment in our natural heritage. By protecting over 1.3 million acres as wilderness, and making significant expansions of some of our most sacred national parks, this legislation will ensure that our public lands are pristine and accessible for our children and grandchildren.

As a lifelong hunter and outdoorsman, I am especially proud that this package includes legislation from my ACCESS ACT that is crucial to sportsmen and sportswomen across the country.

This includes my legislation to permanently reauthorize the Land and Water Conservation Fund, our nation's most successful conservation program in all 50 states, for over 50 years.

And, S. 47 includes my language to encourage innovative ways for citizens to work alongside natural resource agencies to conserve wildlife and its habitat.

I thank my colleagues on both sides of the aisle who worked to negotiate this important public lands package and I urge my colleagues to vote yes on S. 47.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 47.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

Mr. BISHOP of Utah. Mr. Speaker, I urge favorable adoption of this piece of legislation, and I yield back the balance of my time.

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

Mr. Speaker, I thank everyone who voiced their support for S. 47.

Before we close and turn to a vote, I again express my thanks to my colleagues who helped bring this bill before us today. It is a major win for conservation across the United States, and I strongly encourage all my colleagues to vote in favor of this legislation.

The American people need to know from this Congress that there are opportunities to produce bipartisan wins, whether it is for conservation or public lands or, more importantly, for the people of this country. I think this bill represents that.

I extend my appreciation and my thanks to respective staffs on both sides of the aisle, for their hard work in bringing this together.

As my friend from Utah said at the outset of this conversation today, it is not a perfect bill, but it is an effort on the part of many of us who came to this with disparate views, different opinions, and opposition to some of its content. It was an effort to try to do something that reflected common ground. I think this bill reflects common ground. I think it is a win for all of us.

Mr. Speaker, I encourage all my colleagues to vote in support of S. 47, and I yield back the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I rise in strong support of S. 47, the Natural Resources Management Act.

This public lands package represents a real investment in our natural heritage. By protecting over 1.3 million acres as wilderness, and making significant expansions of some of our most sacred national parks, this legislation will ensure that our public lands are pristine and accessible for our children and grandchildren.

As a lifelong hunter and outdoorsman, I am especially proud that this package includes legislation from my ACCESS ACT that is crucial to sportsmen and sportswomen across the country.

This includes my legislation to permanently reauthorize the Land and Water Conservation Fund, our nation's most successful conservation program in all 50 states, for over 50 years.

And, S. 47 includes my language to encourage innovative ways for citizens to work alongside natural resource agencies to conserve wildlife and its habitat.

I thank my colleagues on both sides of the aisle who worked to negotiate this important public lands package and I urge my colleagues to vote yes on S. 47.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 47.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 47.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 47.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, the second electronic vote will be conducted as a 5-minute vote.

TERMINATION OF NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 245, nays 182, not voting 5, as follows:

**Roll No. 94**

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Aguilar</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Allred</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Amash</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Axne</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Barragan</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Beyer</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Beatty</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Bera</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Berman</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Bishop (GA)</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Bishop (NY)</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Bonamici</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Bonin</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Castor (FL)</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Castro (TX)</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Casten (IL)</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Cast</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Chaffetz</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Chabot</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Clay</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Cleaver</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Clyburn</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Connolly</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Costa</td>
<td>245</td>
<td>182</td>
</tr>
<tr>
<td>Courtney</td>
<td>245</td>
<td>182</td>
</tr>
</tbody>
</table>
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

NATURAL RESOURCES MANAGEMENT ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 47) to provide for the management of the natural resources of the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlemen from Arizona (Mr. Grijalva) 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 363, nays 62, not voting 6, as follows:

[Roll No. 95]
Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill S. 47, the Secretary of the Senate shall make the following corrections:

(1) Strike subsection (a) of section 1 and insert the following: “(a) SHORT TITLE.—This Act may be cited as the ‘John D. Dingell, Jr. Conservation, Management, and Recreation Act’.”

(2) Strike the header of section 9003 and insert “JOHN S. MCCAIN III 21ST CENTURY CONSERVATION SERVICE CORPS ACT” (and conform the table of sections accordingly).

The concurrent resolution was agreed to. A motion to reconsider was laid on the table.

COMMENDING CORRECTIONS OFFICERS

(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. Madam Speaker, this month I met with representatives from two federal correctional institutions located in the 15th District of Pennsylvania: FCI McKean and FCI Loretto.

I thank the representatives for visiting my Washington, D.C., office and taking the time to discuss their priorities for the year ahead. They shared the need to increase staffing levels at Federal prisons because low personnel numbers can result in a more dangerous working environment.

Today I commend corrections officers at FCI McKean and Loretto and all across our country who help protect our communities and uphold the values of our justice system. Officers face dangerous situations in the workplace every day, but that does not deter them.

Just like our first responders, corrections officers are regularly risking their lives to keep their community members safe. They enforce the rule of law, and they carry out their duties without complaint. Their dedication and sacrifice often goes unnoticed by the public, but we owe them our gratitude.

Madam Speaker, let us always thank them for the important work that they do to keep us safe.

HONORING SAMUEL D. ROBERTS

(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, I rise today to honor Samuel D. Roberts for his lifetime of service to the people of New York.

Sam’s career began with General Motors, where he was a union worker who served as chairman of the UAW Local 465 Education and Civil Rights Committee. While at GM, Sam served five terms as an Onondaga County legislator. Then the people of New York State’s 128th Assembly District sent him to represent them in Albany.

After 5 years in the State assembly, Governor Andrew Cuomo tapped Sam to serve as commissioner of New York’s Office of Temporary and Disability Assistance, a $5.4 billion office that oversees more than 2,000 workers.

Sam recently retired from government to serve as a special advisor to SUNY Oswego’s president.

Throughout it all, Sam has kept community first. He has created positive change that will last for generations both in Onondaga County and throughout the State of New York.

Mr. Speaker, I ask that my colleagues join me in celebrating Samuel D. Roberts, a pioneering community leader.

GUN VIOLENCE

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

Mr. MORELLE. Madam Speaker, I rise today to urge my colleagues to vote “yes” on an historic piece of legislation that will make its way to the floor tomorrow. H.R. 8, which will require background checks on all gun sales from Federal dealers. But that stops now.

Thoughts and prayers cannot stop the never-ending string of gun violence that terrorizes communities across the Nation, but commonsense legislation can. That is why I am proud to co-sponsor H.R. 8, which marks a significant step forward in our efforts to keep guns out of the wrong hands.
I urge my colleagues to vote in favor of this legislation tomorrow and to continue our work to ensure safer neighborhoods across America.

TRAGIC FLOODING

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

Mr. BURCHETT. Madam Speaker, I rise tonight concerned about residents of my district dealing with flooding that claimed one life there and has damaged roads and private property throughout the region. The loss of life during this recent flooding is tragic, and my family and I continue to pray for everyone affected back home.

One group of people deserves to be recognized for the work they do in times of crisis, and they are our first responders and other emergency personnel. When the rest of us are seeking shelter from the storm, the men and women who make up our fire and police departments, rescue crews, and emergency communications professionals are going to work to coordinate a rapid response that will save lives and help limit property damage.

It is appropriate that during these times of disaster we continue to pray for those who are suffering and show appreciation for those who work so hard to protect us.

Madam Speaker, I ask that all my House colleagues join me in doing that.

GUN VIOLENCE

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

Mr. NORCROSS. Madam Speaker, I am here to tell a story about gun violence that spans multiple generations, and it started in my hometown of Camden, a city in New Jersey.

A tragic event happened in Camden in 1949. Howard Unruh shot and killed 13 people. This event is now considered the first modern mass shooting in our country's history.

During those horrific events that unfolded, a 12-year-old boy hid in the closet as his mother and father were slaughtered. His name was Charles Cohen, and nearly 70 years later in a school in Parkland, Florida, his own granddaughter, Carly Novell, hid in a closet, just like her grandfather did. Carly is with us today to see how true democracy works.

I will end with Carly's words. She said: "This pain shouldn't be generational."

She is right. It shouldn't have happened, and we must do more for our children, for our grandchildren, and for everyone in our communities.

BLACK HISTORY MONTH

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

Mr. SMUCKER. Madam Speaker, as you know, this month is Black History Month, and I am taking some time to remember African Americans who have made a difference in the community where I live.

I rise today to honor one of my community’s civil rights and community leaders, Mr. Nelson Polite, Sr., of Lancaster. Mr. Polite was one of the early leaders in the civil rights movement in Lancaster in the 1960s. He was a fierce advocate who worked hard to change the unjust policies of segregation.

Mr. Polite devoted his life to the ideals of fairness and justice for everyone, regardless of their skin color. He organized protests against Whites-only admittance at Rocky Springs pool and followed in the footsteps of his father, who helped found the Lancaster NAACP.

Mr. Polite led by example and represented the goodness of our community. He was active in his church and worked to ensure that residents had job opportunities, housing, and overall quality of life.

He served as a Lancaster councilman for 12 years. This month, Black History Month, marks 3 years since he passed away, but the evidence of the change that he fought for is evident in our community. I am proud to count him as a personal friend, and it is my honor to remember him today and, this month, highlight the work that he did.

GUN VIOLENCE

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

Mrs. HAYES. Madam Speaker, I rise today to voice my support for two bills that the House will consider this week: H.R. 8 and H.R. 1112. These bills are the first comprehensive gun violence prevention bills to be considered in the House since the Violent Crime Control and Law Enforcement Act was signed into law in 1994.

Far too often innocent lives are claimed due to gun violence. Nearly 40,000 people die of gun-related injuries per year.

While mass shootings often dominate the headlines, we cannot continue to turn a blind eye to the gun violence happening on a daily basis in cities all over the country and even my own hometown of Waterbury, Connecticut. I have lived in a neighborhood where the sound of gunshots in the distance was as normal as hearing church bells, and, as a teacher and a mother, I have seen firsthand how the fear of violence affects our children.

For far too long, Congress has failed our communities by remaining silent on this issue. America is ready for commonsense background check legislation. I owe it to my community, I owe it to my State, and I owe it to the people of Newtown, Connecticut. That is why I look forward to casting my vote in support of H.R. 8 and H.R. 1112.

THE STORY OF MICHAEL COHEN

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

Mr. GAETZ. Madam Speaker, I guess tomorrow we will find out if there is any evidence that Michael Cohen lied to. We already know he lied to Congress. We already know he lied to law enforcement, lied to the IRS, lied to three banks, and he is going to prison for his lies. So I guess it will be relevant for us to determine: Does he lie to his own family? Does he lie to his financiers? Does he lie to his financiers who are members of his family?

It will be one heck of an inquiry for us because this is someone who has tangled such a web of lies that he is not to be believed. I think it is entirely appropriate for any Member of this body to challenge the truthfulness, veracity, and character of people who have a history of lying and have a future that undoubtedly contains nothing but lies. That is the story of Michael Cohen.

We will see it play out tomorrow, and I for one can't wait to get to the bottom of things and can't wait to get to the truth.

HIGH-SPEED RAIL IN CALIFORNIA

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

Mr. LAMALFA. Madam Speaker, California's high-speed rail system has broken promise after promise and made false claim after false claim.

I want to commend President Trump for working to pull back the $928 million that is still authorized, that could be reachable, and turn this money into something that could be useful for more Americans or even for more Californians.

Now, we also need to send a bill to the State of California for $2.5 billion for the money they wasted for a project that has not fulfilled what was required in the proposition the people passed by 53 percent to 48 percent. The price has more than tripled since then.

We need to focus on doing the transportation projects in the country that would actually help move people in a fashion that they can use.

Governor Newsom was right there with the State of Texas and the other day. I know he knows different.

Let's go ahead and put a stop to this project, put the money back into fixing our highway system or our levee system or our water system in the State of California and not send the bill to the other 49 States of this country that, in good faith, initially sent that as part of the stimulus package. Let's put it into good, solid projects.
February 26, 2019

CONGRESSIONAL RECORD—HOUSE

H2221

minute and to revise and extend his remarks.)

Mr. HARRIS. Madam Speaker, it is a shame that the new House majority, instead of fully funding border security, a few minutes ago actually passed H.J. Res. 46, which would reverse the President's emergency declaration that he signed 2 weeks ago that secures our border.

Now, in Maryland, we have a real problem across our border now because we don't have barriers. We have a huge problem, like every State in the Union, with drugs, with opioids that are just walking across our border, which isn't secured. And, Madam Speaker, we have a huge problem with human trafficking.

If this resolution is passed by the Senate, I hope that the President vetoes the resolution, we sustain that veto, and we finally secure our border.

HONORING THE LIFE OF CARRIE ANN LUCAS

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

Mr. NEGUSE. Madam Speaker, I rise today because, on February 24, Colorado and our Nation lost a fierce and fearless advocate, Carrie Ann Lucas of Windsor, Colorado. A mother, an activist, and an attorney, Carrie practiced family law to prevent discrimination against parents with disabilities firsthand. She fostered and protected each day for the rights of people with disabilities to comprehensive healthcare with dignity and respect.

It is a permanent scar on our Nation that Carrie was lost to the refusal of an insurance company to cover one particular medication, which led to escalating health issues and, eventually, her premature death. Carrie's actions knew only the bounds of freedom and of justice. She was ceaselessly bold, brave, and selfless.

My thoughts are with her family, and I pray that this body will gain some of the bravery that never faltered in her and use it as an inspiration to ensure that no American goes without healthcare—ever.

Madam Speaker, I include in the Record the obituary of Carrie Ann Lucas.

OBITUARY FOR CARRIE A. LUCAS

Carrie Ann Lucas, a disability rights attorney who pioneered representation for parents with disabilities, died after an arbitrary denial from an insurance company caused a plethora of health problems and disabilites and eventually leading to her premature death. She was 47 years old.

Carrie Ann Lucas grew up in Windsor, Colorado, and had served being a teacher, ordained minister and legal assistant before becoming an attorney. Carrie graduated from Whitworth College in 1994, traveled and then returned to the states to attend the Iliff School of Theology. She received a Master's of Divinity with Justice and Peace Concerns during her time there, became increasingly involved in disability advocacy. After she graduated, she started working as an advocate and later legal assistant for the Colorado Cross-Disability Coalition, investigating, preparing, and monitoring disability rights cases and providing informal advocacy on a wide range of topics. While there, she was granted a full scholarship as a Chancellor's Scholar at the University of Denver School of Law.

Following her graduation from law school in 2005, she was awarded a prestigious Equal Justice Works fellowship to create a program to combat discrimination that impacts parents with disabilities. This program, initially started within the Colorado Cross-Disability Coalition, spun off to be Disabled Parents Rights, one of the only organizations in the country devoted to this issue. She also became a national expert and trainer on the rights of parents with disabilities and, through her legal advocacy, secured decisions and promoting those rights here in Colorado. Most recently she was recruited by the Colorado Office of Respondent Parents Counsel to help set up a program to train other lawyers around the state to replicate the sort of impact she was making.

In addition to these professional activities, Ms. Lucas was an advocate with the disability rights groups ADAPT and Not Dead Yet, speaking, teaching, writing, testifying, and protesting on disability justice and the need to end the injustice of disabilities of healthcare and respect. She was also a talented photographer and cook. Carrie Ann was an activist. She helped start EMERGE, ran for Windsor City Council in 2016. She was a leader in the disability community. She will be missed by a wide circle of friends and colleagues in the disability community. She was 47 years old.

Carrie Ann had hoped to spend a lot of time in 2019 using her tragedy to work to fix our broken healthcare system. Her blog www.disabilitypride.com provides more details, and it is her wish that the healthcare of our community was murdered in the name of cost containment. This is why we MUST fight these measures with all we have. Insurance companies and government programs must not be allowed to deny people what they need. Just last month she was having to ration her insulin for her type 1 diabetes because of the same insurance company and how impossible it is to work between private insurance and Medicare and Medicaid. This is a great example of why people with disabilities should not be forced into insurance and Medicare and Medicaid. In January of 2018 she got SCOUTS). The Chair announces the APPOINTMENT OF MEMBER TO REPUBLIC OF CHINA

The SPEAKER pro tempore (Ms. SCANLON). The Chair announces the Scanlon's appointment to 22 U.S.C. 6913, and the order of the House of January 3, 2019, of the following Member on the part of the House to the
Congressional-Executive Commission on the People’s Republic of China:
Mr. McGovern, Massachusetts, Chair

APPOINTMENT OF MEMBER TO SERVE AS CO-CHAIR OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 104(b) of House Resolution 6, 116th Congress, and the order of the House of January 3, 2019, of the following Member to serve as co-chair of the Tom Lantos Human Rights Commission:
Mr. McGovern, Massachusetts

APPOINTMENT OF MEMBER TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2019, of the following Member on the part of the House to the Migratory Bird Conservation Commission:
Mr. Thompson, California

RECOGNIZING NATIONAL DEBT AS THREAT TO NATIONAL SECURITY

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

GENERAL LEAVE

Mr. Biggs. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which 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 Arizona?
There was no objection.

Mr. Biggs. Madam Speaker, it is my privilege to lead this Special Order tonight as we consider the national debt as a security threat to the United States of America.

I thank Senator David Perdue for his leadership. He introduced a concomitant resolution in the Senate. I also thank the more than 50 Members of this body who are original cosponsors to this resolution.

I also thank the more than one dozen conservative groups that endorsed this resolution and have come to understand that a structural deficit that is indeed a threat to our national security.

Madam Speaker, I yield to my friend, the gentleman from Texas (Mr. Roy).

Mr. Roy. Madam Speaker, I thank my friend from Arizona for his leadership on this matter, and I appreciate his leadership very much on H. Res. 149, a resolution recognizing the national debt as a threat to our national security.

In February 2000, the total national debt, excluding intragovernmental holdings, was $5.7 trillion. Federal spending as a percentage of gross domestic product was 17.5 percent. Today, the total national debt now exceeds $22 trillion.

The last balanced budget was signed into law in 1997, and the Congressional Budget Office projects that Federal spending as a percentage of GDP is projected to be 20.8 percent this year. In February 2018, Congress passed a budget agreement that busted the previously established spending caps by almost $300 billion over 2 years.

All those numbers don’t mean anything to the American people tuning in to C–SPAN right now. They are giant numbers. They are really difficult for people to understand and comprehend. But we are talking about the future of our Nation and what we are leaving to our children.

We are leaving them with an economy that is anchored by $22 trillion in debt that is going to turn to $25, $30 and $40 trillion because, this year alone, we are going to have a trillion-dollar deficit, with no end in sight.

We are making it to where our children can’t comprehend what freedom is like in this country and what opportunity is like in this country because they are going to have an economy that is weighed down by this body’s irresponsibility.

Nobody in America balances their budgets at home like this. I assure my friend from Arizona, our States don’t balance their budgets like this. Nobody looks at their income, you have, then blows it by 25 or 30 percent, and then goes to the bank and wonders why they might not give you a loan or help you finance a car.

My concern is allowing this to happen on the backs of our men and women in uniform. We are saying that, as a need to defend the United States of America and to spend more and more money for an insatiable appetite to spend the Federal revenues and beyond to the tune of almost a trillion dollars a year—and it will continue to the tune of almost a trillion dollars a year—and it will continue to rise, make no mistake about that, unless we do something—it will ultimately crowd out spending for things like the military, spending for Medicare, Medicaid, and Social Security—all go up.

The question I would ask is: When are we going to stop? Is it going to take placing a debt clock over the chairs of the Speaker? Do we need to have something to remind us, sitting here in the body, what we are going to be leaving to our children? Because it is our responsibility, what we leave behind to our kids.

It is irresponsible when we look at every bill, every one of these little bills that comes across our desk.

People say, well, why did you vote “no” to Mr. Roy? Well, it was just another $500,000. It was just another $5 million.

That is not how you spend at home. It is time that this body gets serious about spending restraint. It is time that this body recognize—as I am very happy that my friend from Arizona has, and I am proud to join him in saying that this is an impact on our national security and a threat to our national security.

When we know right now that the interest on our debt is pretty soon going to eclipse the amount of spending we are spending at the Department of Defense, that is a threat to our national security. We can’t sustain it.

When we say now that we are going to spend more money for the tools that our men and women need, how are we going to afford to spend on those tools in 2030 or 2040 when we are spending more, literally, on interest than we are on what they need?

I am proud to join my friend to make the case here that this is a threat to our national security. I call on my colleagues to join us, to join this resolution. I call on them to have the same level of resolve to limit spending and to make sure that we pass down the greatest country to our kids that the world has ever known.

Mr. Biggs. Madam Speaker, when the gentleman from Texas talks about the crowd-out effect, that is what we see as one of the threats to our national security.

When you look at the spending that is being bloated and plussed-up and increased, the ramifications of borrowing more and more money for an insatiable appetite to spend the Federal revenues and beyond to the tune of almost a trillion dollars a year—and it will continue to rise, make no mistake about that, unless we do something—it will ultimately crowd out spending for things like the military, spending for Medicare, Medicaid, and Social Security, spending for any discretionary item.

We are on that fast track today, so I appreciate my friend from Texas talking about discussing those crowd-out and the impacts on our future and our future generations.

Madam Speaker, it is my privilege to yield to the gentleman from Texas (Mr. Williams).

Mr. Williams. Madam Speaker, I thank Congressman Biggs for leading this tonight.
Madam Speaker, the national debt is the single greatest threat to our national security. Since 1997, Congress has failed to do its job and balance the budget. Earlier this month, the national debt reached $22 trillion.

I am proud to co-sponsor Congressman ANDY BIGGS’ resolution to recognize the national debt as a threat to national security. I commend him for introducing this important resolution in the U.S. House of Representatives, and I commend Senator DAVID PERDUE for bringing it to the U.S. Senate.

We must no longer rely on routine debt ceiling increases, nor can we risk the devastating effects that a growing deficit will inevitably have on our military and our national security agencies.

In an effort to reduce the deficit and regain responsible spending practices, President Trump has laid out his National Security Strategy that highlights this critical need to reduce the debt through smart, fiscally responsible decisions.

While it is clear we cannot undo the past, it is clear that Federal spending cannot continue to go unchecked and immediate action must be taken. We can no longer defer to future generations to solve our problem and to bear this burden.

I will continue to support legislation that cuts unnecessary spending and opposes legislation that recklessly adds to the debt. I ask my colleagues on both sides of the aisle to get serious and support this important resolution.

It is time to stop risking the national security of the United States of America. It is simple: Balance your books.

Mr. BIGGS. Madam Speaker, I thank my friend, Congressman WILLIAMS from Texas, for his willingness to take a strong stand on this. I am particularly impressed by his reference to President Trump’s National Security Strategy which specifically mentions a portion of it is to bring down our national debt.

We had a little bit of rise in the 1980s and 1990s, as we defeated communism—again, a war situation.

Then, following 2008 and following the last administration, we have skyrocketing debt once again to the point of no return. Within this approach, the debt we had during World War II, fighting the largest war this world has fought.

Then, by 2048, 30 years from now, actually having a debt that is 150 percent of everything we make in this country, that is the same with falling economies, some of the economies like Greece, Italy, the ones that have unsustainable debts. We are on a clear path to that.

Now, let’s talk about the size of our national debt. This chart goes from 2010. This is just 18 years, starting from 2010 and going to 2028. This is the interest payment on our national debt because, Madam Speaker, like every American knows, if you borrow money, you have to pay interest on it.

1915

The fact of the matter is that right now, our interest, total interest payment, is about $1 trillion.

But, Madam Speaker, every American family knows, every senior who has saved for retirement knows that interest rates right now are very low. If you go and get a CD, what are you getting, a 1 percent, 2 percent return. Those interest rates will return to normal.

And as the gentleman from Texas mentioned, we are accruing debt at $1 trillion a year, so that by the time we reach 2028, the interest payment on our debt alone, due to the increased size of our debt and the increased interest rate is going to approach $1 trillion a year.

Now, what does that mean? Well, Madam Speaker, there are a lot of things that the government funds. Those of you who are interested in the safety of Social Security, of Medicare and Medicaid, of Federal pensions, they know that we are approaching a zero sum game. We can’t keep this debt going forward.

In fact, this final chart I am going to show is 10 years, starting now, it shows the percent spending of GDP, so relative to our economy, what our net interest on our debt is; and then other things, like Medicaid, the Children’s Health Insurance Program, things that we think are important, defense. The yellow line, the defense budget, non-defense discretionary spending, all these are relatively constant. All of them are going to be crowded out by net interest on the debt.

Madam Speaker, Americans understand, you can’t borrow forever. You can’t do it on your cars; you can’t do it on your houses; you can’t do it on your credit cards; and we can’t do it here in Congress anymore. This threatens our security, when, in 5 years, we will pay more interest on our national debt than we pay defending this country. We can’t do it.

Congress has to get its act together, clean up its act, and get our budget in balance.

Mr. BIGGS. Madam Speaker, I thank the gentleman from Maryland, and I appreciate his focusing on the interest, because he is right. In just a few short years, we will be spending more of our budget on interest than we do on defense and then a couple of years after that, more on our interest than we spend on Medicare.

Think about that. Think about where we are headed because of our profligate ways.

In the first chart he showed, I was struck, as I remembered growing up in the Cold War era.

Madam Speaker, I thank those of us who grew up in the Cold War era remember that contest between us and the former Soviet Union and the amount of money spent by both sides. It is dwarfed by the spending that we are embarking on today as a percent of our GDP. That is where we are. That is where we have come. So it continues to be a problem in so many ways and on so many levels.

Madam Speaker, it is my privilege now to yield to the gentleman from Colorado (Mr. BUCK).

Mr. BUCK. Madam Speaker, I thank my friend from Arizona for yielding, and I thank him for his leadership on this important issue.

Madam Speaker, we have $22 trillion of debt, over $22 trillion of debt now. We are accumulating debt at approximately $1 trillion a year. America is financially bankrupt, and if we continue to place this burden on our children and grandchildren, we are also morally bankrupt.

We are threatening our ability to react to world affairs, our ability to deal with the dynamic threats that we face in this world, not just land, not just sea, not just air, but space also. We need to balance the budget, but it requires us to make difficult decisions today, to ensure a prosperous future. And it requires us to make significant cuts to our discretionary spending.

One of the amazing, unique characteristics of this place, of Congress, is that for some reason, we make a distinction between discretionary spending and mandatory spending.
My grandchildren don’t care if they have to pay back a debt that was created by mandatory spending or a debt that was created by discretionary spending. They don’t care. A dollar is a dollar to them, and it should be to us, and we should take control of mandatory spending first as we take control of discretionary spending.

Since I was elected to Congress, I have fought hard against our country’s out-of-control spending, and I have advocated for a balanced budget amendment to the Constitution that would force Congress to pass a balanced budget every year.

For the economic well-being of our country, I am proud to join my colleagues in cosponsoring this important resolution, and I would like to thank my dear friend and colleague, Mr. BIGGS, for recognizing our country’s serious spending problem before it’s too late.

Mr. BIGGS. Madam Speaker, I thank my friend from Colorado, Mr. BUCK, and I appreciate him raising that important issue, that it is an oddity, isn’t it, in Congress, that somehow we segregate money. We segregate money and say, oh, well, this money doesn’t matter so it becomes fungible when you are looking at the accumulation of debt that we are heaping upon our future generations.

I appreciate the gentleman bringing that to our attention and reminding us, and I yield back, Mr. BIGGS, I appreciate his voting record, because I have watched it closely, and he is a man of his word when he says he has been fighting to balance the budget and reduce our deficit since he got here, because his voting record is actually true to that, and I appreciate that very much.

Madam Speaker, it is now my pleasure to yield to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Madam Speaker, I want to thank my friend from Arizona for the time, and thank him for bringing this issue to the forefront.

Madam Speaker, I am distressed by the lack of numbers in the Chamber right now because this truly is the greatest threat to the security of this Nation that we face.

When I ran for office last fall, I promised the citizens of Virginia’s Sixth Congressional District that I would reintroduce 4 words to Washington: ‘‘We can’t afford it.’’ These are four words to introduce 4 words to Washington: ‘‘We can’t afford it.’’

When I was elected, I promised Virginia that if I had to fight this battle against the entrenched interest groups who would not take a stand, I would do so. That is why I signed into law was 1997. It is almost more than you can count.

In Virginia, where I served in the House of Delegates until last year, we are required to balance our budget each year. And because we have placed a priority on fiscal responsibility, Virginia is frequently listed among the best states in which to do business.

In contrast, the Federal Government has a much bigger debt. Public debt of more than $22 trillion. Every year, since 1997, Congress has failed to maintain a fiscally responsible budget and, instead, has relied too much on raising the debt ceiling.

Because of this practice, on August 5, 2011, the credit rating of the United States was reduced by Standard & Poor’s from AAA to AA+, and has remained at that level ever since.

Virginia, through its fiscal responsibility, has maintained its AAA bond rating, one of only a few States to have that honor.

Not only is the current practice of not passing a balanced budget fiscally irresponsible, it poses a threat to our national security. As part of his National Security Strategy, President Trump has highlighted the need to reduce the national debt through fiscal responsibility, and I commend him for it.

In September 2011, former Chairman of the Joint Chiefs of Staff, Michael Mullen warned: ‘‘I believe the single biggest threat to our national security is debt.’’ And at that time, our national debt was close to $15 trillion. Now, almost 10 years later, our national debt has increased by $7 trillion, a 46 percent increase.

Madam Speaker, I am proud to stand with Congressman BIGGS, my fellow cosponsors, and a bipartisan group of national security leaders, in support of this resolution.

Recognizing that the national debt is, indeed, a threat to the national security of the United States;

Recognizing that deficits are unsustainable, irresponsible, and dangerous;

And committing Congress to restoring regular order in the appropriations process and addressing the fiscal crisis faced by the United States. The future of our great republic depends on it.

Mr. BIGGS, Madam Speaker, I thank the gentleman from Virginia (Mr. CLINE), for his comments and his efforts and his willingness to stand on this important issue and recognizing—and promising to people and responding to that promise. And I can tell you, when I first considered even running for Congress, one of the things that motivated me was this horrific debt, which I have watched explode even more since I got here; not because I am here, but in spite of my efforts.

So, today, we are preparing to introduce our resolution, which will be later this week, Senator PERDUE, his cosponsors, my 50 original cosponsors—more than 50 original cosponsors. And we recognize this, as of today, the national debt is more than $22 trillion. You have heard that. Can you hear it enough without taking action?

The resulting total interest expense for the fiscal year 2019 is $192 billion. It’s $192 billion. It doesn’t take a holiday; it doesn’t take a vacation. Interest accumulates without ceasing until you pay your debt.

Our national debt as a percentage of GDP is 104 percent. The last time a Federal budget was balanced and was signed was 1997.

Our total Federal tax receipts for fiscal year 2018 were $3.329 trillion. But somehow—and we all know how—our Federal outlays totaled $4.1 trillion, with a deficit of $780 billion. And we know how. We know how that happened. We look to each other in this body.

Since the last time Congress balanced the Federal budget in 1997, Congress has failed to maintain a fiscally responsible budget and has relied on raising the debt ceiling. How many times have we raised the debt ceiling? It’s almost more than you can count.

Congress failed to pass a balanced budget for fiscal year 2019 and failed to restore regular order to the legislative process by not allowing Representatives to offer and debate amendments. When we have regular order, it permits the House to separately debate and adopt all appropriation bills in a timely fashion and facilitates congressional oversight on Federal spending.

Estimates are Medicare will run out of money in 2026, Social Security in 2034.

As my friend from Virginia, Mr. CLINE, said: Congress’ ineffectiveness has caused the U.S. credit rating from Standard & Poor’s to drop from AAA to AA+. Without a tax-and-spend effort to balance the Federal budget, our credit will surely continue to fall.

President Trump’s National Security Strategy highlights the need to reduce the national debt through fiscal responsibility.

Former Secretary of Defense James Mattis warned that: ‘‘Any nation that can’t keep its fiscal house in order eventually cannot maintain its military power.’’

Director of National Intelligence Dan Coats warned that: ‘‘Our continued plunge into debt is unsustainable and represents a dire future threat to our economy and to our national security.’’

Former Secretaries of Defense Leon Panetta, Ash Carter, and Chuck Hagel warned: ‘‘Increase in the debt will, in the absence of a comprehensive budget that addresses both entitlements and revenues, force even deeper reductions in our national security.’’

And former Chairman of the Joint Chiefs of Staff Michael Mullen warned: ‘‘I believe the single biggest threat to our national security is debt.’’

And so what must the House do?

First, we have to recognize that the national debt is, indeed, a threat to our national security. We must realize that deficits are unsustainable, irresponsible, and dangerous.

□ 1930

We must restore regular order in the appropriations process, and we must commit to addressing the fiscal crisis faced by the United States.

I mentioned it before, but when you are spending a pot of money and you have limited resources, regardless of how great those resources are—I mean, we have had record tax revenues for the last 15 months, record revenues, more than any time in the history of the United States of America, and we still outspend that revenue.
As we do so, we have to borrow money, because we have created a structural deficit. So, foundationally, we put ourselves in a position where we have to borrow money; and when you have to borrow money, you have to pay interest on that. As you do that, you lose money, which means that, if you are going to start crowding out what you can spend those limited resources on.

Who holds our debt? One of the biggest holders of our debt is also one of our greatest potential adversaries, and that is China. Since 1971, the United States dollar has been pegged to the last 25 years, expanding their military, building a blue-water navy, expanding their capacity for rockets and missiles, and also taking in our debt.

This places us at risk if we are ever in a conflict, which I pray we never are. I hope we never are. But if we are in a conflict with an adversary who holds significant amounts of our national debt, we are at risk. And you have to acknowledge that.

What is bothersome is so far is the fact that the U.S. dollar is the international medium of exchange in international transactions, economic transactions. If we were to lose that, the ability to borrow funds to sustain our unsustainability would go away. And I bring that back to China.

China has ambitions to make its own currency a regional currency of exchange. They would like to replace the United States dollar as the international medium of exchange as well.

What else is an actual physical problem when you have the kind of debt and deficit spending that we have is that you cannot pay to replace and maintain your internal infrastructure, and we see that today. Bridges, roads, airports, all of these need maintenance. They need upkeep. They need expansion. We need new roads. We need new highways, but we can’t pay for it, because we are going to be in a position of being overextended. That places us at risk, because you do need internal infrastructure.

Madam Speaker, it is now my pleasure to yield to my good friend, the gentleman from Florida (Mr. Yoho).

Mr. Yoho. Madam Speaker, I would like to thank my colleague, Mr. Biggs from Arizona, for yielding. This is such an important topic that we are talking about, national debt.

I remember when I came to Congress in 2003, Mr. Biggs had said the biggest threat to America is our national debt. Hillary Clinton, Secretary of State at the time, said she agreed with that. One of the few times I have agreed with Mrs. Clinton.

But national debt today is $22 trillion. When Reagan came into Congress, it was $14.5 trillion. When President Reagan left office, it was about $2.5 trillion. It doesn’t matter who is in the White House. Our debt is going up until this body, Congress, addresses our debt.

If you take a look at our debt, 71 percent of our debt is mandatory spending, 29 percent is discretionary. Discretionary was described to me as the money we have left over at the end of the month after we pay all of our bills. That is discretionary.

The interesting thing is, in 1964, those numbers were reversed. Mandatory spending was 29 percent, discretionary 71 percent. So we were a cash-rich Nation. We could do things. We could do a space program. We could do the infrastructure bills that we did that this Nation needed.

Today, that is flipped around to where 71 percent of every dollar this government takes in is already spent. We don’t vote on that in Congress. Those are things that happen without us. The only things we vote and we shut the government down on is that 29 percent.

If we do not address our mandatory spending, mandatory spending will address us as a Nation.

I was on an interview, and they said, well, President Obama doesn’t want to mess with mandatory spending, which is Social Security, Medicare, Medicaid, interest on our debt, retirement programs for our Federal employees. And I reminded the interviewer, and they said this about President Trump: He doesn’t want to deal with mandatory spending.

I said: I understand that. But either this President or the next President deals with mandatory spending or mandatory spending will dictate to this Nation what we have to cut, and those are called austerity measures.

All you have to do is look at Puerto Rico, Spain, Portugal, Greece, where they had mandatory austerity measures where programs were cut, and they were cut by other governments that controlled their debt.

Today, about 30 percent of our debt is controlled by foreign nations, the other 70 percent, the American taxpayer owns, but it would be tragic to allow us in this body to allow another nation to say: You have got to get rid of that program.

That is unconscionable. It is irresponsible of us. And if we do not deal with that debt, that debt will deal with us.

Madam Speaker, this is something I appreciate Mr. Biggs standing up and having this Special Order on. This is something we talk about repeatedly in our district. We have town halls on this.

When you look at the discretionary spending, that is the stuff that runs all of government outside of Social Security, Medicare, Medicaid, the retirement programs. That means the Department of Defense. That means the Department of Education, Justice, the Department of Homeland Security. All the research money that goes into our research universities comes out of the discretionary funding of government.

I am telling you, as a Nation, if we do not address this, this Nation will not be the same as the one that it was from great countries that have lasted for a period of time. They have always come to a demise, and it was because they haven’t paid attention to the things that are the very basic.

Madam Speaker, I appreciate my colleague for bringing this up. This is something that repeatedly—if you look at this Congress, the Democrats have been in charge of the House since January 2 or 3. We don’t have a budget. We haven’t addressed anything dealing with debt. But they have spent a lot of time dealing with President Trump and trying to remove him from office and finding out reasons why he shouldn’t be the President. Madam Speaker, we as Americans need to come together and deal with the debt, and I appreciate the gentleman’s efforts.

Mr. BIGGS. Madam Speaker, I thank my friend from Florida for taking time to come down and give us his insight on this monumental problem.

One of the things that he talked about, Madam Speaker, is that we have been up to snuff. We ought to be paying our debt. Our debt is going up until this date and our debt is going up. Our debt is going up until this day.

February 26, 2019
fiscal house in order, this Nation will not be the Nation it is.

So, again, I don’t think it will balance in 10 years. It won’t balance in 20 years unless we change the dynamics, and they need to change now.

Mr. BIGGS. Madam Speaker, I thank the gentleman for his comments.

Madam Speaker, reclaiming my time from the gentleman from Florida, when we look at that and the promises constantly, this is getting to my point: The procreative path to get back to regular order. It needs to get back to 12 individual bills—this is what we talked about—12 individual bills that go through a process where there is debate; there are amendments; there is discussion; and there is accountability.

Nothing provides more accountability than bills that have single subjects; nothing provides more transparency than bills that have single subjects; and nothing allows the American people to see what we are doing in Congress like single subjects.

So when you take 12 subjects, which are your budget bills, and you combine 3 or 4 of them into a minibus and 6 or 7 into an omnibus, and you say vote on these things—usually we are given just a short amount of time to review things and analyze them anyway; usually they come in under some closed rule or some highly structured rule—well, you are preventing a course of things.

Number one, we are not going to get to a balanced budget because, ultimately, what you are also preventing is accountability, because when the American people can see how you voted in a single area on a single issue, they know whether they agree with you or not. They know whether you should be doing that, and they will let you know. They give you the feedback. That is the accountability that we need if we are going to balance this budget over time and correct our course.

Now, there is an economic theory called path dependence. Sometimes it is called increasing returns. Kenneth Arrow wrote a lot about this, and what it boils down to is this: It is an analysis, really, of why decisionmakers make suboptimum decisions and then persist on the course even after they know it is a suboptimum decision.

Well, what typically happens is regimes and institutions are built up. There to sustain what we are building up and foundation; and, ultimately, they have propelled themselves so far down, they are what we call locked in. To exit that path, the cost is so high that they don’t want to exit that short-term path and move to a more optimal path.

But I am here to tell you tonight that as long as we stay on this suboptimal path where we don’t have these 12 budget bills, we don’t get back to regular order in budgeting, as long as we do CRs and then claim that we have done a normal budgeting path when we have created omnibus bills or omnibus bills or minibus bills, we are not going to be able to exit the path that we are on.

If we are going to sustain this Nation, we are going to need to exit the path that we are on and move to a more optimal path.

That is really what this resolution is about. It is encouraging people from both sides of the aisle, I am not blaming one side or the other. I am just saying that if we are going to get this done, everybody in this House has to look internally. Everybody in this House needs to say: What are we doing with our process? Everybody needs to recognize that if we continue on this path, at some point there is no more path to run down.

We just heard from a series of speakers that the numbers go up and, at some point, you reach a tipping point, and that tipping point says you cannot go forward. I would rather we move over to a suboptimal path now and pay that price, which is typically a short-term, corrective price. In the scheme of things, it may take longer than just a short-term, corrective price because, if we don’t, our choices are taken away from us.

I will tell you that if we would have gotten on the path 2 years ago, we would have had more choices and more options. Every day we go further down this path, the fewer options we have until the end. Mr. Yoho is correct, and all of my friends who have spoken tonight were correct, and the more than 50 cosponsors here, they are all correct: If we don’t do something, it will be imposed upon us.

If it is imposed upon us, we won’t have control. We will not be able to handle this in a way where we hurt the fewest people, where we can feather the safety net as much as possible, where we can apprise candidates of their status, where people can still find jobs, and where people can achieve the American Dream that they perceive that they want to achieve. Those things get taken away from us because, ultimately, this country is built on individual freedom and individual accountability.

If we have to take that horrible measure of receiving something like our debts being called in, or we can’t find the cost of our loans—imagine if the cost of our debt today would just move up a couple of points—imagine what that would look like. If we can’t do this of our own volition, we will be subject to someone else’s will, which is not what we want to happen.

If we do this, our American Dream—individual freedom and individual accountability—will go away. And why? Because that accountability will be foisted upon us by coercive forces.

Mr. Speaker, I conclude tonight with gratitude to the 50-some odd men and women who have signed on to this resolution. I implore all in this body to join myself, to join me, to join Senator Perdue and those who have signed on and sponsored a companion resolution in the Senate, and let’s make the hard choices today so that we might preserve the freedoms for our children and grandchildren.

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

AMERICAN VOTING SYSTEM

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2019, the Chair recognizes the gentleman from Florida (Mr. Yoho) for 30 minutes.

Mr. YOHO. Madam Speaker, my colleagues and I rise today in opposition of H.R. 1. This bill is nothing more than a thinly veiled attack on the American voting system designed to allow Democrats to keep the majority in the House of Representatives, and I will explain and illustrate.

As a Member of Congress, we have a responsibility to ensure that every American vote is counted and protected, especially because our democratic society relies on participation in the democratic process through free and fair elections. While I support efforts to make voting easier and to help Americans in our electoral process, I cannot support this unconstitutional legislation.

Madam Speaker, let me lay out for you some of the most absurd provisions in this legislation.

H.R. 1 creates Federal Government subsidized elections. For the people watching on C-SPAN, if they don’t have insomnia, I want them to hear that again. H.R. 1 creates Federal Government subsidized elections through a 6–1 ratio for government matches to small donor contributions for congressional or Presidential campaigns.

For the government to give matches—subsidized elections—that means they are taking money from you to go to candidates, but not necessarily of your choice, but not necessarily. So the donor contributions for congressional or Presidential campaigns, which means for every $200 an individual donates, the Federal Government will take $1,200 of the American taxpayers’ money and distribute it.

Additionally, H.R. 1 removes the checks our current voting system has in place to ensure eligible voters are casting ballots by forcing States to accept online and same-day voter registration. I don’t think that has ever happened before, where H.R. 1 removes the checks our current voting system has in place to ensure only eligible voters are casting vote ballots by forcing States to accept online and same-day voter registration with no penalties for ineligible voters.

That means somebody could show up, an individual, and cast multiple ballots or votes, or vote without meeting the current requirements, and they will not be reprimanded. There is no recourse. Who is going to go after somebody after they have already cast their vote and they weren’t an eligible
I have got a top 10 list here—actually, it has turned into a top 11 list—of the 10 most egregious provisions of H.R. 1.

Again, I want to remind you that the Democrats took over at the beginning of the year. We are $22 trillion in debt. And that will say: Well, it is President Trump’s fault. Well, we can say: It is President Obama’s fault. And they will say: Well, it is President Bush’s fault. And it can go all the way back to George Washington, I expect.

But the fact is it is a bipartisan issue that needs to be dealt with. So the top 11 most egregious provisions of H.R. 1: It creates, again, a 6-1 government match to any small donor contribution of $200 or less in a congressional or Presidential campaign, meaning for every $200 the government will match $1,200.

So let’s look at the facts. Where does that $1,200 come from? You go to work, you get a paycheck at the end of the week, and at the end of the week you notice that you don’t get paid your gross pay, you get paid your net pay. The rest of the money comes to the government and the government is going to use that money, when we are $22 trillion in debt, and give out subsidies to support, hopefully, your candidate. This has never happened before in our government, and we are at $22 trillion in debt. It does nothing to solve our national debt.

Number two on the list: Creates a new voucher pilot program—a pilot program. And I have to hand it to the Dems. They love programs that give out monies and grants, this voucher pilot program that grants eligible voters a $25 voucher of hard-earned taxpayer dollars to donate to any campaign of their choosing.

The Federal Government has no need to do this. Again, they are taking money from people and using it for that which the government is not mandated by our Constitution to do.

Number three: Authorizes an inappropriate use of Federal workers and taxpayer dollars by granting Federal employees 6 days of paid vacation to serve as poll watchers.

I would venture that come election day, the largest majority of Federal employees for 6 days will be poll watchers and not running the government. This is just bad policy.

Number four: Weakens the voting system of the American people by increasing the election system’s vulnerability and failing to implement the necessary checks and balances regarding who is registering to vote. H.R. 1 will force States to allow online voter registration, automatic voter registration, and, I think the most dangerous and egregious, same-day voter registration.

So that means I can show up in Florida, my home State, and I can register to vote that day. I can drive to Georgia
and register to vote that day. I can go to Alabama, Louisiana, North Carolina, South Carolina, and I can possibly vote in every one of those States, because the driving distance, I could make that.

So I could vote in possibly seven or eight States as a single person on the day of voting. Nobody could validate that. Yet the election gets calculated and determined on those kinds of voting, and I don’t think that is what anybody wants. I would hope, regardless of your political affiliation, you would stand up to say this is wrong. We need to make sure these safeguards are in place to protect that one very, I think, sacred, precious right of all voters, of all American citizens, the right to vote.

Number five: Diminishes the process of election day voting by expanding “no excuse” absentee voting and allowing for eligible voters to be able to cast their ballot by mail with no additional safeguards to this process.

That means provisional ballots that get sent in, their signature can’t be questioned. It doesn’t need to be questioned. It doesn’t have to be the correct signature, but it will be counted as a vote.

I would think a party that put that in place would be afraid of that, because it really weakens the democratic process we go through as a constitutional republic.

Number six: Disregards State voter identification laws by allowing sworn statements to be used in place of identification and allowing for signature verification, which can be submitted through a photo if the voter registers online.

Let me read that again.

Disregards State voter identification laws by allowing sworn statements to be used in place of identification and allowing for signature verification, which is permitted through a photo if the voter registers online.

Now, think about that. I can’t get on an airplane without a picture ID. I can’t purchase medication, over-the-counter cold medication with phenyl-ephirine in it, without a picture ID, but we are going to allow people to vote without a picture ID just by signing an affidavit saying I am who I say I am. And, again, that won’t be verified until after the election.

It has been written all over it, and I think it is unconscionable that the Democrats would even consider such a thing on something that we hold so sacred in this Nation, that we brag about and we boast about in the world as being the longest serving democracy in the world using a democratic process in a constitutional republic, that we are going to allow such shoddy type of verification.

Again, it is unconscionable that they would even consider bringing this up.

Number seven: Fails to criminalize fraudulent registrations.

Fails to criminalize fraudulent registrations. We have people going to jail because they have lied to the FBI. We have George Papadopoulos who lied to the FBI, and he went to prison for 14 days. But I can lie and not be who I say I am, and I can vote on this Democratic bill, H.R. 1, and I have no recourse against me. There is no consequence for it.

And I just think a party that wants to have those kinds of policies in place as a whole needs to look in the mirror and say: What are we trying to do?

Number eight: Impedes States’ ability to determine their registration and voting practices as protected under Article I, Section 4 of the Constitution and violates separation of powers by Congress mandating ethics standards for the Supreme Court. H.R. 1 is a constitutional overreach.

Number eight: Impedes States’ ability to determine their registration voting practices as protected, as I said, under Article I, Section 4.

Number nine: Violates constitutional rights under the First Amendment by prohibiting any false statements relating to Federal elections, including time, manner, place, qualifications of candidates, or endorsements of candidates enforced by a partisan FEC, which is the Federal Elections Committee.

Number ten: Empowers trial attorneys by establishing private rights of action by allowing candidates to litigate their way to victory.

We saw this in the last Presidential election. We saw this in the last gubernatorial election in my State of Florida. We saw this in the senatorial race in Florida, where people were going to sue, and they didn’t have the legality of doing that, but this bill would allow that.

And I think one of the largest grievances for H.R. 1 that all people ought to be upset with is that it mandates voter registration—mandates voter registration—that means is the Federal Government says you must register to vote.

I agree, we should all register to vote, but can the government mandate you?

We tried this with the Affordable Care Act that the Democrats ran through in a partisan manner in this Chamber, no Republican support, mandated that people had to buy a product even if they didn’t want that.

Madam Speaker, that is wrong, and that is why that part got struck down, the individual mandate got struck down, as it should have, because the Federal Government was saying: If you don’t do what we say, we are going to fine you.

You know, that sounds like China. China does that. They have their good citizen score, the Orwellian good citizen score that they monitor what you do, and if you don’t do it, you don’t get the prizes of the Chinese Government. Are we turning into that, mandating voters to register?

Last Congress, I chaired the Asia, the Pacific, and Nonproliferation Subcommittee on Foreign Affairs. And it was amazing because I got to travel to countries around the world that have just started free and open elections in a Western, democratic style. It pains me to see these countries with a new democracy where 90 percent to 98 percent of the people show up.

If you look at Iraq or Afghanistan, they are walking around with the purple finger at risk of their lives, because for once in their life they had an opportunity to vote, to vote for something that they wanted in power—a foreign concept to them. Yet in this country, we want to take that away from people.

As we continue on, there are some myths on H.R. 1.

It has been designed to fund, elect, and maintain Democratic majority, and I want the American people to know that. The Democrats introduced this 1,232-page package of Democratic priorities without allowing for input from Republican Members or going through the standard House Committee.

This is something that they railed against us. All the 6 years I have been in Congress, they have railed against us about no open process, yet they come out with a 571-page package of Democratic priorities without allowing for input from one Republican Member.

H.R. 1 will waste taxpayers’ money, federalize the election system, weaken safeguards surrounding voter registration, and violate Americans’ constitutional right to free speech under the First Amendment.

The estimated cost of this that we got for H.R. 1, because of all the subsidies and the other garbage that is in this, is over $10 billion to the American taxpayers—$10 billion—when we are already at $22 trillion.

I would like to go through a few myths.

Democrats are empowering citizens. That is the myth. The facts are Demo- crats are using citizens’ hard-earned taxpayer dollars to fund their candidates.

Voucher from the government to the campaign: Through this bill, eligible voters would receive a $25 voucher from the government to the campaign of their choice; through this bill, eligible voters would receive a $25 voucher from the government to the campaign of their choice; through this bill, eligible voters would receive a $25 voucher from the government to the campaign of their choice; through this bill, eligible voters would receive a $25 voucher from the government to the campaign of their choice; through this bill, eligible voters would receive a $25 voucher from the government to the campaign of their choice.
Another Democrat myth: Democrats are promoting integrity. The facts are Democrats are promoting the interests of Washington, D.C., swamp, not yours.

Federal paid vacations: Federal workers would get a 6-day paid vacation on watch.

16-year-olds: H.R. I will open the door to 16-year-olds by requiring States to allow them to register and vote;

Free speech violation: Prohibits any false statements related to Federal elections, including time, manner, place, qualifications, candidates, or endorsement.

And I want to go back over this one other myth. Democrats are creating vulnerabilities in the voting system.

Automatic voter registration—automatic voter registration, mandates from the Federal Government, boy, how the Dems like that—requires all States to adopt an automatic voter registration system that would be relying on the Federal Government for records. There would be no criminal punishment for an ineligible voter who is registered in error.

Madam Speaker, as you have heard, my colleagues and I have severe concerns about H.R. 1. While my colleagues on the other side of the aisle are marketing it as a fix to the American voting system, what it really does is place the standards we have had in place for over 200 years to protect American voters and the voting process.

As Members in Congress, we have the responsibility to ensure that every American has the right to vote and the access to vote and that vote is guaranteed and protected. H.R. 1 does not do this, and I encourage my colleagues to consider this implication and not support this bill.

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

FIVE PILLARS OF WHAT WE BELIEVE SAVES US

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2019, the Chair recognizes the gentleman from Arizona (Mr. SCHWEIKERT) for 30 minutes.

Mr. SCHWEIKERT. Madam Speaker, many of us really appreciate when you stay here and listen to us because we know a lot of folks out there don’t appreciate it. It is sort of a gift of your time to be with us. When we were in the minority, I spend much of my freshman term sitting in that chair.

What we are going to do tonight is this sort of a continuation of a theme. We have already heard tonight, and over the last couple weeks, discussions of how much of what is happening in Medicare, and, actually, I want to come here behind this microphone and talk about what I believe is a solution.

2015 I genuinely believe over the last few years, we have put together at least the backbone of enough math to talk about the reality. But let’s first sort of set up the discussion if you haven’t watched some of our other floor presentations since the beginning of this session.

Every week, every other week, we try to take a half an hour and walk through our five pillars of what we believe saves us. Understand, in 9 years, 50 percent of all of the noninterest spending that this Congress will do will be to those 65 and up.

In 9 years, the 74 million baby boomers will actually be in their benefit cycle. They will be 65 and up.

So what do you do as a society? We have promising been made, earned entitlements out there, your Social Security, your Medicare, and you have earned those. That is part of your societal contract with this government, but we don’t have the cash to pay over the next 30 years.

How do we get there? I am going to tell you, I am still optimistic there is a path. I see some of these slides and these boards through the eyes of my daughter. I have a 3-year-old daughter. Best little girl ever, and actually, I have a coffee mug at home that says that.

Doesn’t she have the right to live as well as the generations that have gone before her? Doesn’t she have the right to have that sort of optimistic opportunity? I actually believe that is not lost in our society. But as you even saw on the floor today, we do political theater here because complex policy is hard. It actually requires math, and Congress is substantially a math-free zone.

So we always start with this chart. Understand, I believe there are five pillars, and you can mix them up any way you want.

Immigration. How do you design an immigration system in the future that maximizes talent importation to the Nation? Because you need to maximize economic philosophy as soon as possible. That is what the rest of the world has done. Australia, Great Britain, New Zealand, and Canada have moved to talent-based systems because they figured out that there is something elegant about that model.

Now, let’s be honest, I don’t care what gender, I don’t care what religion, I don’t care your race. I don’t care who you cuddle with. I don’t care about those things. We care about the talent you bring to our society to maximize economic growth. I actually think it is a more elegant model than we use today in immigration.

Economic growth. We must hunker down and embrace tax policy, regulatory policy, and trade policy that maximizes economic vitality. The velocity of the size of this economy must continue to grow, and grow at a fairly substantial rate. If you look at the data, 91 percent of the spending increases from this government from 2008 to 2028 are functionally driven by our demographics and our healthcare costs.

The next one we are going to talk about is labor force participation. We are going to spend time tonight on that. I know it is a dry subject, but this is actually trying to be intellectually honest. This is a moment where if you are going to call our office and say we want solutions, we are working through it. But it is not trite. Your father used to say, I am not saying. We were just talking about it over in the corner. For every complex problem, there is a simple solution that is absolutely wrong. It turns out, complex problems require complex solutions.

We are going to talk about right about labor force participation. How do we get as many Americans across the board to participate in the economic vitality? It turns out that has an amazing effect: everything from our healthcare costs, to tax collections, to just the economic growth.

The next two, there is a technology revolution about to happen in healthcare. It is also happening in environment. In the next couple of weeks we are going to come here and show some of the amazing technologies that are out there that actually make some of the environmental discussion seem sort of passe when you understand the technology that is on the cusp of rolling out.

Let’s talk about healthcare right now. I have come here to the floor over the last couple of weeks and shown things like—we nicknamed it in our office the flu kazo—something a material science professor has developed; you blow into it, and it instantly tells you if you have a viral infection, and in the backbone, it could automatically order your antivirals. Start thinking about the revolution that would happen in the cost curve of healthcare if we had substantial change in autonomous healthcare.

In the Phoenix area, we have an organization that now, I believe, has seven of these autonomous healthcare clinics where you go in, you sign up on an iPad, you take a picture of your insurance card, your driver’s license, you go in and you put your arm in, you pick this up, you shine it in your throat, your ear, and your nose, and the algorithm is able to do amazingly accurate collections of your telomere health.

Think about that type of technology when it is in your pocket. You have all seen the pocket size, the size of your
smartphone that is now an ultrasound. It is completely portable. We must, as a body—and this is at our State legislature, but particularly this body—we must break down these barriers to the technology disruption that could be a revolution in lowering healthcare costs.

You have got to be intellectually honest. The ACA, the Republican alternatives, in much of the discussion, we are not actually having a discussion about lowering healthcare costs. We are having discussions about who gets to pay.

It is time that we embrace and truly draw in the technology that can be that very disruption. We have a running joke in our office: Did you go to Blockbuster Video last weekend? We all live it. It is now time that we understand that our future healthcare costs are an Achilles’ heel to this society because of our demographics and just where the costs are going.

There is another part of that. We are going to actually do a floor presentation, probably at the end of the month. There are incredible disrupters coming in the pharmaceutical world. We just had some information and we think that by the end of this year, there may be a single shot cure for hemophilia A. That is only about 8,000 of our brothers and sisters in the country, and it is going to be really expensive, but it cures.

What happens as we continue to see these biological, genomic pharmaceuticals rolling out that actually cure? Or the one that we were reading about today, that stabilizes our populations who have ALS?

What does that mean to the cost curve of the 50 percent of healthcare spending that is to the 5 percent of our population that have chronic conditions?

The last one I am going to give you is, in the labor force participation, probably at the end of the month, there may be a single shot cure for hemophilia A. That is only about 8,000 of our brothers and sisters in the country, and it is going to be really expensive, but it cures.

So today we are going to talk about labor force participation. Isn’t that exciting? The first slide I have already mentioned, this is from the CBO report 3 weeks ago, and I was shocked it didn’t get much press or discussion in this body because it is math.

But if you look at this chart, what it is trying to say is, in functionally 9 years, half of the spending of this body—if you remove interest—half of the spending will be to those 65 and older.

It is just demographics. We got older as a society. In 9 years it is the end of the baby boomers, because they have moved into being 65 and older.

But if you had seen this chart and then matched it up to where you start to see the debt and spending curves move up, you understand they are in sync: if you care about the debt, if you care about spending, if you care about opportunity in our society, understand the demographic headwinds and what we must do to face that.

So one of the reasons for this slide, and I realize it is too much to watch, but what I want you to sort of see is this is 2000. At that time, actually over 67 percent of our population was in the labor force. It functionally collapsed after 2008 and never returned. The last time we had a little bit of a blip. There were these really smart economists who said: Hey, you are never going to get back up to 62, 63 percent of labor force participation. I believe we are now around 61 or 62. We actually need to find a way to get back to that 67 percent of our brothers and sisters all up and down our society being in the labor force, having the honor, the elegance of working.

There were some amazing numbers last December. If you actually broke into what was in those statistics, the number of organizations, the number of companies that were actually reaching out to the handicapped community and making accommodations and hiring.

This year— and we are going to touch on this—some parts of our society are moving into the labor force, particularly in the millennials, and we are seeing parts that are not. Countries like Japan that actually have faced this, are actually trying to design incentives and programs for even those who are older, who are healthy, who are capable, who are desirous to be welcomed to stay or enter back into the labor force.

It is a barbell. We have a problem with part of our younger population, and then, obviously, our older population—which we have so much talent—that are retiring. We are going to have to have an honest incentives discussion design to maintain this labor force philosophy.

If you actually look at what is going on in our society right now, if I had come to you 2 years ago and said: Hey, we are going to see all sorts of quarrels in our society have some of the lowest unemployment in modern history, I think I would have just gotten blank stares. But it is happening. And with that incredible, almost full-employment society, we are actually seeing—and particularly in markets like Arizona—we are actually seeing wages really starting to move. This is wonderful. This is something we need, functionally, for a decade or two.

We can do a much more complicated discussion of some of the incentives that are factoring in. Back in 2017 last year that encouraged investment in plant and equipment to push up productivity. Productivity allows you to be able to pay people more. But those are the sorts of things you talk about. How do you maintain economic vitality?

When we actually look at some of the unemployment numbers, there is some-
Let me grab another slide. We will put these up in our office. Remember, this sort of presentation is for those who really care about digging in to the actual math of policy. So often, what we end up doing on the floor is political theater and folklore.

If you look at some of these lines—and I know this is a long time ago—but if you and I were to step back to 1967 and look at the data for males, we had 97 percent of working-age males in the labor force. If we did that same thing, I think we are at about 88. It falls, 87, 88.

One of the big things that helped us grow the economy is female participation in the economy. But we just need to find a way to get this back up. We are just talking a few points, but those few points of a million more stepping back into the labor market have substantial economic impact.

I want to talk about a story from Arizona. I have had this discussion with a couple of my Democratic friends. With that, we have talked about incarceration rates and some of the other things that end up becoming impairments for young males to be in the labor force.

In Arizona right now, we have such a shortage of skilled trades—electricians and carpenters—that a number of the businesses in Arizona—actually, I approached our Governor, Governor Ducey, and said: Help us. We are willing to take our own money and go into Arizona correctional facilities and do a training program that is, when someone is incarcerated, put them on parole. We need a few months, we will train them, and we will guarantee that we will hire them. It doesn’t mean a guarantee that they will keep them.

So last year, we brought this young man out. He was an addict. He didn’t look like our typical witness, with a number of tattoos around his neck. He looked up when it was his turn to tell his story, and he hesitated for a moment and started with: I am a three-time convicted felon.

He went on to tell his story of how he was an addict and the other times he had gotten out of prison, he had re-lapsed. He had lost his family. He had lost everything. He had lost contact with his child.

He graduated. He started at just a little over minimum wage. A year later, he was making it, $23 something an hour. He said he hadn’t relapsed because he is working too much. He said he is back with his family. He gets to see his child. There are these incredible human stories.

If we are in a society right now that is almost at full employment for those looking for employment, how do we reach out to those whom our society gave up on or who gave up on themselves? We have to design those incentives, design the social entitlement programs, and design our society where we want everyone to have this opportunity within our communities and our society?

It was one of the most touching and amazing hearings, because when you looked at those of us sitting up on the dais, there were actually tears hearing his story and realizing there is hope, that this economic vitality provides opportunity and hope.

We turn it into a political football because it is not our side that wants to get credit, or their side wants to get credit. We need to get beyond that, because if we don’t get this math right, my 3-year-old little girl won’t have the same type of future I have had.

There is a path to make this work and continue to have an economy, a nation, that grows and provides opportunities. Understand, when the United States grows, the world benefits.

But we had dollars. Is this body capable of stepping up and doing things that are complex without a simple solution?

Madam Speaker, I so desperately hope so. With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Mr. HOYER) for today on account of inclement weather.

Mr. KATKO (at the request of Mr. MCCARTHY) for today on account of a death in the family.

ADJOURNMENT

Mr. SCHWEIKERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accorded a time of 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

225. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Electricity, Department of Energy, transmitting the Department’s final rule — Administrative Updates to Personnel References (KIN: 1901-AB99) reversing January 21, 2019, for U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

227. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Final Review Requirements for 2008 8-Hour Ozone Standard (EPA-F79-O3A-2017-0735; FRL-9989-95-Region 4) received February 22, 2019, pursuant to 5 U.S.C. 3349(a); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

228. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Air Plan Approval; Texas; Reasonable Assurance (EPA-R06-OAR-2018-0675; FRL-9989-61-Region 6) received February 22, 2019, pursuant to 5 U.S.C. 3349(a); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

229. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Air Plan Approval; New Mexico; Approval of Revised Statutes; Error Correction (EPA-R06-OAR-2018-0860; FRL-9989-09-Region 6) received February 22, 2019, pursuant to 5 U.S.C. 3349(a); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

230. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s direct final rule — Air Plan Approval; New Mexico; Approval of Revised Statutes; Error Correction (EPA-R06-OAR-2019-0050; FRL-9989-09-Region 6) received February 22, 2019, pursuant to 5 U.S.C. 3349(a); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

231. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Abamectin; Pesticide Tolerances (EPA-HQ-OPP-2018-0037; FRL-9987-32) received February 22, 2018, pursuant to 5 U.S.C. 3349(a); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

232. A letter from the Director, Office of the White House Liaison, Department of Education, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 8681-614); to the Committee on Oversight and Reform.

233. A letter from the Director, Office of the White House Liaison, Department of Education, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 8681-614); to the Committee on Oversight and Reform.
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SEWELL of Alabama (for herself, Mr. Lewis, Ms. Pelosi, Mr. Bost, Mr. Ciccotti, Mr. Serrano, Mr. DeSaulnier, Ms. Sánchez, Mr. Kind, Mr. Levin of Michigan, Mr. Levin of California, Ms. Lowery, Mr. Phillips, Ms. Pingree, Mr. Ruiz, Mr. Sarbanes, Ms. Slotkin, Mr. Stanton, Ms. Stevens, Mr. Thompson of California, Ms. Underwood, Mr. Veasey, Ms. Velázquez, Ms. Waters, Ms. Weston, Mr. Porter, Mr. Vargas, Mr. García of Illinois, Mr. González of Texas, Mr. Trone, Mr. Courtney, Ms. Kendra S. Horn of Oklahoma, Ms. Barragán, Mrs. Davis of California, Mr. Evans, Mr. Frankel, Mrs. Hayes, Mr. Nadler, Mr. Kennedy, and Ms. Moulton):

H.R. 1. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself and Mr. Cicilline):

H.R. 1356. A bill to require a Special Counsel report, and for other purposes; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. Cicilline, Mr. Murphy, Mr. Blumenauer, Ms. Judy Chu of California, Mr. Connolly, Mr. DeFazio, Mrs. Demings, Ms. Dingell, Mr. Doggett, Mr. Doyle of Pennsylvania, Ms. DeLauro, Ms. DelBene, Mr. Delgado, Mrs. Demings, Mr. Deutch, Mrs. Dingell, Mr. Doggett, Mr. Echols, Mr. Ewing, Ms. Estephy, Mr. Espaillat, Mr. Gallego, Mr. Garamendi, Mr. Gomez, Mr. Gottheimer, Mr. Green of Texas, Mr. Haaland, Mr. Hastings, Mr. Heck, Mr. Higgins of New York, Mr. Hill of California, Mr. Himes, Mr. Horsford, Mr. Huffman, Ms. Jackson Lee, Ms. Jayapal, Ms. Johnson of Texas, Mr. Johnson of Georgia, Mr. Krattinger, Ms. Kelly of Illinois, Mr. Khanna, Mr. Kaptur, Mr. King of New York, Mr. Kildee, Mr. Krishnamoorthi, Ms. Kuster of New Hampshire, Mr. Lamb, Mr. Larsen of Washington, Mr. Larson of Connecticut, Mr. Lawrence, Mr. Lawson of Florida, Ms. Lee of California, Mr. Ted Lieu of California, Mr. Lowenthal, Mr. Lowey, Mr. Moulton, Mr. Napolitano, Ms. Napolitano, Mr. Posey, Mr. Pramila Jayapal, Ms. Pingree, Mr. Quigley, Mr. Serrano, Mr. DeSaulnier, Ms. Slotkin, Ms. Slotkin, Mr. Thompson of California, Ms. Underwood, Mr. Veasey, Ms. Velázquez, Ms. Waters, Ms. Weston, Mr. Porter, Mr. Vargas, Mr. Garcia of Illinois, Mr. Gonzalez of Texas, Mr. Trone, Mr. Courtney, Ms. Kendra S. Horn of Oklahoma, Ms. Barragán, Mrs. Davis of California, Mr. Evans, Mr. Frankel, Mrs. Hayes, Mr. Nadler, Mr. Kennedy, and Ms. Moulton):

H.R. 1363. A bill to amend the Federal Election Campaign Act of 1971 to require each authorized committee or leadership PAC of a candidate for election for Federal office to disburse all of the funds of the committee or PAC which remain unexpended after the date of the election, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida (for herself, Mr. Bicckor, and Mr. Raskin):

H.R. 1365. A bill to authorize the Federal Election Campaign Act of 1971 to require each authorized committee or leadership PAC of a candidate for election for Federal office to disburse all of the funds of the committee or PAC which remain unexpended after the date of the election, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCOTT of Virginia (for himself, Mr. Bickler, Mr. Espaillat, Ms. Wasserman Schultz, Mr. Thompson of Mississippi, Mr. Nadler, Mr. Schiff, Mrs. Dingell, Mr. McNew, Mr. Wilson of Florida, Mr. Lucan, Ms. Pingree, Mr. Scott of Georgia, Ms. Veasey, Mr. Levin of Michigan, Mr. Lewis of New York, Mr. Schiff, Ms. Velázquez, Ms. Meng, Mr. Moulton, Ms. Norton, Ms. Norton, Mr. DeSaulnier, Mr. Jackson Lee, Mr. Gomez, Ms. DelBene, Mr. Levin of Michigan, Mr. Raskin, Mr. Veila, Mr. Hill of California, Ms. Roybal Allard, Mr. Hastings, Mr. Vargas, Ms. Kaptur, Mr. Speier, Ms. Fudge, Mr. Kilmer, Ms. Lee of California, Mr. Puce of North Carolina, Mr. Boyle, Mr. DelBene, Mr. Deutch, Mrs. Watson Coleman, Ms. McCollum, Mr. Sean Patrick Maloney of New York, Mr. Velch, Mr. Bost, Mr. Cohen, Mr. Danny K. Davis of Illinois, Mr. McHenry, Mr. Schrier, Mrs. Hayes, Ms. Wessel of Alabama, Mr. McCracken, and Mr. Ilker):

H.R. 1359. A bill to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes; to the Committee on Foreign Affairs.
H.R. 1364. A bill to amend the Child and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes; to the Committee on Education and Labor.

By Mr. SAN NICOLAS:

H.R. 1365. A bill to make technical corrections to the Guam World War II Loyalty Recognition Act; to the Committee on Natural Resources.

By Mr. SITTVERS (for himself, Mr. GONZALEZ of Texas, Mr. THOMPSON of Mississippi, Mr. FITZPATRICK, Mr. MOONEY of West Virginia, Mr. DEFAZIO, Mr. DAVID P. ROYBAL-ALLARD, Mr. BRUCE LEE of New York, Mr. COX of California, Mrs. BROWNLEY of California, and Mr. CRIST):

H.R. 1368. A bill to amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program beneﬁts be based on the cost of the low-cost food plan as determined by the Secretary of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 1396. A bill to prohibit listing of United States sanctions imposed with respect to North Korea; to the Committee on Foreign Affairs.

By Ms. JUDY CHU of California (for herself and Mrs. WALTERS):

H.R. 1370. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following mastectomy; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means.

By Mr. RASKIN (for himself and Mr. BUDD):

H.R. 1371. A bill to amend the Public Health Service Act to authorize a program to provide the opportunity for responsible health savings to all American families; to the Committee on Ways and Means.

By Mr. RASKIN (for himself and Mr. BUDD):

H.R. 1372. A bill to clarify that it is United States policy to recognize Israel’s sovereignty over the Golan Heights; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, the Committee on Science, Space, and Technology, and the Committee on Oversight and Government Reform.

H.R. 1373. A bill to protect, for current and future generations, the watershed, ecosystem, and cultural heritage of the Grand Canyon region in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. HOLLINGSWORTH (for himself, Mr. CUellar, Mr. MITCHELL, Mr. COOPER, Ms. JACKSON LEE, Mr. GREEN of Texas, and Mr. WESTERMAN):
CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SEWELL of Alabama:

H. Res. 149. A resolution recognizing the national debt as a threat to national security; to the Committee on the Budget, 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. CRAWFORD (for himself, Mr. HILL of Arkansas, Mr. WOMACK, and Mr. WESTERMAN):

H. Res. 159. A resolution commemorating the 100th anniversary of the Elaine massacre; to the Committee on the Judiciary.

By Mr. HUNTER:

H. Res. 151. A resolution expressing the support of the House of Representatives for the priorities and goals of Executive Order 13443; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KHANNA (for himself, Ms. JAYAPAL, Mr. FOCAN, Ms. LEE of California, Ms. HAALAND, Ms. OASCO-COSTEY, Ms. NORTON, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. RUSH, Ms. JOHNSON of Texas, Ms. GABRIELA, Mr. ESPAILLAT, Mr. KIM, Ms. TLAIB, Ms. JUdy CHU of California, Mr. SERRANO, Ms. MOORE, and Ms. VELAZQUEZ):

H. Res. 132. A resolution calling for a formal end of the Korean war; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

3. The SPEAKER presented a memorial of the Governor of Louisiana, relative to Senate Concurrent Resolution No. 52, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

By Mr. SCOTT of Virginia:

H. Res. 134. A resolution requesting the Congress of the United States to assert its constitutional authority to enact legislation pursuant to the following:

Pursuant to rule IV of the U.S. Constitution, and by resolution of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SEWELL of Alabama:

H. Res. 148. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. JEFFRIES:

H. Res. 47. Considered and passed the bill providing for the appointment of certain individuals to the Committee on Veterans' Affairs, for a period to be determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H. Res. 1365. A resolution on commerce with foreign Nation, and among the several States, and with the Indian Tribes. Article I, Section 8 of the Constitution of the United States—To promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive rights to their respective writings and discoveries.

By Mr. CASTOR of Florida:

H. Res. 135. A resolution on commerce with foreign Nation, and among the several States, and with the Indian Tribes. Article I, Section 8 of the Constitution of the United States—To regulate Commerce with foreign Nation, and among the several States, and with the Indian Tribes.

By Mr. SAN NICOLAS:

H. Res. 135. A resolution on commerce with foreign Nation, and among the several States, and with the Indian Tribes. Article I, Section 8 of the Constitution of the United States—To provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. MATSUI:

H. Res. 131. A resolution expressing the support of the House of Representatives for the priorities and goals of Executive Order 13443; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER:

H. Res. 130. A resolution commemorating the 100th anniversary of the Elaine massacre; to the Committee on the Judiciary.

By Mr. KHANNA (for himself, Ms. JAYAPAL, Mr. FOCAN, Ms. LEE of California, Ms. HAALAND, Ms. OASCO-COSTEY, Ms. NORTON, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. RUSH, Ms. JOHNSON of Texas, Ms. GABRIELA, Mr. ESPAILLAT, Mr. KIM, Ms. TLAIB, Ms. JUdy CHU of California, Mr. SERRANO, Ms. MOORE, and Ms. VELAZQUEZ):

H. Res. 132. A resolution calling for a formal end of the Korean war; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia:

H. Res. 134. A resolution requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

By Mr. JEFFRIES:

H. Res. 47. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. SCOTT of Virginia:

H. Res. 135. A resolution on commerce with foreign Nation, and among the several States, and with the Indian Tribes.
Article I, Section 8 of the U.S. Constitution

“Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. MENG:
H.R. 1377.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution.

By Mr. PETERSON:
H.R. 1379.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. QUIGLEY:
H.R. 1380.

Congress has the power to enact this legislation pursuant to the following:

*Article I, Section 8, Clause 18 of the Constitution.*

By Mr. RUIZ:
H.R. 1381.

Congress has the power to enact this legislation pursuant to the following:

*Article I, Section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare of the United States.*

By Ms. SCANLON:
H.R. 1382.

Congress has the power to enact this legislation pursuant to the following:

*Article I, Section 8.*

By Mr. SMITH of New Jersey:
H.R. 1383.

Congress has the power to enact this legislation pursuant to the following:

*Section 8 of Article I of the Constitution of the United States, which states, “To regulate commerce with foreign Nations, and among the several States, and with the Indian tribes.”*

By Mr. GRIJALVA:
H.R. 1373.

Congress has the power to enact this legislation pursuant to the following:

*Section 8 of Article I of the Constitution of the United States, which states, “To regulate commerce with foreign Nations, and among the several States, and with the Indian tribes.”*

By Mr. HASTINGS:
H.R. 1384.

Congress has the power to enact this legislation pursuant to the following:

*U.S. Const. art. I, sec. 8, cl. 3.*

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. HOLLINGSWORTH:
H.R. 1374.

Congress has the power to enact this legislation pursuant to the following:

*Article I, Section 8, Clause 18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*

By Mr. KIND:
H.R. 1375.

Congress has the power to enact this legislation pursuant to the following:

*Article I, Section 8.*

By Mr. LOWENTHAL:
H.R. 1376.

Congress has the power to enact this legislation pursuant to the following:

*Article I, Section 8.*
The Senate met at 10 a.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.

Majestic God, we ask for the fruits of Your unrivaled wisdom in these challenging times. Give our leaders the strength and courage to triumph over stagnation and conflict, and grant us forgiveness for our shortcomings.

We praise You, O Lord, for we belong to Your Kingdom, and we are Your children. Bestow upon our great Nation Your everlasting light, and let Your perpetual goodness shine upon us.

Lord, our greatest debt of gratitude is owed to You, for without You, we can do nothing. Give us, this day, light to guide us, courage to support us, and love to unite us.

We pray in Your merciful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

S. 311

Mr. MCCONNELL. Madam President, the Senate had an opportunity yesterday to affirm our commitment to the dignity of human life. We had a chance to state plainly that newborn babies who happen to have survived abortions are entitled to the same legal protections and professional care as other newborns.

In all honesty, the fact that this legislation even needed to be written is a sad reminder of the degree to which our society is at risk of losing some crucial moral bearings, and the fact that the U.S. Senate could not even vote to advance this bill is beyond dismaying.

The legislation was silent on the abortion issue. All it would have done is to have affirmed the rights of these newborn babies, but apparently even that was a bridge too far, not just for the far-left fringe—not anymore—but for the vast majority of our Democratic colleagues right here in the Senate.

We are no longer dealing with a normal, traditional Democratic Party; we are looking at a party that has been dragged so far to the left, it would have been unrecognizable to folks just a few years ago. In 1996, Senator Daniel Patrick Moynihan condemned partial-birth abortion by comparing it to infanticide. He was a distinguished, mainstream Democratic Senator from New York about 20 years ago. And today? Ninety-four percent of Senate Democrats could not even vote to protect babies after they are born.

The only explanations they could offer were bizarre euphemisms and vague references to issues that have no bearing once a child has already been born alive.

It was a sorry display, but I can say this: This fight isn’t over. The Republicans will not let this stunning extremism from our Democratic colleagues be the last word on this subject.

**NOMINATION OF ERIC D. MILLER**

Mr. MCCONNELL. Madam President, on another matter, fortunately, the Senate did make progress in another area. Yesterday, we advanced what will be the 31st circuit court nomination to be confirmed so far during the Trump administration.

As I discussed yesterday, Eric Miller has a distinguished record in both public service and private practice. He holds degrees from Harvard and the University of Chicago, and his legal experience includes holding prestigious clerkships on our Nation’s highest courts. Yet, rather than take my word for it, I urge my colleagues to consider the endorsements of those with whom this nominee has studied and worked.

For example, 54 members of the University of Chicago Law School’s class of 1999, with their wide-ranging views on politics and judicial philosophy, have offered a ringing endorsement for Eric Miller. In a letter to our colleagues on the Judiciary Committee, they cite Mr. Miller’s “diligent work ethic, his keen legal mind, and his deep consideration for every legal issue he confronts.” All in all, his classmates—many of whom have also been his colleagues over the years—say that Mr. Miller is “extraordinarily well qualified to serve as a Federal judge.”

I urge each of my colleagues to join me in voting to confirm this fine nominee soon.

**VOTER FRAUD**

Mr. McCONNELL. Madam President, on a final matter, anyone who has been attentive to the news these past few days has learned about the complete debacle that unfolded in last November’s election for North Carolina’s Ninth Congressional District. Soon after election day, allegations of illegal ballot harvesting and vote tampering clouded a close result. The wrongdoing seemed to have benefited the Republican candidate over the Democratic. Just last week, we saw the State Board of Elections unanimously call for a new election.

For years and years, every Republican who dared to call for common-sense safeguards for Americans’ ballots...
was demonized by Democrats and their allies. We were hit with leftwing talking points that insisted that voter fraud was not real—it never happens, they said—that fraud just didn't happen and that modest efforts to ensure that voters are who they say they are and that the proper places were really some sinister, rightwing plot to prevent people from voting.

As you might expect, now that an incident of very real voter fraud has become national news and the Republican candidate to have benefited, these longstanding Democratic talking points have been really quiet. We haven't heard much lately from the Democrats about how fraud never happens. They have gone silent. Now some are singing a different tune. There is a new interest in ensuring the sanctity of American elections.

I have been focused for decades on protecting the integrity of elections, so I would like to welcome my friends on the left little bit more. They have just discovered that this subject really matters, but I have yet to see any evidence that they are actually interested in cleaning up the conditions that lead to messes like this one in North Carolina.

At the root of the North Carolina debacle is a practice that is known as ballot harvesting. Essentially, it is a means by which campaign representatives can collect absentee ballots on the premises delivering them to a polling place or an election office. That is what ballot harvesting is. So think about it. Who in American politics keeps long lists of potential voters? Who mobilizes networks of people to go door-to-door? Who funds and stands up to these kinds of canvassing organizations? Who does those things?

I am sorry to say that there are not huge teams of politically neutral Eagle Scouts who rove the country and hope to undermine what they regard as ballot harvesting. These late-arriving ballots seemed to help turn several races their way. Maybe this helps explain why: When House GOP leaders expressed concern about ballot harvesting in California, the state's Democratic secretary of state mocked their concern by saying: “What they call strange and bizarre we call democracy.” Now ballot harvesting has thrust its way into the U.S. House of Representatives—legal in California, illegal in North Carolina.

Maybe that helps explain why, as it stands, the Democrat Politician Protection Act—Speaker Pelosi’s massive new federal takeover of the way States and communities run their elections—contains no effort whatsoever to crack down on ballot harvesting. It is not in there. Instead, it contains provision after provision that would erode the protections that are supposed to ensure that votes reflect the voices of the voters whose names are on the envelopes. It contains provision after provision that would erode the protections that are supposed to ensure that votes reflect the voice of the voter whose name is on the envelope.

Provision after provision would erode commonsense protections and bring theguardrails down. So would a serious reform bill aimed to take away States’ abilities to impose meaningful ID or signature requirements for voters. Would someone concerned about restoring democracy dismiss signature verification as an obstacle to be removed? I don’t think so.

Perhaps these facts signal that Democrats see a political advantage in eroding commonsense protections and would rather keep that advantage than make episodes like the North Carolina mess less likely to happen in the future.

An example of real-live voter fraud is staring the country right in the face right now in North Carolina. Yet Democrats choose at this moment to propose a sprawling Federal takeover of election law that would erode the integrity of our elections even further.

So that, I think, pretty well underscores what the priorities of today’s Democrat Party is.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

Mr. McConnell. Madam President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

Mr. Schumer. Madam President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. 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, today, the House of Representatives will take up a motion to terminate the state of emergency proclaimed by President Trump. For many reasons, the measure should pass with bipartisan support.

First, Members of both parties know there is no actual emergency at the border. Nearly 60 former national security advisers—Democrat and Republican, bipartisan—including former Secretaries of State and Defense, have written a statement saying there is “no factual evidence of an emergency at the border.” The President himself said, when announcing the state of emergency, that he “didn’t need to do this.”

An emergency, by definition, is something you need to do. It is an emergency. In the President’s own words, this is not a state of emergency.

If we let Presidents, whether they be Democrat or Republican—willy-nilly, because they want to get something done, just declare an emergency when it is clear it has been a long-term
condition, a long-term issue, this country is a different country. That leads to my second point. Members of both parties should be concerned about the President diverting money away from military construction on his own discretion.

Again, the President doesn’t like you for some reason. He says there is an emergency and takes money away from a project in your State that you have worked hard for. That is no way to govern.

But at the top of the list is this: the Founding Fathers looking down upon this Chamber and upon these United States of America. They set up an exquisite balance of power. They were worried about an overreaching Executive. They knew what King George was all about. So they named the Congress, the House and Senate, the article I—article I, not II, III or IV—part of the government. Second, they gave the Congress one of the greatest powers any of America’s largesse, which is the power of the purse.

When the President tries to take these powers away, which clearly he is doing in this case—he called for an emergency when he couldn’t get his way in Congress and into the facts came on the scene—it is a change in the fundamental, necessary, and, often, exquisite balance of power. I know many of my friends on the other side of the aisle understand that. In fact, in this short history, and that was to take action projects in their districts.

So let us—Congress—first the House and then the Senate, speak up with one bipartisan voice to remedy this injury that President Trump is trying to do to our constitutional order.

Whatever you think of the best way to secure our border, this is not the way for a President—any President—to exercise his authority. This is not about whether or against a wall, and I, of course, am against it. It is about what America is all about, whatever your view on the wall.

**GUNS**

Madam President, on guns, the House this week will take up a measure to close the dangerous loopholes in the background check system used to certify firearms. For years, Democrats have tried to address these loopholes—the gun show, online, and private sales loopholes—only to be met with lock-step resistance by a Republican Congress beholden to the NRA. It is 90 percent of Americans who favor strengthening the background check system, not 51, not 52, 90—the majority of Republicans, the majority of gun owners. Any way you slice it, Americans are strengthening background checks. Americans believe felons, spousal abusers, or those adjudicated mentally ill should not have guns, but Congress is paralyzed because of the other side’s obsession to the NRA—not even after Newtown, not even after Charleston, not even after Las Vegas, not even after Orlando, not after Parkland.

On guns, the tide is turning. Make no mistake about it, a strong majority of the country supports these policies now. The NRA has been considerably weakened. They did not do very well in the last elections. Finally, there is a House in Congress that will listen to the American people and take action on guns—thoughtful, moderate action on background checks.

With each measure that passes the House, the pressure will build on the Senate to take up these reasonable, commonsense gun safety measures, and I hope my colleagues will join us.

**BUYBACKS**

On another matter, buybacks. This morning, the New York Times reported on an interesting facet of the recent stock market rally. Many investors, according to the Times, are selling off stock. Average investors are selling off stock. Pensions, and mutual funds, nonprofits, endowments, private equity firms, and trusts are all, in the aggregate, selling the stock.

So then why is it rallying? The laws of supply and demand should say the stock market should go down. The Times reports that it is corporate self-investment buybacks. Companies are buying back their own stock at such a rapid clip that they are propping up the market and, to a great degree, themselves. It is another clear example of how the recent explosion of stock buybacks in corporate America is distorting the market—artificially, some would argue.

Some Democratic Senators, and even some Republican Senators, have begun to sound the alarm about the record-breaking scale of corporate buybacks. Over the last decade, based on analysis of 1,466 of S&P 500 companies, 92 cents out of every dollar of corporate profit has gone to share buybacks or dividends. Some say, well, they have already, before the profits, put money into their communities. We are saying they should put some more, for the good of the country. Stock price, when so much of it is held up by buybacks, shouldn’t be the only indicia, the only measure, of how well the corporation is doing. When 85 percent of the stocks are owned by the top 10 percent of Americans. Most Americans would completely agree that there are more productive ways for corporations to allocate their capital than this borderline obsession with stock buybacks—the slavery to short-term rises in price to please investors—while not doing much for workers or for communities.

I hope corporate America will wake up, income inequality, along with climate change, to me, are the two greatest problems America faces. We need corporate America to propose some solutions because when they say let government do it, much of corporate America then opposes government doing anything for workers or for communities.

***Let’s take a careful look at this, and let’s see what the right solutions are.***

**CLIMATE CHANGE**

Madam President, on climate change, for decades we have known climate change is not only a major national challenge but an existential threat to our planet and to our future. Despite the gravity and scale of this challenge, the political party in the United States has largely denied the problem even exists, denied the overwhelming consensus of the scientific community, and denied most attempts in Congress to tackle climate change.

President Trump’s record on climate change is one of abject failure: denying science, systematically rolling back environmental protections that reduce
carbon emissions, and announcing withdrawal from the Paris climate accords—Luddite, ostrich-like, if there ever were, actions that can be described that way.

Recently, we heard of a new effort by the Trump administration to once again push back against efforts to address climate change. You see, it was probably embarrassing for President Trump when his own administration released the National Climate Assessment last year, as required by law, which outlined the severe and immediate impacts of climate change. According to reports, the White House now has plans to set up a fake panel of cherry-picked scientists who question the severity of climate change in order to counter the scientific consensus on this terribly urgent problem, even within the administration. This new fake panel will reportedly be set up without the National Security Council, not the EPA, not NOAA, or any of the Agencies where real scientists work—real climate scientists.

This is maybe the most conspicuous symptom of the disease of climate denialism that has infected the Republican Party and the hard right. This is beyond willful ignorance. This is the intentional, deliberate sowing of disinformation about climate science by our own government. This cannot stand.

This morning, I am announcing that if the Trump administration moves forward with this fake climate panel, we will be introducing legislation to defund it. I will be doing it, along with several of my colleagues. It is long past time for President Trump and Republican leaders to admit that climate change is real, that human activity contributes to it, and Congress must take action.

So far, Leader McConnell and our Republicans, when we ask them, do you believe climate change is real? Silence. Do you believe humans cause it? Silence. Do you believe Congress has to act to deal with it? Silence. That will not stand, and they will not be able to maintain that position over a period of time.

NORTH KOREA

Madam President, finally, on North Korea—and I appreciate the indulgence of my friend from Illinois. There are a lot of topics and a lot of things going on today.

As the President continues negotiations with the North Koreans, I want to restate that his goal should be complete, verifiable, and irreversible denuclearization of Korea. An agreement that includes significant U.S. sanctions relief in exchange for something that will be insufficient will make North Korea stronger and the world more dangerous, not safer.

To simply say to North Korea that we are going to let you continue to be nuclear in exchange for something else—a peace treaty or some words, a photo op—that is not protecting the security of the United States.

I remind my colleagues, Congress passed sanctions against the North Korean regime for its appalling record on human rights. Congress would need to repeal that law for President Trump to give North Korea reliable sanctions relief.

The North Koreans themselves should realize many of us in Congress will not, will not, will not—no matter what President Trump does, many of us in Congress will not remove this sanction until North Korea renuclearizes, verifiably and irrevocably.

Make no mistake about it, no matter what President Trump does in Vietnam this week, this Chamber will have a significant role to play if President Trump decides to reduce sanctions as part of any deal with North Korea.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. THUNE. Madam President, last night, for the second time in a month, Democrats objected to a bill to ban infanticide.

That statement to me is absolutely chilling, but for the second time in a month, Democrats objected to a bill that would do nothing more than state that a living, breathing baby born in an abortion clinic is entitled to the same protection and medical care as a living, breathing baby born in a hospital is entitled to.

It is a pretty basic bill. It just says that living, breathing, born human beings are entitled to protection even if they are born in an abortion clinic, but apparently that is not something Democrats are prepared to say. This is where Democrats' support for abortions has led them—to being unable to condemn infanticide.

Let's remember why we voted on this bill last night. We voted on this bill because the Democratic Governor of Virginia implicitly endorsed infanticide—by the 60 votes he gave that 30 seconds. He got up and said that you could keep a living, breathing baby comfortable while you decided what to do with it.

There is only one answer to what you do with a living, breathing baby, and that is to provide it with the care it needs. A baby born alive in an abortion clinic is no less valuable and deserving of protection than a baby born in a delivery room.

It is horrifying that we are actually having a debate about this. Honestly, it is horrifying that the Democratic Party can't get up and say that infanticide is wrong. My Democratic colleagues like to talk about protecting the vulnerable if you can't stand up and say that infanticide is wrong.

It is terrible enough that we have so far betrayed our founding principles as to deny the right to life of living, breathing unborn babies, but we are not even talking about abortion here. We are talking about withholding essential care from babies who are born alive. My Democratic colleagues can't even bring themselves to say this is wrong.

I would say to my Democratic colleagues, do you really want to be the party of Governor Northam? Do you really want to be the party of infanticide?

The American people don't agree with the Democratic Party on abortion and on infanticide. Most Americans believe that babies born alive after an abortion should be provided with medical care. Most Americans think there should be at least some limits on abortion. In fact, most countries in the world think there should be some limits on abortion. The United States is just one of a tiny handful of countries that allow elective abortion past 20 weeks of pregnancy. Among the others on that list are China and North Korea—not exactly the company we want to be keeping when it comes to protecting human rights.

A recent poll found that 71 percent of Americans oppose abortion after 20 weeks of pregnancy. Yet the Democratic Party is aggressively embracing an agenda of zero restrictions on abortion, ever, up to—and now, apparently, after—the moment of birth. I hope last night was not the last time we vote on the Born-Alive Abortion Survivors Protection Act. I hope my Democratic colleagues have a chance to recast their votes. I hope, next time, they will decide to vote against infanticide. I hope, next time, they can affirm what should be a basic, foundational principle, and that is that every baby, wherever he or she is born, deserves to be protected.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I listened to the statements of my colleague from South Dakota. I would like to make a suggestion.

Since the Republicans are in control of the U.S. Senate, since there is a Republican chairman of the Senate Judiciary Committee, I would suggest to my colleague that perhaps we have a hearing on this bill he just described. You see, it came to the floor yesterday without any hearing. And the reason why we need a hearing is that many of us—many of us—voted for an infanticide law, which is currently on the books—a law that says that a child needs to be protected and that those who don't protect that child are subject to criminal penalties, as they should be.

Now, if this is a different approach to it, doesn't it at least merit a hearing from the Republican majority before it comes to the floor for a vote? There are many questions I would like to ask of those who propose this. I want to understand why the law that has been on
He was married to his wife Abby and company for 4 months. He was 32 years old. Henry Pratt. He was also an alumnus as "Clay" to his family and friends. He should have. He was that excited. He showed up for his internship 45 minutes actually be in the real world that he was on his first day of an internship at warehouse massacre had just been told that left 5 students dead and 17 injured. The gunman in the Henry Pratt warehouse and the 11-year anniversary of a shooting that killed 17 high school students and staff, of 38 years lived in a home in Oswego, Illinois, with their three own children and eight grandchildren—all under one roof. I will not forget that scene at the funeral home, either, because the family had decided that everyone would wear a T-shirt. It was a black T-shirt with a color photograph of Vicente in front of it and one of his favorite sayings on the back of it. There they were—grandchildren, children, older folks—all wearing those black T-shirts in honor and memory of Vicente. I met my sister. Her story told me a story that Vicente was part of the family who immigrated to Illinois in 1972. There were five boys and five girls. They didn’t have any money. Their father died 6 years after they immigrated. Yet they struggled and worked and stuck together as a family. That beautiful family—that beautiful family—had to shoulder this tragedy, where this gunman walked into that warehouse and killed Vicente, and what was he wearing? A black T-shirt. The day before this horrible incident marked the anniversary of two other mass shootings: the 1-year anniversary of the Parkland, FL, shooting, which killed 17 high school students and staff, and the 11-year anniversary of a shooting at Northern Illinois University that left 5 students dead and 17 injured. The gunman in the Henry Pratt warehouse massacre had just been told that day that he was going to be fired. His response was not just anger. His response was to pull out a firearm and murder five of his coworkers. I went to meet the victims of this man’s violence. This is Trevor Wehner. Trevor was 21 years old. He was on the dean’s list of Northern Illinois University’s business college. He was on track to graduate this May. Why was he at the Henry Pratt warehouse on that day? It was because he was on his first day of an internship at the business. Trevor was so excited about this opportunity to work at this business and to see what it was like to actually be in the real world that he showed up for his internship 45 minutes early that day. It was earlier than he should have. He was that excited. He died at the workplace that day. This is Clayton Parks. He was known as "Clay" to his family and friends. He was the human resources manager at Henry Pratt. He was also an alumnus of Northern Illinois University. He had been working at the Henry Pratt Company for 4 months. He was 32 years old. He was married to his wife Abby and had a beautiful little 9-month-old baby boy, Axel. I met them at Northern Illinois University when we held a vigil for Trevor and Clay that afternoon. I talked to Clay’s mom for the longest time. She wanted to tell me his whole life story, hoping that she could preserve the memory of this wonderful young man and what he meant to her. Russell was 32. He went to his memorial service. He had been at Henry Pratt for more than 25 years. He was a mold operator and was the father of two young children. He was also the chairman of the union at Henry Pratt. In a tribute, Russell had helped the gunman get his job back when the company first fired him 2 months earlier. Last Thursday would have been Russell’s 48th birthday. Instead of a birthday party, his family and friends gathered that day at his wake. As I went into the funeral home in Montgomery, IL, I was struck by this fact. It turns out that the family decided that since Russell was such a passionate football fan, everybody should wear NFL jerseys. The room was filled with the family remembering him and paying tribute to him by wearing jerseys of all of the different teams they supported. Russell was a Patriots fan. He wore a Patriots jersey in his casket on the day that he died. Green Bay Packers fans are always beautiful family—that beautiful family had to shoulder this tragedy, where this gunman walked into that warehouse and killed Vicente, and what was he wearing? A black T-shirt. Russell had helped the gunman get his job back when the company first fired him 2 months earlier. Last Thursday would have been Russell’s 48th birthday. Instead of a birthday party, his family and friends gathered that day at his wake. As I went into the funeral home in Montgomery, IL, I was struck by this fact. It turns out that the family decided that since Russell was such a passionate football fan, everybody should wear NFL jerseys. The room was filled with the family remembering him and paying tribute to him by wearing jerseys of all of the different teams they supported. Russell was a Patriots fan. He wore a Patriots jersey in his casket on the day that he died. Green Bay Packers fans are always
Aurora, CO, tweeted after the killings in Aurora, IL. “Months from now, as people talk about the mass shooting in Aurora, someone will ask, “Which Aurora mass shooting are you talking about?” Mass shootings have become too common in America. They make the news, but tens of thousands of Americans die every year from gun violence, and many of those deaths are barely reported or noted. They die in suicides, and gun accidents, alone or in small groups, in domestic disturbances, in gang disputes, and in crossfire.

I am honored to represent the city of Chicago. My heart breaks to know that last year more than 2,700 people were injured or killed by gun violence in that great city.

Let’s face it, America is confronting an epidemic of gun violence. We need thoughts and prayers, but we need so much more. We need action to do something.

Do the lives of these policemen mean anything? Of course, they do. They mean a great deal to their families, and they mean a great deal to this Nation.

Do the lives of these victims who died mean anything? I met the families—four of them. They are heartbroken, and their lives will never be the same.

We need action to close the deadly gaps in America’s gun background check system. Much of the work needs to take place at the State level. State and local law enforcement agencies are investigating how this tragedy might have been prevented and how to prevent another violent felon from slipping through the cracks in the system.

We also have a responsibility here. It is not enough for prayers to be offered. We need to do more to keep guns out of the hands of people who should not have them.

This week, the House of Representatives will vote on a measure to close the gun show and internet loopholes in our background check system. These loopholes allow felons and the mentally ill to buy a firearm, or keeps a firearm in America. It is critically important, and I support the House’s effort, but, sadly, I have to predict that this measure will not even come up for a debate—let alone a vote—in this Republican-controlled Senate. There is just no way that they will consider any gun safety measure.

After Columbine and nearly every other mass shooting and natural disaster since, a carpenter who lives in Illinois has crafted wooden memorials to honor the fallen.

His name is Greg Zanis, 68 years old. In 20 years, he has made and delivered—listen to this—more than 26,274 handmade wooden crosses, Stars of David, and crescent moons to communities in 50 countries.

Greg drove to Sandy Hook, CT, after 26 first graders and educators were murdered in their grade school. He drove to Las Vegas after 58 people were killed at a music festival. He drove to the First Baptist Church in Sutherland Springs, TX, after 26 worshipers were killed. He drove to Pittsburgh, PA, to honor the 11 worshipers killed at the Tree of Life synagogue.

Even after this year’s tragedy, the mass murder at Henry Pratt hit Greg Zanis especially hard. You see, Greg Zanis’s hometown is Aurora, IL. Mr. Zanis told a reporter from the New York Times that he held drive away from all of the other tragedies, but he said: “I am not going to be able to get away from this one.”

To those who will say that the aftermath of a mass shooting is not the time to talk about gun safety, I have one simple question: When is the right time to talk about gun safety? If we are going to talk about it only on the days when no one dies in America because of the use of guns, then, of course, we will never talk about it.

Will you wait until this killing comes to your community, your church, your kid’s school? Is that what it will take before the Senate and the people across this Nation feel as Greg Zanis does, that you just can’t escape this carnage anymore? I pray that is not the case.

We need to work together. Let’s start. Let’s do something sensible and bipartisan in the name of gun safety to make our background check systems as effective as they can be.

Look at those faces. Eleven days ago, they were part of a family—loved—sons, fathers, grandfathers—and now they are gone because one man who never should have owned a gun took it to work in a fit of anger and killed these five men. It is time for this Senate and this Congress to do something.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the roll be taken.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the legislative situation?

The PRESIDING OFFICER. The pending question is on the Miller nomination.

Mr. LEAHY. I thank the Presiding Officer. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, President Trump declared a national emergency 2 weeks ago. He did this in order to build a pet project of his. In the process, he said it was his intent to siphon billions of dollars that had been appropriated to help our men and women in uniform. Now, I am not sure what lawyers he consulted, but those lawyers seem to have overlooked our Nation’s founding document—the U.S. Constitution.

I know the President likes to communicate in 280 characters or less, so I will point him to a 77-character phrase he may want to review: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.”

That is a short sentence, but our Founders knew what it meant. They knew the President did not have the authority to use his power under our government’s spending priorities is one of the most critical checks and balances in our constitutional system. The President can propose funding for whatever project he wants. He has the absolute right to propose funding, but it is up to Congress to decide where to invest the American people’s hard-earned tax dollars.

Let’s review the facts. For over 2 years, the President has repeatedly tried and has repeatedly failed to convince Congress that a southern border wall is a good idea. He has failed to get a deal with Mexico despite giving his word and promising his supporters more than 200 times that Mexico would pay for it. He promised that Mexico would pay for it while knowing, of course, that Mexico would not pay a cent for it. Then he failed to get a deal with his own party even during the 2 years when the Republicans controlled the presidency, the U.S. Senate, and the U.S. House of Representatives. He also failed to get a deal after he forced the country into a 35-day government shutdown over the issue—a shutdown, incidentally, that cost our country at least $11 billion to say nothing of the number of people whose lives were so disrupted that many either lost their apartments, were unable to pay their mortgages, were unable to pay their bills, or were unable to pay for the medical care they needed.

Yet, in the face of all of these failings, he has decided to go it alone. He has decided to stretch his powers—beyond all recognition—under the National Emergencies Act. There is no rational basis to justify the use of this authority. So we should look at what a bipartisan group of Republicans and Democrats wrote—a group of 58 former senior national security officials who had to help secure our country under both Republican and Democratic Presidents.

They wrote: “There is no factual basis for the declaration of a national emergency” on the southwest border. I ask unanimous consent that the Joint Declaration of Former United States Government Officials be printed in the Record.

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

JOINT DECLARATION OF FORMER UNITED STATES GOVERNMENT OFFICIALS

We, the undersigned, declare as follows:

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 and served in senior leadership roles in administrations of both major political parties, and collectively we have decades of experience in 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 relationships with other countries, including those south of our border.

a. Madeleine K. Albright served as Secretary of State from 1997 to 2001. A refugee and naturalized American citizen, she served as U.S. 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. Jeremy B. Bash served as Chief of Staff of the Department of Defense from 2011 to 2013, and as Chief of Staff of the Central Intelligence Agency from 2009 to 2011.

c. John B. Belinger III served as the Legal Adviser to the Department of State from 2005 to 2009. He previously served as Senior Associate Counsel to the President and Deputy Counsel to the National Security Council from 2001 to 2005.

d. Daniel Benjamin served as Ambassador-at-Large for Counterterrorism from 2013 to 2016. He previously served as Deputy National Security Advisor for Homeland Security and Counterterrorism and Assistant to the President from 2009 to 2013.

e. Antony Blinken served as Deputy Secretary of State from 2015 to 2017. He previously served as Deputy National Security Advisor to the President from 2013 to 2015.

f. John O. Brennan served as Director of the Central Intelligence Agency from 2013 to 2017. He previously served as Deputy Director of the Central Intelligence Agency from 2005 to 2008.

g. John D. Brennan served as Assistant Director of the Office to Monitor and Combat Trafficking in Persons from 2001 to 2003. He previously served as the U.S. Ambassador to Somalia from 1999 to 2001.

h. Daniel P. Erikson served as Special Representative for Afghanistan and Pakistan at the U.S. Department of State from 2010 to 2015.

i. John D. Feeley served as U.S. Ambassador to Panama from 2015 to 2018. He served as Principal Deputy Assistant Secretary for Western Hemisphere Affairs at the U.S. Department of State from 2015 to 2017.

j. Daniel F. Feldman served as Special Representative for Afghanistan and Pakistan at the U.S. Department of State from 2014 to 2015.

k. John F. Kerry served as Secretary of State from 2013 to 2017. He previously served as Director of the Office of National Drug Control Policy from 2009 to 2012.

1. Jen Easterly served as Special Assistant to the President and Senior Director for Counterterrorism from 2013 to 2016.

m. Nancy E. Egenegger served as Senior Advisor to the President and Director of the Office to Monitor and Combat Trafficking in Persons from 2001 to 2003. She previously served as the U.S. Ambassador to Slovenia from 2003 to 2005.

n. Daniel F. Feldman served as Special Advisor for Western Hemisphere Affairs to the Vice President from 2015 to 2017, and as Special Advisor for Western Hemisphere Affairs at the U.S. Department of State from 2010 to 2015.

o. Janet Napolitano served as Secretary of Homeland Security from 2009 to 2013. She served as Governor of Arizona from 2003 to 2009.


q. James C. O’Brien served as Special Presidential Envoy for Regional Affairs from 2015 to 2017. He served in the U.S. Department of State from 1989 to 2001, including as Principal Deputy Director of Policy Planning and as Special Presidential Envoy for the Balkans.

r. Matthew G. Olsen served as Director of the Office of Counterterrorism Center from 2011 to 2014.

s. Leon E. Panetta served as Secretary of Defense from 2011 to 2013. From 2009 to 2011, he served as Deputy National Security Advisor and Deputy Assistant to the President from 2011 to 2013.

The Honorable Susan E. Rice served as Deputy National Security Advisor to the Vice President from 2013 to 2015, and as Assistant Secretary of State for Near Eastern Affairs from 1997 to 2000. He served as U.S. Permanent Representative to the United Nations from 1989 to 1992.

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 was Senior Director for Multilateral and Human Rights at the National Security Council.

qq. Jeffrey Prescott served as Deputy National Security Advisor to the President from 2015 to 2017, and as Special Assistant to the President and Senior Director for Iran, Iraq, Syria and the Gulf States from 2017 to 2019.

rr. Nicholas Rasmussen served as Director of the National Counterterrorism Center from 2014 to 2017.

ss. Alan Charles Raul served as Assistant Secretary of State for Political Affairs from 2005 to 2008. He previously served as Under Secretary of State for Political Affairs from 1999 to 2001.

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. Susan E. Rice 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. Anne C. Richard served as Assistant Secretary of State for Population, Refugees, and Migration from 2012 to 2017.

ww. Eric P. Schwartz 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 2013 to 2017.

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.

d. Dana Sheil Smith served as U.S. Am-
bassador to Jordan from 2005 to 2009. Pre-
viously, she served as Principal Deputy As-
sistant Secretary of Public Affairs.

c. Jeffrey H. Smith served as General Con-
nected Intelligence and Security from 1995 to 1996. He previously served as General Counsel of the Senate Armed Serv-
cess Committee.

b. Luke Sullivan served as National Se-
curity Advisor to the Vice President from 2013 to 2014. He previously served as Director of Policy Planning in the U.S. Department of State from 2011 to 2013.

d. Strobe Talbott served as Deputy Sec-
tsary of State from 1994 to 2001. He pre-
viously served as U.S. Ambassador to Liberia and Deputy Assistant Secretary for the Bureau of Population, Refugees, and Migration from 2004 to 2006.

e. Arturo A. Valenzuela served as Assistant
Secretary of State for Western Hemi-
sphere Affairs from 2009 to 2011. He pre-
viously served as Special Assistant to the President and Senior Director for Inter-
American Affairs at the National Security
Council from 1999 to 2000, and as Deputy As-
sistant Secretary of State for Mexican Af-

2. On February 15, 2019, the President de-
called a “national emergency” for the pur-
pose of diverting appropriated funds from
previously designated uses to build a wall
along the southern border. We are aware of
no emergency that remotely justifies such a
step. The President’s actions are at odds with
prior judicial decisions and the public rec-

t. President declared that the presence of human and drug

3. Illegal border crossings are near forty-year

4. There is no documented terrorist or na-
tional security emergency at the southern bor-
der. There is no reason to believe that there is a terrorist or national security

5. There is no emergency related to violent
crime at the southern border. Nor can the ad-

6. There is no humanitarian emergency at the

7. This proclamation will only exacerbate the
humanitarian concerns at the southern border. There are real humanitarian

8. Redirecting funds for the claimed “national emergency” will undermine U.S. na-
tional security and foreign policy goals. In the face of a nonexistent threat, redirecting funds for
the construction of a wall along the southern border will undermine national security by
plunging the Department of Defense programs that are responsible for
keeping our troops and our country safe and running effectively.

a. Repurposing funds from the defense con-

b. In addition, the administration’s unilateral

concerns. These actions are placing friendly
governments to the south under impossible
pressures and driving partners away. They
detractively strain our relationship with Mexico, a relationship that is vital
to regional efforts ranging from critical
intelligence and law enforcement partner-
ships to cooperative efforts to address the

S1454

February 26, 2019

CONGRESSIONAL RECORD — SENATE

S1454
degradation of the natural environment in a manner that could only contribute to long-term socioeconomic and security challenges. c. Finally, by declaring a national emergency, the President is also using his power in a way that would undermine the credibility with foreign leaders, both friend and foe. Should a genuine foreign crisis erupt, this lack of credibility will materially weaken this nation’s ability to draw on allies to support the United States, and will embolden adversaries to oppose us.

9. The situation at the border does not require the use of armed forces, and a declaration of a national emergency is implausible. We understand that the administration is also signaling that the situation at the southern border is a national security threat. This is implausible that hundreds of miles of wall are combat capabilities. It’s been done by the Department of Homeland Security and the Border Patrol is at historically high staffing and funding levels, and apprehensions—measured in both absolute and per-agent terms—are near historic lows.

b. Just last month, when asked what the military is doing at the border, these individuals do not present a threat that would need to be countered with military force.

c. Finally, by declaring a national emergency at the southern border, as directed by the acting Secretary of Defense, the President would be doing so in a manner that could only contribute to long-term socioeconomic and security challenges. b. Finally, by declaring a national emergency at the southern border, as directed by the acting Secretary of Defense, the President would be doing so in a manner that could only contribute to long-term socioeconomic and security challenges.

10. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border. We do not deny that our nation faces real immigration and national security challenges. But as the foregoing demonstrates, these challenges demand a creative, evidence-based strategy, not a manufactured crisis that rests on falsehoods and fearmongering. In a briefing before the Senate Intelligence Committee on January 29, 2019, one month before the Presidential Proclamation, the Directors of the CIA, DNI, FBI, and NSA testified about numerous serious current threats to U.S. national security. None of these 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, but none of the Presidents acknowledged that the 2018 National Defense Strategy does not identify the southern border as a security threat. Leading legislators with access to classified information, but none of the Presidents acknowledged that the 2018 National Defense Strategy does not identify the southern border as a security threat.

a. The President wants to raid money from law enforcement programs that actually prevent drugs from coming across our border or from programs that enhance military readiness. One thing I wish we were making up this. It sounds like something you hear on a comedy program, but it is not comedy. It is reality, and I have to ask, what is going on?

11. For all of the foregoing reasons, in our judgment, the President is either out of touch with reality, willfully ignoring the test. President Trump has failed the test. When Congress enacted the National Emergencies Act of 1976 to convey the power to invoke these authorities simply as a political step to energize a President’s base. It is an abuse of power to invoke these authorities simply as a political step to energize a President’s base. It is an abuse of power to invoke these authorities simply as a political step to energize a President’s base. It is an abuse of power to invoke these authorities simply as a political step to energize a President’s base.

President Trump wants to take money away from law enforcement programs that actually prevent drugs from coming across our border or from programs that enhance military readiness. We wish we were making up this. It sounds like something you hear on a comedy program, but it is not comedy. It is reality, and I have to ask, what is going on?

In the days and weeks ahead, the President’s emergency declaration—which amounts to an end run around both the Constitution and Congress—is going to be challenged, and it should be. Over the past 2 years, we have seen the erosion of our institutional checks and balances in the face of creeping authoritarianism. The time has come for Congress and members of the President’s own party to take a stand. Are we a democracy, or are we an authoritarian government? It is a pretty basic question.

I have been here with every President since President Gerald Ford. They upheld the Constitution, Republicans and Democrats, and they believed in the separation of power. All of them did. We simply cannot afford to now re-mold our institutions. Let’s do it. If the President’s own party some of my Republican friends— and they are my friends—when President Obama was President. They shouted from every rooftop about the lurches of an imperial Presidency. In every Executive order, they saw a threat to Congress’s power. In every step they saw the conclusion of a lawless strong man—a man Donald Trump claimed wasn’t born in the United States. Now, when they are faced with a President who is literally using his Executive powers to fund his wall, they simply would not. My Republican friends should echo the same concerns.

I am glad that some in the Republican Party have begun expressing reservations about President Trump’s national emergency declaration. Certainly a number of Republicans who serve in national security positions who signed on to the material
I have put in the RECORD did. But fleeting comments to reporters in the hallway are meaningless unless they are willing to follow up their words with their votes.

Today, the House will vote to disapprove President’s declaration. I believe that joint resolution of disapproval will pass the House. In short order, the Senate will have to vote on it. That is going to be the true test. That will be the metric that uses to determine whether Republicans are willing to put our country, our Constitution, and Congress itself over party.

While the President’s emergency declaration stumbles its way through the courts, I hope my Republican friends take a moment to take stock of where we are. President Trump will be just a blip in our Nation’s history. But for the sake of appearing a man who hundreds of times made a foolish campaign promise, we have grounded the country in reality will they forever change the course of the separation of powers in our country? For the sake of appearing a President who detests any limits or checks on his authority, will they forever diminish the power as a coequal branch of government? We are the longest surviving democracy on Earth today because there are checks and balances.

I am reminded of words of caution written by George Washington, our Founding Father and our Nation’s first President, in his Farewell Address. The words are as true today, and we read this Farewell Address every year on the floor of the Senate. Here is what President Washington wrote over 223 years ago:

> It is important, likewise, that the habits of thinking in a free Country should inspire caution in those entrusted with its administration, never to entrust them with power so extensive as will enable them, unconfined by constitutional restraints, to become a despot. The form of government chosen by our fathers may not be the best; but since it is, let us be careful to establish and maintain it, for neither the form nor the structure of our government is to be changed until it is so dislocated and deranged as to occasion a real danger of annihilation of the rights which we enjoy. The way is not to be sought by a surrender of our rights to the magnitude and folly of human power. Let us, therefore, brace ourselves in the service of our country, men of all ages, of all professions, and of all departments of the government.

We know what despots are like. We see them around the world. We see them in South America today, in one country in particular. We see them in North Korea, where the despot had his uncle executed, his own brother murdered, and thousands of people imprisoned, starved, and dying. A despot who continues to build nuclear weapons to keep himself in power even as his people die of starvation. In a democracy, that doesn’t happen. We have checks and balances for a reason.

I am going to use this joint resolution of disapproval. I urge all Senators to do the same. Have checks and balances.

I remind the President to treat emergency declarations the same way they have been treated since 1776, the way—certainly in my experience—Presidents Ford, Carter, Reagan, both Bushes, Clinton, and Obama did. That preserved democracy. Was it frustrating to each of them at times? Of course it was. But in the numerous long discussions with President Ford, President Carter, President Reagan, President George H. W. Bush, President George W. Bush, President Clinton, and President Obama. They would say: We want to do this. And we, as a Senate, said: You don’t have the authority to do that. And they realized that.

It is not the person who holds the office. It is not the President. It is not me. It is not the 98 Members of this body. It is not the President of the United States. It is not the Members of the House. It is not the members of the courts. What rules this country is our Constitution. We are a democracy. We must keep it as a democracy. Look what happens in those countries where they ignore democracy and have despots. In Venezuela, people are going without food and medicine. In the Philippines, where there is a despot, there have been murders of people who are just under suspicion, encouraged by the government—thousands of people in North Korea because of a despot who does not care and has no sense of morality.

America is so much better. Follow our Constitution. Obey our Constitution. Realize there are checks and balances. Have both Republicans and Democrats stand up and join. Remember what George Washington said. It was good advice back then; it is good advice today.

I yield the floor.

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. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT of South Carolina. Mr. President, I was necessarily absent from yesterday evening’s vote on cloture on the motion to proceed to S. 311, the Born-Alive Abortion Survivors Protection Act. On vote No. 27, had I been present, I would have been a yea vote on the motion to invoke cloture.

Let me say that a little differently. As someone waiting on my plane to leave Charleston, SC, to come to the Nation’s Capital—a trip that typically takes about 63 minutes—3 hours later, I had not yet arrived in Washington, DC.

I am a vote that, to me, should not be a vote at all—this should be common sense, but it certainly was not common sense, so we had to have a vote on an issue that is very near and dear to my heart.

I will say without any question that the frustration I felt at being late to that vote was one that was incredibly irritating and infuriating. I had planned to be on the floor of the Senate voting yes on a commonsense piece of legislation, the Born-Alive Abortion Survivors Protection Act, but was unable to make it because a 1-hour flight took more than 3 hours, and I arrived here about 4 minutes after the close of the vote, which also is quite frustrating.

What is more frustrating than that is that in a nation of good conscience, we would be debating and having a conversation about a child who is born, sitting there, alive, separated from her mother, that there would be a question of whether that child should be able to continue to live.

This is an issue that has been raised by people coming out of New York and more recently by people coming out of Virginia and by the Governor—who happens to be, from my understanding, a pediatric surgeon—who suggested it is OK to allow that child to die.

Whether you are pro-life, as I am, or pro-choice, as others, I cannot imagine that this would even be an issue of debate or discussion between the two sides. There is no side on this topic.

There cannot be a side about life separated from the mother and whether that life should continue to live. This is common sense. This is human decency. This is not an issue of being pro-life or pro-choice. This is being pro-child, which we all should be.

So I find myself at a loss for words, standing on the floor of the U.S. Senate—where a vote yesterday failed by several votes—having to discuss what doesn’t make sense.

I have recently spoken to a group in Charleston, SC, during Black History Month, where the GOP and African Americans were in the same room having a great conversation about the issues that are important to our Nation. We talked about so many of the powerful issues of economic opportunity and opportunity zones. There may have been some disagreement on whether we should have higher taxes or lower taxes, but there was disagreement on the issue of infanticide. There was no disagreement whatsoever. In the room, whether you were to the left
Mr. President, I also want to comment on upcoming action in the House, where they are scheduled to take up S. 47, the Murkowski-Cantwell lands package later this afternoon, which received 92 votes in the Senate earlier this month.

It is my hope that the House will approve this bill with the same overwhelming that it received in the Senate, and send this legislation quickly to President Trump's desk. I want to take a moment to emphasize four important provisions of this legislation as we prepare for this year's upcoming fire season.

This legislation includes four provisions that will help firefighters improve their safety and effectiveness and bring new technology to combating wildfires. These provisions will help firefighters and communities, and we need to do everything we can as we face longer fire seasons having more catastrophic events. We need to give communities and firefighters every tool possible.

First, this legislation allows for the use of drones to create real-time fire mapping, as well as GPS to track firefighter crews. These advances will help enable real-time tracking and location of both the fire and the firefighters. Why is this so important? It is because our firefighters need real-time data to do their job more safely and effectively. The combination of real-time mapping and GPS locaters has been referred to by the industry as the "Holy Grail of Wildland Firefighter Safety."

Last month's report on the devastating Mendocino Complex Fire shows why this is the case. According to this report, one of the challenges frontline firefighters had to face was the fact that they weren't sure exactly where the fire was. The safety officers didn't always know where the firefighters were. Fire crews couldn't see the other fire crews, and often times they were trapped. The result was that all six suffered injuries because it took quite a while to locate and rescue them.

Under this legislation that will be voted on by the House today, we will have more drones orbiting high over the fires, constantly updating fire maps and doing it more than just once a day, which has been the standard until now. These drones employ infra-red technology that can penetrate through thick smoke and better identify hotspots. Air tankers will be able to more accurately drop their fuel retardants, and we can tell firefighters on the frontlines how to steer away from areas that are just too dangerous to tackle.

When I heard the stories of brave firefighters who battled fire that raged in many parts of my State, I knew we needed to do more to protect these unknown heroes. We are in Eastern Washington or Central Washington—in the Okanagon and Wenatchee forests or around Spokane—we have to do more to help those communities and firefighters who are putting themselves on the line for us.

This legislation also allows the Forest Service to access NASA's mapping technology to help prevent mudslides that are all too common after these horrific fires. We all know erosion can occur after the devastation of a wildfire and that creates more damage in the community. The fact that we will be getting NASA access, we will then be able to come up with strategies to prevent erosion, cutting the time significantly from where it is today.

The fourth provision is improving smoke forecasting by assigning meteorologists to every large fire. I know some people are thinking this probably has already been done. Believe me, we haven't given the Forest Service every tool it needs.

Over the last few years, summers in the Puget Sound region have suffered as fires have blanketed our normally pristine air with smoke and unhealthy haze. We know this is becoming a new normal. As the Western United States continues to become hotter and drier, fires become more and more likely, and as the fuels get drier, the number of fires increase and get even bigger.

This isn't just an Eastern Washington problem. Our Washington State Department of Natural Resources responded to 1,800 fires last year, and 40
percent of those were in Western Washington. According to researchers at the University of Washington, just 20 years from now, we will see the median annual burned area in the Northwest double from what we have seen in the last 50 years.

We know we need more tools to combat these challenges, and the legislation we have already passed in the Senate and that is before the House today will provide these new technology and training tools to empower the Forest Service to help our communities and our firefighters: real-time fire mapping, more drone technology to give us real-time information about the fires, using NASA data to help us plan post-fires, and giving us more smoke forecasting information to better help our communities and to deal with those who are impacted by heavy smoke.

I hope our colleagues will act expeditiously on this legislation. We know that wildland fire funding, as we increased it in an agreement last year, was so important that we need to keep working on this problem.

I thank my colleague from Colorado for helping to sponsor the inclusion of this legislation and hope that the President will sign this legislation very quickly so that tools can be put in place for this upcoming fire season.

I yield the floor.

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. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANKFORD. I yield the floor.

RECESS

Mr. CRUZ. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Texas.

S. 311

Mr. CORNYN. Madam President, yesterday evening the Senate had an opportunity to go on record and show our constituents that we supported the most vulnerable among us. The Born-Alive Abortion Survivors Protection Act would require doctors to treat a baby, once it is born, with ordinary medical assistance, something they would do under any other circumstances, even though this entailed surviving an abortion. The Born-Alive Abortion Survivors Protection Act would require doctors to treat a baby, once it is born, with ordinary medical assistance, something they would do under any other circumstances, even though this entailed surviving an abortion. The Born-Alive Abortion Survivors Protection Act would require doctors to treat a baby, once it is born, with ordinary medical assistance, something they would do under any other circumstances, even though this entailed surviving an abortion.

If you ask the American people, they would say this is just common sense. In a recent poll, more than three-fourths of Americans said they support providing medical treatment for babies who survive abortions. I can’t imagine what the other 25 percent are thinking. But there are no Federal laws requiring healthcare providers to care for these babies just as they would any other infant in similar circumstances. For example, Governor Northam was asked: What would you do with a child with birth defects?

He said: Well, the infant would be delivered. The infant would be kept comfortable. The infant would be resuscitated, if that is what the mother and the family desired, and then a discussion would ensue between the physician and the mother.

Let me be clear. The Governor, who is a pediatrician, by the way, essentially advocated for infanticide—killing a child who was born alive. Instead of saying, “well, it is my duty as a physician under the Hippocratic Oath to provide care to save the child,” he believes the child ought to be made comfortable, and that the mother and doctor sit down and decide whether the child should live or die.

That is not healthcare. That is murder. I believe the Senate has a duty to act and ensure that no child born alive is subjected to the treatment described by Governor Northam.

The bill we voted on last night would protect newborns who have survived abortions and ensure that they receive the same level of care that any other newborn baby would. It builds upon a previous law, which the Senate passed unanimously, called the Born-Alive Infant Protection Act. That bill passed unanimously in 2002, and it clarified that every infant born alive at any stage of development, regardless of the manner in which they were born. Yet yesterday, 44 Senators voted to allow that same person’s life to be ended with impunity.

The legislation we voted on yesterday would simply clarify that the infants who survive abortions are entitled to the same lifesaving care that other babies should receive. That is why it is so shocking to me that 44 of our colleagues chose to vote against this proceeding to a debate and a vote on the matter.

I am trying to think of a historical counterpart to this. I was reminded of a book I read not long ago called “Eichmann in Jerusalem.” This is about the trial of Adolf Eichmann after the atrocities of the Holocaust, during which 5 million Jews were killed. The author, Hannah Arendt, was trying to figure out what kind of monster could basically provide for the machinery that ultimately would take the lives of 5 million people.

What she saw when she looked at Eichmann was not some monster that looked different from you or me. Unfortu-
faster increase than hospital stays, doctors’ visits, or any other cost in the healthcare sector.

This spending doesn’t just have an impact on patients. It accounts for a large portion of our national economy. In 2017, health care expenditures totaled $3.5 trillion. That is 18 percent of our gross domestic product. Prescription drugs account for 10 percent of our total health expenditures, more than $330 billion. They have an impact on every American.

The Senate Finance Committee is digging into the reason behind those rising costs. The journey a drug takes from research and development to the manufacturing plant, to pharmacy shelves, and to our medicine cabinet is enormously complicated. I wonder whether it is complicated by design.

Once a consumer has purchased a drug, figuring out who gets each dollar spent practically requires the forensic skills of a Sherlock Holmes. The rebates are mostly cloaked in secrecy. I don’t have access to the terms of rebates, whether they are legitimate or whether they serve as a way for the companies to manipulate prices. I don’t have access to the impact they have, the terms of rebates are mostly cloaked in secrecy. I don’t think that is an accident. If you ask pharmacy benefit managers and plans about rebates, they will argue that overall they are a good thing and can help lower insurance premiums across the board. The issue, though, is that the extra money has to come from somewhere. So list prices are often raised to cover the difference. The impact they have, the terms of rebates are mostly cloaked in secrecy. So list prices are often raised to cover the difference.

I yield the floor.

The PRESIDENT proclaims the roll.

I would like to make a few points before the roll is called. I am opposed to the confirmation of Mr. Miller to the Ninth Circuit in the following way.

First, the Senate has failed to adequately consider Mr. Miller’s qualifications to serve on the Ninth Circuit.

Second, Mr. Miller’s record demonstrates that he is a loyal ally of the Trump administration.

Third, Mr. Miller has demonstrated a lack of respect for the rule of law.

Fourth, Mr. Miller has a history of making controversial comments.

Finally, I urge my colleagues to reject Mr. Miller’s nomination.

Thank you.
I don't know if you watched the Oscars, but I did, and I was watching for a movie that I saw that I was impressed with. It was called "Roma." It was a movie about Mexico. It received quite a few awards, and I thought it deserved them. It raised some painful questions for people living in Mexico. I know because I have spoken to Mexican Parliamentarians at a dinner a few weeks ago. It is the treatment of indigenous peoples.

Most countries in the world, including the United States, haven't written a very admirable record when it comes to the treatment of people who were here before we "arrived." What we have done in this great American country, sadly, is nothing to brag about. They were dispossessed, relocated for their lands, and many times treated in the poorest possible fashion. The movie "Roma" was about indigenous people of Mexico who are servants, and some would say, slaves, to families who have more money in Mexico. So the question of the treatment of Native Americans is not something that we can just push back in the pages of history; it still confronts us in the United States today, as it does in other countries, like Mexico and Australia and so many others.

So what does this have to do with this nominee? It turns out that in a rare moment, the National Congress of American Indians weighed in against Eric Miller for this circuit court nomination. The National Congress of American Indians opposed his nomination. Here is what they wrote in a letter to the Judiciary Committee, and I want to quote it in its substance:

"Our concern is that he chose to build a law practice on mounting repeated challenges to tribal sovereignty, lands, religious freedom, and the core attribute of federal recognition of tribal existence. His advocacy has focused on undermining the rights of Indian tribes, often taking extreme positions and using pejorative language to denigrate tribal rights. Indeed, his law firm website touts his record, with over half of his private practice achievements coming at the expense of tribal governments. Given his strong preference for challenging these tribes, there are considerable questions about whether he would be fair in hearing cases regarding tribal rights."

You might say to yourself: Well, that has to be a narrow area of the law—Tribal rights—and if he happens to consistently get that wrong, how important could it be?

Take a look at the fact that he has aspired to be a nominee to the circuit court—the second court in the land—in the Ninth Circuit. The Ninth Circuit includes 427 of the 573 federally recognized Tribal nations of America. That circuit he aspires to for a lifetime appointment hears more cases involving Tribal issues than any other Federal circuit. It is deeply troubling to see a Ninth Circuit nominee whose impartiality on Tribal legal matters is in question.

Mr. Miller's nomination is opposed by not only the National Congress of American Indians, but also opposed by a broad array of civil rights, environmental, labor, and other organizations that are concerned about his record and legal views. He is 43 years old—43 years old—three more decades to hand down decisions.

It is astonishing that the Senate would vote to confirm a nominee this controversial over the objection of his home State Senator, who took a century-old tradition in the Senate to do it. These Senators represent millions of people in the State of Washington. Their good judgment has been recognized by election and reelection. But when it comes to having a voice in the selection of a federal circuit court nominee who will be serving their State for the next three decades, they have been shunned and pushed aside.

I think the Republican majority is making a mistake. They are so bound and determined to fill these vacancies that they are abandoning basic Senate traditions—which, in fact, will slow things down from time to time. I am ready to admit, but also put at least a note of caution into a critical judgment process.

Blue slips encourage consensus and cooperation between the Senate and the White House. There isn’t a single one of us serving in the Senate who hasn’t counted on that cooperation to ensure that lifetime appointments to the Federal judiciary are people who can stand the test of time. Although they may not agree with any Senator every single time, they bring judgment, experience, balance, and moderation to their service. Blue slips ensure that the voices of the American people, through their Senators, are heard in this process, and they help steer the nomination process toward the middle of the road. Without blue slips, the White House can ignore home State interests and pick extreme judges who do not have the confidence of that State’s legal community.

This decision—for the first time in a century—to abandon blue slips for the sake of putting this lifetime appointment on the circuit bench could affect every one of our States someday. I can’t understand why my Republican colleagues want to diminish their authority, their ability to safeguard against judges who should not be appointed for life. That is what we are doing on the vote to confirm Eric Miller to the Ninth Circuit.

I will oppose his nomination. I urge my colleagues to do the same, if for no other reason, so that when the time comes—if it ever comes—that you ask for the respect of this body when it comes to the selection of an important Federal judge, you will receive it regardless of who the President may be. Madam President, I yield the floor.

I suggest the absence of a quorum.

Mr. CRUZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

383RD ANNIVERSARY MARKS MEXICO’S INDEPENDENCE FROM MEXICO

Mr. CRUZ. Madam President, this Saturday, March 2, the great State of
Texas celebrates the 183rd anniversary of its independence from Mexico.

Texas became a free republic—for 9 years our own nation—and soon after became one of these United States.

As is tradition, in commemoration of the battle fought and died for liberty and the rule of law, let us reflect a moment on the immortal words of Colonel William Travis, the leader of the besieged forces at the Alamo. His clarion call for reinforcements resounded around Texas and still rings with strength today.

Indeed, it has a special place in my heart because the very first time I spoke on this Senate floor, I read from Travis’s letter from the Alamo. It was during Senator RAND PAUL’s extended filibuster in defense of individual liberty. It fit then, and it fits now. It is a letter that has stood for the ages—written to us today, demanding that we stand with all good and free people against oppression and reminding us that there are some things worth dying for.

The letter reads as follows:

Commandancy of the Alamo,
Bexar, February 24th, 1836
To the People of Texas & All Americans in the World:

Fellow citizens & compatriots—I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual Bombardment & cannonade for 24 hours & have not lost a man.

The enemy has demanded a surrender at discretion of our officers, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, & our flag still waves proudly from the walls. I shall never surrender or retreat.

Then, I call on you in the name of Liberty, of patriotism & everything dear to the American character, to come to our aid, with all dispatch—The enemy is receiving reinforcements daily & will no doubt increase to three or four thousand in four or five days.

If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier who never forgets what is due to his own honor & that of his country—Victory or Death.

William Barrett Travis
Lieutenant Colonel Commandant
P.S. The Lord is on our side—When the houses 80 or 90 bushels & got into the walls 20 or 30 head of Beaves.

Travis

I yield the floor. I suggest that absence of a quorum.

The PRESIDING OFFICER, The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ERIC D. MILLER

Mr. MURPHY. Madam President, there have been some days recently when I kind of wonder why we even show up the Senate any longer. This job is not what it used to be.

When I get the chance to read about the history of the Senate, I read about these things called debates that we used to have on the floor of the Senate. I read about something called an amendment, which apparently is a way that an individual Senator calls up a proposal or an initiative and puts it on the floor for an up-or-down vote.

These things don’t really happen anymore in the U.S. Senate. We don’t have open-ended debates on the big policies of the day.

If I get it, the Republicans control the Senate, they control the agenda. When Democrats control the Senate, they control the agenda. At the very least, I would have hoped that the Senate majority, now in Republican hands, would put their policy initiatives before the Senate so we could have an open debate. That doesn’t happen any longer. All we seem to be doing these days is voting on judges.

Now, that is a really important function of the U.S. Senate, and I am glad we are doing it, but today we are going to do something truly exceptional, which causes me, once again, to wonder what my job here is and to feel a little bit of sadness as to how it has changed and how consistent the input of each individual Senator is in the direction of this country.

Today, for the first time in the history of blue slips, we are going to vote to confirm a judge who didn’t get one blue slip from either of the home State Senators from which that judge comes from and is going to serve.

This has never happened before. Yet today we will vote on Eric Miller’s nomination to be a judge on the Ninth Circuit from Washington. He is 43 years old, so he is going to be there for an awfully long time.

Eric Miller did not get a blue slip from either Washington’s Senators. Let me say that again. That has never happened before in the Senate. In fact, the last time a judge was confirmed without both blue slips was in 1989. That was the last time before this Congress that a judge was confirmed without both blue slips.

In that instance, it was a Democratic chairman of the Judiciary Committee who was confirming a judge over the objection of another Democrat. This is very different. These are two Democratic Senators from Washington, neither of them returning a blue slip on Eric Miller. Yet the majority has decided to go ahead and proceed with this confirmation.

This is a serious break with precedent. The last time Democrats controlled the U.S. Senate, Chairman LEAHY was the head of the Judiciary Committee, and I did not hold a single hearing for a nominee who did not have two blue slips—didn’t hold a single hearing even when there were exceptional circumstances.

There was one time when Senators initially returned the blue slips, but later reversed themselves. There are two Republican Senators who submitted them, rescinded them—did not go forward with the nominee.

There was another circumstance in which Senators had recommended a nominee for the district court but then refused to submit blue slips when that judge was elevated to the appellate court. Once again, Senator LEAHY honored the precedents.

Now Republicans have already taken advantage of Senator LEAHY’s decision to uphold precedent. I will just give you a couple of examples.

In the Seventh Circuit, Michael Brennan was confirmed for a seat that had been held open by Republicans since 2010. So, had Chairman LEAHY decided to move forward without blue slips, that Seventh Circuit seat could have been filled, but because he upheld tradition, it was left open, filled by Republicans.

Similarly, for a district seat in South Carolina, Marvin Quattlebaum was confirmed to a seat that had been held open by Republicans, again, since 2013.

So Republicans have already taken advantage of the fact that Democrats upheld the blue-slip precedent, but now they are taking it a step further.

In the past, when Republicans have changed the rules here, as they did on the nomination of Victor Goering to elevate a judge to the Supreme Court, they claimed it was because Democrats started it. I don’t agree with that rationale. If you found the change for district court nominee so objectionable, I wonder why you did decide to go further, but there is no excuse of that kind here. This is just a brash power grab because there is no claim that Democrats, when they were in the majority, violated the blue-slip principle. This is a fresh violation of tradition here in the Senate.

There is a reason we give deference to home State Senators. In these States and in these districts, there are particular issues that are important to their constituents that may be unique to this area in which they have more knowledge than the rest of us do. Some of the reasons Senators MURRAY and CANTWELL are so concerned about this nominee are his extremist views on the issue of Tribal sovereignty, which is a very big deal in the State of Washington, and the idea that they are going to have somebody sitting in the Ninth Circuit who has these extreme views on limiting the rights of Tribes is of great concern to their constituents that is why, traditionally, we have allowed for individual Senators to have that kind of voice and that kind of say. No longer.

I would just hope that my Republican friends understand how this works. Once the rule is gone, once the tradition is gone—listen, I am a relatively junior Senator here, so I don’t want to speak for those who are going to be the chairman and ranking members of committees in the future, but I would imagine it is not coming back. I would show you on the floor for an up-or-down vote for an individual Senators who Happen to be a member of the majority party,
Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today to offer brief remarks on the nomination of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

I have concerns about Mr. Miller's controversial record—some of his ideas and his jurisprudence—which I have spoken to on the Senate Judiciary Committee, which informed my vote against him on the committee.

But today, I want to speak about my reservations about this body's moving forward with his confirmation, given that neither of his home State Senators have returned a blue slip.

Let me briefly talk about what a blue slip is and why it matters. It is not in the Constitution. It was something imagined by the Founders. It was something developed by the Members of this body to put one further bumper on the power of the President to nominate Federal judges and then for the Senate to weigh in the figure of our States and our districts, and it is just another day that makes me question that as well.

I yield the floor.
there, hours and hours with border security. I was on shallow draft boats. I was on horseback. I have been on ATVs. I spent a lot of time down at the border, and the one thing I will tell you is that the President is absolutely right. There is a crisis on the border—and not only on the southern border, but I will state that ranchers on the northern border also believe they have challenges that this President is right to address.

I also happen to agree with a good portion of how the President is going to do it after Congress failed to do its job. Keep in mind that over the last year, we have had on this floor Democrats and Republicans voting for as much as $25 billion for border security—Democrats and Republicans—and now we are fighting over a fraction of that.

The President needs to act. He got an appropriation of about $1.35 billion through the negotiated settlement a couple of weeks ago, and now he is taking the only action he can until Congress acts, and that is to figure out other sources of funding that he believes he can use within current statutory limits. The way he has done that is he has first taken the $1.3 billion that Congress did appropriate. He has another $2.5 billion and another $600 million that I believe he is right to reprogram, send to the southern border, and probably make some investment in the northern border.

Here is where I have a respectful difference of opinion with the President and the administration: It is the emergency order, that under the emergency powers act, he is using his authority to appropriate the remaining funds.

First off, those funds will come what we call the MILCON budget. That is a military construction. Right now, we are trying to find out what that means—which projects we think are critic priorities—and those dollars to cross the border, and then they will say: Civilization is just an hour away.

It is an hour plane ride away. Most people don’t understand the sheer size and scope of the number of people crossing the border, and the dead of night, working with basically organized crime. You have to pay a toll to get through the so-called plazas that run the northern border of Mexico.

My problem right now is that with an Executive order, the emergency declaration that the President intends to send to Congress.

My wife and I were having a discussion. She said: You just said you agree with the President that there is a crisis on the border; you agree with the President that we need to send resources down to the southern border and work on the northern border; you agree that Congress has failed to act; and you agree that if you were President, you would do exactly what he is doing.

I said yes.

She said: Why don’t you support it?

I said: Because I am not the President. I am the U.S. Senator. I am a Member of the U.S. Senate. I am a Member of a coequal branch who actually believes that this action falls within our purview. Now we are going to find out because I am sure we are going to be challenged in the courts. But I also worry not so much about this one, frankly. Even the way this money is going to be programmed, I agree with. What I worry about are future Presidents and what they may do if we set this precedent going into the future.

We actually have a Democratic candidate running for President—this is one hypothetical. There have been some far-flung ones that I am not sure I completely agree with, but let me just give this one. It relates to border security. We have someone who is a Member of this body who has publicly said that their priority, if they were elected to be President, would be to tear down borders, tear down walls, build bridges, and open the borders. Well, if you argue that there is a humanitarian crisis—and I have said there is already one—what would prevent that President from issuing an Executive order that would divert military construction funding to tear down the walls that we are going to have now? If I would be President—this President wants policies and priorities that I agree with—that authority, that could be aiding and abetting a future President and empowering them beyond what I believe their authorities are, vested in the Constitution in article II.

So I have come here today in part to maybe take another stab at explaining to my wife why I have taken this position but to also explain to the American people and folks in North Carolina and across this country. I agree with the President. I know we have a crisis we have to take care of. We have a national security crisis, a homeland security crisis, and a humanitarian crisis. It is not the end; it is a portion of the means.

I applaud the President for taking the action up here and getting things done. I hope that he finds the way to fully fund the border strategy on a bipartisan basis and also address other immigration issues that I believe are pressing for this Nation.

Madam President, thank you for allowing me to come to the floor and explain my position.

If anybody in North Carolina has any questions, I know they know how to get hold of me because my phones are blowing up right now. But I do want to explain it to them in a way that makes sense. I am a steward of the U.S. Senate. I am a steward of the article I branch. That matters to me.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Minnesota...

Ms. KLOBUCHAR. Madam President, I rise today to join many of my colleagues who have come to the floor to and express my opposition to the nomination of Eric Miller to be U.S. circuit judge. The Ninth Circuit is already expressed that opposition in my vote in the Judiciary Committee, but I would like to explain this in more detail.

There are several troubling aspects of Mr. Miller’s background, particularly his consistent opposition to Tribal interests and women’s reproductive rights.

My State of Minnesota has a large and diverse Tribal population. I have always believed that our State history has been drawn from the culture and traditions of our Native Americans.

As a member of the Judiciary Committee, I know that Tribal sovereignty is a fundamental tenet of our laws. The Ninth Circuit is home to more federally recognized Tribes than any other circuit—more than 425. So many of the cases that come before the court involve Tribal issues. I am concerned that Mr. Miller has a history of representing interests that have sought to undermine Tribal sovereignty. For example, in a brief he filed before the Supreme Court, he urged the Court to adopt a standard that would have undermined the legitimacy of many federally recognized Tribal governments.

The National Congress of American Indians and the Native American Rights Fund have come out against his confirmation. I know the Senator from New Mexico, Mr. Udall, is here and understands the major concerns, since he is the ranking member of the Indian Affairs Committee, and how important that concern is. It is only the third time in the history of the two organizations—the National Congress of American Indians and the Native American Rights Fund—that they have opposed a judicial nominee.

In their letter to the Senate Judiciary Committee, they wrote that Eric
Miller “chose to build a law practice on mounting repeated challenges to tribal sovereignty, lands, religious freedom, and the core attribute of Federal recognition of Tribal existence.”

I believe we need judges, particularly on the Court of Appeals, who respect the history and contribution of Tribal nations, not one who seeks to undermine their sovereign status.

Mr. Miller’s record on women’s reproductive rights is no less troubling. During his Justice Department tenure, he used ideological language in cases in which he advocated for restrictions on a woman’s personal healthcare decisions. I am concerned about what this says about how Mr. Miller will approach these types of cases.

Finally, it pains me to say that this is a historic moment for this body—for the Senate—because of how we came to be here today. It is not historic in a good sense of the word. It is historic in a bad sense of the word. We are voting on the confirmation today because of an unprecedented disregard for the Senate’s traditions when it comes to judicial nominations. According to the Congressional Research Service, no judge has ever been confirmed without having both blue slips returned by both home State Senators until now. We have had instances where one blue slip was returned, and the judge went on to be confirmed, but what we have here is not one blue slip from either of the home States of Washington was returned.

Senator CANTWELL, who also, by the way, has been a major leader when it comes to Tribal matters, did not return a blue slip for Mr. Miller. Senator MURRAY, a major leader when it comes to women’s rights, did not return a blue slip for Mr. Miller.

In the rush to confirm judges like Mr. Miller, the Judiciary Committee has chipped away at the traditions and rules designed to properly advise and consent on nominations, which is our responsibility specifically enumerated in the Constitution.

This goes beyond disregarding the voices of home State Senators on judicial nominations. This nominee’s hearing was held during a monthlong recess with no Democratic members of the Judiciary Committee. Since this was an established work period at home, only two Republican Members were in attendance. The witness’s questioning lasted for less than 5 minutes for a lifetime appointment. Why would you have this hearing at a time when we were scheduled to be working in our home States? That is what happened because it was rammed through by the Senate without the support of either of the home State Senators.

At a time when the American people see this body shirking its responsibilities to act as a check and balance on the executive branch, and when they see us upholding the basic question of whether Congress has the power of the purse, I am concerned about what message we are sending to the country and the world about the health of this Senate.

This is a lifetime appointment. It should at least have had a normal hearing. We should have at least respected the views of the home State Senators who have many ties in the past. There are no witnesses in the race to the bottom when it comes to process in the Senate—a democratic process, a process of advice and consent, a process of checks and balances set up by our Founders so no one branch of government would have the right experience as well as be fair and impartial in the administrative law.

What else do we have going on? We have a President who, after an agreement was reached in the Senate, which is run by his own political party, on how to confirm a judge—Mr. Skagits, for example—it was a bipartisan vote, a widespread vote in both the Senate and the White House—then decided to require an emergency to do something which I consider unconstitutional and has no respect for the balance of powers. He declared a state of emergency when, in fact, those kinds of emergencies are things like Hurricane Sandy and the weather we saw, or the damage down in Florida, or the wildfires we saw in Colorado and in California. Those are emergencies. In addition to that, it raises eminently domain issues at the border.

It also makes us question where the money is coming from. That is why you see these lawsuits. The money is coming from the military budget, military construction for our troops, and the like.

While this may seem like a very different issue, it is not a different issue. It is the same issue. The Senate should be sticking up for the individual States we represent and the power of those States and the power of that balance that is so important to running this government and to the very Constitution that guides us.

I yield.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL, Madam President, I rise to oppose the nomination of Eric Miller to be circuit judge for the U.S. Court of Appeals for the Ninth Circuit. Senate traditions command respect, and if we are going to change them, we should do so in a bipartisan way. Changing rules midstream and changing traditions well into the Congress causes bitterness, acrimony, and it hurts our ability to glide along with each other. Such Senate traditions as the blue slip, where the nominee’s home State Senators are given an opportunity to object—this courtesy has been in place for more than 100 years as part of the Senate’s advice and consent responsibility.

If confirmed, Mr. Miller would be the first circuit court nominee in history without either of the blue slips returned from either of his home State Senators. The lack of respect shown for this Senate tradition by the Republican leadership of the Judiciary Committee is as saddening as it is alarming.

Another Senate tradition again flouted by the majority was holding Mr. Miller’s confirmation hearing during a Senate recess. The recess hearing—lasting only 30 minutes, with only two Republican Members in attendance—was objected to by Democratic Members who sought to question Mr. Miller on a number of legal issues, including Indian law. Instead, the questioning lasted less than 5 minutes.

Bringing Mr. Miller’s nomination to the floor without an adequate hearing is an abuse of the confirmation process by the Republican leadership of the Judiciary Committee.

Putting aside these abuses of the process, as significant as they are, Mr. Miller’s repeated willingness to side against Native American Tribes in court and the likelihood that such willingness will follow him to the bench where he would have an outsized influence on the development of Indian law for Tribes, concerns me deeply.

As vice chair of the Senate Committee on Indian Affairs, I pay special attention to a nominee’s record on Tribal issues, especially if a nominee will preside in a jurisdiction that has 427 Tribal nations, as is the case with Mr. Miller. I am concerned that Mr. Miller’s record has not shown and does not have the proper respect for Tribal sovereignty.

As an attorney in private practice, Mr. Miller consistently advocated against Tribal interests and Tribal sovereignty. In fact, Mr. Miller has donated over 675 hours of pro bono work against Tribal sovereignty, against Native American religious practices, Federal recognition, and numerous other respected Tribal doctrines.

For example, in the case of the Upper Skagit v. Lundgren, Mr. Miller argued that Tribal governments are not entitled to sovereign immunity because it is inconsistent with the foreign interest in adjudicating disputes over title to land within their territory and frustrate[s] the ordinary adjudication of competing [ownership] claims.” His arguments in this case demonstrate he does not understand the inherent sovereignty of Tribal nations.

Mr. Miller has shown a lack of respect for Native American religious practitioners when he argued for a narrow application of the Religious Freedom Restoration Act when these practitioners argued that the construction of a solar farm would substantially burden their ability to conduct their religious practices.
Mr. Miller has argued for an extremely narrow reading of the Indian Reorganization Act when considering the Federal recognition status of Tribes. He asserts that only Tribes that possessed federally managed lands when the act was passed in 1934 should be federally recognized. This narrow view does not acknowledge the well-established principles of Indian law and can lead to the termination of Tribal nations that do not meet his narrow and arbitrary standard.

Mr. Tester. Madam President, I come here today in a sad time. As I speak, about right now in Montana, a funeral is beginning for Jason Baker.

Jason was originally from Fort Benton, MT, which is a town right down the road from where I live in Big Sandy. Jason was a firefighter. Jason passed away on February 20, early in the morning. He was far, far too young—the age of 45. He had been a firefighter for 16 years with Great Falls Fire Rescue. He was incredibly talented and incredibly professional, and he was somebody who loved being a firefighter and serving the public.

Mr. Miller. Madam President, I ask unanimous consent that the clerk will call the roll.

Mr. Tester. Madam President, before I start with my comments, I want to associate my thoughts and views on Mr. Miller with Ranking Member Udall on Native American sovereignty and Mr. Miller's current job and what he has done in that.

REMEMBERING JASON BAKER

Madam President, I come here today in a sad time. As I speak, about right now in Montana, a funeral is beginning for Jason Baker.

Jason was originally from Fort Benton, MT, which is a town right down the road from where I live in Big Sandy. Jason was a firefighter. Jason passed away on February 20, early in the morning. He was far, far too young—the age of 45. He had been a firefighter for 16 years with Great Falls Fire Rescue. He was incredibly talented and incredibly professional, and he was somebody who loved being a firefighter and serving the public.

I have a number of memories of Jason from my days in the State legislature, when he showed up as a relatively young firefighter, to my days as a U.S. Senator, when he showed up to my offices here in Washington, DC, to advocate for firefighters’ issues. More important than all of that, Jason was a friend. He happened to also be a relative. He was somebody who, when his wife’s grandfather passed away and they had the funeral up in Havre, was at the funeral because he was as a human being. He wasn’t sick and hadn’t been diagnosed with anything. He was just vibrant and full of life.

With cancer’s being the disease that it is, it was a struggle for him, as it is for anybody who gets it. He was somebody who fought that disease bravely and proudly, but in the end, it took him. It took him last Wednesday, early in the morning. We were going to Great Falls, and my wife sent a little message to Jill that read our hearts were with them because we knew that Jason wasn’t good. She sent back a text with, and that was it. He had already passed.

In the end, though, as I think back on Jason’s life, there are some lyrics to a song that say “Only the good die young.” It could not be any more true than with Jason Baker. If the world were full of Jason Bakers, this would be a better world, but life happens, and you have to get through it.

I am sure that Jill and Peyton and Porter will think back and remember their dad proudly as he served proudly as a firefighter, as a public servant—as somebody who ran to danger while other people were running away from it.

As they proceed with the ceremony today in Montana—and it is happening as I speak—just know, Jill, Peyton, Porter, and all of the firefighters who are there, that we are very proud of your dad and his service and what he fought for.

Two years ago, there was a bill in the Montana Legislature on presumptive illness for firefighters. I do not believe Jason would have voted for the bill, but I do believe that his death was one of the kinds of fumes he breathed when he protected neighborhoods and families. I think it is only right that when people sacrifice for their communities, we sacrifice for them. Two years ago, the legislature did not pass that presumptive illness bill. I think it made a mistake.

When I gave my speech to the House of Representatives in the Montana Legislature on that, one of the points I made in that speech was that they needed to pass the presumptive healthcare bill for firefighters. Jason was alive when I gave that speech, and now he has passed. I think, in memory of Jason, that the Montana Legislature could pass that bill. I understand it has passed one of the houses but that it hasn’t passed both of them. If it passes both houses, I know Governor Bullock will sign that bill.

So, with that, we did add gusto to a great American, a great community man—somebody who literally gave it all for his country and his State and his town. We will miss you, Jason Baker.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, we are in the midst of a stealth campaign. Normally, we think about “stealth” as associated with bombers or submarines, weapons platforms designed to go, in effect, under the radar, to avoid detection, to escape public notice or the notice of our adversaries. This stealth campaign is really hiding in plain sight. It is a campaign to remake our Federal judiciary in the image of the far-right extreme of the Republican Party, the far-right extreme ideologically and politically, a campaign in effect to outsource the selection of judges to groups that reflect those extreme points of view—the Heritage Society and other such groups.

Shortly, we will consider the nomination of the latest individual nominated by the President, outsourced to those groups: Eric Miller, of Washington, to the Ninth Circuit Court of Appeals. The effort here is to drastically reshape our judiciary but, in the process, also dismantle the norms and practices critical to the health of our democracy. This judiciary is essential to the health of our democracy.

In the future, when we look back on this era—a dark and dangerous time for our democracy—the heroes will be our free press and our independent judiciary because the judges selected in the past by both Republican and Democratic Presidents based on qualities of integrity, intelligence, and independence.

Mr. Blumenthal. Madam President, I come here today in a sad time. As I speak, about right now in Montana, a funeral is beginning for Jason Baker.

Jason was originally from Fort Benton, MT, which is a town right down the road from where I live in Big Sandy. Jason was a firefighter. Jason passed away on February 20, early in the morning. He was far, far too young—the age of 45. He had been a firefighter for 16 years with Great Falls Fire Rescue. He was incredibly talented and incredibly professional, and he was somebody who loved being a firefighter and serving the public.

I have a number of memories of Jason from my days in the State legislature, when he showed up as a relatively young firefighter, to my days as a U.S. Senator, when he showed up to my offices here in Washington, DC, to advocate for firefighters’ issues. More important than all of that, Jason was a friend. He happened to also be a relative. He was somebody who, when his wife’s grandfather passed away and they had the funeral up in Havre, was at the funeral because he was as a human being. He wasn’t sick and hadn’t been diagnosed with anything. He was just vibrant and full of life.

With cancer’s being the disease that it is, it was a struggle for him, as it is for anybody who gets it. He was somebody who fought that disease bravely and proudly, but in the end, it took him. It took him last Wednesday, early in the morning. We were going to Great Falls, and my wife sent a little message to Jill that read our hearts were with them because we knew that Jason wasn’t good. She sent back a text with, and that was it. He had already passed.

In the end, though, as I think back on Jason’s life, there are some lyrics to a song that say “Only the good die young.” It could not be any more true than with Jason Baker. If the world were full of Jason Bakers, this would be a better world, but life happens, and you have to get through it.

I am sure that Jill and Peyton and Porter will think back and remember their dad proudly as he served proudly as a firefighter, as a public servant—as somebody who ran to danger while other people were running away from it.

As they proceed with the ceremony today in Montana—and it is happening as I speak—just know, Jill, Peyton, Porter, and all of the firefighters who are there, that we are very proud of your dad and his service and what he fought for.

Two years ago, there was a bill in the Montana Legislature on presumptive illness for firefighters. I do not believe Jason would have voted for the bill, but I do believe that his death was one of the kinds of fumes he breathed when he protected neighborhoods and families. I think it is only right that when people sacrifice for their communities, we sacrifice for them. Two years ago, the legislature did not pass that presumptive illness bill. I think it made a mistake.

When I gave my speech to the House of Representatives in the Montana Legislature on that, one of the points I made in that speech was that they needed to pass the presumptive healthcare bill for firefighters. Jason was alive when I gave that speech, and now he has passed. I think, in memory of Jason, that the Montana Legislature could pass that bill. I understand it has passed one of the houses but that it hasn’t passed both of them. If it passes both houses, I know Governor Bullock will sign that bill.

So, with that, we did add gusto to a great American, a great community man—somebody who literally gave it all for his country and his State and his town. We will miss you, Jason Baker.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.

Mr. Blumenthal. Madam President, I ask unanimous consent that the clerk will call the roll.

The clerk will call the roll.
Tennessee or any of the other States involved here. I am sure my colleagues from Texas or North Carolina or wherever would want a Democratic President to consult them when making appointments to the courts that have jurisdiction over the people, the litigants, the defendants who go to court with their grievances in their States. Blue slips may be a courtesy, but they are important to the functioning of our society.

Until the Trump administration, only one judge had ever been confirmed with only one blue slip in the last 100 years. That means one Senator from that State objected. Only five went through with that one objection and with the other Senator saying OK.

To our knowledge, no judge has ever been confirmed without having both blue slips from their home State Senators. Eric Miller would be a first.

Sometimes it is good to be a first but not so here. We are witnessing another norm being undermined in real time. We need to know from the majority: Is this the road we really want to go down in this Chamber?

I take my constitutional responsibilities very seriously, especially when it comes to the nomination of judges, as someone who has spent most of my professional career in the courtroom, either as a lawyer in private practice or a U.S. attorney for Connecticut or as attorney general in my State for 20 years.

This issue is important because not only is it a matter of courtesy, but it is a matter of completeness.

This nomination is a stealth nomination in a very important sense, also, as far as the process for his confirmation is concerned. Only one Senator—one Senator—has actually asked him questions on the record in public. That is because his confirmation hearing was scheduled at a time when only one Member of the Senate was there to ask him questions.

It was held during a month-long recess in October. Only two members of the committee—Senators Hatch and Crapo—could attend the hearing. Only Senator Crapo questioned Mr. Miller for a 5-minute round of questions.

All 10 Democratic members of the Judiciary, including me, wrote to Senator Grassley to have the hearing rescheduled. We asked, and he refused. We wrote Grassley again to have a second hearing so that the full committee could provide advice and consent after questioning Mr. Miller’s nomination. We had no success.

If Mr. Miller is confirmed, he will have been questioned by that one Senator, Mr. Crapo—out of 100—for a grand total of 5 minutes. That is not the way this system should work.

I do take my constitutional responsibilities seriously. This process makes a sham of the obligations we all have a sworn duty to uphold and have to our State and its people. That is why they have made an effort to jam this confirmation through.

The majority-led Judiciary Committee and Republican leadership have taken extraordinary steps to rush this nomination. Republicans held Mr. Miller’s confirmation hearing during an October recess, without the consent of minority members of the committee, questioning him for just 5 minutes and then gaveling out. As you heard, only one Senator asked for a second hearing. That is not regular order in the Senate.

Unfortunately, the Republican leadership continues to attack regular order in the Senate by attacking Senate rules. This nominee is confirmed, will be the first circuit court judge advanced without the support of either of their home State Senators. That is the blue-slip process.

The blue-slip process is an essential tradition of respecting the wishes of each nominee’s home State Senators, and it is the start of the advice and consent process.

This is about our system of checks and balances, respecting one another, and the prerogatives of the Senate that ensure every Senator has a voice in the selection of judges in their home State.

This institutional check has never been more important than it is today because we have a President that undermines the legitimacy and impartiality of the courts.

By bringing up this confirmation for a vote before the Senate, Republican leadership is ignoring the people we were elected to represent, and damaging our critical role in appropriately deliberating on lifetime judicial nominees and representing the will of our constituents when we elected us. This is a dereliction of the Senate’s duty, and it is an assault on our institutions.

If confirmed, Mr. Miller will have a lifetime appointment to one of the highest courts in America. He will have the power to change Americans’ lives. Yet this Republican leadership believes a 5-minute hearing is enough for a circuit court nominee who doesn’t have the support of his own home State Senators.

When the confirmation process is rushed like this, critical information about the history and character of the nominees will be missed. These lapses undermine the integrity of our confirmation process and ultimately undermine the public’s faith in our Federal judiciary.

I share many of the same concerns of Senators Cassidy, Kaine, and Murray about Mr. Miller’s views on Tribal sovereignty and other critical issues. Mr. Miller’s past work in undermining Tribal sovereignty and Tribal rights raises questions about how he would treat the tribes who could either have a circuit judge. His confirmation could have serious ramifications for Native communities in Washington, Nevada, and across the country.

Each one of us is elected to represent our State and its people. Today’s move by the majority is nothing less than an assault on our oath to the Constitution and our duty to serve our constituents.
I urge my colleagues to vote no on this nomination and stand together in a bipartisan way to confirm nominees who reflect our States, our country, and respect the Senators. Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I am here joining my colleagues on the floor to sound the alarm because right now, this Senate is being steered down a very dangerous path. I spoke last night about this and laid out my case, and I am here again to make it one more time.

Republican leaders are now barreling toward a confirmation vote on a Ninth Circuit nominee—a flashpoint that, if it succeeds, will mark a massive depar- ture from the longstanding bipartisan procedure that has been in place for gener- ations. It is a bipartisan process that has helped this Senate put consensus nominees on the bench for as long as we have all been here. This is wrong, and it is the American people who we represent who will suffer.

Let’s recap the facts. Neither I nor my colleague Senator CANTWELL returned a blue slip on the nomination of Eric Miller to serve on the Ninth Circuit court. I have deep concerns about Mr. Miller’s work fighting against Tribes. Despite our objections, Republicans went ahead with Mr. Miller’s confirmation hearing during a Senate recess when just two Senators—both Republicans—were able to attend, and the hearing included less than 5 minutes of questioning. It was a sham hearing. It was simply done to check the box.

For this Senate to go ahead and con- firm this Ninth Circuit court nominee without the consent of or true input from both home State Senators and after a sham hearing—that would be a dangerous first for this Senate.

This is not a partisan issue; this is a question of this Senate’s ability and commitment to properly review nominees.

The only logical conclusion I can draw as to why we are here at these crossroads is that Republican leaders are hoping that most Americans won’t notice, that they are doing everything in their power to peddle to President Trump and in doing that are trampling all over Senate norms in order to move our courts to the far right.

We are standing here today because this is too important and because the short- and long-term consequences of letting a single President steamroll the Senate on something as critical as our courts to the far right. Trump and in doing that are trampling all over Senate norms in order to move our courts to the far right, because the short- and long-term consequences of letting any President steamroll the short- and long-term consequences of this is too important and because the Senate norms in order to move Trump and in doing that are trampling all over Senate norms in order to move

This new precedent of my Republican colleagues turning a blind eye to the blue slip and stunning longstanding bipartisan processes should stop every one of my colleagues, Republican or Democratic, in their tracks because today the two home State Senators left holding their blue slips are me and my colleague Senator CANTWELL, but in the future, it could be any Member of this body. Today it is Washington State families who are getting cut out from an important process. It is their concerns about Eric Miller’s long history of fighting against Tribal rights that will be cast aside. But tomorrow it could be the concerns of any of your constituents and any of your home States that get tossed aside for a Presi- dent’s crusade to reshape our courts and satisfy their political base, and it could be your constituents and your home States hurt by Senate leaders un- willing to stand up for norms and precedents and our constitutional duty.

Again, I am here today to 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 for the good of the country and the people we serve? Can we still even engage in a bipartisan process to find consensus candidates to serve on our courts, or will our work in the Senate be reduced to partisan extremes and political gamesmanship? Will Republicans ac- cept simply being a rubberstamp for their leader in the White House? Will my colleagues be complicit in allowing our courts to be taken over by ideology alone, abandoning pragmatism and a commitment to justice for all? That is a choice every Senator faces now and, I sincerely hope, a choice for which every Senator will be held accountable.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I know of no further debate on the Miller nomination.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is, Will the Senate advise and consent to the Miller nomination? Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient sec- ond.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Ms. SINEMA) is necessarily absent.

The PRESIDING OFFICER (Ms. MCSALLY). Are there any other Sen- ators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 29 Ex.]

YEAS—53

Alexander
Barrasso
Brady
Buell
Burr
Capito
Cassidy
Collins
Corzine
Cotton
Crapo
Cruze
Daines
Eldridge
Ernst
Fischer
Gardner
Grassley
Grassley
Grayson
Hawley
Hoven
Hyde-Smith
Inhofe
Iley
Johnson
Kennedy
Lankford
Lee
McConnell
Mccally
Murray
Murkowski
Nunes
Payne
Perdue
Portman
Risch
Roberts
Romney
Roundel
Rubio
Saage
Scott (FL)
Scott (SC)
Shelby
Sullivan
Tanner
Tillis
Toomey
Wicker
Young

NAYS—46

Baldwin
Bennet
Bennenthal
Baucus
Brown
Cantwell
Cardin
Carper
Casey
Cochrane
Cortez Masto
Durbin
Feinstein
Gillibrand
Harris
Hassan
Heinrich
Hirono
Jones
Kaine
King
Klobuchar
Leahy
Manchin
Markley
Menendez
Merkley
Murphy
Murray
Peterson
Reed
Rosen
Sanders
Schatz
Schumer
Shaheen
Smith
Stabenow
Tester
Udall
Van Hollen
Warner
Warren
Whitehouse
Wyden

NOT VOTING—1

SINEMA

The nomination was confirmed.

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 senior assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accord- ance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomi- nation of Michael J. Desmond of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Ms. SINEMA) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 84, nays 15, as follows:

(Rollcall Vote No. 30 Ex.)

YEAS—84

Alexander
Baldwin
Barasso
Bennet
Blumenthal
Blunt
Boozman
Brassó
Brown
Burwell
Cantwell
Capito
Cardin
Cassidy
Cortez Masto
Cotter
Cotton
Cromyn
Cruz
Daines
Durbin
Enzi

NAYS—15

Booker
Buckworth
Gillibrand
Harris
Hirono

NOT VOTING—1

Sinema

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 15. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

The PRESIDING OFFICER. The Senator from Delaware.

CLIMATE CHANGE

Mr. CARPER. Madam President, I rise this evening to speak on a subject that, with the groundswell of activism, has once again captured national attention—and rightfully so.

Many years ago, I was a young naval flight officer stationed at a mock field naval air station in the Bay area out in California, preparing for the first of what would be three tours of duty in Southeast Asia during the Vietnam war. I joined there with tens of thousands of our fellow countrymen to celebrate our country’s first-ever Earth Day. I will never forget it.

This was back when pollutants dumped waste into our waterways with impunity. Garbage littered our shores, and toxic waste instead of flowing. One of them was in Cleveland, OH. The Cuyahoga River, north of where I went to school at Ohio State, actually caught on fire. Factories spewed toxic fumes, and acid rain fell from the sky. The urgency was clear then, and it is even clearer today.

That very first Earth Day was a transformative experience for me, and it will serve as an inspiration for me for the rest of my life.

As I look at what is happening across our country today, I see the movement for bold and transformative action to save our planet. I see the faces of those who were there with me that day in Golden Gate State Park.

I have had a lot of different jobs since then, but it is not lost on me that I stand here today on the brink of yet another watershed moment as the top Democrat on the Senate Committee on Environment and Public Works—the committee that oversees our Nation’s environmental laws—to talk about climate change.

In the days and weeks ahead, Senator MCCONNELL intends to engage in a ploy to try and undermine the Green New Deal by calling a vote for a resolution he does not even support. I believe he hopes that, in turn, there may be some disruption and damage inflicted on the Democratic Party and the climate change movement.

To the American people, hear this; it is a simple message: We cannot—we will not—allow cynicism to win, not now and not with so much at stake.

When it comes to climate action, there could not be a starker difference in this Chamber between the Democratic Party and the Republican Party in this debate.

We, as Democrats, may not agree on exactly how we should address climate change, but we all agree it is happening. We agree that human activity is the main cause, and we agree that we must act now.

Democrats know that climate science isn’t part of some grand hoax. It is not an alarmist prediction. It doesn’t come from some left-leaning organization. It doesn’t come from talk radio. It comes directly from our Nation’s leading scientists and leading scientists from all around the world.

Just 3 months ago, 13 Federal Agencies released a comprehensive climate report that described the dire economic and health consequences we face if we fail to take meaningful action to address climate change now. I may be mistaken, but I believe those 13 Federal Agencies were acting under law signed by a Republican President. I believe it was George Herbert Walker Bush.

This report is the Fourth National Climate Assessment. It was developed through collaboration between 300 Federal experts and non-Federal experts who volunteered their time—those who volunteered their time.

Here is a brief summary of their report: The science behind climate change is settled. Let me say that again. The science behind climate change is settled.

From our warming oceans to our atmosphere, climate change is happening, and human activity, such as burning fossil fuels, is greatly contributing to this crisis.

Our Nation’s scientists have found a direct link between climate change and the extreme weather we experienced in 2017, which altogether cost the American economy more than $300 billion—that is $300 billion in economic damages, more than any year before.

Scientists are no longer asking if climate change is happening but rather how bad is it going to be. How bad is it going to be? Numbers and the facts don’t lie. It will only get worse if we do nothing.

If we don’t act on climate change by 2050, wildfire seasons could burn up to six times—six times—more forest area every year. If we don’t act on climate change, we will see more extreme flooding that devastates small communities like Ellicott City, MD, not far from here, which has been hit by not one, 1,000-year flood in the past year but two. These are floods that are supposed to occur maybe once every 1,000 years. They had two of them in the last 2 years.

If we don’t act on climate change, rising temperatures, combined with increasingly frequent and severe rain, mean farmers are likely to experience a reduction in corn and soybean yields by up to 25 percent. If we don’t act on climate change, we will see deadly category 5 hurricanes and storm surges like the ones we saw with Hurricanes Irma and Maria just 2 years ago.

If we do not act on climate change, we will see economic pain across every major sector of our economy in this country. The 2018 National Climate Assessment concludes that at the end of this century, climate change could slash our gross domestic product by 10 percent.

How much is that compared to what? Well, compared to the losses we sustained in the great recession just a decade ago, 10 percent is more than double those losses—more than double.

It doesn’t matter if you are from a coastal State or from a landlocked State. We have lived in both. It doesn’t matter if you care about public health or the environment or if you care about our economy or national security. The fact is, every person living in
this country will eventually see or experience the effects of climate change if they haven’t already done so today.

We have two options. We confront this challenge head on—reduce carbon emissions, enhance resiliency, and support new clean energy jobs—or we could choose to ignore the problem and pass the buck. To whom? To our children, to their children, and to their children.

Senator MCCONNELL, President Trump and Andrew Wheeler at EPA want to pass the buck. They prefer to walk away from the growing threat we face. Instead of pursuing any ideas to address climate change and protect Americans from its effect, sadly, the Trump administration has promoted policies that increase our dependency on dirty energy.

President Trump has even said he doesn’t believe in climate change. He doubts the credibility of his own scientists at NASA and at NOAA, as well as 97 percent of the global scientific community. Continuing to misinform the American people and delay real climate action puts American lives and our economy at risk.

It doesn’t have to be this way. As Democrats, we choose to confront climate change. We choose to do so now. We know our communities are feeling the pain now from the climate crisis because we see the effects of climate change every day across this country.

We may not agree on exactly how we must address climate change, but we all agree on three things. Here they are. One, we agree climate change is real; two, human activity during the last 100 years is a dominant cause of the climate crisis we face today; and three, the United States, and especially the Congress, that is us, the House and the Senate, and the administration should take immediate action to address the challenge of climate change.

Time is wasting. Let’s get to work. Time is wasting. Let’s get to work.

Let me yield the floor to Senator from Massachusetts, who has done great work on this for as long as I have been alive—almost as long as I have been alive, my friend and my colleague who has been a giant on these issues for a long time and continues to be.

Mr. MARKEY. Madam President, I thank our great leader on the Environmental Protection Agency, Andy Wheeler, for his thoughtful work on this issue. I am here for the same purpose today. I am here to talk about climate change, about our climate crisis, and about the mistake it would be to put Andrew Wheeler in charge of the Environmental Protection Agency.

Climate change is an existential threat to our country and to the planet. We know this because the world’s leading scientists, the United Nation’s Intergovernmental Panel on Climate Change, just made that warning last year. It is an existential threat to the planet.

The U.N. report told us we have very limited time until we are past the point of no return, and the most catastrophic impacts of climate change are irreversible.

Our own Federal scientists across 13 Agencies also just warned in the National Climate Assessment that the impacts of climate change are not in the future, but they are happening in our communities right now.

Here is what all 13 U.S. Federal Agencies said. They said our efforts do not yet approach the scale necessary to avoid substantial damages to the economy, environment, and human health. These are Earth-shattering reports about the state of our Earth. These are the doomsday reports about what happens if we do not take bold action.

The dire consequences of climate change, in fact, are arriving. A tenfold increase in ice-free summers in the Arctic, 90 percent loss of coral reefs, and a doubling of species lost around the world. In the Northeast, in worst-case scenarios, by the end of the century, both the Massachusetts Institute of Technology and Logan Airport will be under water, and over 20 percent of Boston’s population will face flood risk.

The climate emissions are not slowing down. In 2018, emissions increased 2.8 percent. We have the “Denier in Chief” in the White House, and this week Republicans in the Senate are poised to confirm a coal lobbyist to head the Environmental Protection Agency.

During his confirmation hearing, when I asked whether he agreed with the conclusions of the National Climate Assessment report, Mr. Wheeler said he still needed additional briefings before he could make a public comment on it. Let me repeat that. The nominee of Donald Trump to run the Agency charged with protecting the planet from climate change had not even sufficiently reviewed the climate report from our own Federal Agencies before his confirmation hearing. He also said he considered the report to be a representation of the worst-case scenario and that what we face is “a climate issue.”

Well, the worst-case scenario is one in which the Republican Senate will confirm a former coal lobbyist to head the Environmental Protection Agency. The worst-case scenario is the Trump administration’s plans to roll back the Clean Power Plan and the fuel economy emission standards, the single largest steps we have ever taken to address climate change. We are in a worst-case scenario, and we need to dramatically change course.

That should start by not confirming Andrew Wheeler, a coal lobbyist, to run the Agency charged with protecting our planet. Andrew Wheeler’s answers on the climate crisis should be disqualifying. His record as a coal lobbyist should be disqualifying. We should come together and reject Andrew Wheeler as the head of the EPA.

The impact of climate change on ordinary families on their health, on our Nation, on our security, and on our future is too urgent. We must be bold. We must be ambitious.

That is why I have introduced the Green New Deal resolution. It lays out a serious, bold, aspirational set of goals
that meet the scale of the threat we are facing. It is a set of principles, not prescriptions. The Green New Deal will allow us to engage in massive job creation to save all of creation. It calls for a massive 10-year mobilization to transform our climate, our economy, our democracy. It is about jobs and justice.

An overwhelming number of Americans support climate action, and a majority of Americans support a Green New Deal. Never in our history have the leaders of our American nation united in a single issue: climate change.

From the air we breathe to the jobs that employ us, to the neighborhoods we live in, to the economy we operate within, climate change defines our existence. This is the time for serious solutions. Global temperatures are the highest in recorded history. Wealth inequality is at its highest point since the era of the Great Depression. The erosion of our coastlines, the erosion of our democracy by Big Oil and Koch brothers financing, the relationship between these ills and injustices is undeniable, but the challenge is not insurmountable.

It will only be through a historic intergenerational commitment to end climate change that we create the kind of democracy that works for all Americans. This Green New Deal mobilization will make the United States the global leader on clean energy and climate action.

This mobilization will be the greatest blue-collar jobs program in a generation. This mobilization will be an opportunity to repair the historic oppression of frontline and vulnerable communities that have borne the worst burdens of pollution from our fossil fuel economy—these communities that also get least affected and the least able to respond to the impacts of climate change. The Green New Deal represents an opportunity to lift up all workers and all communities.

President Roosevelt was right when he said about the New Deal that "statesmanship and vision, my friends, require relief to all at the same time." We are talking about a historic, 10-year mobilization that will mitigate climate emissions and build climate resilience. We need boldness on this scale before, and we must do it again.

We have already laid the foundation for our climate future. In 2008, we had only 1,200 megawatts of total solar capacity in the United States. Today, we have 65,000 megawatts. In 2008, we had only 25,000 megawatts of total wind capacity. Today, we have 98,000 megawatts of wind capacity. In 2008, there were only 2,500 all-electric vehicles in our country. Today, we have 1 million, with 500,000 new all-electric vehicles sold this year. Most of all, what we have seen over the past 10 years is a growing movement for climate action. In wind and solar, we now have 350,000 people who are employed. That didn't happen 10 years ago; it is happening today.

The Green New Deal is not just a resolution; it is a revolution. Republicans and climate deniers are taking on a major challenge in a bipartisan fashion. In 2007, the Senate could deal with climate change in a bipartisan fashion. In 2008, the United States was a leader in the world. By 2008, the Senate had overwhelmingly voted to pass a House of Congress—and to add a major risk for the planet—and we are at the heart of a revolutionary moment. We have to do this.

The Green New Deal is not just a revolution; it is a revolution. Republicans and climate deniers are taking on a major challenge in a bipartisan fashion. In 2007, the Senate could deal with climate change in a bipartisan fashion. In 2008, the United States was a leader in the world. By 2008, the Senate had overwhelmingly voted to pass a House of Congress—and to add a major risk for the planet—and we are at the heart of a revolutionary moment. We have to do this.

The question is, Will any Republican stand up to fight for these goals? The Republican Party is about to confirm a coal lobbyist to run the Environmental Protection Agency. That is where we are in 2019, with the worst scientific reports coming from the U.N. and our own scientists—a threat of an existential risk for the planet—and we are about to confirm a coal lobbyist.

Ladies and gentlemen, we have to be bold the way President Kennedy was in 1962 when he called for a mission to the Moon to be accomplished within 10 years. He said it would not be easy. He said we would have to do things that did not exist and propulsion systems that did not exist. He said we would have to bring that mission back safely within 10 years so that we could control outer space. We did that, ladies and gentlemen, and we can do it again.

We have to accept this challenge. We can do it. We can unleash an innovation revolution in our country, and again we will do it all by engaging in massive job creation, a blue-collar revolution hiring millions of workers to do this job.

I thank you, Madam President. This is a very important week before us. I yield back to the Speaker.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, this is a very important week before us. I yield back to the Speaker.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am honored to follow the distinguished ranking member of our Environment and Public Works Committee and one of the coauthors of the Waxman-Markey bill—the one significant piece of climate legislation that has passed a House of Congress—and to add my voice.

Mr. MARKEY. Would the Senator yield?

Mr. WHITEHOUSE. Gladly.

Mr. MARKEY. I just want to say that there is no coauthor of a bill like SHELDON WHITEHOUSE from Rhode Island. He is up every day of his life on this issue, and when he speaks, he speaks with authority. I just want to say what an honor it is to be here today.

Mr. WHITEHOUSE. It goes the other way.

Sometimes it seems that our friends on the other side of the aisle think that the only people who are watching this conversation are fossil fuel industry lobbyists and CEOs and electioneers.

So we are going through, shortly, a truly preposterous exercise on the floor to try lobbyists and CEOs and electioneers and stand up to fight for these goals? The reason I know that is because I was here then, and I saw as many as five bipartisan efforts to deal with climate change during that period, with Republicans and Democrats in the Senate. Then along came the Citizens United decision in January 2010, and from that moment after, it was like watching a patient drop dead in the emergency room. The heartbeat of activity on climate change just flattened on the Republican side of this Chamber.

I think the fossil fuel industry—I know the fossil fuel industry asked for that decision from the Supreme Court that they think they Intended to vote against, and they immediately went to work to squelch and crush any dissent from their orthodoxy
on that side of the aisle. The result has been that there has been no significant piece of climate legislation to reduce carbon dioxide emissions and to deal with this problem since Citizens United that any of our colleagues now will cooperate or support. It has just been silent, and an irrefutable failure in this greatest deliberative body.

I will state, as others have stated, as Ranking Member CARPER and Senator MARKEY have said, that the science on this is now beyond dispute. The science on the Trump era. If we fail to deal with this problem, the consequences will be catastrophic and irreversible.

"Irrefutable science." "Catastrophic and irreversible consequences." I am actually quoting somebody when I say that. Do you know whom I am quoting? I am quoting from 2009 Donald Trump—Donald Trump, Donald Trump, Jr., Eric Trump, Ivanka Trump, and the Trump Organization signed this full-page advertisement in the New York Times in 2009 that they will fail to act now," they said, "it is scientifically irrefutable that there will be catastrophic and irreversible consequences for humanity and our planet." So much as the fossil fuel-funded mockery in which the Republican Party has engaged, challenged the facts, even the Trumps knew this a decade ago.

In trying to describe the Green New Deal, one might describe it as something that, if you invested in it, would drive state-of-the-art technologies that will spur economic growth, create new energy jobs, and increase our energy security all while reducing the harmful emissions that are putting our planet at risk." That is a pretty good capsule of the Green New Deal.

Guess what Donald Trump and his family said in the same advertisement.

Investing in a Clean Energy Economy will drive state-of-the-art technologies that will spur economic growth, create new energy jobs, increase energy security all while reducing the harmful emissions that are putting our planet at risk.

All you have to do is listen to the 2009 Donald Trump to understand that the science of climate change was then irrefutable and it is even stronger now and that the consequences of our failure to act and our obedience, our adherence to fossil fuel-funded propaganda and orthodoxy will lead to consequences that are catastrophic and irreversible. We have had 10 more years of unrestricted emissions since then.

Just the basic tenets of the Green New Deal are "a clean energy economy that will drive state-of-the-art technologies that will spur economic growth, create new energy jobs, and increase our energy security." With the words of Donald Trump, I rest my case and yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, think about what we just heard, first from Senator MARKEY talking about a fossil fuel lobbyist in the year 2019 being chosen to head the EPA—a fossil fuel lobbyist—when there has not been a bill on this floor or any motion coming from Senator MCCONNELL to deal with climate change, to deal with one of the greatest if not the greatest moral issue of our time, it is a shame on this floor.

You heard what Senator MARKEY said. This administration has done nothing to address this issue, and President Trump selects a fossil fuel lobbyist to be head of the EPA. It is the same thing over and over again.

We have to take action to protect our planet and protect our future now. That means accelerating our transition to carbon-free power. It means investing in technologies that make our manufacturers the most energy efficient in the world. It means creating jobs in clean energy all around the country.

I have always, as a House Member living in Lorain, OH, and as a Member of the Senate—for years, I have always found ways to provide you with the tools that you have to choose between good environmental policy and good-paying jobs. We have proved that is simply not true. We have proved it in my State, where we have lots of wind turbines, made possible with this bill. We have proved it in Toledo, where we have one of the biggest solar energy manufacturers in the country. We proved it in the auto industry, where the auto industry has generally had a pretty good decade making more fuel-efficient cars and trucks.

Mitch McConnell and President Trump seem to think climate change— that is notwithstanding what Senator WHITMOUSE said—is a joke. I have news for them. Climate change is not something to play political games with; it is a crisis we need to confront and set an example around the world. It is a crisis we need to confront and set an example for our partners around the world.

It would be shameful enough to have no ideas and no plan to confront our biggest threats. But not only do President Trump and Leader McConnell have no plan, not only are they denying the problem, and not only are they standing in the way of solutions, but they are actually working to make climate change worse. It is just despicable.

They are spreading lies and stacking the administration with shells for the fossil fuel industry. They stacked the administration with Wall Street cronies to do bank regulation. They stacked the administration with fossil fuel cronies and shills to do energy and climate and environmental regulation.

We got news this week that the White House is going to use your taxpayер dollars to set up a panel to promote junk science and spread the debunked conspiracy theory that climate change is a hoax.

This week we will vote on the President’s nominee to head the EPA, a lobbyist who would be overseeing the same special interests who have paid his salary. Andrew Wheeler is just the latest in a long line of cronies from the fossil fuel industry who President Trump has put in charge at the EPA and the Department of the Interior.

Climate change is not a future problem. It does damage to this country right now. It is threatening thousands of Ohio workers who rely on Lake Erie for their livelihood, whether it is tourism or other industries that rely on clean water.

Climate change makes algal blooms worse. Off the shores of Toledo, it contaminates our lake, threatens our drinking water, and hurts small business. Nobody on that side of the aisle seems to give a damn.

I have talked to farmers who have been farming in the Western Lake Erie Basin for decades. They tell me they are experiencing events more often and with greater intensity compared to even 15 years ago. Hotter summers and shorter winters will only make this problem worse.

It is time for the President of the United States to stop sabotaging the country he is supposed to lead. It is past time to rejoin the Paris Agreement, to restart the Clean Power Plan, and to implement aggressive fuel economy standards for cars and trucks. It is time to create new jobs in clean energy and energy-efficient manufacturing. It is time for the United States to be the leader the world looks to. It is time to take this threat seriously to preserve our country for our children, and their children, and their children’s children before it is too late.
just can’t help themselves. But those decisions should be and are between a woman and her doctor—period. That is why we defeated this bill yesterday. It is why I will always support women’s freedom to make their own healthcare decisions.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATURAL RESOURCES MANAGEMENT ACT

Ms. MURKOWSKI, Madam President, before I wrap for the end of the day at the request of the leaders, I want to share my thanks, my appreciation—truly, my appreciation—for an action that the House just took up.

It was just about an hour or so ago that the House took up the bill that we had passed out of the Senate here, our landed conservation bill, which was a very significant measure of about 120 different conservation, lands, waters, and sportsmen’s bills—all rolled into one package—that passed out of here by 92 to 8. It just passed out of the House by a significant, significant margin.

It is, I think, a real testament not only to the work that has been done within this body on a very strong bipartisan basis but, really, to the work that we have done with the House, in our working with the other body in a bipartisan, bicameral way. I think it goes a long way to showing that we really can come together as a Congress on issues that are important to each of us individually.

I give my thanks and my appreciation to Chairman GRIJALVA, to Mr. BISHOP, who was the former chairman of that committee and who worked on this with us last year, and to all of their teams, as well as the House leadership, which has helped to advance this to this moment in time.

We look forward to the President’s signing that very, very soon, and I know that it will come as a real positive moment for so many. I thank all who helped us with this.

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the Senate proceed to the legislative session for the period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE

Mr. INHOFE. Madam President, the rules governing the procedure of the Committee on Armed Services have not changed for the 116th Congress.

Pursuant to rules XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator REED, 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:

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES
RULES OF PROCEDURE, 116TH CONGRESS

1. Regular Meeting Day—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. Additional Meetings—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. Special Meeting of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. Open Meetings—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than (14) days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) the vote would be necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(b) the testimony of members of the Committee staff personnel or internal staff management or procedure;

(c) would tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public or obloquy or obliquely to impair a clearly uninvaded personal privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent; or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees;

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. Presiding Officer—The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. Quorum—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.9(a)(1).)

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

Proxy Voting—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member voting by proxy has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. Announcement of Votes—The results of all roll call votes taken during the meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless otherwise announced by the Chairman. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. Subpoenas—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may
be issued, after consultation with the Rank- 
ing Minority Member, by the Chairman or any other member designated by the Chair-
man, but only when authorized by a major-
ity of the Committee: Provided, however, the 
suppoena shall briefly state the matter to 
which the witness is expected to testify or 
the documents to be produced.

10. Public notice shall be given of the 
date, place and subject matter of any 
hearing to be held by the Committee, or 
any subcommittee thereof, at least 7 days 
in advance of such hearing, unless the Com-
mittee or subcommittee determines that 
good cause exists for beginning such hear-
ings at an earlier time.

11. Hearings shall be held only in the Dis-
trict of Columbia unless specifically author-
ized to be held elsewhere by a majority vote 
of the Committee or subcommittee con-
ducting such hearing.

12. The Chairman of the Committee or sub-
committee shall consult with the Ranking 
Minority Member thereof before naming wit-
nesses or a hearing.

13. Witnesses appearing before the Com-
mittee shall file with the clerk of the Com-
mittee a written statement of their proposed 
testimony, and whether they will be in hear-
ing at what time and place. Such witnesses 
are to appear unless the Chairman and the 
Ranking Minority Member determine that 
there is good cause not to file such a state-
ment.

14. Except as otherwise specified herein, 
the Standing Rules of the Senate shall gov-
ern the actions of the Committee. Each sub-
committee of the Committee is part of the 
Committee, and is therefore subject to the 
Committee’s rules so far as applicable.

15. Powers and Duties of Subcommittees— 
Each subcommittee is authorized to meet, 
hold hearings, receive evidence, and report 
to the full Committee on all matters referred 
to it. Subcommittee chairmen, after con-
sidering the interests of the members of 
the committees, shall set dates for hear-
ings and meetings of their respective sub-
committees in consultation with the Chair-
man and other subcommittee chairmen 
with a view toward avoiding simultaneous 
scheduling of full Committee and sub-
committee meetings or hearings whenever 
possible.

SENATE SELECT COMMITTEE ON 
ETICS RULES OF PROCEDURE

Mr. ISAACKSON. Madam President, in 
accordance with rule XXVI, paragraph 
2 of the Standing Rules of the Senate, 
I ask unanimous consent, for myself as 
chairman of the Select Committee on 
Ethics and for Senator CHRISTOPHER A. 
COONS, vice chairman of the com-
mittee, that the rules of procedure of 
the Select Committee on Ethics, which 
were adopted February 23, 1978, and re-
vised November 1999, be printed in the 
RECORD for the 116th Congress.

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

RULES OF THE SELECT COMMITTEE ON 
ETICS

PART I: ORGANIC AUTHORITY

SUBPART A—S. RES. 338 AS AMENDED

S. RES. 338, 88th Cong., 2d Sess. (1964) 
Resolved, That (a) there is hereby estab-
lished a permanent select committee of the 
Senate to be known as the Select Committee 
on Ethics (referred to hereinafter as the “Se-
lect Committee”). (b) The Select Committee, 
consisting of 6 Members, of which 3 shall be 
selected from members of the majority 
party and 3 from members of the minority 
party, shall consist of the following:

1. Senator S. J. Daschle, D. S. D.
2. Senator J. B. Breaux, D. L.
3. Senator D. B. Keating, D. M.
4. Senator G. J. Tisch, R. N.
5. Senator S. F. Sarazin, D. M.

(a) (1) A majority of the members of the 
Select Committee shall constitute a quorum 
for the transaction of business involving 
complaints or allegations of, or information 
concerning, conduct constituting miscondut 
and violations of law, violations of the 
Senate Code of Official Conduct and 
violations of rules and regulations

(c) (1) A majority of the members of the 
Select Committee shall constitute a quorum 
for the transaction of business involving 
complaints or allegations of, or information 
concerning, conduct constituting miscondut 
and violations of law, violations of the 
Senate Code of Official Conduct and 
violations of rules and regulations

February 26, 2019
CONGRESSIONAL RECORD — SENATE
S1473
of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) (A) recommend to the Senate by report or resolution by a majority vote of the full committee in section 2(b)(3) of this section with respect to such violations which the Select Committee shall determine, after according to the individual concerned due notice and opportunity for a hearing, to have occurred;

(B) pursuant to subparagraph (A) recommend to the Senate for expulsion, censure, payment of restitution, recommendation to a Members conference, recommendation to the Senate by the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c) (1) No (A) adjudicatory review of conduct of a Member or officer of the Senate may be conducted;

(B) report, resolution, or recommendation relating to such an adjudicatory review of conduct may be made; and

(C) letter of admonition pursuant to subsection (d)(3) may be issued, unless approved or disapproved by more than 4 members of the Select Committee.

(2) No other resolution, report, recommendation, or advisory opinion may be made without an affirmative vote of a majority of the Members of the Select Committee voting.

(d) (1) If the Select Committee receives a sworn complaint or other allegation or information about a Member, officer, or employee of the Senate, it shall promptly conduct a preliminary inquiry in matters raised by that complaint, allegation, or information. The preliminary inquiry shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial, and the matter cannot be considered by the Select Committee.

(2) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is no such substantial credible evidence, the Select Committee shall dismiss the matter.

(3) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is substantial credible evidence which provides substantial credible evidence and the matter cannot be considered by the Select Committee, the Select Committee may initiate an adjudicatory review of the matter by issuing a public or private letter of admonition.

(e) (1) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is substantial credible evidence and the matter cannot be considered by the Select Committee, the Select Committee may initiate an adjudicatory review of the matter by issuing a public or private letter of admonition.

(f) The Select Committee may, in its discretion, employ hearsay or testimonial evidence and make findings of fact and recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding the provisions of this section, no adjudicatory review shall be initiated of any alleged violation of law, the Senate Code of Official Conduct, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the provisions, any action regarding any complaint or allegation, or information, of the complaint, allegation, or information, of the dismissal, together with an explanation of the basis for the dismissal.

(2) A motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Select Committee's report to the Senate. Debate on the appeal shall be limited to 15 hours, and all time shall be equally divided between, and controlled by, those favoring and those opposing the appeal.

(3) The Select Committee may, in its discretion, employ hearsay or testimonial evidence and make findings of fact and recommendations to the Select Committee concerning the disposition of complaints.

(4) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is substantial credible evidence which provides substantial, and the matter cannot be considered by the Select Committee. The Select Committee may initiate an adjudicatory review of the matter by issuing a public or private letter of admonition.

(b) The Select Committee shall adopt written rules setting forth procedures to be used in conducting preliminary inquiries and adjudicatory reviews.

(i) The Select Committee to time shall time shall transmit to the Senate its recommendation as to the actions which it may consider to be necessary for the effective discharge of its duties.

(b) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance and production of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff of such professional staff and employees, and take such action regarding any complaint or allegation, or information, of the complaint, allegation, or information, of the dismissal, together with an explanation of the basis for the dismissal.
agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the concurrence of the chairman of the Select Committee, or any subcommittee thereof, the Select Committee may utilize the facilities and the services of the staff of such other committees, whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

Sec. 4. Notwithstanding any other provision of law, no court or administrative body in the States or Territories thereof shall have jurisdiction to entertain any civil action of any character concerning or relating to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, who has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

Sec. 5. As used in this resolution, the term “officer of the Senate” means:

(a) an elected officer of the Senate who is not a Member of the Senate;
(b) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;
(c) the Legislative Counsel of the Senate or any employee of his office;
(d) an Official Reporter of the Senate.

Subpart B—Public Law 93–30—Franked Mail, Provisions Relating to the Select Committee

Sec. 6. (a) The Select Committee on Standards of Official Conduct [NOTE: Now the Select Committee on Ethics] shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or con

omplated mailing of franked mail under section 3210, 3211, 3212, 3218(2) or 3218, and in connection with the operation of section 3205 of title 39, United States Code, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Any complaint filed by any person with the select committee that a violation of any section of title 39, United States Code, referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of 1 year, by any person referred to in such subsection (a), shall be treated in the same manner and shall conform to regulations prescribed by the select committee. The select committee, if it determines that there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by that complainant with respect to the individual concerned.

The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is sub-

stantiated evidence that a violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee may find, in its written decision, that a violation has occurred or is about to occur, the committee shall make a decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such disciplinary enforce-

ment as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such standards as may be prescribed by such committee.

Subpart C—Standing Orders of the Senate Regarding Unauthorized Disclosure of Intelligence Information, S. Res. 400, 94th Congress, Provisions Relating to the Select Committee

SEC. 8. * * *

(c) (1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States, which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be made available to any person by a Member, officer, employee of the Senate except in a closed session of the Senate or as provided in paragraph (e).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. When the select committee has determined that such information is available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Standards of Official Conduct to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) of this section. The select committee may cooperate with the Senate or other committees and with the services of the Senate to the extent practicable, to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) of this section.
(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Standards and Conduct shall release to such individual at the conclusion of its investigation the summary of its investigatory findings. If, at the conclusion of its investigation, the Select Committee on Standards and Conduct determines that there has been a breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate together with the appropriate Secretary, and the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SUBPART D—RELATING TO RECEIPT AND DISPOSAL OF FOREIGN GIFTS AND DECORATIONS RECEIVED BY MEMBERS, OFFICERS AND EMPLOYEES OF THE SENATE OR THEIR SPOUSES OR DEPENDENTS, PROVISIONS RELATING TO THE SELECT COMMITTEE ON ETHICS

Section 7342 of title 5, United States Code, states as follows:

Sec. 7342. Receipt and disposition of foreign gifts and decorations.

(a) For the purposes of this section—

‘(1) ‘employee’ means—

‘(A) an employee as defined by section 2105 of this title and an officer or employee of the United States Postal Service or of the Postal Rate Commission;

‘(B) an expert or consultant who is under contract under section 3109 of this title with the United States or any agency, department, or establishment thereof, including, in the case of an organization performing services under such section, any individual involved in the performance of such services;

‘(C) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or the government of the District of Columbia;

‘(D) a member of a uniformed service;

‘(E) the President and the Vice President;

‘(F) a Member of Congress as defined by section 2106 of this title (except the Vice President) and any Delegate to the Congress; and

‘(G) the spouse of an individual described in subparagraph (A) through (F) (unless such individual and his or her spouse are separated) or a dependent (within the meaning of section 3104(a)(6)(B) of title 5, United States Code) of such an individual, other than a spouse or dependent who is an employee under subparagraphs (A) through (F);

‘(2) ‘foreign government’ means—

‘(A) any unit of foreign governmental authority, including any foreign national, State, local, and municipal government;

‘(B) any international or multinational organization whose membership is composed of any unit of foreign government described in subparagraph (A) and recommended by a person who is not in the employ of such organization;

‘(C) any agent or representative of any such unit or such organization, while acting as such;

‘(D) ‘gift’ means a tangible or intangible present (other than a decoration) tendered by, or received from, a foreign government;

‘(E) ‘decoration’ means an order, device, medal, badge, insignia, emblem, or award by, or received from, a foreign government;

‘(F) ‘minimal value’ means a retail value in that the total value of acceptance of $100 or less, except that—

‘(1) ‘on January 1, 1981, and at 3 year intervals thereafter, ‘minimal value’ shall be redefined in regulations prescribed by the Administrator of General Services, in consultation with the Secretary of State, to reflect changes in the consumer price index for the immediately preceding 3-year period; and

‘(2) regulations of an employing agency may define ‘minimal value’ for its employees to be less than the minimal value established under this paragraph; and

‘(G) ‘employing agency’ means—

‘(A) the Committee on Standards of Official Conduct of the House of Representatives, for Members and employees of the House of Representatives, except that those responsibilities specified in subsections (c)(2)(A) and (g)(2)(B) shall be carried out by the Clerk of the House;

‘(B) the Select Committee on Ethics of the Senate, for employees of the Senate, except that those responsibilities (other than responsibilities involving approval of the employing agency) specified in subsections (c)(2)(A), (4), and (g)(2)(B) shall be carried out by the Secretary of the Senate;

‘(C) the Administrative Office of the United States Courts, for judges and judicial branch employees; and

‘(D) the department, agency, office, or other entity in which an employee is employed, for other legislative branch employees and for the Senate;

‘(h) An employee may not—

‘(1) request or otherwise encourage the tender of a gift or decoration; or

‘(2) accept a gift or decoration, other than in accordance with, the provisions of subsection (c) and (d).

‘(i) The Congress conveys to—

‘(A) the accepting and retaining by an employee of a gift of minimal value tendered and received as a souvenir or mark of courtesy; and

‘(B) the accepting by an employee of a gift of more than minimal value when such gift is in the nature of an educational scholar- ship when it appears that to refuse the gift would likely cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States, except that—

‘(1) a tangible gift of more than minimal value is deemed to have been accepted on behalf of the United States and, upon acceptance, shall become the property of the United States; and

‘(ii) an employee may accept gifts of travel or expenses for travel taking place entirely outside United States (such as transportation, food, and lodging) of more than minimal value if such acceptance is appropriate, consistent with the interests of the United States, and is in the nature of an educational scholarship, retaining, and wearing by an employee a decoration that has been deposited for disposal may be sold without the approval of the Secretary of State, upon a determination by the Secretary that such sale will not affect the foreign relations of the United States. Gifts and decorations may be sold by negotiated sale;

‘(2) Gifts and decorations received by a Senator or an employee of the Senate that are deposited with the Secretary of the Senate for disposal, or are deposited for official use which has not been approved by the Commission, shall become the property of the United States; and

‘(iii) the District of Columbia, or (B) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code. Any such gift or decoration may be returned by the Commission to the donor or may be transferred or donated by the Commission, subject to such terms and conditions as it may prescribe, (A) to an agency or instrumentality of (1) the United States, (ii) a State, territory, or possession of the United States, or a political subdivision of the foregoing, or (iii) the District of Columbia, or (B) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code. Any such gift or decoration, or proceeds derived from the pre- ceding sentence shall be forwarded to the Admin- istrator of General Services for disposal in accordance with paragraph (1). If the Administrator does not dispose of such gift or decoration within one year, he, shall, at the request of the Commission, return it to the Commission and the Commission may dispose of such gift or decoration in such man- ner as it considers proper, except that such gift or decoration may be sold only with the approval of the Secretary of State upon a determination that the sale will not adversely affect the foreign relations of the United States.

‘(f) Not later than January 31 of each year, each employing agency or its delegate shall compile a listing of all statements filed during the preceding year by the employee of such employing agency pursuant to subsection (c)(3) and shall transmit such listing to the Sec- retary of State who shall publish a comprehensive listing of all such statements in the Federal Register.

‘(g) Such listings shall include for each tangible gift reported—

‘(1) the name and position of the employee;

‘(2) a brief description of the gift and the circumstances justifying acceptance; and

‘(3) the identity of the foreign government and the name and position of the individual who presented the gift;
CONGRESSIONAL RECORD — SENATE

February 26, 2019

S1477

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.

There was a charge in the Congressional Record.

The charge was brought by the Committee on Petitions for Release of Information.

The charge was heard at a hearing conducted by the Committee on Petitions for Release of Information.

The hearing was conducted by the Committee on Petitions for Release of Information.
member; (II) any officer or employee the member supervises; and

(B) the determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this subparagraph, the staff shall prepare a report to the Chairman and Vice Chairman. If either the Chairman or the Vice Chairman concludes that it appears that it is required that the member may be ineligible, the member shall be notified in writing of the nature of the preliminary proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees that he or she is ineligible, the member shall so notify the Chairman or Vice Chairman. If the member believes that he or she is not ineligible, the member shall continue to serve. But if either the Chairman or Vice Chairman continues to believe that the member is ineligible, the member shall be promptly referred to the Committee. The member shall present his or her arguments to the Committee in executive session, with the member in question not participating.

(3) A member of the Committee may, at the absence of any other member, determine whether himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review. Any member of the Senate appointed for a preliminary inquiry or adjudicatory review may be recorded. But if either the Chairman or Vice Chairman agrees that he or she is ineligible, the member shall be promptly referred to the Committee. The member shall present his or her arguments to the Committee in executive session, with the member in question not participating.

(4) Any member of the Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review, or disqualifies himself or herself from participating in any preliminary inquiry or adjudicatory review, another Senator shall be appointed by the Senate to serve as a member of the committee. By majority vote of the Committee, meetings of the Committee, meeting in executive session, with the member in question not participating.

(5) The President of the Senate shall be given written notice of the ineligibility or disqualification of any member from any preliminary inquiry or adjudicatory review, or proceeding requiring the appointment of another member in accordance with subparagraph (A). The appropriate branch of the Federal Government.

(6) A member of the Committee shall be ineligible to participate in any Committee proceeding that the staff director or other member supervises; or (III) a complaint filed by a person who is not a member of the Senate, or an employee of any such department or agency.

 RULE 2: PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

(a) COMPLAINT, ALLEGATION, OR INFORMATION: Any member or staff member of the Committee shall report to the Committee any allegations of, or information about, alleged misconduct, or any other information that may reflect upon the Senate. Such information about, alleged misconduct or violations pursuant to Rule 2.

(b) BASIS FOR PRELIMINARY INQUIRY: The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint, or other allegation of, or information about, alleged misconduct or violations pursuant to Rule 2.

(c) SCOPE OF PRELIMINARY INQUIRY: The preliminary inquiry shall be of such duration and scope as is necessary to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.
shall be transcribed and signed by the person providing the statement or answers.

(e) STATUS REPORTS: The Committee staff or outside counsel shall periodically report to the Committee in the form and according to the schedule prescribed by the Committee. The reports shall be confidential.

(f) FINIAL REPORT: When the preliminary inquiry is completed, the staff or outside counsel shall make a confidential report, oral or written, to the Committee containing findings and recommendations, as appropriate.

(g) COMMITTEE ACTION: As soon as practicable following submission of the report on the preliminary inquiry, the Committee shall determine by a recorded vote whether there is substantial credible evidence which provides substantial cause for the Committee to believe that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

(1) The Committee may determine that there is not such substantial credible evidence and, in such case, the Committee shall dismiss the matter. The Committee, or Chairman and Vice Chairman acting jointly on behalf of the Committee, may dismiss any matter which, after a preliminary inquiry, is determined by the Committee to be insufficient evidence. The Committee shall inform the complainant of the dismissal.

(2) The Committee may determine that there is such substantial credible evidence, but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. The Committee may determine not to use outside counsel as the Committee determines appropriate to screen the evidence necessary to make a determination. The Committee shall inform the complainant of the determination.

(3) The Committee may determine that there is such substantial credible evidence and that the matter cannot be appropriately disposed of under paragraph (2). In such case, the Committee shall promptly initiate an adjudicatory review in accordance with Rule 4.

(b) NON-PUBLIC HEARINGS: The Committee may at any time during a hearing determine that a violation within the jurisdiction of the Committee has occurred. The Committee may at any time during a hearing designate any public or executive hearing as non-public. The Committee may order that the hearing be closed to the public.

(c) NOTICE TO RESPONDENT: The Committee shall give written notice to any known respondent who is the subject of an adjudicatory review. The notice shall be sent to the respondent no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation, and description of the evidence indicating that a possible violation occurred. The notice shall provide the respondent an opportunity to present a statement, orally or in writing, or to respond to questions from members of the Committee, the Committee's staff or its outside counsel.

(d) RIGHT TO A HEARING: The Committee shall accord a respondent an opportunity for an adjudicatory hearing. In any adjudicatory hearing, the procedures described in paragraph (e) shall apply.

(e) PROGRESS REPORTS TO COMMITTEE: The Committee staff or outside counsel shall be issued, stating in detail the commitments concerning the progress of the adjudicatory review. Such reports shall be delivered to the Committee in the form and according to the schedule prescribed by the Committee, and shall be confidential.

(f) FINIAL REPORT OF ADJUDICATORY REVIEW TO COMMITTEE: Upon completion of an adjudicatory hearing and if any hearings held pursuant to Rule 5, the outside counsel or the staff shall submit a confidential written report to the Committee, which shall include the findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended.

(g) COMMITTEE ACTION: (1) As soon as practicable following submission of the report of the staff or outside counsel on the adjudicatory review, the Committee shall prepare and submit a report to the Senate concerning any proposed resolution or proposed recommendation to the Senate concerning disciplinary action, if appropriate. A report shall be in accordance with the Committee’s findings of fact, whether or not disciplinary action is recommended. The report shall also explain the reasons underlying the Committee’s recommendation concerning disciplinary action, if any. No adjudicatory review of conduct of a Member, officer, or employee of the Senate may be initiated except by the affirmative recorded vote of not less than four members of the Committee.

(h) RIGHT OF APPEAL: (a) RIGHT TO HEARING: The Committee may hold a public or executive hearing in any preliminary inquiry, adjudicatory review, or other proceeding. The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand (not requiring discipline). Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

(i) COMMITTEE ACTION: The Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issue a public or private letter of admonition, which shall not be made public, unless the Committee determines by the recorded vote of not less than four members of the Committee that it should remain confidential.

(j) RIGHT OF APPEAL: Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (g)(2)(ii), may, within 10 days of the Committee’s report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the appeal to the Committee, the Committee’s staff or the office of the Senate. The presiding officer shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.
books, papers, documents or other articles as it deems advisable. (See Rule 6.)
(e) NOTICE OF HEARINGS: The Committee shall make public an announcement of the time and place of any hearing, or of any scheduled appearance of a witness, that hearing to be conducted by it, in accordance with Rule 1(f).
(f) PRESIDING OFFICER: The Chairman shall conduct the hearing, or, if he is not present, authorize the Vice Chairman to act in his place. In case the Vice Chairman is also absent, a Committee member designated by the Chairman shall preside. If an oral or written request is made, it shall be administered to a witness by the Presiding Officer, or in his absence, by any Committee member.
2) WITNESSES:
(a) A subpoena or other request to testify may be served on a witness sufficiently in advance of his or her scheduled appearance to allow the witness a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel if desired.
(b) The Committee may, by recorded vote of not less than four members of the Committee, rule that no member of the Committee or staff or outside counsel shall make public the name of any witness subpoenaed by the Committee before the date of that witness’s scheduled appearance, except as specified by the Chairman and Vice Chairman, acting jointly.
(c) Any witness desiring to read a prepared or written statement in executive or public hearing, shall file a copy of such statement with the Committee at least two working days in advance of the hearing at which the statement is to be presented. The Chairman and Vice Chairman shall determine whether such statements may be read or placed in the record of the hearing.
(d) Insofar as practicable, each witness shall be permitted to present a brief oral opening statement, if he or she desires to do so.
(e) RIGHT TO TESTIFY: Any person whose name is mentioned or who is specifically identified or otherwise referred to in testimony or in statements made by a Committee member, staff member or outside counsel, or any witness, and who reasonably believes that the statement tends to adversely affect his or her reputation may—
(1) Request to appear personally before the Committee to testify in his or her own behalf; or
(2) File a sworn statement of facts relevant to the subject matter of the hearing. Such written statement shall be submitted to the Committee for its consideration and action.
3) CONDUCT OF WITNESSES AND OTHER ATTENDEES: The Presiding Officer may direct that any breaches of order and decorum be publicly corrected, or that such evidence or absence from the hearing of which he or she complained. Such request and such statement shall be submitted to the Committee for its consideration and action.
4) JUDICIARY HEARING PROCEEDURES:
(a) NOTICE OF HEARINGS: A copy of the public announcement of an adjudicatory hearing, required by paragraph (e), shall be furnished together with a copy of these Rules to all witnesses at the time that they are subpoenaed or otherwise summoned to testify.
(b) PREPARATION FOR ADJUDICATORY HEARINGS:
(1) An accurate stenographic or recorded transcript of all testimony and evidence taken at any hearing shall be prepared by the Committee before the recess of that day’s hearing.
(2) PREPARATION FOR ADJUDICATORY HEARINGS: The Committee shall provide the following information and documents to the respondent, if any, prior to the commencement of an adjudicatory hearing: (A) A list of proposed witnesses to be called by the Committee and any other person who obtains the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses in his behalf.
(B) A respondent may request to examine a copy of the transcript of any hearing or deposition taken by the Committee, or by any Committee staff member if directed by a Committee member. The witness or counsel may also submit additional sworn testimony for the record within twenty-four hours after the last day that the witness has testified. The insertion of such additional sworn testimony is subject to the approval of the Chairman and Vice Chairman acting jointly within five days after the testimony is received.
5) ADMISSIBILITY OF EVIDENCE:
(a) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Federal Rules of Evidence. Rules of evidence shall not be applied strictly, but the Presiding Officer shall exclude evidence which is incompetent or ambiguous. Objections going only to the weight of evidence shall be made in writing, in advance of the presentation of evidence. Objections going only to the weight of evidence shall be made in writing, in advance of the presentation of evidence.
(b) The Presiding Officer shall rule upon any question of the admissibility of testimony or other evidence presented to the Committee. Such rulings shall be final unless reversed or modified by a recorded vote of not less than four members of the Committee before the recess of that day’s hearing.
(c) Notwithstanding paragraphs (A) and (B), in any matter before the Committee involving allegations of sexual harassment, including sexual or gender bias, sexual misconduct, b a Member, officer, or employee within the jurisdiction of the Committee, the Committee shall be guided by the standards set forth in Rule 42 of the Federal Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only upon a determination of not less than four members of the full Committee that the interests of justice require that such evidence be admitted.
5) SUPPLEMENTARY HEARING PROCEDURES: The Committee may adopt any additional special hearing procedures that it deems necessary or appropriate to a particular adjudicatory hearing. Copies of such supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.
(k) TRANSCRIPTS:
(1) An accurate stenographic or recorded transcript shall be made of all public and executive sessions of the Committee, Committee staff member, outside counsel retained by the Committee, or witness may examine a copy of the transcript rendered by the Committee staff member, outside counsel or witness may request a ruling by the Chairman and Vice Chairman, acting jointly. Any member or witness may return the transcript corrections to the Committee offices within five working days after receipt of the transcript, or as soon thereafter as is practicable. If the testimony was given in executive session, the member or witness may only inspect the transcript at a location determined by the Chairman and Vice Chairman, acting jointly. Any questions arising with respect to the process and correction of transcripts shall be decided by the Chairman and Vice Chairman, acting jointly. Except for the reinspection of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chairman and Vice Chairman may order the transcript of a hearing to be printed without the corrections of a member or witness if they determine that such member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.
(3) The Committee shall furnish each witness, at no cost, one transcript copy of that witness’s testimony given at a public hearing. If the testimony was given in executive session without a transcript, or if no transcript is provided upon request, subject to appropriate conditions and restrictions prescribed by the Chairman and Vice Chairman, any individual or entity violating such conditions or restrictions, the Committee may recommend by majority vote that the person or entity be cited for contempt of Congress.
6) RULES ON SUBPOENAS
(a) SUBPOENAS:
(1) AUTHORIZATION FOR ISSUANCE: Subpoenas for the attendance and testimony of witnesses at depositions or hearings, and for the production of documents and tangible things at depositions, hearings, or other times and places designated therein,
may be authorized for issuance by either (A) a majority vote of the Committee, or (B) the Chairman and Vice Chairman, acting jointly, at any time during a preliminary inquiry, adjudication, or other proceeding.

(2) SIGNATURE AND SERVICE: All subpoenas shall be signed by the Chairman or the Vice Chairman and may be served by any person over the age of 18 years, designee, or other person designated by the Chairman or Vice Chairman. Each subpoena shall be served with a copy of the Rules of the Committee and a brief notice of the purpose of the Committee’s proceeding.

(3) WITHDRAWAL OF SUBPOENA: The Committee may not withdraw any subpoena authorized for issuance by it or authorized for issuance by the Chairman and Vice Chairman, acting jointly, to take the deposition may proceed if no member of the Committee is present. Questions may be propounded by any member of the Committee if one is present. Any member of the Committee may stipulate with the witness to changes in this procedure.

(2) DEPOSITION NOTICES: Notices for the taking of depositions shall be authorized by the Committee, the Chairman and Vice Chairman, acting jointly, or by any other person designated by the Chairman and Vice Chairman, acting jointly, a majority vote of the Committee staff, other employees of the Senate, or government employees detailed to the Committee.

(3) COUNSEL AT DEPOSITIONS: Witnesses may be accompanied at a deposition by counsel of their own choosing.

(4) DEPOSITION PROCEDURE: Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present. Questions may be propounded by any person or persons who are authorized to take depositions of witnesses as provided by the Committee. If a subpoena, or object to a question and refuses to testify, or refuses to produce a document, any member of the Committee who is present may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If no member of the Committee is present, the individual who has been designated by the Chairman and Vice Chairman, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a session of the Committee, seek a ruling by telephone or otherwise on the objection from the Chairman or Vice Chairman of the Committee, who may refer the matter to the Committee, to the Chairman or Vice Chairman, or the Committee upon referral, overrules the objection, the Chairman, Vice Chairman, or the Committee as the case may be, may direct the witness to answer the question or produce the document. The Committee shall have the right to conduct a civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

(b) PROHIBITIONS: Deposition testimony shall be transcribed or electronically recorded. If the deposition is transcribed, the individual administering the oath on the transcript that the witness was duly sworn in his or her presence and the transcription shall certify that the transcript is a true record of the testimony. The transcription shall be filed with the chief clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee’s office within a time limit set by the Chairman and Vice Chairman, acting jointly, a majority vote of the Committee’s chief clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

RULE 7 : VIOLATIONS OF LAW; PERJURY; LEGISLATIVE RECOMMENDATIONS; EDUCATIONAL MANDATE; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

(a) VIOLATIONS OF LAW: Whenever the Committee recommends, upon the recorded vote of not less than four members of the full Committee that there is reason to believe that a violation of law, including provisions of this section, has occurred, it shall report such probable violation to the proper Federal and state authorities.

(b) PERJURY: Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee may be charged under penalty of perjury. The Committee may refer the matter to the Attorney General for prosecution.

(c) LEGISLATIVE RECOMMENDATIONS: The Committee may recommend to the Senate by report or resolution such additional rules, regulations, or other legislative measures as it determines to be necessary or desirable to enforce standards of conduct by Members, officers, or employees of the Senate. The Committee may conduct such inquiries as it deems necessary to prepare such a recommendation, including, but not limited to, public hearings or executive session and the use of subpoenas to compel the attendance of witnesses or the production of materials. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, advisory review, or other proceeding.

(d) Educational Mandate: The Committee shall develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, and regulations that apply, and make such materials available. It shall disseminate such materials to each person subject to the investigative techniques and procedures of the Committee. Each person described in paragraph (a) of this subsection shall be provided with such materials.

(e) APPLICABLE RULES AND STANDARDS OF CONDUCT: Notwithstanding any other provision of this section, any administrative review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No proceeding under the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Senate Code of Official Conduct.

The Committee may initiate an adjudicatory review of any alleged violation of a rule which was not in effect at the time of the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the alleged violation would have been shown to the merits by the predecessor Committee.

RULE 8: PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED MATERIALS

(a) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE MATERIALS:

(1) Committee Sensitive information or material is information or material in the possession of the Select Committee on Ethics which pertains to alleged illegal or improper conduct of a present or former Member, officer, or employee of the Senate; to allegations or accusations of such conduct; to any resulting proceedings; or to any other proceeding by the Select Committee on Ethics into such allegations or conduct; to the investigative techniques and procedures of the Select Committee or to other information or material designated by the staff director, or outside counsel designated by the Chairman or Vice Chairman.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of Committee Sensitive information in the possession of the Committee or its staff. Procedures for protecting Committee Sensitive materials shall be in writing and shall be given to each Committee staff member.

(b) PROCEDURES FOR HANDLING CLASSIFIED MATERIALS:

(1) Classified information or material is information or material which is specifically designated as classified under the authority of Executive Order 11652 requiring protection of such information or material from unauthorized disclosure in order to prevent damage to the United States.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of classified information or material in the possession of its staff. Procedures for handling such information shall be in writing and a copy of the procedures shall be given to each staff member cleared for access to classified information.

(3) Each member of the Committee shall have access to classified material in the Committee’s possession, possession, or materials. Classified documents and materials shall be further segregated in the Committee’s possession in secure filing safes. Removal from the Committee offices of such documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the staff director or by
outside counsel designated by the Chairman and Vice Chairman. (2) Each member of the Committee shall have access to all materials in the Committee's jurisdiction and all records of meetings and proceedings that will not have access to Committee Sensitive or classified documents and materials without the specific approval of the member of the Committee, the Chairman and Vice Chairman, acting jointly. Members may examine such materials in the Committee's offices. If necessary, requested materials may be hand delivered by a member of the Committee staff to the member of the Committee, or to a staff person(s) specifically designated by the member, for the Member's or designated staff's examination. A member of the Committee who has possession of Committee Sensitive documents or materials shall take appropriate steps to maintain the security of such documents or materials in the possession of the Member or his or her designated staff.

(3) Committee Sensitive documents that are provided to a Member of the Senate in connection with a complaint that has been filed against the Member shall be hand delivered to the Member by the Member of Staff or Administrative Assistant. Committee Sensitive documents that are provided to a Member of the Senate who is the subject of a complaint, or to any other witness, or to any Member's or designated staff's examination. A member of the Committee, or to a staff person(s) specifically designated by the member, for the Member's or designated staff's examination.

(4) Any Member of the Senate who is not a member of the Committee and who seeks access to any Committee Sensitive or classified documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by majority vote whether to allow the Member or his or her designated staff to examine the documents or materials available. If access is granted, the Member shall not disclose the information except as authorized by the Committee.

(5) Whenever the Committee makes Committee Sensitive or classified documents or materials available to any Member of the Senate who is not a member of the Committee, or to any staff person of a Committee member in response to a specific request to the Chairman and Vice Chairman, a written record shall be made identifying the Member of the Senate, the specific document or materials and describing what was made available and to whom.

OFFICIAL SENATE RULES: SENATE RULES

(1) Except as provided in the last sentence of this paragraph, no member of the Select Committee's staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole, or in part, or by way of summary, during tenure with the Select Committee on Ethics or anytime thereafter, any testimony given before the Select Committee on Ethics in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee Sensitive information, document or material, received or generated by the Select Committee on Ethics or any classified or Committee Sensitive information which may come into the possession of such person during tenure with the Select Committee on Ethics or its staff. Such information, documents, and materials shall be retained in an official of the executive branch property cleared for access with a need-to-know, for any purpose or in connection with any proceeding the Select Committee on Ethics, or in the event of termination of the Select Committee on Ethics, in such a manner as may be determined by its successor or by the Senate.

(2) No member of the Select Committee on Ethics or any other person engaged by contract or otherwise to perform services for the Select Committee on Ethics, shall grant access to classified or Committee Sensitive information or material in possession of the Select Committee on Ethics unless and until such person agrees in writing, as a condition of employment, to the non-disclosure of such information or material. Access shall become effective when signed by the Chairman and Vice Chairman of the Committee.

RULE 5: BROADCASTING AND NEWS COVERAGE OF COMMITTEE PROCEEDINGS

(a) Whenever any hearing or meeting of the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered in whole or in part, by television, broadcast, radio, broadcast, still photography, or by any other methods of coverage, unless the Committee decides by recorded vote of not less than four members of the Committee that such coverage is not appropriate at a particular hearing or meeting.

(b) Any witness served with a subpoena by the Committee shall not be photographed at any hearing or to give evidence or testimony while the broadcasting, reproduction, or covering of the hearing, by radio, television, still photography, or by any other methods of coverage is occurring. At the request of any witness who does not wish to be subjected to radio, television, still photography, or any other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

(c) If coverage is permitted, it shall be in accordance with the following requirements:

(1) Photographers and reporters using mechanical recording broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the Committee members and staff, or with the orderly process of the meeting or hearing.

(2) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, the coverage shall be conducted and presented without commercial sponsorship.

(3) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents’ Galleries.

(4) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers’ Gallery Committee of Press Photographers.

(5) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and the coverage activities in an orderly and unobtrusive manner.

RULE 6: PROCEDURES FOR ADVISORY OPINIONS

(a) WHEN ADVISORY OPINIONS ARE RENDERED:

(1) The Committee shall render an advisory opinion within a reasonable time. In response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, in the absence of any rule or regulation of the Senate, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, a specific fact or the conduct or proposed conduct of the person seeking the advisory opinion.

(2) The Committee may issue an advisory opinion within a reasonable time in response to a written request by any employee of the Senate concerning the applica-
issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction. The Committee may issue such rules clarifying or explaining any rule or regulation of the Select Committee on Ethics.

(b) REQUEST FOR RULING: A request for such a ruling shall be directed in writing to the Chairman or Vice Chairman of the Committee.

(c) ADOPTION OF RULING: The Committee is authorized to grant a waiver under paragraph 1(a) above, in accordance with Rules 10 and 11.

(d) PRETATIVE RULINGS: Requests for advisory opinions or guidance to other Members, officers or employees. The Committee may at any time revise, clarifying, or elaborate on interpretative rulings.

(e) RELIANCE ON RULINGS: Whenever an individual can demonstrate to the Committee's satisfaction that his or her conduct was in good faith reliance on an interpretative ruling issued in accordance with this Rule, the Committee will not recommend sanction to the Senate as a result of such conduct.

(f) RULINGS BY COMMITTEE STAFF: The Committee staff is not authorized to make rulings or give advice, orally or in writing, which binds the Committee in any way.

RULE 12: PROCEDURES FOR COMPLAINTS INVOLVING IMPROPER USE OF THE MAILING FRANK

(a) AUTHORITY TO RECEIVE COMPLAINTS: The Committee is directed by section 6(b) of Public Law 93–191 to receive and dispose of all complaints that the improper use of the mailing frank has occurred or is about to occur by a Member or officer of the Senate or by a surviving spouse of a Member. All such complaints will be processed in accordance with the provisions of these Rules, except as provided in paragraph (b).

(b) DISPOSITION OF COMPLAINTS: (1) The Committee may dispose of any such complaint by requiring restitution of the cost of the mailing, pursuant to the franking statute, if it finds that the franking violation was not willful and was a mistake.

(2) Any complaint disposed of by restitution that is made after the Committee has formally commenced an adjudicatory review, must be transmitted together with the complaint to the Senate, and the Vice Chairman, and the immediate direction of the Committee, in which event the request shall be directed to the Committee for a ruling.

(2) A ruling on any request taken to the Committee under subparagraph (1) shall be adopted by a majority of the members voting and the ruling shall then be issued by the Chairman and Vice Chairman.

RULE 13: PROCEDURES FOR WAIVERS

(a) COMMITTEE POLICY: (1) The staff is to be assembled and retained as a permanent, professional, nonpartisan unit.

(2) Each member of the staff shall be professional and demonstrably qualified for the position for which he or she is hired.

(b) STAFF WORKS FOR COMMITTEE AS WHOLE: All staff employed by the Committee or housed in Committee offices shall work for the Committee as a whole, under the general direction of the Chairman and Vice Chairman, and the immediate direction of the staff director or outside counsel.

(c) NOTICE OF SUMMONS TO TESTIFY: Each member of the Committee staff or outside counsel shall immediately notify the Committee in the event that he or she is called upon by a properly constituted authority to testify or provide confidential information obtained as part of his or her employment.

RULE 15: COMMITTEE STAFF

(a) AUTHORITY FOR WAIVERS: The Committee may grant a waiver under the following provisions of the Standing Rules of the Senate:

(1) Section 101(h) of the Ethics in Government Act of 1978, as amended (Rule XXXIV), relating to the filing of financial disclosure reports by individuals who are expected to perform or who have performed the duties of their offices or positions for less than one hundred and thirty days in a calendar year;

(2) Section 102(a)(2)(D) of the Ethics in Government Act of 1978, as amended (Rule XXXV), relating to the reporting of gifts;

(3) Paragraph 1 of Rule XXXV relating to acceptance of gifts; or

(4) Paragraphs 1(a) and 1(b) of Rule XLII relating to applicability of any of the provisions of the Code of Official Conduct to an employee of the Senate hired on a per diem basis.

(b) REQUESTS FOR WAIVERS: A request for a waiver under paragraph (a) must be directed to the Chairman or Vice Chairman in writing and must specify the nature of the waiver being sought and explain in detail the facts alleged to justify a waiver. In the case of a request submitted by an employee, the views of his or her immediate supervisor (as determined under paragraph 12 of Rule XXXVII of the Standing Rules of the Senate) should be included with the waiver request.

(c) ADOPTION OF RULING: (1) The Chairman and Vice Chairman, acting jointly, shall rule on a waiver request and vote with a majority of those voting affirming the decision. With respect to an individual's request for a waiver under paragraph 1(a) above, the Committee will publish in the Congressional Record after making appropriate deletions to ensure confidentiality, a ruling issued in accordance with this Rule, and the Vice Chairman, acting jointly, may rule on the waiver.

(2) AVAILABILITY OF WAIVER DETERMINATIONS: A brief description of any waiver granted by the Committee, with appropriate deletions to ensure confidentiality, shall be made available for review upon request in the Committee office. Waivers granted by the Committee pursuant to the Ethics in Government Act of 1978 (as amended), for an employee, may only be granted pursuant to a publicly available request as required by the Act.

RULE 16: DEFINITION OF "OFFICER OR EMPLOYEE"

(a) As used in the applicable resolutions and in these rules and procedures, the term "officer or employee of the Senate" means:

(1) An elected officer of the Senate who is not a Member of the Senate.

(2) An employee of the Senate, any committee or subcommittee of the Senate, or any person employed by the Senate or by a surviving spouse of a Member.

(3) The Legislative Counsel of the Senate or any employee of his office;

(4) An Official Reporter of Debates of the Senate, or any person employed by the official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) A member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) An employee of the Vice President, if such employee's compensation is disbursed by the Secretary of the Senate;

(7) An employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate;

(8) An officer or employee of any department or agency of the Federal Government whose services are being utilized on a full-time and continuing basis by a Member, officer, employee, or committee of the Senate in accordance with Rule XLIII(3) of the Standing Rules of the Senate; and

(9) Any other official whose full-time services are utilized for more than ninety days in a calendar year by a Member, officer, employee, or committee of the Senate in accordance with Rule XLIII(4) of the Standing Rules of the Senate.
Orders of the Senate, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than four members of the full Committee taken at a meeting called for that purpose when prior written notice of the proposed change has been provided each member of the Committee.

(b) PUBLICATION: Any amendments adopted by the Committee will be published in the Congressional Record in accordance with Rule XXVI(2) of the Standing Rules of the Senate.

SELECT COMMITTEE ON ETHICS

PART III—SUBJECT MATTER JURISDICTION

Following are sources of the subject matter jurisdiction of the Select Committee:

(a) The Senate Code of Official Conduct, as amended by Title I of S. Res. 110, 95th Congress, April 1, 1977, as amended, and stated in Rules 34 through 43 of the Standing Rules of the Senate;

(b) Senate Resolution 338, 88th Congress, as amended, which states, among others, the duties to receive complaints and investigate allegations of improper conduct which may reflect on the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate; recommend disciplinary action, and when the committee determines that the matters to be discussed or the testimony to be taken at such meeting or meetings may concern matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(c) Senate Resolution 400, 94th Congress, Section 8, relating to unauthorized disclosure of classified intelligence information in the possession of the Select Committee on Intelligence;

(d) Public Law 95–191 relating to the use of the mail franking privilege by Senators, officers of the Senate, and surviving spouses of Senators;

(e) Senate Resolution 400, 94th Congress, Section 8, relating to unauthorized disclosure of classified intelligence information in the possession of the Select Committee on Intelligence;

(f) Public Law 95–105, Section 515, relating to the receipt and disposition of foreign gifts and decorations received by Senate members, officers and employees and their spouses or dependents;

(g) Preamble to Senate Resolution 266, 90th Congress, 2d Session, March 22, 1968; and


(g) Notwithstanding any other provision of this rule, the Select Committee on Ethics shall have the right to conduct an investigation or prosecution of a criminal offense or the confidential conduct of the foreign relations of the United States.

APPENDIX A—OPEN AND CLOSED MEETINGS

Paragraphs (b) to (d) of Rule XXVI of the Standing Rules of the Senate reads as follows:

(b) Each meeting of a standing, select, or special committee of the Senate, or any subcommittee thereof, including informal meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee personnel or internal staff management or procedure;

(3) will otherwise place in jeopardy an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government or other official offices; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person;

REVISIONS

Rules of Procedure—Select Committee on Ethics

Date revised

Amendment

December 1989 ........................................ Allows for a reduced quorum to take testimony except during an adjudicatory hearing.

February 1993 .................................. Adopted, under Admissibility of Evidence, paragraph (c), Rule 412 of the Federal Rules of Evidence.

May 1993 ........................................ Corrected the following grammatical errors in the publication: page 2 section (d)(1) change paragraph 11 to paragraph 12; page 14 section (k)(B) change paragraph 11 to paragraph 12; page 15 section (5) change to ''Whenever a member of the Committee is ineligible . . .''.

April 1997 ........................................ Amends Rule 9(c) Procedures for Handling Committee Sensitive and Classified Documents.

[5] Strike "Committee sensitive and classified documents shall be kept confidential in secure filing safes." Insert "Committee sensitive documents and materials shall be stored in the Committee’s offices, with appropriate safeguards for maintaining the security of such documents or materials. Classified documents and materials shall be further segregated in the Committee’s offices in secure filing safes."

[6] Strike "If necessary, requested materials may be taken by a member of the Committee staff to the office of a member of the Committee for his or her examination, but the Committee staff member shall remain with the Committee Sensitive or classified documents or materials at all times except as specifically authorized by the Chairman or Vice Chairman." Insert "If necessary, requested materials may be hand delivered by a member of the Committee, or to a staff person specially designated by the member, for the member’s or designated-staff member’s examination. A member of the Committee who has possession of Committee Sensitive documents or materials shall take appropriate safeguards for maintaining the security of such documents or materials in the possession of the member or his or her designated staff member. Committee Sensitive documents and materials that are provided to a Member of the Senate in connection with a complaint that has been filed against the Member shall be hand delivered to the Member or to the Member’s Chief of Staff or Administrative Assistant. Committee Sensitive documents that are provided to a Member of the Senate who is the subject of a preliminary inquiry, an initial review, or an investigation, shall be hand delivered to the Member or to his or her specifically designated representative."
FEDERAL DEBT

Mr. PAUL. Madam President, as I stand before you, we are facing a financial crisis that could make the most dire threats posed by the last financial crisis look like the good old days. I have become aware of a committee of respected financial experts that has developed a Debt Default Clock, which conceptualizes the risk associated with a potential federal debt crisis that leads to the insolvency of the government. The Debt Default Clock is the same concept as the famous Doomsday Clock, only in this case illustrating how close we are to fiscal meltdown.

The Debt Default Clock has 12 factors that are used to measure the risk associated with the burgeoning Federal debt. The Clock currently stands at 4 minutes to midnight, which means that insolvency of the Federal Government is close at hand, and we have little time to act. Although the 12 criteria were developed on the basis of defining the circumstances leading to government insolvency and default, they were also created with the idea of identifying metrics that can be measured, watched, and compared over time to identify the time remaining before the sequence of insolvency and default. Eight of these factors are already in negative territory, and the others are moving in that direction.

In 2010, I ran for the Senate out of concern that our out-of-control debt might finally take us off the cliff. It is frustration with rampant, deficit-financed spending that sparked the Tea Party; yet the situation continues to get worse. So I urge my colleagues to find out more about the Debt Default Clock and the role of Congress, the administration, and the States as to how each of the factors might be mitigated if the political will exists to do so before calamity hits us square in the face.

Accordingly, I respectfully request that the following information related to the Debt Default Clock be printed in the RECORD. There being no objection, the matter was ordered to be printed in the RECORD, as follows:

FOUR MINUTES TO MIDNIGHT: THE REVISED "FEDERAL GOVERNMENT DEBT DEFAULT CLOCK"

[From the Debt Default Clock Committee]

Beyond the rubbling debt-ceiling standoff we witness every few years, looming is a far more dire threat: a true U.S. government default, which economists warn could lead to a collapse of confidence in the American economy, a run on the dollar, and perhaps even a global economic meltdown.

How close are we to such a catastrophic federal debt event?

To answer this question, a group of private-sector economists and fiscal policy experts has formed a citizens’ committee, called the Review Committee, to maintain an objective, fact-based federal government Debt Default Clock. The Clock is designed to help the public to see and track the nearness of the danger. On September 10, 2018, the Review Committee announced significant revisions in the design of the Clock from its original version to make it more transparent. The new Clock is found at: https://debtdefaultclock.us/wp-content/uploads/press-release-02a.pdf.

For the Committee’s purposes, “default” is defined simply as a failure by the U.S. Treasury to make a scheduled interest payment on just one direct U.S. Government obligation such as a Treasury note or bond. “Insolvency” is defined as the point beyond which default becomes a virtual certainty.

Since 2013, Congress has gotten into the habit of temporarily suspending the government’s statutory debt ceiling, for a year or two at a go, during which time the Treasury may incur unlimited amounts of debt. This practice is dangerous. Repealing the debt ceiling does not repeal the threat of a default. Indeed, to think that it would or could be akin to thinking we can be assured of perpetually sunny days if we simply destroy the barometer! Congress seems to be telling itself: “If I just increase the credit limit on my credit card, I will never have to pay it off!”

The debt ceiling is our most important fiscal barometer, and we hope our new Debt Default Clock will help the public to realize that important gauge more easily, by showing us in a clear and simple way how close we are to midnight. Its purpose is to spur fiscal policy makers to change course before it’s too late.

THE TWELVE TESTS

The Clock continuously measures twelve of the most relevant fiscal factors, or tests, each of which is framed as a simple yes-no question. At any given moment, the status of ten of the twelve factors collectively determines the number of minutes from midnight the Clock stands at any point in time. The number of minutes, of course, changes as time passes and new data is received. Each factor assessed is not: (1) who currently stand, but also where things are projected to move over the course of the next ten years. Each of the twelve tests is objective. None is arbitrary or influenced by opinion.

Here are the twelve factors:

1. Do federal outlays exceed 17.5 percent of GDP?

2. Is there a U.S. dollar-denominated debt ceiling in law presently, and will the projected federal debt stay below that ceiling during the ten-year budget period?

3. Does the debt held by the public exceed 70 percent of GDP, and does the gross federal debt exceed 100 percent of GDP?

4. Do gross federal interest payments exceed 15 percent of federal revenues?

5. Do gross federal payments, on a sustained basis, exceed 70 percent of the money the federal government brings in through the issuance of new debt?

6. Does the debt held by the public exceed 80 percent of the gross debt?

7. Does the debt held by foreigners exceed 50 percent of the debt held by the public?

8. Will short-term maturities and floating rate obligations of the Treasury decline from the current level of 73.1 percent of all marketable Treasury debt?

9. Are federal revenues below 17.5 percent of GDP?

10. Does the rate of real U.S. economic growth, as measured in GDP, exceed 3 percent annually?

11. Has Congress enacted a law prohibiting the Treasury from resorting to “extraordinary measures” in the future?

12. Is Congress scaling back programmatic “mandatory spending” and eventually phasing it out?

While economists and financial experts will readily appreciate the relevance of each of these factors, we realize that the lay reader may find them confusing. For everyone’s benefit, the following is a detailed, plain-English explanation of each factor, together with all of its underlying data and assumptions.

WARNING: DEFAULT AHEAD

The United States will reach insolvency—the point of no return—when the federal government fails at least ten of the twelve tests set according to the questions listed above. As of right now, the federal government is currently falling in seven of them. These are Factors 1, 2, 3, 4, 8, 10, 11, and 12. But one (Factor 9) is projected to right itself before the end of the current ten-year budget period. The design of the Clock permits the Review Committee to disclose figures on any one time. The Committee is currently discounting Factor 9 in accordance with the design. The federal government is passing the remaining four tests now, but are projected to fail in all of them sometime during the 10-year budget period.

As of today, the Federal Government Debt Default Clock stands at just four minutes from midnight. If the federal government remains on its currently projected fiscal trajectory, the more politically difficult and economically painful its choices will become as time passes.

The Debt Clock is ticking.

DATABASES BEHIND TEN OF THE FACTORS OF DUE DEBT DEFAULT

(Note: graphs for each of the factors are shown at https://DebtDefaultClock.us)

FACTOR #1: DO FEDERAL OUTLAYS EXCEED 17.5 PERCENT OF GDP?

The data associated with Factor #1 in the initial Debt Default Clock showed that federal outlays were already well above 17.5 percent of GDP, and peaked in the final year of the budget period (2027) at 23.1 percent of GDP. The updated version shows that in the final year of the current budget period (2028) outlays will rise to 23.3 percent of GDP. While Factor #1 remains set at buying zero minutes from midnight. The data bases for this factor are as follows: (1) Congressional Budget Office, “Budget and Economic Data,” the headings “Historical Data” under “Gross Federal Debt,” “Historical Total Data,” “Revenues, Outlays, Deficits, Surpluses, and Debt Held by the Public Since 1967 to 2017,” April 2018, and (2) “10-Year Budget Projections: CBO’s Baseline Budget Projections, by Category,” April 2018.

FACTOR #2: IS THERE A DOLLAR-DENOMINATED DEBT CEILING IN PLACE, AND IF SO, DOES THE DEBT SUBJECT TO LIMIT STAY UNDER THE DEBT CEILING?

Currently, there is no dollar-denominated debt ceiling in place because the debt ceiling...
law has been suspended. Thus, Factor #2 also buys zero minutes from midnight. Accordingly, there are no data bases and graph associated with Factor #2 at this point. They will appear when a dollar-denominated debt ceiling is put back into place.

**Factor #3: Does the Debt Held by the Public Exceed 70 Percent of GDP?**

The original version of the Default Clock showed that the gross debt held by the public would exceed 70 percent of GDP sometime during the budget period. The revised assessment shows this Factor’s cross-over date reached in 2023. The updated version shows that the gross debt will again peak in the final year of the budget period (2028) at over 113 percent of GDP. Since both the debt held by the public and the gross debt exceeded 70 and 100 percent of GDP, respectively, Factor #3 will continue to buy zero minutes from midnight. The data bases for Factor #3 are as follows: (1) Office of Management and Budget, “Historical Tables,” Table 7.1, February 2018; (2) Congressional Budget Office, “Budget and Economic Data,” under the headings “10-Year Budget Projections/Federal Debt Projected in CBO’s Baseline,” Table 5, April 2018, and (3) Congressional Budget Office, “Budget and Economic Data,” under the headings “Historical Tables,” Table 7.1, February 2018, here; and (4) Congressional Budget Office, “Budg- et and Economic Data,” under the headings “10-Year Budget Projections/10-Year Economic Projections—Data Release (Fiscal Year).”

**Factor #4: Will Gross Interest Costs Exceed 15 Percent of Federal Revenues?**

The initial Default Clock assessment, gross federal interest costs were projected to exceed 15 percent of federal revenues in 2020. The revised assessment shows the threshold will be exceeded this year. This is shown in the attached graph. As this is a new data base, a gross interest costs may already be above 15 percent of revenues, and are all but certain to remain above this threshold during the budget period. For the time being, Factor #4 continues to buy one minute from midnight. It remains likely, however, that Factor #4 will buy no minutes in the next assessment. Factor #4 is a qualitative factor. It addresses whether the other factors remain stable relative to their thresholds. The data bases for this Factor are as follows: (1) Department of the Treasury, “Interest Expense on the Debt Held by the Public,” Table 5, April 2018, here; (2) Congressional Budget Office, “Budget and Economic Data,” under the headings “10-Year Budget Projections/10-Year Economic Projections—Data Release (Fiscal Year),” Table 5, April 2018, here; and (3) Congressional Budget Office, “Budget and Economic Data,” under the headings “Historical Data/Historical Budget Data/Revenues, Outlays, Deficits, Surpluses, and Debt Held by the Public Since 1967,” April 2018, here; and (4) Congressional Budget Office, “Budget and Economic Data,” under the headings “10-Year Budget Projections/10-Year Economic Projections by Category” and “Spending Projections by Budget Category” (specifically Line 1682, “Interest Expense on the Debt Held by the Public”).

**Factor #5: Does the Debt Held by the Public Equal or Exceed 100 Percent of the Gross Debt?**

The original version of the Default Clock estimated that the debt held by the public would exceed 100 percent of the gross debt in 2023. The revised assessment shows the cross-over point should be reached in the same year. Thus, Factor #5 continues to buy one minute from midnight. The data bases for this factor are: (1) Office of Management and Budget, “Historical Tables,” Table 7.1, February 2018, here; and (2) Congressional Budget Office, “Budget and Economic Data,” under the headings “10-Year Budget Projections/Federal Debt Projected in CBO’s Baseline,” Table 5, April 2018, here; and (3) Department of the Treasury, “Interest Expense on the Debt Outstanding,” (accessed April 12, 2018); and (4) Congressional Budget Office, “Budget and Economic Data,” under the headings “10-Year Budget Projections/10-Year Economic Projections—Data Release (Fiscal Year).”

**Factor #6: Does the Debt Held by the Public Equal or Exceed 15 Percent of All Marketable Securities?**

The original version of the Default Clock showed that the debt held by the public would exceed 15 percent of all marketable Treasury debt outstanding, as measured in dollars. This structure of the marketable debt jeopardizes the financial position of the Treasury, and can lead to increases in both the inflation rate and interest rates. Specifically, Treasury interest costs would rise very quickly with higher inflation, and the interest rate structure of the debt itself is also subject to periodic adjustments in its interest rates. The revised assessment shows that the portion of all Treasury marketable securities outstanding that are held by the public, as measured in dollars, should be reduced to 50 percent of the total. Factor #8 of the Debt Default Clock will move the minute hand one minute away from midnight if the direct five percentage points reduced from the 73.1 percent of marketable securities that constitute the STMFROs at the end of fiscal year 2019. Currently, Factor #8 buys zero minutes from midnight. The revised version shows the three-year average would be reduced to 50 percent of the total, because CBO provides the information directly.

**Factor #7: Does the Debt Held by the Public Equal or Exceed 10 Percent of the Gross Debt?**

This is a purely qualitative factor. It addresses whether the other factors remain stable within the budget period. The data bases for this Factor are found at: (1) Bureau of Economic Analysis (BEA), “Tables Only,” under the heading “Gross Domestic Product” (historical data); (2) Congressional Budget Office, “The Budget and Economic Outlook: 2018 to 2028,” April 9, 2018, pp. 67 and 145, here; and (3) Department of the Treasury, “Interest Expense on the Debt Held by the Public,” Table 5, April 2018, here.

**Factor #8: Does the Debt Held by the Public equal or Exceed 80 Percent of the Gross Debt?**

The original version of the Default Clock showed that the debt held by the public would exceed 80 percent of the gross debt starting in 2025. This same year is the estimated cross-over point for Factor #5 under the updated Default Clock. Once again, this Factor will buy one minute from midnight. The data bases for this factor are: (1) Office of Management and Budget, “Historical Tables,” Table 7.1, February 2018, here; and (2) Congressional Budget Office, “Budget and Economic Data,” under the headings “10-Year Budget Projections/10-Year Economic Projections—Data Release (Fiscal Year).”

**Factor #9: Does the Debt Held by the Public Equal or Exceed 16.5 Percent of GDP?**

This is a purely qualitative factor. It addresses whether the other factors remain stable relative to their thresholds. The data bases for this Factor are: (1) Bureau of Economic Analysis (BEA), “Tables Only,” under the heading “Gross Domestic Product” (historical data); (2) Congressional Budget Office, “The Budget and Economic Outlook: 2018 to 2028,” April 9, 2018, p. 140, here (projected data). There is no formula for the projected data under this factor because CBO provides the data directly.

**Factor #10: Does the Debt Held by the Public Equal or Exceed 17.5 Percent of GDP?**

This is a purely qualitative factor. It addresses whether the other factors remain stable relative to their thresholds. The data bases for this Factor are found at: (1) Bureau of Economic Analysis (BEA), “Tables Only,” under the heading “Gross Domestic Product” (historical data); (2) Congressional Budget Office, “The Budget and Economic Outlook: 2018 to 2028,” April 9, 2018, pp. 67 and 145, here; and (3) Department of the Treasury, “Interest Expense on the Debt Held by the Public.”

**Factor #11: Has Congress Enacted a Law Prohibiting the Treasury from Resorting to “Extraordinary Measures” in the Future?**

This is a purely qualitative factor. It addresses whether the other factors remain stable relative to their thresholds. The data bases for this Factor are: (1) Bureau of Economic Analysis (BEA), “Tables Only,” under the heading “Gross Domestic Product” (historical data); (2) Congressional Budget Office, “The Budget and Economic Outlook: 2018 to 2028,” April 9, 2018, p. 140, here (projected data). There is no formula for either the historical or projected data on Factor #10 because BEA and CBO provide the data directly.

Federal revenues were at 17.3 percent of GDP in 2017. CBO projects they will fall to 16.5 percent in 2018 and 15 percent in 2025 and exceed 18 percent of GDP before the end of the budget period. Given that Factor #8 is the only factor among the 12 that moves in the right direction over the course of the budget period, this factor is currently discounted by the Review Committee.
The Grand Canyon attracted some tourists come to see this magnificent natural wonder to visit like the Grand Canyon. By the time it officially became a National Park in 1919, the Grand Canyon attracted some 44,000 visitors. Today, Arizona hosts more than 6 million visitors each year, and with a total economic impact of almost $1 billion a year, it is the greatest attraction in our State.

All Americans, but especially Arizonans, are truly blessed to have such a natural wonder as the Grand Canyon. I share in Teddy Roosevelt’s amazement, passion, and wonderment of the Grand Canyon, and I will continue to advocate for this park so that it may last for many more generations to come.

**ADDITIONAL STATEMENTS**

**RECOGNIZING THE FORT SMITH NOON LIONS CLUB**

- **Mr. BOOZMAN.** Madam President, today I wish to recognize and congratulate the Fort Smith Noon Lion’s Club on its centennial celebration.

The Fort Smith Noon Lions Club first met on March 8, 1919, only 2 years after the creation of Lions Club International. With 25 charter members, the club’s mission was to encourage fellow club members to help local businessmen. Many prominent business leaders were part of that founding group, including Dr. Charles Holt, founder of Holt Crock Clinic; Fagan Bourland, who served as the city’s mayor for many years; and W.E. Harding, the founder of Harding Glass, one of the city’s largest companies at the time.

The club met for many years at the historic Goldman Hotel in downtown Fort Smith and, later, at the Ward Hotel on Garrison Avenue. Among its earliest projects was supporting the Victory Loan Campaign designed to pay off debt from WWI. In the early days, it held festivals, hosted free concerts, and played an annual baseball game against the local Rotary Club.

In addition to supporting local causes and providing a networking tool for businessmen, the club’s mission became focused on Helen Keller spoke at the Lions Club International convention in 1923. She concluded her speech by saying, “I appeal to you Lions, you who have your sight, your hearing, you who are strong and brave and kind. Will you not constitute yourselves Knights of the Blind in this crusade against darkness?” Her eloquent plea transformed the Lions and made sight conservation the organization’s primary mission.

Throughout its 100-year history, the Fort Smith Noon Lions Club has contributed greatly to this mission by raising money to provide eye exams and glasses to local students and adults. Lions Club members have also collected thousands of pairs of glasses which are donated to the Southern College of Optometry in Memphis where students take the glasses on international mission trips.

In recent years, the Fort Smith Noon Lions Club has donated more than $100,000 to help local residents with sight preservation and provided support to many local children’s organizations including the Fort Smith Boys Club, Good Samaritan Clinic, Clearinghouse Backpack Program, Special Olympics, and the Children’s Emergency Center.

In addition, the club has provided all of the equipment and support needed for the Safety Patrol program in the Fort Smith Public Schools since 1946.

As an optometrist whose hometown is Fort Smith, AR, I am proud of the great work done by this club and Lions chapters around the world. I congratulate the Fort Smith Noon Lions Club on its 100th anniversary and hope that these Knights for the Blind continue to prosper in their mission.

**TRIBUTE TO IAN JACKSON**

- **Mr. RUBIO.** Madam President, today I honor Ian Jackson, the Volusia County Teacher of the Year from T. Dewitt Talmadge Middle-High School in Pierson, FL. Ian is an Advancement Via Individual Determination teacher, working...
with students from 8th to 12th grade and considers it his job to change the trajectories of his students for the better. After receiving this award, Ian noted that it was not just him being recognized, but also his students for their success.

Ian urges his students to strive for greatness in their middle school and high school coursework in preparation for the college workload. He focuses on ensuring his classroom feels like a second home to his students when they struggle and are in need of support.

Many of Ian’s students come from difficult circumstances, so he works to establish strong relationships and create a positive environment for them. He dedicates his time to listening to the needs of his students and conveying to them that he cares about their well-being. Eighty percent of his students are accepted into 4-year universities and many stay in contact with him through college and beyond.

Ian has taught English as a second language classes in Georgia. He earned his bachelor’s degree from Tocca Falls College.

I extend my sincere thanks and gratitude to Ian for his dedication to helping his students succeed in life. I look forward to learning of his continued success in the coming years.

MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, and transmitted, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Amendments Related to General Solicitations” (RIN0750–A(J)83) (DFARS Case 2018–D021) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019; to the Committee on Armed Services.

EC–348. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Use of Commercial or Non-Government Standards” (RIN0750–A(J)23) (DFARS Case 2017–D014) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019; to the Committee on Armed Services.

EC–349. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Antiterrorism Training Requirements for Contractors” (RIN0750–A(J)46) (DFARS Case 2018–D011) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019; to the Committee on Armed Services.

EC–350. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Exemption from Design-Build Selection Procedures” (RIN0750–A(J)75) (DFARS Case 2018–D011) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019; to the Committee on Armed Services.

EC–351. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Modification of DFARS Clause ‘Transportation of Supplies by Sea’” (RIN0750–A(J)94) (DFARS Case 2018–D011) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019; to the Committee on Armed Services.

EC–352. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Exemption from Design-Build Selection Procedures” (RIN0750–A(J)75) (DFARS Case 2018–D011) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019; to the Committee on Armed Services.

EC–353. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule relative to a vacancy in the position of Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on February 13, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–354. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility: Florida; Inglis” ((44 CFR Part 64) (Docket No. FEMA–2018–0002)) received in the Office of the President of the Senate on February 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–355. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of
a rule entitled “Suspension of Community Eligibility; Maryland: Garrett County, Uninorporated Areas” ((44 CFR Part 64) (Docket No. FEMA–2018–0002)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019, to the Committee on Banking, Housing, and Urban Affairs.

EC–364. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Lower San Joaquin River, California, in the management project to the Committee on Environment and Public Works.


EC–377. A communication from the Man- agement and Program Analyst, Federal Air- aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace for the Following Alaska Towns; St. Michael, AK, Shaktoolik, AK, and Tatsleek, AK” ((RIN2229–AA66)(Docket No. FAA–2017–0499)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019, to the Committee on Com- merce, Science, and Transportation.

EC–379. A communication from the Man- agement and Program Analyst, Federal Air- aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (180)” (RIN2212–AA65) re- ceived during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019, to the Committee on Com- merce, Science, and Transportation.

EC–380. A communication from the Man- agement and Program Analyst, Federal Air- aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthi- ness Directives; The Boeing Company Air- planes” ((RIN2212–AA64)(Docket No. FAA– 2018–0175)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019, to the Committee on Com- merce, Science, and Transportation.

EC–381. A communication from the Man- agement and Program Analyst, Federal Air- aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Hudson River, Albany and Renselaer, NY” ((RIN1625–AA09)(Docket No. USCG–2017– 0330)) received in the Office of the President of the Senate on February 13, 2019, to the Committee on Commerce, Science, and Transportation.

EC–382. A communication from the Attor- ney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Ohio River, Miles 73 to 74, Welsburg, WV” ((RIN1625–AA00)(Docket No. USCG–2018–1088)) received in the Office of the President of the Senate on February 13, 2019, to the Committee on Commerce, Science, and Transportation.

EC–384. A communication from the Attor- ney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Lower Mississippi River, Mile 419.5 to 431.5, Gulfport, MS” ((RIN1625–AA08)(Docket No. USCG–2018– 0960)) received in the Office of the President of the Senate on February 13, 2019, to the Committee on Commerce, Science, and Transportation.


EC–387. A communication from the Man- agement and Program Analyst, Federal Air- aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment to the 1956 In- strument Flight Rules; Miscellaneous Amendments; Amendment No. 544” ((RIN2212–AA63)(Docket No. 31375)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2019, to the Committee on Com- merce, Science, and Transportation.
of the Senate on February 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–385. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Delaware River Rock Blasting” (RIN1625–AA22) (Docket No. USCG–2019–0025) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Commerce, Science, and Transportation.

EC–386. A communication from the Deputy Assistant Administrator, National Parks Service, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Taking Marine Mammals Incidental to the U.S. Navy Training and Testing Activities in the Hawaii-Southern California Training and Testing Study Areas” (RIN0646–BH39) received in the Office of the President of the Senate on February 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–387. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone: Lower Mississippi River, Mile Markers 99.3 to 100.3 Above Head of Passes, New Orleans, LA” (RIN1625–AA09) (Docket No. USCG–2019–0031) received in the Office of the President of the Senate on February 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–388. A communication from the Deputy Assistant Administrator, National Parks Service, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Tak...”

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–6. A concurrent resolution adopted by the 132nd General Assembly of the State of Ohio, condemning the Boycott, Divestment, and Sanctions movement and the increasing incidences of anti-Semitism; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION No. 10

Whereas, the citizens of the State of Ohio have a history of standing against bigotry, oppression, discrimination, and injustice; and

Whereas, Ohio and Israel have a long history of friendship and are great allies in support of each other’s interests; and

Whereas, the State of Israel, the only democracy in the Middle East; and

Whereas, Ohio is committed to increasing ties and interactions in business, government, the arts, culture, and education between the State of Ohio and the State of Israel, further strengthening the historic ties between our State and that country; and

Whereas, ties between Ohio’s and Israel’s academic, research, business, and nonprofit communities are both robust and longstanding; and

Whereas, the elected representatives of Ohio recognize the importance of expressing universal support for the Jewish people and the State of Israel’s right to exist and thrive, and their unabridged support for Israel’s right of self-defense; and

Whereas, the Boycott, Divestment, and Sanctions movement is one of the main vehicles for legitimizing anti-Semitism around the world, including across the United States and in Ohio, including desecration of Jewish religious sites; and

Whereas, the Boycott, Divestment, and Sanctions movement is one of the main vehicles for legitimizing anti-Semitism on college campuses and advocating the elimination of the Jewish State; and

Whereas, anti-Israel activities and activities promoting the Boycott, Divestment, and Sanctions movement against Israel are widespread in the State of Ohio, including on several university campuses and in other Ohio communities, and contribute to anti-Semitic and anti-Zionist propaganda and threats to both American and Israeli Jewish students, and result in deliberate interference with the learning environment of all students; and

Whereas, the dramatic increase in Boycott, Divestment, and Sanctions movement activity on college campuses around the country has resulted in increased animosity and intimidation against Jewish students, negatively impacting student programming of vital importance to all American students related to the State of Israel and politics in the Middle East; and

Whereas, leaders of the Boycott, Divestment, and Sanctions movement say their goal is to delegitimize the State of Israel, including the present day State of Israel, and Jerusalem, Jueda, and Samaria, which were the heartland of the ancient nations of Israel and Judea; and

Whereas, Ohio’s elected representatives who defend the inalienable right to free speech and its activities in Ohio for legitimizing the Boycott, Divestment, and Sanctions campaigns in Ohio are harmful to the State’s relationships with Ohio’s Jewish citizens, with other Jewish citizens who support the State of Israel and the Jewish people, and with the Jewish homeland, Israel, and have a deleterious impact on the educational environment; and

Whereas, the Boycott, Divestment, and Sanctions campaign and the Boycott, Divestment, and Sanctions movement in Ohio are harmful to the State’s relationships with the State of Israel and the Jewish people, and with the Jewish homeland, Israel, and have a deleterious impact on the educational environment; and

Resolved, That the members of the General Assembly condemn the international Boycott, Divestment, and Sanctions movement and its activities in Ohio for legitimizing anti-Semitism and for seeking to undermine the Jewish people’s right to self-determination, which they are fulfilling in the State of Israel, and be it further

Resolved, That the members of the General Assembly condemn all groups, including white nationalist, neo-Nazi, socialist and nationalist organizations and social movements, and groups that promote hatred, religious persecution, or violence towards others; Now therefore be it

Resolved, That the members of the General Assembly condemn the international Boycott, Divestment, and Sanctions movement and its agenda inherently antithetical and deeply damaging to the causes of peace, justice, democracy, and human rights across the United States and in the United States; and be it further

Resolved, That we, the members of the 132nd General Assembly of the State of Ohio, recognize that our sputnik of civilization, the Jewish people, recognize the Jewish people are indigenous to the land of Israel, condemn all activities that harm the State of Israel’s right to engage in lawful acts of self-defense, and oppose all attempts to deny the legitimacy of Israel as a sovereign state; and be it further

Resolved, That we, the members of the 132nd General Assembly of the State of Ohio, reaffirm our position that the trustees, administrators, presidents, and educational leaders in our universities in Ohio, and in the Middle East, may feel safe, and be safe, from harm due to these pernicious activities; and be it further

February 26, 2019
Resolved, That the members of the General Assembly encourage and support the exercise of free speech and civil debate, particularly on college campuses, and further encourage universities and state administrations to curb any impediments to free speech and any abridgment of free speech on campus by any individuals or groups, and urge them to take disciplinary action against all students, faculty, and administrators who engage in actions that abridge free speech on campus in violation of the First Amendment to the Constitution of the United States; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this Resolution to the President of the United States, the Speaker of the House of Representatives, the President and Secretary of the United States Senate, the Chancellor of Higher Education and each of the nine members of the Ohio Board of Regents, the provosts and chairpersons of the boards of trustees of all Ohio public and private colleges and universities, and the Israeli Embassy in Washington, D.C., for transmission to the proper authorities in the State of Israel.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for the Committee on Armed Services.


Air Force nomination of Col. Timothy J. Donnellan, to be Brigadier General.

Air Force nomination of Col. Stephen J. Mallette, to be Brigadier General.

Navy nominations beginning with Capt. Scott B. Canero, ending with Capt. Eric H. Verhage, which nominations were received by the Senate and appeared in the Congressional Record on January 30, 2019.

Navy nominations beginning with Capt. Jeffrey T. Anderson and ending with Capt. Jeremy B. Williams, which nominations were received by the Senate and appeared in the Congressional Record on January 30, 2019.


Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably on the following nominations which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Disposal of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Jason D. Hoskins, to be Lieutenant Colonel.

Air Force nominations beginning with Nancy E. Costa and ending with Alexander O. Kirkpatrick, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nomination of Saiprasad M. Zemse, to be Major.

Air Force nominations beginning with Jeffrey W. Mullin and ending with Steven S. Zasueta, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with David C. Salisbury and ending with Robert L. Wilkie, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Craig K. Abee and ending with Carol A. Yevagelou, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Michael J. Ricks and ending with Bradley J. Piono, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Dennis M. Britten and ending with Kristen Marie Wytrick, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Jason G. Arnold and ending with Carrie A. Schmid, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Timothy S. McCarty and ending with Jerry R. Mallory, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Jennifer J. Archer and ending with Lawrence D. Peavler, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Andrew T. Allen and ending with Assy Yacoub, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Homayoun R. Ahmadzai and ending with Joe X. Zhang, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Francis E. Becki and ending with Brent J. Winward, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Margaret E. Abbott and ending with Jeffrey C. Yee, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Joseph L. Abrams and ending with Alyssa R. Zuehl, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Air Force nominations beginning with Katherine R. Morganti, to be Colonel.

Air Force nominations beginning with Patrick N. Westmoreland and ending with Aaron J. Lyke, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2019.

Air Force nomination of Tolulope O. A. Aduroja, to be Lieutenant Colonel.

Air Force nomination of Erick L. Jackson, to be Major.

Army nominations beginning with James B. Flowers, to be Colonel.

Army nomination of Dylan T. Randazzo, to be Colonel.

Army nomination of Jerry D. Hallman, to be Colonel.

Army nomination of Christopher P. Moellerling, to be Major.

Army nomination of Joubert N. Paulino, to be Major.

Army nomination of Saw K. San, to be Major.

Army nominations beginning with Rebecca J. Quackenbush and ending with David A. Watkins, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Army nomination of Stacie L. Kervin, to be Major.

Army nomination of Brian R. Kossler, to be Major.

Army nomination of Katherine A. O’Brien, to be Major.

Army nomination of Jessica N. Peralesludemann, to be Major.

Army nomination of Julia C. Phillips, to be Major.

Army nomination of Alain M. Alexandre, to be Major.

Army nomination of Talat A. Animashaun, to be Major.

Army nomination of G010349, to be Major.

Army nomination of Jordanna M. Hostler, to be Lieutenant Colonel.

Army nomination of Elizabeth N. Strickland, to be Major.

Army nomination of Shawn M. T. May, to be Major.

Army nomination of Kyle A. Zahn, to be Major.

Army nomination of Joseph J. Fantony, to be Major.

Army nomination of Charti D. Paden, to be Major.

Army nomination of Donald W. Rakes, to be Colonel.

Army nominations beginning with Ronnie S. Barnes and ending with Francis R. Montgomery, which nominations were received by the Senate and appeared in the Congressional Record on February 26, 2019.

Army nomination of Charles A. Riley, to be Major.

Army nomination of Richard S. McNutt, to be Major.

Army nomination of Lloyd V. Lozada, to be Major.

Army nominations beginning with Julio Acosta and ending with April L. Sapp, which nominations were received by the Senate and appeared in the Congressional Record on February 12, 2019.

Marine Corps nomination of Matthew T. Coughlin, to be Colonel.

Marine Corps nomination of Bethanne Canero, to be Lieutenant Colonel.

Marine Corps nominations beginning with Kevin T. Brownlee and ending with Daniel L. Youmans, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Kevin F. Champaigne and ending with John C. Johnson, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Jeremiah Z. Zeisler, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Daniel H. Cusinato, ending with Eduardo Quiroz, which nominations were received by
the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Armando A. Freire and ending with Andrew J. Shugart, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations of Stephen R. Byrnes and Lida Calavina.

Marine Corps nominations beginning with Herman E. Holley and ending with Brian E. Kelly, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Darrell S. Lindal and ending with Austin E. Wren, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Alexander N. Abate and ending with Joseph A. Zukowski, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with German Alicealapuerta and ending with Lydia A. Simons, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations of Joseph W. Grand and Thomas E. Colon.

Marine Corps nominations beginning with Eric J. Adams and ending with Wayne R. Zubek, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations of Joseph D. Mooney and Thomas P. Peterson.

Marine Corps nominations beginning with Andreas J. Agramenou and ending with Ross A. Hrynewych, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2019.

Marine Corps nominations beginning with Bethany S. Peterson and ending with Jon T. Peterson, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2019.

Navy nomination of Jessica M. P. Miller, to be a Lieutenant Commander.

Navy nomination of Rosemary M. Hardesty, to be a Lieutenant Commander.

Navy nomination of Brett T. Thomas, to be a Lieutenant Commander.

Navy nominations beginning with Scott A. Adams and ending with Brett A. Yount, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2019.

Navy nominations beginning with Peter D. Allen and ending with Robert D. Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 12, 2019.

By Ms. SMITH (for herself, Mr. TILLIS, Ms. KLOBUCHAR, Mr. LEAHY, Ms. BROWN, Mr. WYDEN, Mr. TESTER, Ms. HARRIS, Mr. BENNETT, Mr. SCHATZ, Mrs. SMITH, Mr. Kaine, Mr. GRASSLEY, Mr. VERDICE, Mr. WARNER, Mr. BROWN, and Ms. SMITH):

S. 557. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. SASSIE, Mr. BLUNT, Mr. SCHATZ, Ms. COLLINS, and Mr. GILLIBRAND):

S. 558. A bill to amend the Public Health Service Act to authorize a program on children and the media within the National Institute on Child Health and Development to study and develop the developmental effects of technology on infants, children, and adolescents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TERRY (for himself, Ms. MCALLISTER, Mr. MARKEY, Mr. BLUMENTHAL, Ms. WARREN, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. COONS, and Mr. BOOKER):

S. 559. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Ms. ERNST, Ms. MURkowski, and Mr. BROWN):

S. 560. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. DURBIN, Ms. FEINSTEIN, Mr. SCHUMER, Mr. COONS, Ms. HARRIS, Mr. WHITEHOUSE, Mr. CASEY, Mr. Kaine, Mr. BLUMENTHAL, Mr. Reed, Mr. Brown, Ms. Smith, Mr. Merkley, Mr. Markley, Ms. CANTWELL, Mr. MURPHY, Ms. BALDWIN, Ms. HASSAN, Mrs. MURRAY, Mr. HINCHRY, Mr. WYDEN, Mr. BOOKER, Ms. HIRONO, Mr. King, Mrs. SHAHEEN, Mr. SANDERS, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. WARNER, Ms. STABENOW, Mr. CARPER, Mr. CARDEN, Mr. UDALL, Mr. BENNETT, Mr. SCHATZ, Mrs. GILLIBRAND, Ms. WARREN, Ms. DUCKWORTH, Ms. KLOBUCHAR, Ms. ROSEN, Mr. TREGER, Mr. PETERS, and Ms. SINEMA):

S. 561. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Ms. MURkowski, Ms. KLOBUCHAR, and Mr. BROWN):

S. 562. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Finance.

By Ms. DUCKWORTH (for herself and Mr. PRUDUE):
S. 565. A bill to require the Director of the Office of Management and Budget to submit to Congress an annual report on projects that are over budget and behind schedule, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JONES (for himself and Mr. KENNEDY).

S. 566. A bill to amend the Securities and Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ (for himself, Mr. COTTON, Mr. RUHNO, Mr. CRAMER, and Mr. GRAHAM).

S. 567. A bill clarifying that it is United States policy to recognize Israel’s sovereignty over the Golan Heights; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Mr. CASEY, Ms. HIRINO, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOGER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SCHUMER, Mr. SCHUMANN, Ms. SMITH, Mr. UDALL, Mr. VAN HOLLEN, Ms. WARNER, Mr. WHITEHOUSE, and Mr. WYDEN).

S. 568. A bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. YOUNG (for himself, Mr. TERRY, Mr. MORAN, Mr. MANCHIN, Mr. INHOFE, Mr. KING, and Mr. COTTON):

S. 569. A bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. KING, Mr. VAN HOLLEN, Ms. SMITH, and Ms. KLOBUCHAR).

S. 570. A bill to conduct or support further comprehensive research for the creation of a universal influenza vaccine; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself and Ms. SMITH).

S. 571. A bill to provide the Bureau of Consumer Financial Protection with the authority to regulate land contracts, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PERDUE (for himself, Mr. JONES, Mr. ISAKSON, Mr. RUHNO, Mr. SCOTT of Florida, Mr. TILLIS, Mr. SULLIVAN, and Mr. SCOTT of South Carolina).

S. 572. A bill to provide for additional supplemental appropriations for disaster relief; to the Committee on Appropriations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred, as indicated:

By Mr. PERDUE (for himself, Ms. ERNST, Mr. LANKFORD, Mr. MORAN, Mr. ROUNDS, and Mr. SASSER):

S. Res. 78. A resolution recognizing the national debt as a threat to national security; to the Committee on Finance.

By Mr. KAINE (for himself, Mr. PORTMAN, Ms. BALDWIN, Mr. YOUNG, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOZER, Mr. BRAUN, Mr. BROWN, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. DAINEs, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Ms. HARRIS, Ms. HASSAN, Ms. HIRONO, Mr. HOBVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. KING, Ms. KLOBUCHAR, Mr. MANCINi, Mr. MURPHY, Mr. MURRAY, Mr. PERDUR, Mr. Peters, Mr. Roberts, Ms. ROSEN, Mr. Rounds, Mr. SANDERS, Ms. SHAheEN, Mr. SMITH, Ms. STABENOW, Mr. THUNE, Mr. TILLIS, Mr. Van HOLLEN, Mr. WARNER, Mr. WICKER, Mr. WyDEN, and Ms. Ernst):

S. Res. 79. A resolution supporting the goals and ideals of Career and Technical Education Month; considered and agreed to.

ADDITIONAL COSPONSORS

S. 177

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a co-sponsor of S. 177, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 150

At the request of Mr. SANDERS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a co-sponsor of S. 150, a bill to provide for increases in the Federal minimum wage, and for other purposes.

S. 172

At the request of Mr. GARDNER, the names of the Senator from South Dakota (Mr. Rounds) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 172, a bill to delay the reimplementation of the annual fee on health insurance providers until after 2021.

S. 227

At the request of Ms. MURKOWSKI, the name of the Senator from Oregon (Mr. Wyden) was added as a co-sponsor of S. 227, a bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

S. 317

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. Kaine) was added as a co-sponsor 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.

S. 323

At the request of Mrs. MURRAY, the name of the Senator from Ohio (Mr. Brown) was added as a co-sponsor 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 pre-kindergarten through high school.

S. 343

At the request of Mr. BARRASSO, the name of the Senator from Iowa (Ms. ERNST) was added as a co-sponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to terminate the credit for new qualified plug-in electric drive motor vehicles and to provide for a Federal highway user fee on alternative fuel vehicles.

S. 362

At the request of Mr. Wyden, the names of the Senator from Arizona (Ms. Sinema), the Senator from Michigan (Mr. Peters), the Senator from Wyoming (Mr. Barrasso), the Senator from Georgia (Mr. Isakson) and the Senator from Nevada (Ms. Cortez Masto) were added as cosponsors of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 447

At the request of Mr. Menendez, the name of the Senator from Michigan (Ms. Stabenow) was added as a co-sponsor of S. 447, a bill to regulate large capacity ammunition feeding devices.

S. 499

At the request of Mr. Cassidy, the name of the Senator from Hawaii (Mr. Schatz) was added as a co-sponsor of S. 499, a bill to amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, and for other purposes.

S. 500

At the request of Mr. Warner, the name of the Senator from Oregon (Mr. Merkley) was added as a co-sponsor of S. 500, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

At the request of Mr. Portman, the name of the Senator from Oregon (Mr. Wyden) was added as a co-sponsor of S. 500, supra.

S. 504

At the request of Ms. Sinema, the name of the Senator from Idaho (Mr. Risch) was added as a co-sponsor of S. 504, a bill to amend title 36, United States Code, to authorize The American Legion to determine the requirements for membership in The American Legion, and for other purposes.

S. 510

At the request of Mr. Markey, the name of the Senator from Oregon (Mr. Merkley) was added as a co-sponsor of S. 510, a bill to amend the Communications Act of 1934 to provide for certain requirements relating to charges for internet, television, and voice services, and for other purposes.
At the request of Mr. SANDERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S.J. Res. 7, a joint resolution to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

S. CON. RES. 5

At the request of Mr. BARRASSO, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Montana (Mr. Daines) were added as cosponsors of S. Con. Res. 5, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 74

At the request of Mr. PORTMAN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 74, a resolution marking the fifth anniversary of Ukraine’s Resolution 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 Mrs. MURRAY (for herself, Mr. CASEY, Ms. HIRONO, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Ms. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. KLOBUCHAR, Mr. LEARY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Mr. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. SMITH, Mr. UDAL, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 568. A bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. HIRONO. Mr. President, I come to the floor today to express my support for the Child Care for Working Families Act. I was proud to introduce earlier this afternoon with Senators MURRAY, CASEY, and 30 of our Senate colleagues.

We know that investments in early childhood programs are foundational for future academic and social success. Yet child care remains unaffordable for too many working families in the United States.

For parents worried about how to pay for basic living expenses like housing, food, education, and transportation, increasing child care costs can place a heavy burden on family budgets.

As a young immigrant from Japan who was raised by a single, working mother, I understand the difficult decisions families have to make every day to survive. I have experienced these challenges firsthand. Yet, all these years later, for many Hawaii families, child care costs exceed all other expenses besides housing.

On average, Hawaii parents can expect to pay $8,280 per year, or $690 per month, in child care expenses. These costs are 25 percent higher than they were just a decade ago, but wages have hardly kept pace. As a result, Hawaii families will dedicate around 11 percent of their family budget to child care—exceeding the government’s standard for affordable care.

Unfortunately, of families that can afford child care, finding that needed care may be difficult. This is because our early childhood educators and child care workers are overworked and underpaid. In addition, there is a severe need for more facilities to accommodate the families that need them. The need is great, and that is why the Child Care for Working Families Act is so important. This legislation will make sure working families have access to high-quality, affordable early childhood programs.

Specifically, the bill expands the existing Child Care and Development Block Grant program to guarantee that working and middle class families have access to affordable child care—ensuring that these families do not have to pay more than 7 percent of their income toward care, regardless of how many children they have.

The bill also expands Head Start to promote universal preschool for young children.

Additionally, the bill also addresses the need to support our early childhood workers by making sure teachers, care givers, and other workers responsible for our children are fairly-compensated and fully-supported with training and professional development opportunities.

These are the core provisions of the bill, which represents an essential investment in the stability and prosperity of working families in Hawaii and across our Nation. Every family deserves access to high-quality, affordable early childhood programs, and we will continue fighting to make child care more affordable for all children.

I thank my colleagues for their continued support in this effort, and urge support for this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 78—RECOGNIZING THE NATIONAL DEBT AS A THREAT TO NATIONAL SECURITY

Mr. PERDUE (for himself, Ms. ERNST, Mr. LANKFORD, Mr. MORAN, Mr. ROUNDS, and Mr. SASS) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 78

Whereas, in February 2019, the total public debt outstanding was more than $22,000,000,000,000, resulting in a total interest expense of more than $192,000,000,000 for fiscal year 2019;

Whereas, on December 21, 2018, the total public debt as a percentage of gross domestic product was 104 percent;

Whereas the last balanced Federal budget was signed into law in 1997;

Whereas, in fiscal years 1993 and 2018, Federal tax receipts totaled $3,329,000,000,000, but Federal outlays totaled $4,108,000,000,000, leaving the Federal Government with a 1-year deficit of $779,000,000,000;

Whereas, every year since the last balanced Federal budget was signed in 1997, the Federal Government has failed to maintain a responsibly budget and has typically relied on raising the debt ceiling;

Whereas the Social Security and Medicare Boards of Trustees project that the Federal Hospital Insurance Trust Fund will be depleted in 2026;

Whereas the Social Security and Medicare Boards of Trustees project that the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund will be depleted in 2034;

Whereas the credit rating of the United States was reduced by Standard and Poor’s from AAA to AA+ on August 5, 2011, and has remained at that level since that date;

Whereas, without a timely effort to balance the Federal budget, the credit rating of the United States is certain to continue to fall;

Whereas the National Security Strategy issued by President Donald Trump highlights the need to reduce the national debt through fiscal responsibility;

Whereas, on April 12, 2018, former Secretary of Defense James Mattis warned that “any Nation that can’t keep its fiscal house in order eventually cannot maintain its military power”;

Whereas, on March 6, 2018, Director of National Intelligence Dan Coats warned: “Our continued plunge into debt is unsustainable and represents a dire future threat to our economy and to our national security”;

Whereas, on November 15, 2017, former Secretaries of Defense Leon Panetta, Ash Carter, and Chuck Hagel warned: “Increase in the debt will, in the absence of a comprehensive budget that addresses both entitlements and revenues, force even deeper reductions in our national security capabilities”;

Whereas, on September 22, 2011, former Chairman of the Joint Chiefs of Staff Michael Mullen warned: “I believe the single, biggest threat to our national security is debt.” Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the national debt of the United States is a threat to the national security of the United States;

(2) realizes that deficits are unsustainable, irresponsible, and dangerous; and

(3) commits to addressing the fiscal crisis faced by the United States.
HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. KING, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. MURPHY, Mrs. MURRAY, Mr. PERDUE, Mr. PETERS, Mr. ROBERTS, Ms. ROSEN, Mr. ROUNDS, Mr. SANDERS, Mrs. SHARER, Ms. SMITH, Ms. STABENOW, Mr. TILLIS, Mr. VAN HOLLEN, Mr. WARNER, Mr. WICKER, Mr. WYDEN, and Ms. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 79

Whereas a competitive global economy requires workers who are prepared for skilled professions;

Whereas, in the next decade, an estimated 3,000,000 jobs will be needed in infrastructure positions in the United States, including in positions for designing, building, and operating transportation, housing, utilities, and telecommunication facilities;

Whereas career and technical education (referred to in this preamble as “CTE”) ensures that competitive and skilled workers are ready, willing, and capable of holding jobs in high-wage, high-skill, and in-demand career fields such as science, technology, engineering, mathematics, nursing, allied health, business, information technology, energy sustainability, and many other career fields that are vital in keeping the United States competitive in the global economy;

Whereas CTE helps the United States meet the very real and immediate challenges of economic development, student achievement, and global competitiveness;

Whereas the United States has 30,000,000 jobs with an average income of $55,000 per year that do not require a bachelor’s degree yet increasingly require some level of post-secondary education;

Whereas nearly 12,200,000 students are enrolled in CTE across the country at the secondary and postsecondary levels, with CTE programs in thousands of CTE centers, comprehensive high schools, career academies, and CTE high schools, and nearly 1,000 2-year colleges;

Whereas CTE matches employability skills with workforce demand and provides relevant, technical coursework leading to industry-recognized credentials for secondary, postsecondary, and adult learners;

Whereas CTE affords students the opportunity to gain the knowledge, skills, and credentials needed to secure careers in growing, high-demand fields;

Whereas secondary CTE is associated with a lower probability of dropping out of high school and a higher likelihood of graduating on-time;

Whereas CTE students were significantly more likely than non-CTE students to report having developed problem-solving, project completion, research, math, college application, time management, and critical thinking skills during high school;

Whereas, according to an American Federation of Teachers poll, 94 percent of parents approve of expanding access to CTE and other programs that prepare students for jobs;

Whereas students at schools with highly integrated rigorous academic and CTE programs are significantly more likely to meet college and career readiness benchmarks than students at schools with less integrated programs;

Whereas, last year, Congress affirmed the importance of CTE by passing the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224), which supports program improvement in secondary and postsecondary CTE programs in all 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, and outlying areas; and

Whereas February 25, 2019, marks the 102d anniversary of the signing of the Act of February 23, 1917 (commonly known as the “Smith-Hughes Vocational Education Act of 1917”) (39 Stat. 929), which was the first major Federal investment in secondary CTE and laid the foundation for the bipartisan, bicameral support for CTE that continues as of February 2019. Now, therefore, be it

Resolved, That the Senate—

(1) designates February 2019 as “Career and Technical Education (CTE) Month” to celebrate career and technical education across the United States;

(2) supports the goals and ideals of Career and Technical Education Month;

(3) recognizes the importance of career and technical education in preparing a well-educated and skilled workforce in the United States; and

(4) encourages educators, guidance and career development professionals, administrators, and parents to promote career and technical education as a respected option for students.

Mr. KAINE. Mr. President, our Nation’s continued economic progress and the social mobility of our citizens are contingent on the education and skills of the American workforce and its ability to adjust and fulfill the needs of the 21st century economy. Career and technical education (CTE) programs are an essential piece of every student’s education, providing them access to the important skills, knowledge, and credentials needed to obtain careers in rapidly growing, high-demand fields. Today, approximately 12.2 million students across the Nation are enrolled in CTE programs offered by thousands of career academies, comprehensive high schools, CTE high schools, community colleges, and CTE centers. Through intentionally designed applied learning, these students gain workplace skills and technical training that mirror industry and demand positions in the workforce.

In the coming decade, a projected 3 million skilled workers will be needed to fill infrastructure positions in the United States, including jobs related to designing, building, and operating transportation, housing, telecommunication, and utilities facilities. CTE programs intentionally match employability skills with workforce demands, lowering the probability of students dropping out of high school and increasing likelihood of graduating on-time. These skills-based training programs will help fill the estimated 30 million U.S. jobs available with an average income annual income of $55,000 that do not require a bachelor’s degree yet necessitate some level of postsecondary education.

Across Virginia, I hear from manufacturers frustrated by the shortage of qualified skilled production employees—roles that require the training and instruction provided in CTE classes. It is essential that we elevate the important role of CTE in the country’s ability to meet the interconnected challenges of economic development, student achievement, and global competitiveness. Last year, Congress affirmed the importance of CTE by passing the Strengthening Career and Technical Education for the 21st Century Act which supports CTE programs in secondary and postsecondary education.

Today, with my Senate CTE Caucus co-chairs Senator PORTMAN, Senator BALDWIN, and Senator YOUNG and 47 colleagues in the Senate, I am pleased to introduce a bipartisan resolution to designate February as Career and Technical Education (CTE) month. CTE Month encourages students, parents, counselors, educators, and school leaders to learn more about the diverse educational opportunities offered in their communities, and recognize the valuable role of CTE in developing a well-educated and highly skilled workforce in the United States.

By formally recognizing CTE Month through this resolution, it is our aim to raise greater awareness of the importance of improving access to high-quality CTE for millions of America’s students and our nation’s ongoing economic competitiveness.

AUTHORITY FOR COMMITTEES TO MEET

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 9:30 a.m., to conduct a hearing “United States Strategic Command and United States Northern Command in Review of the Authorization Request for fiscal year 2020 and the Future Years Defense Program.”

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 10:15 a.m., to conduct a hearing entitled “Drug Pricing in America: A prescription for change, Part II.”

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 3:30 p.m., to conduct a hearing entitled “Opportunity to SOAR: 15 years of school choice in DC.”
COMMITTEE ON VETERANS’ AFFAIRS
The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 2 p.m., to conduct a hearing.

SUBCOMMITTEE ON AIRLAND
The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 3 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY AND SECURITY
The Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 2:30 p.m., to conduct a hearing entitled “Examining intermodal connections across our surface transportation network.”

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, February 26, 2019, at 9:30 a.m., to conduct a hearing on the Semiannual Monetary Policy Report to the Congress and the following nominations: 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.

PRIVILEGES OF THE FLOOR
Mr. CARPER. Mr. President, I ask unanimous consent that Kaitlyn Prichard and Zach Pilchen, a legislative fellow and a detailee in my office, have privileges of the floor for the duration of the 116th Congress.

Ms. MURKOWSKI. I ask unanimous consent that the Secretary of Housing and Urban Development, Mr. 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.

SUPPORTING THE GOALS AND IDEALS OF CAREER AND TECHNICAL EDUCATION MONTH
Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution (S. Res. 79) was agreed to. The preamble was agreed to. (The resolution, with its preamble, is printed in today’s RECORD under “Unanimous Consent.”)

ORDERS FOR WEDNESDAY, FEBRUARY 27, 2019
Ms. MURKOWSKI. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, February 27, further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Desmond nomination under the previous order.

Mr. CARPER. Mr. President, I ask unanimous consent that the resolution (S. Res. 79) was agreed to. The resolution (with its preamble, is printed in today’s RECORD under “Unanimous Consent.”)

ADJOURNMENT UNTIL 10 A.M. TOMORROW
Ms. MURKOWSKI. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

Ms. MURKOWSKI. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the resolution (S. Res. 79) be read as follows:

A resolution (S. Res. 79) supporting the goals and ideals of Career and Technical Education Month.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. I further ask unanimous consent that the resolution be read as follows:

A resolution (S. Res. 79) supporting the goals and ideals of Career and Technical Education Month.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. I further ask unanimous consent that the resolution

CONFIRMATION
Executive nomination confirmed by the Senate February 26, 2019:

THE JUDICIARY
ERIC D. MILLER, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.
COMMEMORATING THE JAPANESE AMERICAN CITIZENS LEAGUE DAY OF REMEMBRANCE ON FEBRUARY 19, 2019

HON. JOHN GARAMENDI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. GARAMENDI. Madam Speaker, I rise today to commemorate February 19th as a Day of Remembrance for the country and especially for the Japanese American community. On that day in 1942, the President of the United States signed and issued Executive Order 9066, an action which ordered the Secretary of War, “to prescribe military areas... from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion.”

Following this executive order, one of the darkest chapters in American history began as over 120,000 Japanese Americans throughout Washington, Oregon and California were summarily interned in prison camps. Those communities, uprooted until the end of World War II, were forced to abandon their lives as they left behind homes, jobs, friends and loved ones. No due process was granted and throughout the years of imprisonment, no one was charged or even convicted of any action that would have betrayed the country that they called home. Their only “crime” was that they were of Japanese descent.

As the Representative of California’s 3rd District I am proud to recognize our local Japanese American Citizens League Chapter of Marysville, California. Over the past few days they have taken the opportunity to honor the memory of the hardship that was forced on Japanese Americans by engaging the community-at-large to educate their neighbors on the importance of defending the civil rights that are due every American citizen. I commend their work and aim to carry forward that very message.

Especially at a time when our nation is so divided, it is important to spend this time remembering what happened on that day in 1942 and the dangers that come from ignoring our most basic civil rights guaranteed by the Constitution. I call on my fellow Americans to reflect on what took place during those terrible darkest chapters in American history began as over 120,000 Japanese Americans throughout Washington, Oregon and California were summarily interned in prison camps. Those communities, uprooted until the end of World War II, were forced to abandon their lives as they left behind homes, jobs, friends and loved ones. No due process was granted and throughout the years of imprisonment, no one was charged or even convicted of any action that would have betrayed the country that they called home. Their only “crime” was that they were of Japanese descent.

As the Representative of California’s 3rd District I am proud to recognize our local Japanese American Citizens League Chapter of Marysville, California. Over the past few days they have taken the opportunity to honor the memory of the hardship that was forced on Japanese Americans by engaging the community-at-large to educate their neighbors on the importance of defending the civil rights that are due every American citizen. I commend their work and aim to carry forward that very message.

Especially at a time when our nation is so divided, it is important to spend this time remembering what happened on that day in 1942 and the dangers that come from ignoring our most basic civil rights guaranteed by the Constitution. I call on my fellow Americans to reflect on what took place during those terrible years and to fight to protect the rights of all Americans, no matter their heritage or race.

CELEBRATING THE 100TH BIRTHDAY OF MRS. ELLEN GREANEY JACOBS

HON. SCOTT PERRY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. PERRY. Madam Speaker, today I offer my heartfelt congratulations to Mrs. Ellen Greaney Jacobs, a resident of Dauphin County, Pennsylvania, who is celebrating 100 years young on Monday, April 1, 2019. Mrs. Jacobs was born in Bound Brook, New Jersey, and moved to New Bloomfield, Pennsylvania with her mother, brother and two sisters after her father died. Ellen graduated from New Bloomfield High School and the Carlisle Commercial College. She married her husband of 69 years, Cyrus D. Jacobs, in West-


HON. JOHN GARAMENDI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. GARAMENDI. Madam Speaker, I rise today to commemorate February 19th as a Day of Remembrance for the country and especially for the Japanese American community. On that day in 1942, the President of the United States signed and issued Executive Order 9066, an action which ordered the Secretary of War, “to prescribe military areas... from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion.”

Following this executive order, one of the darkest chapters in American history began as over 120,000 Japanese Americans throughout Washington, Oregon and California were summarily interned in prison camps. Those communities, uprooted until the end of World War II, were forced to abandon their lives as they left behind homes, jobs, friends and loved ones. No due process was granted and throughout the years of imprisonment, no one was charged or even convicted of any action that would have betrayed the country that they called home. Their only “crime” was that they were of Japanese descent.

As the Representative of California’s 3rd District I am proud to recognize our local Japanese American Citizens League Chapter of Marysville, California. Over the past few days they have taken the opportunity to honor the memory of the hardship that was forced on Japanese Americans by engaging the community-at-large to educate their neighbors on the importance of defending the civil rights that are due every American citizen. I commend their work and aim to carry forward that very message.

Especially at a time when our nation is so divided, it is important to spend this time remembering what happened on that day in 1942 and the dangers that come from ignoring our most basic civil rights guaranteed by the Constitution. I call on my fellow Americans to reflect on what took place during those terrible years and to fight to protect the rights of all Americans, no matter their heritage or race.

CELEBRATING THE 100TH BIRTHDAY OF MRS. ELLEN GREANEY JACOBS

HON. SCOTT PERRY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. PERRY. Madam Speaker, today I offer my heartfelt congratulations to Mrs. Ellen Greaney Jacobs, a resident of Dauphin County, Pennsylvania, who is celebrating 100 years young on Monday, April 1, 2019. Mrs. Jacobs was born in Bound Brook, New Jersey, and moved to New Bloomfield, Pennsylvania with her mother, brother and two sisters after her father died. Ellen graduated from New Bloomfield High School and the Carlisle Commercial College. She married her husband of 69 years, Cyrus D. Jacobs, in West-
Houston Police Department cruiser that was Christmas Eve, a drunk driver collided with a
ber 24, 2018, in the early morning hours of
derful man.
Mexico.
and worked hard as a landscaper, and sent
to draw attention; rather he kept to himself
and died at the scene.
Lane, Juan Salgado was struck by two cars
up dinner, but he never made it because while
2019, in Houston, Texas at the age of 41.
Salgado, a Houston resident and Good Sa-

IN REMEMBRANCE OF JUAN CAR-
LOS SALGADO: HOUSTON, TEXAN AND GOOD SAR

HON. SHEILA JACKSON LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019
Ms. JACKSON LEE. Madam Speaker, I rise to pay tribute to an angel, Juan Carlos Salgado, a Houston resident and Good Samari-
than who passed away on January 13, 2019, in Houston, Texas at the age of 41.
On the evening of January 13, 2019, Juan Salgado was walking to a local market to pick up dinner, but he never made it because while crossing Telephone Road near Red Robin Lane, Juan Salgado was struck by two cars and died at the scene.

Madam Speaker, Juan Salgado was not one to draw attention; rather he kept to himself and worked hard as a landscaper, and sent his extra earnings to his mother in Guerrero, Mexico.

But there is more to the story of this won-
derful man.
Three weeks before his death, on Decem-
ber 24, 2018, in the early morning hours of Christmas Eve, a drunk driver collided with a Houston Police Department cruiser that was en route to assist a fellow officer.

Juan Salgado heard the crash from his apartment and ran toward the police vehicle, now in flames.

Juan Salgado fought to free the two officers, John Daily and Alonzo Reid, who were trapped inside, and breaks his right hand when he punched through a window to free Officer Reid.

After freeing both officers and pulling them to safety, Juan Salgado left the scene and re-
turned to his familiar and comfortable state of obscurity.

The day after saving Officers Daily and Reid, Juan Salgado was back at work as a landscaper.

This documented hero was an undocu-
mented immigrant.

But it was not his immigration status that Juan Salgado thought about on that fateful Christmas Eve.

Instead, he saw two human beings who needed assistance and he did not hesitate to offer it knowing the danger it posed to him and his resident status in the United States.

Madam Speaker, Juan Salgado put his community above himself and because of his selflessness Officers Daily and Reid are alive today.

I offer my deepest condolences to the family and loved ones of Juan Salgado as they mourn the loss of this unsung hero.

PERSONAL EXPLANATION
HON. PETER A. DeFAZIO
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019
Mr. DeFAZIO. Madam Speaker, I missed
votes on Monday, February 25 due to inclem-
ent weather in Oregon. Had I been present, I
would have voted “yea” on Roll Call No. 89; and “yea” on Roll Call No. 88.

INTRODUCTION OF THE DISTRICT OF COLUMBIA CLEMENCY HOME RULE ACT
HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019
Ms. NORTON. Madam Speaker, today, I in-
roduce the District of Columbia Clemency Home Rule Act, a bill that would give the Dis-
tRICT of Columbia exclusive authority, like the states and territories, to grant clemency to of-
fenders prosecuted under its local laws.
While District law appears to give the mayor authority to grant clemency (D.C. Code 1–
301.76), it is the opinion of the Department of Justice (DOJ) that the president, and not the mayor, has the authority to grant clemency for most offenses prosecuted under D.C. law, par-
ticularly felonies prosecuted by the U.S. Attor-
ney in the D.C. Superior Court. Under current practice, clemency petitions for D.C. convic-
tions, like federal convictions, are submitted to the DOJ for the president’s consideration.
Whether or not DOJ’s view is correct, my bill would remove all doubt that the District, and not the president, has the authority to issue clemency for local offenses. The District, like the states and territories, should have full
control of its local criminal justice system, the most basic responsibility of local government.
Since the D.C. Council has the authority to enact local laws, District officials are in the
best position to grant clemency for local law violations. My bill would provide clemency authority to the District government and would give D.C. the discretion to establish its own clemency system.
This bill is an important step in establishing further autonomy for the District in its own local affairs. I urge my colleagues to support this measure.

PERSONAL EXPLANATION
HON. LOIS FRANKEL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019
Ms. FRANKEL. Madam Speaker, on roll call votes 88 and 89, I was not present because I was unavoidably detained. Had I been present, I would have voted “yea” and “yea.”
HON. DORIS O. MATSUI  
OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, February 26, 2019

Ms. MATSUI. Madam Speaker, had I been present for the vote on H.R. 539, the Innovators to Entrepreneurs Act (Roll Call Vote no. 88), I would have voted “aye.”

Had I been present for the vote on H.R. 276, the Recognition Achievement in Classified School Employees Act, (Roll Call Vote no. 89) I would have voted “aye”.

HON. KEN CALVERT  
OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, February 26, 2019

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to my good friend Ronald “Ron” Roberts, who passed away in San Diego, California on Monday, February 4, 2019. Ron was a decorated public servant and he will be deeply missed.

Throughout his life, Ron worked to improve the community around him. In the first phase of his public service, Ron worked as a California Highway Patrol officer. By the time he retired, Ron had risen to the rank of sergeant. After his career in law enforcement, Ron began what would eventually be a twenty-four-year dedication to the city of Temecula. Ron was first appointed to the Temecula Traffic Commission in 1990, the year after the city incorporated.

In 1992, Ron was elected to the Temecula City Council, where he would ultimately serve five consecutive terms, from 1992 to 2014, including five terms as the city’s mayor. The impact of Ron’s leadership and hard work is on display today throughout Temecula, particularly in its infrastructure, facilities, parks and libraries. In fact, the city honored Ron by naming its busiest library the Ronald H. Roberts Temecula Public Library. Ron was also rightfully proud of his work granting public use of the Duck Pond, the center of Ynez and Rancho California roads and revitalizing Old Town Temecula. Extraordinary cities like Temecula don’t exist by accident—they come to fruition over time with the hard work and dedication of servant leaders like Ron Roberts.

Ron is survived by his wife, Jeanne; son Ron, Jr. (wife Kara); daughter Wendy (husband Sam); and five grandchildren. I extend my heartfelt condolences to the Roberts family, his friends, and everyone fortunate enough to know Ron. Although Ron may be gone, the many contributions he made to his country, community and family will have a lasting impact.

HON. BILLIE LONG  
OF MISSOURI  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, February 26, 2019

Mr. LONG. Madam Speaker, I rise today to honor the history, service and accomplishments of the National Society of Pershing Rifles, whose members and alumni will observe the organization’s 125th Anniversary during its national convention, March 14 through 16 in Kansas City, Missouri.

In 1891, Second Lieutenant John J. Pershing, then a Adjutant Instructor at the University of Nebraska-Lincoln, selected a top-tier group of cadets to “promote the highest ideals of the military profession,” among other things, within the Nebraska cadet corps. In 1894, the group was named The Pershing Rifles, in honor of their founder and mentor. Lieutenant Pershing would go on to become Commander of the American Expeditionary Forces (AEF) in World War I, and remains the only active duty American to be awarded the rank of General of the Armies of the United States.

Since its humble beginnings, the Pershing Rifles have vastly expanded, and now numbers in excess of 600 ROTC cadet and midshipman members spread across more than 60 campuses nationwide. Now in its 125th year, members remain steadfast in their determination to carry on the organization’s original goal of promoting excellence in the military arts.

The mission of the National Society of Pershing Rifles is to aid in the development of successful officers in the Army, Navy and Air Force; foster camaraderie and esprit de corps among all three Reserve Officers’ Training Corps programs; further the purposes, traditions, and concepts of the United States Army, Navy, Air Force, and Marine Corps, and give citizens an opportunity to be part of a military organization without formal commitment to the military.

Alumni of the Pershing Rifles have fought with valor and distinction as military and naval officers in every American conflict since the Spanish-American War. Noted alumni include former Secretary of State Colin Powell, among many other notable American military, political, professional, and cultural leaders.

Madam Speaker, I am honored to rise and recognize 125 years of service to the nation since the formation of the Pershing Rifles. Through their dedication and passion for excellence in all that they do and have clearly lived up to the vision of their founder. I can think of no tribute more fitting, to honor the living legacy of General of the Armies John J. Pershing and his vision for military and civic excellence.

HON. FILEMON VELA  
OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, February 26, 2019

Mr. VELA. Madam Speaker, I rise today in honor of Arturo Elías Ayub, who has been named Mr. Amigo by the Mr. Amigo Association of Brownsville, Texas. A Mexican businessman, entrepreneur, and philanthropist, Mr. Ayub has enjoyed a distinguished career spanning over three decades. Currently, he serves as the Chief Executive Officer (CEO) of Multimedia and Strategic Alliances of America Movil, Director of Uno TV, and President of the Instituto TELMEX del Deporte.

This year, from February 23rd to March 2nd, citizens on both sides of the Rio Grande will gather to celebrate the 82nd Annual Charro Days Fiesta in Brownsville, Texas and Fiestas Mexicanas in Matamoros, Tamaulipas, Mexico. The events of Charro Days commemorate our shared history, culture and positive cross-border relationship. The Rio Grande binds our city, and there isn’t a line or boundary that can eradicate the memories and friendships that have flourished over generations.

Since 1867, as part of the festivities, the Mr. Amigo Association, whose mission is to promote the international friendship and goodwill between the United States of America and the Republic of Mexico, identifies an individual to be Mr. Amigo. The honoree must be a distinguished Mexican citizen, who has contributed to the friendship and understanding between the U.S. and Mexico, and has excelled in their profession, exemplifying the highest standards in their professional lives.

Mr. Amigo 2018, Arturo Elías Ayub, hails from Mexico City. Since graduating from Anahuac University with a bachelor’s degree in business management and a graduate certificate in senior business management from IPADE Business School in Mexico City, he has contributed significantly to the community in which he lives, making him the perfect candidate for Mr. Amigo. After serving as CEO at Sociedad Comercial, Ayub held many positions at TELMEX; his work developing critical alliances and partnerships beyond the region contributed to the international growth of...
TELMEX. However, some of his most notable and impactful contributions have derived from the work he has spearheaded as CEO of TELMEX Telcel Foundation.

In his position as TELMEX Telcel Foundation CEO, Mr. Ayub has brought the resources of a public–private partnership to initiatives in education, health care, natural disaster relief, human development, and sports. An avid soccer fan, he translated his passion for the sport into efforts to support social justice and increase access to highly-anticipated global sporting events to the Americas. Ganar-Ganar magazine, a specialized publication that promotes corporate social responsibility, selected TELMEX Telcel Foundation as the recipient of the 2013 Social Responsibility and Sustainable Award for their work in organizing the 2012 Homeless World Cup. Additionally, under Ayub’s leadership, Claro Sports delivered broadcasting of the 2014 Winter Olympics in Sochi to more than 50 television broadcasters in the Americas.

This year’s Mr. Amigo award serves to recognize the positive work Mr. Ayub has contributed to our international relationship. It is also a message of hope as he continues to help our communities, and in doing so, he inspires the next generation of leaders.

Today we honor Arturo Elías Ayub for his dedication to socioeconomic change, business development, and philanthropy. I join Brownsville and Matamoros in welcoming Mr. Ayub to Charro Days.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures. If I were present for roll call votes, I would have voted “aye” for the following votes:


TRIBUTE TO MAJOR GENERAL CAROL A. TIMMONS

HON. LISA BLUNT ROCHESTER
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Ms. BLUNT ROCHESTER. Madam Speaker, I rise today, on behalf of my colleagues Senator TOM CARPER and Senator CHRIS COONS of Delaware, to honor and congratulate Major General Carol Timmons for a lifetime of dedicated service to our country.

After graduating from William Penn High School in 1977, Timmons enrolled in college and enlisted in the Delaware National Guard. With a childhood dream of becoming an airplane pilot, her career in flight would begin that very summer on a C–130 airplane in Savannah, Georgia. Despite her love of airplanes, Air Force rules prevented women from flying combat-mission planes, like the C–130. Due to these unfair regulations, she joined the Army National Guard in 1980 and would learn to fly Army helicopters, like the UH–1 Huey. Undeterred and committed to her dream, Timmons joined the Air Force Reserves where she flew noncombat operations. She soon realized her dream as federal laws ended the discriminatory prohibition on women flying in combat missions, and during Operation Desert Storm, then-Captain Timmons would become one of the first women to fly in combat. Following that operation, her career would continue full force. She rejoined the Delaware National Guard—flying the same C–130s she first learned to operate.

On January 8, 2012, then-Brigadier General Timmons would make history by becoming the Delaware Air National Guard’s first female commander, and again on February 1, 2017, when she was promoted to the rank of Major General and named Adjunct General of the Delaware National Guard—the Governor’s chief military advisor commanding 1,500 soldiers and 1,100 airmen.

During her storied, 42-year career, she earned a Bronze Star for her service in Afghanistan and has flown over 5,200 hours in the cockpit, including 400 combat hours during contingencies, spanning Operations Desert Shield, Desert Storm, Southern Watch, Joint Guard, Iraqi Freedom, Enduring Freedom, and Inherent Resolve. She served on the National Guard’s Joint Diversity Executive Council and the Air Force Reserve Policy Committee. She has received numerous honors, including induction into the Delaware Aviation Hall of Fame and the Delaware Women’s Hall of Fame.

By refusing to compromise on her dream, Timmons broke down barriers, blazed trails, and inspired women to let nothing stand in their way in service to our nation. I join Senator CARPER and Senator COONS in thanking Major General Carol Timmons for her over four decades of service to our state and country, and we wish her the very best.

PERSONAL EXPLANATION

HON. STEVE COHEN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. COHEN. Madam Speaker, I was unable to vote on February 25th and 26th in order to attend the funeral of Judge Russell B. Sugarmon, a civil rights giant from Memphis.

I would also have voted YES on H.R. 539, H.R. 276, Motions to Order the Previous Question, H. Res. 145, and H. Res. 144. I would have also voted YES on H.J. Res. 46, a resolution of which I am a cosponsor, to stop President Trump’s unconstitutional attempt to circumvent Congress’s authority.

I would have also voted YES on S. 47.

DAVID ELDGER
HON. TROY BALDERSON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. BALDERSON. Madam Speaker, I rise today to honor the memory of David Elder, a committed public servant, loving husband, and devoted father and grandfather. David passed away on February 23, 2019 at the age of 70. He was a dedicated public servant to Worthington, Ohio, for 36 years.

David’s admirable career of service to Worthington began when he interned while completing his master’s degree at The Ohio State University. Skillfully demonstrating his capabilities as an intern, he was hired in 1971 to serve as an administrative assistant. Over the course of the following decade, David proved he possessed a dedicated work ethic, which helped him advance in his career. He was appointed as Worthington City Manager in 1981, a title he held for 26 years. Though he left office in 2007, his legacy is not forgotten. His strong ethical character, enthusiastic compassion, and devoted service to his home town made him the consummate example of a public servant.

Though he will be missed dearly, I am confident that his memory will live on through his exemplary life’s work and will continue to serve as an inspiration for individuals considering a path in public service. Please keep his beloved wife, Ann, daughters Stephanie and Lauren, and numerous grandchildren in your prayers as they celebrate David’s life in the coming days.

RECOGNIZING THE 27TH ANNIVERSARY OF THE KOHLJALY MASSACRE

HON. STEVE COHEN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2019

Mr. COHEN. Madam Speaker, this week marks the 27th anniversary of the massacre of hundreds of people in the town of Kohojal in what was the largest killing of ethnic Azerbaijanis in the course of the Armenia-Azerbaijan conflict. Kohojal, which is located in the Nagorno-Karabakh region of Azerbaijan, was once home to 7,000 people. That was before Armenian armed forces massacred over 600 unarmed people—including 106 women and 83 children—and left less than 2,000 survivors. Hundreds more became disabled due to their horrific injuries. More than one hundred children lost a parent and 25 children lost both parents. At least 8 families were completely killed.

Even though a ceasefire went into effect over two decades ago, more than 20 percent of Azerbaijan’s territory, including Nagorno-Karabakh and seven surrounding districts, remain occupied and more than 1 million
Azerbaijanis remain refugees unable to return to their home villages. Ongoing violence along the line of contact surrounding occupied Azerbaijani territory reinforces the urgency of robust American participation in the Organization for Security and Co-operation in Europe’s (OSCE) Minsk Group as it works toward a peaceful resolution of the Azerbaijan-Armenia conflict.

Azerbaijan has been a strong partner of the United States and its allies in security and energy matters. This cooperation has included: playing a leadership role in nonproliferation issues; providing troops to serve shoulder-to-shoulder with U.S. forces in Kosovo, Iraq, and Afghanistan; allowing transit of non-lethal equipment used by coalition forces through Azerbaijan to Afghanistan; construction of the Southern Gas Corridor from the Caspian Sea to Italy, thereby providing Europe with an alternative to Russian energy sources; and supplying 40 percent of Israel’s oil. Azerbaijan also has a thriving Jewish community and has outstanding relations with Israel.

As Azerbaijanis throughout the world commemorate the massacre and continue to grieve the loss of loved ones, let us commit ourselves to supporting non-violent efforts to resolve the Nagorno-Karabakh conflict.
**Daily Digest**

**Senate**

**Chamber Action**

**Routine Proceedings, pages S1447–S1496**

**Measures Introduced:** Twenty-one bills and two resolutions were introduced, as follows: S. 552–572, and S. Res. 78–79.

**Measures Passed:**

*Career and Technical Education Month:* Senate agreed to S. Res. 79, supporting the goals and ideals of Career and Technical Education Month.

**Desmond Nomination—Agreement:** Senate resumed consideration of the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

During consideration of this nomination today, Senate also took the following action:

By 84 yeas to 15 nays (Vote No. EX. 30), Senate agreed to the motion to close further debate on the nomination.

A unanimous-consent-time agreement was reached providing that the post-cloture time on the nomination expire at 12:15 p.m., on Wednesday, February 27, 2019; and that there be two minutes of debate equally divided prior to the vote on the motion to invoke cloture on the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

**Nomination Confirmed:** Senate confirmed the following nomination:

By 53 yeas to 46 nays (Vote No. EX. 29), Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

**Petitions and Memorials:** Pages S1490–91

**Executive Reports of Committees:** Pages S1491–92

**Additional Cosponsors:** Pages S1493–94

**Statements on Introduced Bills/Resolutions:** Pages S1494–95

**Additional Statements:** Pages S1487–88

**Authorities for Committees to Meet:** Pages S1495–96

**Privileges of the Floor:** Page S1496

**Record Votes:** Two record votes were taken today. (Today—30) Pages S1467–68

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:07 p.m., until 10 a.m. on Wednesday, February 27, 2019. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1496.)

**Committee Meetings**

(Commissions not listed did not meet)

**BUSINESS MEETING**

**Committee on Armed Services:** Committee ordered favorably reported 1,818 nominations in the Army, Air Force, Navy, and Marine Corps.

**DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM**

**Committee on Armed Services:** Committee concluded a hearing to examine United States Strategic Command and United States Northern Command in review of the Defense Authorization Request for fiscal year 2020 and the Future Years Defense Program, after receiving testimony from General John E. Hyten, USAF, Commander, United States Strategic Command, and General Terrence J. O'Shaughnessy, USAF, Commander, United States Northern Command and North American Aerospace Command, both of the Department of Defense.

**B-21 “RAIDER”**

**Committee on Armed Services:** Subcommittee on Airland received a closed briefing on the B-21 “Raider”
BUSINESS MEETING
Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported 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.

SEMIANNUAL MONETARY POLICY REPORT TO THE CONGRESS
Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Semiannual Monetary Policy Report to the Congress, after receiving testimony from Jerome H. Powell, Chairman, Board of Governors of the Federal Reserve System.

CONNECTING AMERICA
Committee on Commerce, Science, and Transportation: Subcommittee on Transportation and Safety concluded a hearing to examine connecting America, focusing on intermodal connections across our surface transportation network, after receiving testimony from Chuck Baker, American Short Line and Regional Railroad Association, Washington, D.C.; Noel Hacegaba, Port of Long Beach, Long Beach, California, on behalf of the Intermodal Association of North America; Donna Lemm, IMC Companies, Inc., Memphis, Tennessee, on behalf of the Agriculture Transportation Coalition; and Joseph Szabo, Chicago Metropolitan Agency for Planning, Chicago, Illinois, on behalf of the Coalition for America’s Gateways and Trade Corridors.

UNITED STATES TERRITORIES
Committee on Energy and Natural Resources: Committee concluded a hearing to examine the state of the United States territories, after receiving testimony from Puerto Rico Governor Ricardo Rossello, San Juan; Guam Governor Louderes A. Leon Guerrero, Adelup; United States Virgin Islands Governor Albert Bryan, Jr., St. Thomas; and Commonwealth of the Northern Mariana Islands Governor Ralph Deleon Guerrero Torres, Saipan.

DRUG PRICING
Committee on Finance: Committee concluded a hearing to examine drug pricing in America, after receiving testimony from Richard A. Gonzalez, AbbVie Inc., North Chicago, Illinois; Pascal Soriot, AstraZeneca, Wilmington, Delaware; Giovanni Caforio, Bristol-Myers Squibb, and Albert Bourla, Pfizer, both of New York, New York; Jennifer Taubert, Johnson and Johnson, New Brunswick, New Jersey; Kenneth C. Frazier, Merck and Co., Inc., Kenilworth, New Jersey; and Olivier Brandicourt, Sanofi, Bridgewater, New Jersey.

YEMEN
Committee on Foreign Relations: On Monday, February 25, 2019, Committee received a closed briefing on the conflict in Yemen from Timothy A. Lenderking, Deputy Assistant Secretary for Arabian Gulf Affairs, Bureau of Near Eastern Affairs, Department of State; and Michael P. Mulroy, Deputy Assistant Secretary for the Middle East, Department of Defense.

2019 ANNUAL INTELLECTUAL PROPERTY REPORT TO CONGRESS

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 29 public bills, H.R. 4, 1356–1383; and 6 resolutions, H. Con. Res. 21; and H. Res. 148–152, were introduced.

Additional Cosponsors:
Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Kelly (IL) to act as Speaker pro tempore for today.

Page H2105

Recess: The House recessed at 10:41 a.m. and reconvened at 12 noon.

Page H2109

Bipartisan Background Checks Act of 2019 and Enhanced Background Checks Act of 2019—Rule for Consideration: The House agreed to 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, by a yea-and-nay vote of 227 yeas to 194 nays, Roll No. 91, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 191 nays, Roll No. 90.

Pages H2119–28

Committee Resignation: Read a letter from Representative Levin (MI) wherein he resigned from the Committee on Veterans’ Affairs.

Page H2130

Committee Election: The House agreed to H. Res. 148, electing Members to certain standing committees of the House of Representatives.

Page H2130

Clerk Designation: Read a letter from the Clerk wherein she designated Ms. Gloria Lett, Deputy Clerk, Mr. Robert Reeves, Deputy Clerk, and Lloyd Horwich, Legal Counsel, to sign any and all papers and do all other acts in case of her temporary absence or disability.

Page H2130

Extension of time: Agreed by unanimous consent that debate under clause 1(c) of rule XV on a motion to suspend the rules relating to S. 47 be extended to 50 minutes.

Page H2141

Suspensions: The House agreed to suspend the rules and pass the following measure:

Natural Resources Management Act: S. 47, to provide for the management of the natural resources of the United States, by a 2/3 yea-and-nay vote of 363 yeas to 62 nays, Roll No. 95.

Pages H2218–19

Relating to a national emergency declared by the President on February 15, 2019: The House passed H.J. Res. 46, relating to a national emergency declared by the President on February 15, 2019, by a yea-and-nay vote of 245 yeas to 182 nays, Roll No. 94.

Pages H2130–41, H2217–18

H. Res. 144, the rule providing for consideration of the joint resolution (H.J. Res. 46) was agreed to by a yea-and-nay vote of 229 yeas to 193 nays, Roll No. 93, after the previous question was ordered by a yea-and-nay vote of 228 yeas to 193 nays, Roll No. 92.

Pages H2128–30

Directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 47: The House agreed to H. Con. Res. 21, directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 47.

Page H2219

Congressional-Executive Commission on the People’s Republic of China—Appointment: The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Congressional-Executive Commission on the People’s Republic of China: Representative McGovern, Chair.

Pages H2221–22

Tom Lantos Human Rights Commission—Appointment: The Chair announced the Speaker’s appointment of the following Member to serve as Co-Chair of the Tom Lantos Human Rights Commission: Representative McGovern.

Page H2222

Migratory Bird Conservation Commission—Appointment: The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Migratory Bird Conservation Commission: Representative Thompson (CA).

Page H2222


Adjournment: The House met at 10 a.m. and adjourned at 8:38 p.m.

Committee Meetings

PUBLIC WITNESS HEARING

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled “Public Witness Hearing”. Testimony was heard from public witnesses.

OVERSIGHT HEARING: UNDERSTANDING THE CHANGING CLIMATE SYSTEM AND THE ROLE OF CLIMATE RESEARCH

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing entitled “Oversight Hearing: Understanding the Changing Climate System and the Role of Climate Research”. Testimony was heard from Michael H. Freilich, Director, Earth Science Division, Science Mission Directorate, National Aeronautics and Space Administration; and Neil Jacobs, Assistant Secretary of Commerce for Environmental Observation and Prediction, National Oceanic and Atmospheric Administration, Department of Commerce.
LEVERAGING PRIVATE CAPITAL FOR UNDERSERVED COMMUNITIES AND INDIVIDUALS: A LOOK INTO COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS (CDFIs)

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing entitled “Leveraging Private Capital for Underserved Communities and Individuals: A look into Community Development Financial Institutions (CDFIs)”. Testimony was heard from public witnesses.

APPROPRIATIONS—ARCHITECT OF THE CAPITOL

Committee on Appropriations: Subcommittee on Legislative Branch held a budget hearing on the Architect of the Capitol. Testimony was heard from Christine A. Merdon, Acting Architect of the Capitol.

DEPARTMENT OF VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held an oversight hearing on Department of Veterans Affairs. Testimony was heard from Richard A. Stone, M.D., Executive in Charge, Veterans Health Administration, Department of Veterans Affairs; and Robert Wilkie, Secretary, Department of Veterans Affairs.

APPROPRIATIONS—CONGRESSIONAL BUDGET OFFICE

Committee on Appropriations: Subcommittee on Legislative Branch held a budget hearing on the Congressional Budget Office. Testimony was heard from Keith Hall, Director, Congressional Budget Office.

PUBLIC WITNESS HEARING

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled “Public Witness Hearing”. Testimony was heard from public witnesses.

NAVAL SURFACE FORCES READINESS: ARE NAVY REFORMS ADEQUATE?

Committee on Armed Services: Subcommittee on Readiness; and Subcommittee on Seapower and Projection Forces held a joint hearing entitled “Naval Surface Forces Readiness: Are Navy Reforms Adequate?”. Testimony was heard from Admiral Christopher W. Grady, Commander, U.S. Fleet Forces Command, and Commander, U.S. Naval Forces Northern Command, Department of the Navy; and Admiral John C. Aquilino, Commander, U.S. Pacific Fleet, Department of the Navy.

INF WITHDRAWAL AND THE FUTURE OF ARMS CONTROL: IMPLICATIONS FOR THE SECURITY OF THE UNITED STATES AND ITS ALLIES

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing entitled “INF Withdrawal and the Future of Arms Control: Implications for the Security of the United States and its Allies”. Testimony was heard from public witnesses.

DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY, CYBERSECURITY, AND INFORMATION ASSURANCE

Committee on Armed Services: Subcommittee on Intelligence and Emerging Threats and Capabilities held a hearing entitled “Department of Defense Information Technology, Cybersecurity, and Information Assurance”. Testimony was heard from Dana Deasy, Chief Information Officer, Department of Defense; Lisa Hershman, Acting Chief Management Officer, Department of Defense; and Brigadier General Dennis Crall, U.S. Marine Corps, Deputy Principal Cyber Advisor, Department of Defense.

MISCELLANEOUS MEASURES

Committee on Education and Labor: Full Committee held a markup on H.R. 865, the “Rebuild America’s Schools Act of 2019”; and H.R. 7, the “Paycheck Fairness Act”. H.R. 865 and H.R 7 were ordered reported, as amended.

PROTECTING CONSUMER PRIVACY IN THE ERA OF BIG DATA

Committee on Energy and Commerce: Subcommittee on Consumer Protection and Commerce held a hearing entitled “Protecting Consumer Privacy in the Era of Big Data”. Testimony was heard from public witnesses.

EPA’S ENFORCEMENT PROGRAM: TAKING THE ENVIRONMENTAL COP OFF THE BEAT

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “EPA’s Enforcement Program: Taking the Environmental Cop Off the Beat”. Testimony was heard from Susan Bodine, Assistant Administrator, Office of Enforcement and Compliance Assurance, Environmental Protection Agency; and public witnesses.

WHO’S KEEPING SCORE? HOLDING CREDIT BUREAUS ACCOUNTABLE AND REPAIRING A BROKEN SYSTEM

Committee on Financial Services: Full Committee held a hearing entitled “Who’s Keeping Score? Holding Credit Bureaus Accountable and Repairing a Broken System”. Testimony was heard from public witnesses.
ON THE EVE OF THE SUMMIT: OPTIONS FOR U.S. DIPLOMACY ON NORTH KOREA
Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and Nonproliferation held a hearing entitled “On the Eve of the Summit: Options for U.S. Diplomacy on North Korea”. Testimony was heard from public witnesses.

MADE BY MADURO: THE HUMANITARIAN CRISIS IN VENEZUELA AND U.S. POLICY RESPONSES
Committee on Foreign Affairs: Subcommittee on the Western Hemisphere, Civilian Security, and Trade held a hearing entitled “Made by Maduro: The Humanitarian Crisis in Venezuela and U.S. Policy Responses”. Testimony was heard from Representative Ruiz and public witnesses.

A GLOBAL CRISIS: REFUGEES, MIGRANTS AND ASYLUM SEEKER
Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “A Global Crisis: Refugees, Migrants and Asylum Seekers”. Testimony was heard from public witnesses.

SECURING U.S. SURFACE TRANSPORTATION FROM CYBER ATTACKS
Committee on Homeland Security: Subcommittee on Transportation and Maritime Security; and the Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation held a joint hearing entitled “Securing U.S. Surface Transportation from Cyber Attacks”. Testimony was heard from Sonya Proctor, Director for the Surface Division, Office of Security Policy and Industry Engagement, Transportation Security Administration, Department of Homeland Security; Bob Kolasky, Director of National Risk Management Center, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security; and public witnesses.

MISCELLANEOUS MEASURE
Committee on House Administration: Full Committee held a markup on H.R. 1, the “For the People Act of 2019”. H.R. 1 was ordered reported, as amended.

OVERSIGHT OF THE TRUMP ADMINISTRATION’S FAMILY SEPARATION POLICY
Committee on the Judiciary: Full Committee held a hearing entitled “Oversight of the Trump Administration’s Family Separation Policy”. Testimony was heard from Nathalie R. Asher, Acting Executive Associate Director, Enforcement and Removal Operations, Immigration and Customs Enforcement, Department of Homeland Security; Scott Lloyd, Senior Advisor, Center for Faith and Opportunity Initiatives, Department of Health and Human Services; James McHenry, Director, Executive Office for Immigration Review, Department of Justice; Carla Provoost, Chief, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security; and Commander Jonathan White, U.S. Public Health Service Commissioned Corps, Department of Health and Human Services.

THE STATE OF WATER SUPPLY RELIABILITY IN THE 21ST CENTURY
Committee on Natural Resources: Subcommittee on Water, Oceans, and Wildlife held a hearing entitled “The State of Water Supply Reliability in the 21st Century”. Testimony was heard from public witnesses.

THE DENIAL PLAYBOOK: HOW INDUSTRIES MANIPULATE SCIENCE AND POLICY FROM CLIMATE CHANGE TO PUBLIC HEALTH
Committee on Natural Resources: Subcommittee on Oversight and Investigations held a hearing entitled “The Denial Playbook: How Industries Manipulate Science and Policy from Climate Change to Public Health”.

BUSINESS MEETING
Committee on Oversight and Reform: Full Committee held a business meeting to consider a Resolution Offered by Chairman Elijah E. Cummings Authorizing Issuance of Subpoenas Related to Child Separation Policy. The Resolution Offered by Chairman Elijah E. Cummings Authorizing Issuance of Subpoenas Related to Child Separation Policy passed, without amendment.

THE FUTURE OF ARPA-E
Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled “The Future of ARPA-E”. Testimony was heard from public witnesses.

SHUTDOWN LESSONS: SBA CAPITAL ACCESS PROGRAMS
Committee on Small Business: Subcommittee on Investigations, Oversight, and Regulations held a hearing entitled “Shutdown Lessons: SBA Capital Access Programs”. Testimony was heard from William M. Manger, Associate Administrator, Office of Capital Access, Small Business Administration.
EXAMINING HOW FEDERAL INFRASTRUCTURE POLICY COULD HELP MITIGATE AND ADAPT TO CLIMATE CHANGE

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “Examining How Federal Infrastructure Policy Could Help Mitigate and Adapt to Climate Change”. Testimony was heard from public witnesses.

NATIONAL SECURITY IMPLICATIONS OF THE RISE OF AUTHORITARIANISM AROUND THE WORLD

Permanent Select Committee on Intelligence: Full Committee held a hearing entitled “National Security Implications of the Rise of Authoritarianism Around the World”. Testimony was heard from public witnesses.

Joint Meetings

LEGISLATIVE PRESENTATION OF THE DISABLED AMERICAN VETERANS

Committee on Veterans’ Affairs: Committee concluded a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of the Disabled American Veterans, after receiving testimony from Dennis R. Nixon, Jim Marszalek, Joy J. Ilem, Randy Reese, J. Marc Burgess, Barry A. Jesinoski, John Kleindienst, Jeffrey C. Hall, and Ellen Timmerman, all of Disabled American Veterans, Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 27, 2019

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Cybersecurity, to receive a closed briefing on Department of Defense cyber operations, 2:30 p.m., SVC–217.

Subcommittee on Personnel, to hold an oversight hearing to examine military personnel policies and military family readiness, 2:30 p.m., SR–222.

Committee on the Budget: to hold hearings to examine the Budget Control Act, focusing on a review of cap-adjusted funding, 2:30 p.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings to examine policy principles for a Federal data privacy framework in the United States, 10 a.m., 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, 10 a.m., SD–406.

Committee on Foreign Relations: 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: to hold hearings to examine protecting the electric grid from an electromagnetic pulse or geomagnetic disturbance, 2:30 p.m., 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, 2:30 p.m., SD–628.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the future of American industry, 2:30 p.m., SR–428A.

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, 10 a.m., SD–G50.

House

Committee on Agriculture, 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.

Full Committee, hearing entitled “The State of the Rural Economy”, 10 a.m., 1300 Longworth.


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.

Subcommittee on Legislative Branch, budget hearing on the Government Accountability Office, 10 a.m., HT–2 Capitol.

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.

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.

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.

Subcommittee on Legislative Branch, budget hearing on the Government Publishing Office, 11 a.m., HT–2 Capitol.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, oversight hearing on the Food and Drug Administration, 3 p.m., 2362–A Rayburn.
Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled “Transgender Service Policy”, 3 p.m., 2118 Rayburn.


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.


Subcommittee on Energy, hearing entitled “Clean Energy Infrastructure and the Workforce to Build It”, 10:30 a.m., 2322 Rayburn.

Committee on Ethics, Full Committee, organizational meeting, 3:15 p.m., 1015 Longworth.

Committee on Financial Services, Full Committee, hearing entitled “Monetary Policy and the State of the Economy”, 10 a.m., 2128 Rayburn.

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, Full Committee, hearing entitled “The Trump Administration’s Foreign Policy: A Mid-Term Assessment”, 10 a.m., 2172 Rayburn.


Committee on Natural Resources, Full Committee, hearing on H.R. 560, the "Northern Mariana Islands Residents Relief Act", 10:30 a.m., 1324 Longworth.

Committee on Oversight and Reform, Full Committee, hearing entitled “Hearing with Michael Cohen, Former Attorney to President Donald Trump”, 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, 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, Full Committee, hearing entitled “Supporting America’s Startups: Review of SBA Entrepreneurial Development Programs”, 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, 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 stain 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; and H.R. 639, 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, Full Committee, hearing entitled “VA 2030: A Vision for the Future of VA”, 2 p.m., 1334 Longworth.

Committee on Ways and Means, Full Committee, hearing entitled “U.S.-China Trade”, 10 a.m., 1100 Longworth.

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 American Legion, 10 a.m., SD–G50.
Next Meeting of the SENATE
10 a.m., Wednesday, February 27

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury, post-cloture, and vote on confirmation of the nomination at 12:15 p.m.

Following disposition of the nomination of Michael J. Desmond, Senate will vote on the motion to invoke cloture on the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, February 27

House Chamber


Extensions of Remarks, as inserted in this issue

HOUSE
Balderson, Troy, Ohio, E212
Bilirakis, Gus M., Fla., E212
Blunt Rochester, Lisa, Del., E212
Brindisi, Anthony, N.Y., E209
Calvert, Ken, Calif., E211
Cohen, Steve, Tenn., E212, E212

Collins, Doug, Ga., E211
Davis, Danny K., Ill., E212
DeFazio, Peter A., Ore., E210
Frankel, Lois, Fla., E210
Garamendi, John, Calif., E209
Hastings, Alcee L., Fla., E209
Jackson Lee, Sheila, Tex., E210
Long, Billy, Mo., E211

Matsui, Doris O., Calif., E211
Norcross, Donald, N.J., E210
Norton, Eleanor Holmes, The District of Columbia, E210
Perry, Scott, Pa., E209
Simpson, Michael K., Idaho, E209
Vela, Filemon, Tex., E211