United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165 WASHINGTON, TUESDAY, APRIL 9, 2019 No. 61

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAWSON of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 9, 2019.

I hereby appoint the Honorable AL LAWSON, Jr. 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.

IN RECOGNITION OF DANA STRICKLAND

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Dana Strickland on 25 years with the University of Georgia, College of Pharmacy, and to congratulate him for retiring on March 29.

The College's executive director of external affairs, Mr. Strickland, has been critical to the school's success—which is also my own alma mater—over the past two decades.

Increasing the endowment by a considerable amount, the College was able to build new buildings, support research by the faculty, and provide the best possible education to its students under Mr. Strickland's leadership.

The importance of these improvements cannot be overstated with the changing nature of pharmacists today who are on the front lines of the opioid epidemic and the rising cost of prescription drugs.

Thank you for your dedication to the University of Georgia, the pharmaceutical profession, and congratulations on your well-deserved retirement.

Mr. Strickland truly embodies what it means to be a PharmDawg. Although he will be difficult to replace, I have the utmost confidence in Dr. Michael Bartlett, who will be filling the role in the meantime.

REMEMBERING THE LIFE OF WILLIAM ''RYAN'' SAILORS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of William ''Ryan'' Sailors, who passed away March 30 at the age of 22.

Throughout his life, Mr. Sailors had a special gift to brighten the days of everyone around him.

When he was younger, doctors thought that his life expectancy would only be to adolescence. Mr. Sailors not only surpassed that milestone, but also made the most of every single day he was on this Earth.

He refused to let his special needs get in his way, being infectiously positive and becoming famous for his trademark ''thumbs up'' to anyone passing by.

Some of Mr. Sailors' favorite activities included attending church each week at Wesley Monumental, eating snacks on the beach, and supervising vacuuming and cleaning around the house.

His life should be a reminder to all of us that we should try to make this world a happier place each and every day.

Mr. Sailors' family will be in my thoughts and prayers during this difficult time.

HAPPY BIRTHDAY, CHARLIE WALDROP

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Charlie Waldrop on his 100th birthday, April 27, 2019. Throughout his life, Mr. Waldrop has loved to serve others.

Serving our country during World War II, he fought in both France and Germany, and was discharged on his wife's birthday in 1946.

He served patients in Coastal Georgia for over 40 years, working as a pharmacist, and eventually opening his own pharmacy.

His notoriety and success in the profession enabled him to become the First District President of the Georgia Pharmaceutical Association, but his service doesn't stop there. He also worked as a deacon in his church and leads a Boy Scout troop.

I am proud to call Mr. Waldrop a Savannahian as he has become an icon in our town since he first moved there in 1927.

Mr. Waldrop, happy birthday, and thank you for everything you did to influence my career.

Thank you for your service to our Nation, to our community, and our profession.

FORT STEWART-HUNTER ARMY AIRFIELD WINS GOLD

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the Fort Stewart-Hunter Army Airfield community for being named the 2019 Army Community of Excellence gold winner this past March.

This year is a record seventh time that these communities in the First Congressional District of Georgia have won the gold award, and last year, they won the bronze.

I want to thank everyone at Fort Stewart-Hunter Army Airfield for their commitment to the readiness of the soldiers, their constant efforts to make

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improvements, exceptional teamwork, and their partnership with the surrounding civilian community.

I am proud to have these installations in Georgia, and in turn, these installations make me even more proud of our military in the United States.

Thank you for your service. Congratulations on your award.

MARYLAND MOURNS THE PASSING OF SPEAKER MICHAEL BUSCH

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

Mr. HOYER. Mr. Speaker, yesterday was the last day of the session of the General Assembly in Maryland.

Sadly, the day before, on Sunday, the longest serving speaker of the house of delegates—as we call our house of representatives—died on Sunday, and I rise to pay tribute to him.

He was a great American, a great public servant, and a very dear friend.

Maryland lost a champion. Michael Busch, Speaker of the Maryland House of Delegates, passed away after a long and distinguished career serving the people of our State.

He was young; he was 72 years of age, and the longest serving speaker, as I said, in the history of the house of delegates.

He had served as speaker of the house since 2003, having first been elected to represent Anne Arundel County in the house of delegates in 1986.

His title was Mr. Speaker; many, however, knew him as ''Coach,'' a reminder of his days as a teacher and athletics coach at St. Mary's High School in Annapolis.

It was at St. Mary's High School that Michael Busch first made a name for himself as a very excellent football player. He later played at Temple University, and for 40 years, he worked with the Anne Arundel County, Department of Parks and Recreation with young people, teaching them, mentoring them, giving them values.

Many who served with him in the legislature called him ''Coach,'' not just because of his history, but because Speaker Busch was like a coach and a mentor to so many of those who served in the house of delegates.

He was a man of deep intellect, poise, steadiness under pressure, and a wellspring of compassion.

He led efforts to expand access to quality, affordable healthcare for Marylanders. He helped lead efforts to make Maryland one of the first States to adopt marriage equality by legislative action, an action that was later confirmed by the voters of our State.

He led the State in its effort to abolish the death penalty, and he oversaw the enactment of Maryland's $15 minimum wage. And he worked hard to ensure a cleaner Chesapeake Bay and its watershed for future generations while increasing investments in renewable energy.

Earlier this week, the General Assembly overrode the Governor's veto to enact Speaker Busch's bill to protect five oyster sanctuaries in the Bay.

Michael Busch's positive impact on Maryland will be felt for, literally, decades to come.

He was a good and decent person who sought to elevate our politics during an age when too many, unlike him, had brought our politics low.

I hope my colleagues, Mr. Speaker, would join me in expressing our condolences to his wife, Cindy, their daughters, Erin and Megan, and to the entire Busch family and to the people of Maryland he served so faithfully for so many years.

I hope all of us in this House will find inspiration in Speaker Busch's life and legacy as we strive to do right by those we serve, as he did for so many years, and to do so together in a way that is bipartisan, as was his inclination and performance; and be reflective of the way he lived his life and approached the work of governing.

In an age where, as I said, politics has been brought low by divisiveness, and in some respects, hatefulness and attacks on one another, Michael Busch was somebody who treated others with respect, with consideration, and with fairness.

Michael Busch served Maryland well. He served our people well. He will be missed.

IN CELEBRATION OF NATIONAL LIBRARY WEEK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in celebration of National Library Week, which began on Sunday and runs through Saturday, April 13.

This year's theme is ''Libraries = Strong Communities,'' and Melinda Gates is the honorary chair.

In the last 20 years, the Gates Foundation's Global Libraries initiative has been dedicated to enhancing libraries and empowering local communities.

National Library Week is an annual celebration highlighting the valuable role libraries, librarians, and library workers play in transforming lives and strengthening our communities.

Mr. Speaker, libraries have always been great equalizers in our society. Nearly 1.3 billion people visit public libraries every year, according to the Institute of Museum and Library Services.

They are at the heart of our cities, towns, schools and campuses, providing critical resources, programs, and expertise. Libraries provide a public space where all community members—regardless of age, culture, or income level—can come together to connect and learn.

First sponsored in 1958, National Library Week is an observance sponsored by the American Library Association and libraries across the country each April.

It is a time to celebrate the contributions of our Nation's libraries and librarians and to promote library use and support. All types of libraries, including schools—public, academic, and special—participate.

There are several celebrations throughout the week, including today, which is National Library Workers Day. It is a time to show appreciation for the staff, administrators, and Friends groups, and recognize the valuable contributions made by all library employees.

Tomorrow is National Bookmobile Day, which is celebrated today to recognize contributions of our Nation's bookmobiles and dedicated professionals who make outreach possible and books accessible in our rural communities.

Mr. Speaker, from the largest library in the world, the Library of Congress, to the smallest local libraries around, I hope Americans will support their local libraries this week with a visit.

A PLEA NOT TO REINSTATE THE FAMILY SEPARATION POLICY

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

Mr. GREEN of Texas. Mr. Speaker, and still I rise. And I rise because I love my country. I rise today on a mission of mercy.

I am on a mission of mercy for people that I will likely never meet and greet. Perhaps by some fortuitous circumstance, I may encounter some of them, but I know not who they are currently in the sense that I know them personally.

I rise on behalf of the many people who are seeking asylum, and I do so, Mr. Speaker, because it has been reported on many news stations—outlets, if you will—that our President intends to reinstate the family separation policy.

I rise on a mission of mercy, and I make an appeal to the most powerful man on the planet Earth. My appeal is that you would not—N–O–T—you would not reinstate this policy.

I beseech you to please, Mr. President, treat these people the way you would want to be treated if you found yourself in similar circumstances. I beg that you would understand that separating babies from mothers is unacceptable by any standard that we know of.

No one supports the notion of taking babies from their mothers, children from their parents.

□ 1015

So I am begging and pleading with the President of the United States of America, the most powerful man on Earth: Please, Mr. President, do not reinstate this policy.

I also appeal to my colleagues on both sides of the aisle to encourage the President to do the right thing, the just thing.

If we are not pleased with the laws in this country, we have a means by which we can address the law. If we believe that something is unacceptable, there is a way for us to address it. The way to address this problem is with immigration reform.

I beg the President and all my colleagues on both sides of the aisle: Please, let's try to resolve this with legislation. Let's not do what we have done and, quite frankly, have not atoned for.

Some of the children are still not back with their parents who were separated previously. This is the United States of America. This is not what we do. We don't take children from their parents and then place them in places where we cannot find them such that we can reunite them.

This is my appeal, Mr. President. I make the appeal because, as a Member of Congress, I believe that at some point we are going to have to account for the actions that we engage in while we are here. I don't want it on my record that while I was in the Congress of the United States of America and I had the opportunity to at least speak to power, to speak truth to power, and make an appeal on behalf of those who are among the least, the last, and the lost—I am making my appeal. I am doing what I can to help those who are fleeing harm's way.

Mr. President, you don't have to do this, and I beg that Members of both parties would please encourage him not to do so.

This is a moment for us to reflect and a moment for us to demonstrate to the world that what we preach, we will practice. We have, for years, encouraged other countries to take in refugees. We have gone so far as to pay countries to take in refugees. We have funded countries to take in refugees. We ought to practice what we preach.

Those who are not qualified should not come, should not be brought into our country. But I would also say this, that we should not say to the world: Go back, refugees, asylum seekers. You are not welcome in the United States of America.

This is not the country that would proclaim such a thing. Our laws we stand on, and I stand on those laws.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

REMEMBERING THE LIFE OF MUCAAD HUSSEIN ABDALLA

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

Mr. EMMER. Mr. Speaker, I rise today to remember the life of Mucaad Hussein Abdalla, known by his friends and family as Siraaj.

Last month, a tragic incident took the lives of 157 individuals when an airplane crashed in Ethiopia. This unfortunate event took the lives of eight Americans, and one of those individuals was Mucaad Hussein Abdalla.

Mucaad was a member of our community. Growing up in St. Cloud, Minnesota, he graduated from St. Cloud Apollo High School and began a career as a truck driver.

To his friends and family, Mucaad was simply known by his nickname, Siraaj, meaning a light or a lamp. He brought laughter, joy, and light to those around him.

We extend our most sincere condolences to his family and loved ones for their loss.

THANKING KORIANN CARTER AND THE UNITED WAY OF CENTRAL MINNESOTA

Mr. EMMER. Mr. Speaker, I rise today to recognize community resource navigator KoriAnn Carter and the United Way of Central Minnesota for working together on a pilot program to assist students and families at Lincoln Elementary School with food, housing assistance, mentoring, and after-school programs.

In addition, I want to recognize the work KoriAnn does through a program called Girls On Arise To Succeed in partnership with the Roosevelt Boys & Girls Club, McKinley Area Learning Center, and CentraCare Health, which brings young girls together to discuss important life topics and provide guidance.

For young women encountering family issues, experiencing homelessness, or struggling with mental health issues, this group gives them a space to talk to adults who care. Girls between 12 and 18 can participate in one of the girls groups where they learn lessons in healthy habits, the importance of education, how your current actions impact your future choices, leadership skills, goal setting, and gratitude.

These groups have transformed students throughout the St. Cloud area, giving them an avenue to succeed as well as find community and fellowship.

I thank KoriAnn and all the partners who make this possible. Their work to foster the next generation of leaders makes our corner of the world a better place.

CONGRATULATING ST. CLOUD VA

Mr. EMMER. Mr. Speaker, I rise today to congratulate the St. Cloud VA for being one of only 18 hospitals nationwide to be selected to participate in the Department of Veterans Affairs' efforts to establish the highest level of care for our military veterans.

Our veterans and our community rely on the St. Cloud VA to provide the highest level of care possible already. So to those of us in the community, it comes as no surprise that our VA will now help lead the Nation and the VA system to help establish these standards.

The selection is a great honor and testament to everyone who makes the St. Cloud VA the success it is today. The opportunity to lead our VA system to the highest standard of care for our Nation's heroes is indeed a high calling.

Congratulations to the St. Cloud VA, and good luck in your mission.

RECOGNIZING STEVENS INSTITUTE OF TECHNOLOGY

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

Mr. SIRES. Mr. Speaker, I rise today in recognition of a university in my district that has demonstrated leadership and innovation in STEM education.

Stevens Institute of Technology, located in Hoboken, New Jersey, has been leading the way with a rigorous technical curriculum that attracts the attention of some of the Nation's most sought-after companies and industries.

The university continues to develop new ways in which to augment the success of their students, and I was pleased to hear recently about inventive initiatives that support the success of underserved and underrepresented students.

It is telling that the applications have increased 191 percent, and undergraduate enrollment has seen a 41 percent growth. Moreover, the graduation rate has impressively risen to 87 percent with Pell grant recipients graduating at a rate of 91 percent. This is well above the national averages, which are 59 percent and 51 percent, respectively.

There is a reason. Forbes magazine recently called Stevens ''one of the most desirable STEM colleges in the Nation.''

Upon graduation, 96 percent of Stevens graduates either get a job in their field, with an average starting salary of over $70,000, or enter graduate school within 6 months.

Not only is Stevens producing students who are highly skilled and prepared for the professional world, but Stevens is also at the forefront of cutting-edge research in areas of national importance, such as artificial intelligence and quantum computing. In a recent National Science Foundation competition for quantum engineering, Stevens won two out of eight grants awarded.

There are over 40,000 Stevens alumni who are essential to the economic progress of New Jersey and the Nation. I am proud to represent the university that acts as a trailblazer in scientific innovation.

I would like to recognize President Farvardin for his leadership, and I look forward to the continued success of Stevens and its students.

HONORING THE LIFE OF GERALD ALEXANDER KNIGHT

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. NORMAN) for 5 minutes.

Mr. NORMAN. Mr. Speaker, I rise today to recognize a great American, Gerald Alexander Knight, who was born on April 11, 1944. He was the middle child of five children born to his parents, Woodrow and Virda Knight.

His family, like most American families, had much to overcome during the ending of World War II and the economic and emotional hardship that ensued during the postwar period.

While the Knight family struggled to make ends meet, the American values of hard work, pride in what you do, and determination were instilled at a very young age. Gerald began working at the early age of 6 when he routinely walked a half mile to gather 3 gallons of water from his grandparents' home.

When he turned 14, he earned his driver's license and began driving a pulpwood truck at 4:30 every morning to earn money for his family. After finishing his early morning drive to the lumberyard, he would attend school and then returned home to gather another load of wood.

Gerald would often say: ''I was born into poverty, but I did not choose to stay in poverty.''

After graduating from Flat Creek High School in 1962, he joined the Air Force and boarded a bus to San Antonio, Texas, where he entered training to become an air traffic controller. He was one of only three out of 18 to graduate, and he became an air traffic controller as part of the 648th SAGE Squadron serving during the Cuban Missile Crisis, where he monitored air traffic in the Southeastern United States and Puerto Rico to Cuba.

Gerald was soon stationed in Germany. During a visit to his home, he met his future wife, Joyce, on a blind date set up by his brother Charles. After one date, he asked her to marry him. However, being a senior in high school and needing to graduate, Joyce declined but promised to wait for Gerald until his military service was completed.

Gerald spent the next 2.5 years in Birkenfeld, Germany, where he continued to work in air traffic control and warning systems, monitoring the airspace of Europe, including tracking and identifying all aircraft in the airspace.

After completing his service in the Air Force, Gerald hitchhiked home, where the Vietnam war was raging. His younger brother Ronnie had been drafted and sent to serve in Vietnam. Gerald, wanting to be with his brother, offered to reenlist in the Air Force, provided he went to Vietnam. He never served in Vietnam due to a clerical error by the Air Force and was, instead, sent to Maine, where he declined and returned to South Carolina.

He married Joyce on November 6, 1966, and by 1970, they were the proud parents of two small girls, Carrie and Bobbie.

After working in the textile industry for a short time, he was hired by the DuPont company located in Camden, South Carolina, where he initially worked as a spinner operator. The company quickly realized that Gerald had a unique talent for listening and relating to people and moved him into the employee assistance department, where he was certified and began investigating sexual harassment cases and representing DuPont in Federal court.

He counseled employees and their families dealing with addiction problems, as well as working for the Lancaster Recovery Center, which served the entire community on these issues. Gerald was uniquely qualified to deal with these issues as he had struggled with alcohol abuse in his younger years until surrendering his life to Christ at the age of 38.

Gerald was instrumental in writing new human resources policy for DuPont and was once told: ''You are the best outhouse lawyer I have ever seen.''

His career at DuPont was stellar, and he was characterized by his peers as being honest, caring, and treating everyone with respect and dignity, regardless of their status in life.

When Gerald was asked what his greatest accomplishment was in life, his response was: ''My girls. I look at their lives to measure my success, as they are well-adjusted human beings with their own families serving God.''

Gerald Alexander Knight has lived a life with a sense of moral obligation to duty and a personal creed of God, family, and country, in that order.

He is a proud member of the Greatest Generation and will be remembered for his kindness, generosity, and integrity.

God bless you, Gerald Alexander Knight. The world was a better place because you were in it.

□ 1030

RECOGNIZING PETTY OFFICER SECOND CLASS MARGARET NICOL OF THE U.S. COAST GUARD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. SCHRIER) for 5 minutes.

Ms. SCHRIER. Mr. Speaker, I would like to take a moment to recognize Petty Officer Second Class Margaret Nicol of the United States Coast Guard.

A fellow resident of Sammamish, Washington, Maggie grew up in a large boating community in Florida. She found out all too well at the early age of 8 that the Coast Guard is an elite group of individuals whom we can always count on when she had to be rescued by them. Driven by a desire to give back, she enlisted in the Coast Guard Reserves during high school.

After attending college, she completed 2 years of Active-Duty service in Iraq, responded to Hurricanes Katrina and Rita, and went on to pursue registered nursing.

After relocating to the Seattle area in 2017, she rapidly qualified well ahead of deadlines to earn her response boat-small coxswain and boarding team member qualifications. To support her colleagues, she amassed over 130 hours helping to train and qualify crew members, significantly increasing Station Seattle's Reserve mobilization readiness.

But Petty Officer Nicol's commitment to our country does not stop at the armed services. She is a business owner of FLWA Holdings, providing affordable housing for those in need in Washington and Florida. She volunteers at Food Lifeline, serves local schools in the community, and engages with the Diveheart Foundation for disabled children, adults, and veterans.

Among her accolades, Petty Officer Nicol has earned the Global War on Terror Service Medal, the Humanitarian Service Medal, and, most recently, the high honor of being named the 2018 Coast Guard Enlisted Person of the Year. She epitomizes the Coast Guard's core values of honor, respect, and devotion to duty. Most importantly, she leads by example, champions a humanitarian spirit, and has devoted her life to serving others.

Thank you, Maggie. Washington State and the Coast Guard would not be the same without you.

TAHOMA HIGH SCHOOL, STATE CHAMPIONS

Ms. SCHRIER. Mr. Speaker, I rise today to congratulate Tahoma High School, State champions.

Congratulations to the students of Tahoma High School from Washington State's Maple Valley on their 10th consecutive statewide victory and 23rd victory in the last 25 years in the Center for Civic Education's We the People: The Citizen and the Constitution annual tournament.

These smart and ambitious students from the Eighth District will represent Washington State in the 32nd annual We the People finals later this month right here in D.C., where they will demonstrate their knowledge and understanding of the Constitution to distinguished panels of scholars, lawyers, and leaders from across the Nation. They will no doubt uphold the standards of excellence for which Tahoma High School is known and champion the values inscribed in our founding documents.

I would especially like to recognize Gretchen Wulfing, Tahoma High School's dedicated teacher and coach for civic education. She has coached the Tahoma High School team for 11 years, was honored as one of Washington's Civic Educators of 2016, and received Washington's Civic Educator of the Year distinction in 2011. We are grateful for her dedication to our schools and to our next generation of leaders.

Congratulations to Gretchen and the hardworking students from Tahoma High School for being true warriors of the Constitution. You are exemplars of young people leading the way in the 21st century. Good luck. Washington could not be more proud of you.

WE ARE A NATION OF IMMIGRANTS

Ms. SCHRIER. Mr. Speaker, I rise today to join my colleague, Mr. GREEN of Texas.

We are a nation of immigrants. It is our responsibility to welcome refugees

and to not close our doors to those seeking asylum. We are a good country at heart. We should not separate children from parents. We are better than that.

CONGRATULATING KAY ARTHUR ON RECEIVING THE LYDIA IMPACT AWARD

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

Mr. FLEISCHMANN. Mr. Speaker, few people have the gift to bring people together, but Kay Arthur is one of these special individuals. Her passion for people and deeply rooted faith is illuminated through her television, radio, and online programs in which she uses God's Word to reach over 75 million households in over 30 countries.

Kay is a four-time ECPA Christian Book Award-winning author and the cofounder of Precept Ministries International, and she will soon be recognized once again as the recipient of the Scenic City Women's Network Lydia Impact Award.

An institution in the Chattanooga community, the vision of the Scenic City Women's Network is to encourage, equip, and energize Christian women. As part of this vision, the Lydia Award is a special honor for a woman who emulates the attributes of Lydia in the Bible: a devout woman, a seeking woman, a hospitable woman, and one who is fervent in spirit and serves the Lord.

Mr. Speaker, that woman is Kay Arthur.

I would like to share a story that illustrates her servant heart:

Being a high-profile Bible teacher and author has never kept Kay from striving to meet the needs of whoever crosses her path. From waiters to cab drivers, Kay Arthur seeks to truly meet people where they are, but never leave them without a pathway to hope.

One chilly afternoon, Kay and her son David were driving back to the office after a lunch appointment. Kay noticed a lady in a wheelchair on the side of the road. David was instructed to promptly pull over. Kay sprang out of the car and approached the woman. After a quick conversation, Kay took off her full-length winter coat, wrapped it around this lady and shared that Jesus loves her, and the coat is a sign of His gracious love to her.

Kay never meets a stranger, no matter if in Chattanooga or a country across the world. She loves people, and she loves her Lord Jesus. She consistently seeks to demonstrate her love with kind words and actions. She truly has the servant heart of our Savior, Jesus Christ.

Mr. Speaker, as you have just heard, Kay, like Lydia, has committed her life to her faith and exemplifies what it is to be a woman of God.

I would like to congratulate Kay Arthur on receiving the prestigious Lydia Impact Award and thank her for her blessing our Nation with her Christian heart and service.

SOCIALISM

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

Mr. HIMES. Mr. Speaker, I rise this morning to talk about a word that is everywhere, a word that is the response to every idea that we come up with, and that word is ''socialism.''

It is a scary word. It is a magical word. It is the word that comes up every time Democrats propose a plan to better educate America's children—socialism; to make the elderly more secure in their retirement—socialism; to make healthcare available to people in this country who still can't see a doctor—socialism.

It is a magical word because, if you say ''socialism,'' then it allows you to hide the fact that you actually don't have a counterplan, that when the Democrats say here are a bunch of plans to make healthcare better and you don't have a plan, you just say ''socialism,'' and that could end the conversation.

It is a magical word because it allows you to distract from the fact that, if you actually do the things to better educate America's children or to make America's retirees more secure in their retirement or to make healthcare more available, that costs a little money. The problem with that is that, for my Republican colleagues, that money needs to go into tax cuts for the wealthiest people in this country and for corporations. That is a problem.

By the way, it is not a new thing. This has been going on for 100 years. I have a quote here from President Reagan. He is talking about Medicare here:

> And behind it will come other Federal programs that will invade every area of freedom as we know it in this country until, one day, we will awake to find that we have socialism.

Ronald Reagan promised us that Medicare, probably one of the most successful programs this country has ever put forward, would lead to socialism. It goes back before that.

Franklin Delano Roosevelt, who did so much to make for the decency that is endemic in this country after the Depression, the Securities and Exchange Commission so that our capitalist economy would be a fair economy, the progressive income tax so we could actually fund our military and fund education—all socialism. He was a traitor to his class. He was a socialist. This goes way back.

So having quoted Ronald Reagan, let me quote another great leader, Inigo Montoya, in ''The Princess Bride.'' He says: ''You keep using that word. I do not think it means what you think it means.''

So what does socialism mean? What is socialism?

Here is the dictionary definition. It is a system in which there is no private property or a system in which the government owns the means of production.

What is that? Is Medicare socialist? At Mount Sinai or Sloan Kettering, are those hospitals or doctors working for the government? Of course not.

Was Dodd-Frank socialist? No. Dodd-Frank put in place regulations that have allowed JPMorgan Chase, Citibank, Wells Fargo, and all those banks to be more profitable than ever before. That is not socialism.

What is particularly interesting is socialism is just a lot of government in your economy. I took time to look at States where government is actually a big part of the economy. You can look this up, Mr. Speaker.

There is an article called, ''The Top Five Most Socialist States.'' West Virginia, Alaska, Wyoming, Mississippi, and Arkansas are the five States with the largest percentage of government spending as part of their economy—deep, deep red States. The top five socialist States, Republican.

Now, what about those socialist States that my Republican friends call socialist? Here are a couple of them: California, New York, Massachusetts—that is Taxachusettes.

California: My friend, DEVIN NUNES, the Representative from California, because they are trying to take plastic out of the Pacific Ocean, called California socialist.

These are the economic powerhouses of the Nation. They have GDPs that look like small countries. They have innovators; they start companies. And the reason for that is because innovators and business people want to start businesses in communities where there are good schools, access to healthcare, and people have the wages to actually buy their products.

So, Mr. Speaker, don't be fooled by that magical word, ''socialism.'' Socialism is what is used to address every effort that we make to make for a more fair and just society. That is not socialism.

These things—increased wages, better healthcare, and better access to education—are not socialism. They are in the finest tradition of making sure that opportunity is available to every American and that the American Dream will not die.

CONSTITUTIONAL SIGNIFICANCE

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

Mr. BYRNE. Mr. Speaker, I rise today to raise questions of grave constitutional significance.

Last week, the chairman of the House Ways and Means Committee requested the IRS turn over years' worth of President Trump's personal and business tax returns. These are returns that cover business decisions and dealings long before the President came to office.

Similarly, the chairman of the Committee on Oversight and Reform has indicated that his committee will examine allegations regarding how the President valued real estate, among other business decisions, long before the President was elected. He has also indicated he may call members of the President's family to testify about these and other Trump Organization dealings.

These actions are not only blatantly partisan, but they raise serious constitutional concerns.

Our system is one of limited powers and of checks and balances. The Congress is not a law enforcement agency. It is not a court of law. It is a legislative body.

Beside me are the words of Chief Justice Earl Warren, someone whom I would say most on the other side hold in high esteem:

''There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. . . . Investigations conducted solely for the personal aggrandizement of the investigators or to 'punish' those investigated are indefensible.''

As the Supreme Court has repeatedly affirmed, investigations conducted by this House ''must be related to and be in furtherance of a legitimate task of the Congress.''

The Court has particularly warned that investigations of the private affairs of individuals are off limits without a clear connection to this body's constitutional functions. Rightly so. We are a nation of laws and of liberty.

The President's political opponents tried and failed to make his tax returns and his business dealings an issue in the 2016 Presidential election. The American people settled that issue at the ballot box.

□ 1045

It is absolutely clear that the majority does not seek the President's tax returns, information about his business, or to haul his family before Congress in an effort to pass new laws or for some other legislative purpose.

These investigations are thinly veiled attempts to use the powers of this Chamber to provide ammunition for the 2020 election.

Mr. Speaker, each of us swears a duty to uphold the Constitution. Each of us has a responsibility to ensure that our actions conform within its boundaries and its principles. I urge the majority to remember that obligation and reconsider this course.

The investigatory power of this institution is absolutely critical to our function as a coequal and independent branch of government.

Excesses by the body led to an intervention by the Supreme Court in an over 40-year period when the right of Congress to compel testimony was called into question.

Again, in the 1950s, the court was forced to intervene to stop the excesses of the House Un-American Activities Committee.

Let's be clear. These so-called investigations set a dangerous precedent. The majority wants to use Congress to investigate the past personal and business dealings of an elected official and his family. This is yet another attempt to coerce and intimidate people with whom they disagree.

This isn't legitimate. This is a witch hunt, and it threatens to undermine legislative investigations in the future.

So, again, I ask the majority to think very hard about their constitutional obligations and what these partisan attacks against the President will mean for the future of this House. It is your right to oppose the President at the ballot box, not to use the powers of this body to score political points.

There is no legitimate purpose for this Congress to investigate the President or his family before he was elected to office.

RECOGNIZING VICTORIA MEJIAS

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

Mr. BACON. Mr. Speaker, I rise today to recognize Victoria Mejias, a leader from my district in Omaha, Nebraska, who has overcome the physical impairments of multiple sclerosis, or MS, to help those in desperate need, those who need to find new homes, new jobs, and new schools in the wake of Hurricanes Maria, Sandy, and Katrina and the tornados that rampaged Pilger, Nebraska, and Joplin, Missouri.

Victoria has been involved in missionary work for many years and has always had an active interest in serving others in need. She found her second calling by assisting disaster relief efforts and facilitating the relocation of those most affected.

In 2017, Victoria found her work hitting closer to home than ever before. Victoria, who is the daughter of a Puerto Rican family, assisted in the relief efforts for Puerto Rico and the U.S. Virgin Islands when they were devastated by the powerful category 4 hurricane which claimed an estimated 3,057 human lives and caused $91 billion worth of damage.

She worked fervently alongside U.S. veteran Joel Ortiz to initiate a relief project that would help relocate affected families to Omaha and the surrounding areas. With her efforts, displaced families would have a place to call their home away from home.

The result was the birth of an organization which Victoria is proud to call her own, Heartland United for Puerto Rico. This organization has assisted approximately 50 families in relocating to areas throughout Nebraska and Iowa and continues to make influential impacts in the lives of these individuals who lost nearly everything.

Unfortunately, much of Victoria's efforts have been slowed as she continues her fight against the horrible impacts of MS. MS can be treated through disease-modifying therapies which work to reduce the frequency and severity of relapses, but they do not cure MS. In fact, there is no known cure.

Multiple sclerosis attacks the immune system's healthy cells and affects the ability of the central nervous system to control the activities of the body.

In 2006, Victoria encountered her first difficulty with this disease when she lost her balance and fell to the ground, having no feeling of support from her legs beneath her. She was formally diagnosed with MS in 2016.

The diagnosis, although challenging, gave her a sense of relief, as she finally knew her experience was real and valid.

She continues to suffer from many effects of the disease, such as broken legs and color blindness, and is no longer physically able to have the same influence she once had, but Victoria has the motivation to be a transformative leader within her community and does not let this stop her.

When you meet Victoria, she will tell you that being self-aware of your challenges is a strength, not a weakness.

What Victoria has accomplished in the lives of others is an achievement difficult for many who do not suffer from any physical limitations. Therefore, we should all draw inspiration from her example, her determination, and her achievements, all while struggling with the debilitating effects of MS.

May we all strive to be leaders in our communities, as Victoria has and will continue to be.

Victoria, we salute you and pray for your strength. We pray for your healing from this burdensome disease. Thank you for being such a great example and inspiration to all of us.

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 50 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Darryl D. Roberts, 19th Street Baptist Church, Washington, D.C., offered the following prayer:

O God, our redeemer, we give You the highest praise.

Saturate our hearts in Your love so that our will may be lost in Your perfect plan for creation.

We thank You for the Members of the people's House, who believe, in the

words of Thomas Jefferson, ''that every human mind feels pleasure in doing good to another.''

May You endow each elected official and staff with abundant grace, wisdom, and compassion to stand for the public interest over personal interest, people over politics, love over hatred, truth over falsehood, and courage over fear.

May Your spirit breathe on this session, bring synergy in the midst of diversity, and promote unity for the benefit of the common good until we reach that glorious daybreak when justice shall roll down like water and righteousness like an ever-flowing stream.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. LAMALFA) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMALFA 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.

ANNOUNCEMENT BY THE SPEAKER

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

HONORING THE NATIONAL ALLIANCE ON MENTAL ILLNESS

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

Mrs. KIRKPATRICK. Madam Speaker, I rise today to honor the National Alliance on Mental Illness and to show support for my community and the millions of Americans living with a mental illness.

This weekend, I marched in the NAMI Walk to help raise awareness. I was inspired to hear the brave stories of so many survivors who have not given up on their mental wellness.

Before the Affordable Care Act was enacted, mental health coverage was lacking or missing altogether from most health plans. Medicaid expansion, a cornerstone of the ACA, has dramatically expanded access to treatment in many States, including Arizona.

But the Trump administration is again trying to eliminate the ACA and remove protections for people with mental illness and preexisting conditions.

Republicans have no health plan other than fighting to take away America's healthcare. We must raise our voices and reject this again. We must fight for our healthcare and the coverage that treats our most vulnerable communities.

DON'T LET GOVERNMENT TAKE OVER THE INTERNET

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

Mr. LAMALFA. Mr. Speaker, I rise today to shed some light on the total hypocrisy of the Democrats' Save the Internet Act under the guise of net neutrality.

This bill is nothing short of a Federal Government takeover of the internet, and the end result would be catastrophic. Democrats want a panel of unelected bureaucrats to have nearly limitless control over the internet, including decisions over content moderation and imposing new taxes and fees for internet services by the FCC.

To be clear, they would like the Federal Government to have nearly unchecked authority to regulate your internet. That should terrify those of you sitting at home.

This goes against everything that made the internet such a transformative engine of the American economy in the first place. In fact, this type of regulatory approach would cripple smaller ISPs that can't afford the burdensome regulations, especially in rural communities.

I believe in a free and open internet that fosters innovation and takes our economy to new heights, like we have reached already. This legislation will do the opposite of that.

This isn't ''Save the Internet.'' We must vote ''no'' to save the internet process and the freedom to access it from legislation like this.

IMPROVE MENTAL HEALTHCARE FOR ALL AMERICANS

(Ms. JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JOHNSON of Texas. Mr. Speaker, my experience as the first registered nurse elected to Congress allows me to examine our Nation's healthcare priorities with firsthand knowledge.

Currently, our mental health system is failing our communities. Our Federal Government spends billions each year without addressing the underlying causes of mental health illnesses.

Needless to say, reform is necessary. In Congress, we have defended protections for preexisting conditions in the Affordable Care Act, a law that has brought a sense of security for the 11.5 million Texans and 133 million Americans living with preexisting conditions.

As we continue our work, we cannot lose sight of those living with mental health illnesses as preexisting conditions.

There is much to be achieved, and I am eager to continue working for the people to improve mental healthcare for every American.

RELEASING JAMES BAKER'S INTERVIEW TRANSCRIPTS

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

Mr. COLLINS of Georgia. Mr. Speaker, I have released several transcripts of interviews from the Judiciary Committee's investigation into the apparent wrongdoing at the FBI and the Justice Department. Today, I am releasing another.

The American people deserve transparency. They deserve to know what transpired at the highest levels of the FBI and at the origin of the probe into President Trump's campaign.

Therefore, Mr. Speaker, I request that the link www.dougcollins.house.gov/baker be placed in the RECORD so the American people can review the transcript of one of James Baker's interviews.

Out of an abundance of caution, this transcript has a limited number of narrowly tailored redactions, relating only to confidential sources and methods, nonpublic information about ongoing investigations, and nonmaterial personal information.

I will continue to work to release as many transcripts as possible, including the entirety of Mr. Baker's interviews with the Judiciary Committee.

The American people deserve the truth.

SECRET HEALTHCARE PLAN

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

Mr. DEFAZIO. Mr. Speaker, 2 weeks ago, the Trump Justice Department filed in court to say that the entire Affordable Care Act should be voided.

The President said: Don't worry. We are going to have a great and better plan to replace it.

Then MITCH MCCONNELL said: No, no, we are not doing that.

Then Trump said: Well, we will run on healthcare in 2020 and promise a better plan.

And his consultant said: No, better not do that.

So now he has a secret plan that will be unveiled after the next election to replace the Affordable Care Act. Twenty-one million Americans would lose their insurance if it went away tomorrow.

We had another guy running for President back in 1968, Richard Milhous Nixon. He had a secret plan to end the Vietnam war. Actually, he didn't have a plan to end the war, but it helped him win the Presidency.

Shame on us if a fake promise to have a better healthcare plan undisclosed will come out after the election.

133 million Americans have preexisting conditions. They would lose their healthcare at the discretion of the health insurance industry, 312,000 in my district alone.

Twelve million Americans would lose their expanded Medicaid, 350,000 in my district.

Medicare would go broke 4 years earlier if President Trump prevails in repealing the Affordable Care Act in its totality.

RECOGNIZING ARISTON CAFE

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise to recognize one of the most well-known landmarks along Route 66 in Illinois, the Ariston Cafe, on its 95th year of operation.

After opening in 1924 along Route 4 in Carlinville, the Ariston actually predates Route 66. In 1935, it moved to its current location along the Mother Road in Litchfield, Illinois.

The Ariston Cafe is a member of the Route 66 Association Hall of Fame and Museum and is in the National Register of Historic Places in Illinois and the National Park Service.

The Ariston is one of the oldest restaurants along Route 66 and is the fifth-longest running restaurant in the entire State of Illinois.

Later this spring, the Ariston will be holding a relighting ceremony to celebrate the replacement of its classic neon sign, thanks to a grant from the National Park Service.

The Ariston Cafe is a treasure within central Illinois and along Route 66, and I look forward to many more years of success for this great restaurant.

BE ON THE RIGHT SIDE OF HISTORY

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

Ms. PLASKETT. Mr. Speaker, basic healthcare coverage for 23 million everyday Americans and thousands of people in my district of the Virgin Islands is at risk of being undermined because our friends across the aisle fail to have the same urgency about these impending calamities.

Virgin Islanders are at a critical junction. We face a daunting and devastating Medicaid cliff on September 30, 2019, an absolute collapse in Medicaid.

Our Republican colleagues continue the work to dismantle healthcare for millions of Americans right now. They voted to eliminate protection for preexisting conditions and to strip their healthcare coverage.

Last weekend, the Trump administration escalated its attack on Americans' healthcare by supporting a Federal judge's ruling that the entire Affordable Care Act should be thrown out.

Today, I ask my Republican colleagues: What side will history find you on, protecting American families or the need to protect partisan interests?

A demonstration of this was the Republican-controlled Senate's failure last week to advance a disaster aid package that includes billions for American families still recovering from 2017 natural disasters.

Be on the right side of history.

FIX OUR HEALTHCARE SYSTEM

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

Mr. GOTTHEIMER. Mr. Speaker, I rise today because there is a lot we need to do to fix healthcare here in the United States.

I will work with anyone, regardless of political party, who has ideas to improve healthcare and get costs down, but I find it unacceptable that the Department of Justice wants to gut the Affordable Care Act with no plan.

We need to stabilize the volatile healthcare marketplace, increase competition so that affordable prescription drugs are within reach for everyone, cover preexisting conditions, and make sure that we always protect the Social Security and Medicare that our seniors rely on.

Last Congress, the bipartisan Problem Solvers Caucus introduced such a proposal, and we need to get it done now.

In New Jersey, we are very lucky to have some of the best healthcare providers, innovators, and hospitals in the world. We are America's medicine cabinet.

Our people deserve a bipartisan approach to fix our healthcare system so that we can look out for everyone in New Jersey and everyone across the country.

WORK TOGETHER TO IMPROVE OUR HEALTHCARE SYSTEM

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

Mr. PAPPAS. Mr. Speaker, when we took our oath in January, no issue before us was more critical than healthcare.

Over the past 100 days, we have fought the administration's efforts to gut the Affordable Care Act at every turn. We must keep at it because the ACA has allowed 53,000 New Hampshire residents to enroll in Medicaid expansion. The coverage for substance use disorder makes it the best tool we have to fight the opioid crisis.

We also voted to empower House counsel to defend coverage for those with preexisting conditions. Half the adult population in my State of New Hampshire has a preexisting condition. We can't go back to the days when insurance companies could discriminate against them.

We have also introduced legislation that will lower premiums, strengthen patient protections, and crack down on junk plans that could send New Hampshire families right into bankruptcy.

Lowering costs and expanding access to care must continue to be at the top of our priority list. Nothing is more important to the health of our districts and the well-being of this Nation.

Let's work together to improve our healthcare system, not play politics with it.

□ 1215

HEALTHCARE AND THE BUDGET

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

Mr. WOODALL. Mr. Speaker, you have heard in the last round of 60-second comments a sense of urgency around healthcare. I share that sense of urgency, as I know everybody on my side of the aisle does.

But for the next 1 hour, Mr. Speaker, we are going to be talking about what purports to be the House budget, the budget that would tell us what our Medicaid priorities are, the budget that would tell us how we are going to save Medicare, the budget that would tell us how we are going to protect Social Security, and the budget that would tell us what our values are as a nation. That is what the law requires: that we bring such a document to the floor and that we do it by April 15.

But for the next hour, Mr. Speaker, what you are going to hear is that the House is producing no such budget, that the House is silent on protecting Medicaid, silent on protecting Medicare, and silent on protecting Social Security.

We can do better, as my colleagues have challenged us to do. It is going to take a partnership, though, not empty accusations.

CLIMATE CHANGE

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to call for urgent action to reduce carbon pollution and save our planet.

We know climate change poses serious environmental and economic threats to communities across New Hampshire and throughout the United States. Let me give you one unusual example:

In New Hampshire and Maine, researchers have found a 70 percent mortality rate among young moose calves between 2014 and 2016. That is up from 15 percent just two decades ago. These deaths are caused by the prevalence of winter ticks that are thriving with warmer winters.

Another recent study found that warming rivers could have an impact on the health of brook trout.

The loss of wildlife diversity wouldn't just be a tragedy for our environment in New Hampshire, but also for our economy that relies on tourism. That is why I am committed to addressing climate change.

House Democrats recently introduced the Climate Action Now Act, which would require the Trump administration to remain in the Paris climate accord and to establish a plan on how we will meet our commitments to reduce carbon pollution.

PROVIDING FOR CONSIDERATION OF H.R. 1644, SAVE THE INTERNET ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 2021, INVESTING FOR THE PEOPLE ACT OF 2019; AND FOR OTHER PURPOSES

Mr. MORELLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 294 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 294

Resolved, That at any time after adoption of this resolution the Speaker may, 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. 1644) to restore the open internet order of the Federal Communications Commission. 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 confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce 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 116-10. 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 in order except those 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 printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, 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. 2021) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 and to establish a congressional budget for fiscal year 2020. 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 confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. 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 116-11. 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 in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. House Resolution 293 is hereby adopted.

SEC. 4. On any legislative day during the period from April 11, 2019, through April 26, 2019—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 7. Each day during the period addressed by section 4 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

The SPEAKER pro tempore (Mr. BLUMENAUER). The gentleman from New York is recognized for 1 hour.

Mr. MORELLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Georgia (Mr. WOODALL), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MORELLE. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. MORELLE. Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 294, providing for consideration of H.R. 2021, the Investing for the People Act, under a structured rule. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Budget. The rule makes in order three amendments, each debatable for 10 minutes.

The rule also provides for consideration of H.R. 1644, the Save the Internet Act. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Energy and Commerce. The rule makes in order 12 amendments, each debatable for 10 minutes.

Additionally, the rule deems as passed House Resolution 293, which will immediately put in place an enforceable top-line discretionary spending level so that the Appropriations Committee can begin its work.

Finally, the rule provides standard recess instructions through April 26.

Mr. Speaker, the Investing for the People Act is a 2-year budget bill that will raise the defense sequestration caps for defense and nondefense discretionary spending for fiscal year 2020 and 2021.

I believe my colleagues from both sides of the aisle fully understand the devastating effects of sequestration. Across-the-board, mandatory cuts to every Federal program are not a successful path to fiscal responsibility.

Without taking action to lift the caps established by the Budget Control Act, nondefense discretionary funding will be cut by $54 billion. Such drastic cuts threaten public health, the environment, access to education, job training, and lifesaving social services like food and housing assistance.

Cuts to nondefense discretionary funding would also impact our national security. Nearly one-third of investments in this area fund veterans' programs, homeland security initiatives, diplomatic operations, foreign aid, and Justice Department activities.

If an agreement on lifting the cap is not reached, defense programs also stand to lose $71 billion. In a dangerous world, those cuts would be, in my view, harmful to national and global security.

Only a few months ago, the American people felt the harsh effects of a government shutdown. It is time to come together to take decisive action to avoid another blow to essential Federal programs that help hardworking Americans in every State. This legislation ensures working families will be able to rely on continued Federal funding for the programs that keep them safe, support their jobs, and invest in their children.

In fiscal year 2020, defense spending would be capped at $664 billion, with nondefense discretionary spending capped at $631 billion.

The Investing for the People Act would also provide up to $8 billion, annually, for nondefense overseas contingency operations, OCO, activities that do not count against the spending caps, while limiting OCO designation of defense spending in 2020 and 2021 to no more than the fiscal year 2019 level of $69 billion dollars.

In his budget, President Trump proposed continued spending on defense measures but massive cuts to domestic programs like public health research, infrastructure investment, and support for low-income families.

Even as our Nation draws down from our overseas war operations, domestic spending remains at a historic low as a percentage of our economy. H.R. 2021 provides a pathway for improving the lives of Americans in every community and renews our commitment to spending to meet the needs of our communities and invest in our economy.

In addition to protecting Americans from spending cuts, the House will be considering protections for a product all of us here today rely upon to do our jobs and live our lives, just like millions of Americans: the internet. This rule also provides for consideration of essential protections for American consumers who use the internet.

The Save the Internet Act would reinstate the Open Internet Order of 2015 that classifies broadband internet services as common carriers that are prohibited from preferentially treating or discriminating against groups of persons.

An overwhelming 86 percent of Americans opposed the FCC's rollback of net neutrality protections. All this legislation does, Mr. Speaker, is restore those protections.

Fair and reliable internet access is absolutely essential to millions of working families and small business owners. Practices like blocking, throttling, and paid prioritization harm the ability of every American to experience the internet in the same way, regardless of provider or how much money you pay.

The Save the Internet Act includes enhanced transparency protections and enacts specific rules against throttling, blocking, and other violations of net neutrality. The FCC would be empowered to investigate consumer and business complaints and impose necessary fines against internet service providers for violations of the Communications Act.

The bill also provides pathways to internet access for every American, especially those in rural communities who are being left behind by modern, high-speed internet infrastructure.

The Save the Internet Act would once again allow the FCC to fund rural broadband through the Connect America Fund.

Additionally, this legislation revives the Lifeline program, created under the Reagan administration to subsidize phone service for low-income families. Under this legislation, the FCC would again have authorization to use the Lifeline program to expand access to broadband for low-income Americans, especially seniors, students, veterans, and disabled Americans.

In response to concerns raised by our Republican colleagues, the Save the Internet Act also ensures that the FCC has the power to protect access to the internet but does not have authority to make decisions over internet content or the power to impose taxes and fees for internet access.

This legislation forbears the FCC from applying more than 700 regulations under the Communications Act that are unnecessary to protecting an open internet, such as rate setting.

□ 1230

Internet service providers have long claimed that they were hamstrung by net neutrality protections and that strong consumer protections were preventing them from investing in higher speeds and advanced broadband infrastructure.

In reality, ISPs actually increased speeds and invested huge amounts in improving their broadband during the time when net neutrality protections were enforced by the FCC. Moreover, many of the largest providers have failed to keep their promise of increased investing after the Trump FCC repealed those protections, with investments actually shrinking in recent years.

Mr. Speaker, I urge my colleagues to vote for this rule and for both pieces of legislation underlying it, and I reserve the balance of my time.

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

I thank my friend from New York for yielding me the customary 30 minutes. And, at the risk of opening this debate like I opened so many others in 2019: Mr. Speaker, we have taken an opportunity to do something very productive and very bipartisan and we have turned it into something that is going to be very partisan and wholly unproductive.

Neither of the bills we are considering in this rule today are going to be moving through the Senate. Neither of the bills we are considering today are going to be signed by the President. But the good foundation in both of those bills could have been, and we have missed yet another opportunity.

Let me start with H.R. 1644, Mr. Speaker, the so-called Save the Internet Act. I can't speak for everyone else's internet, but my internet is still thriving. I haven't seen any nefarious internet shortages or blockages in recent days.

For the millions and millions of Americans trying to livestream C–SPAN right now, they are having no problems whatsoever. It is going right through the pipes the way it always has, Mr. Speaker. And, if it is in need of saving, it is certainly not in need of saving from this institution.

I understand, Mr. Speaker, that my friends on the other side of the aisle are upset with the Trump administration's FCC.

You will recall that the Obama administration and its FCC took the regulations that had governed the internet from its inception through its explosion of productivity and innovation, all the way through 2015, and threw all those rules out entirely, replacing it with a command-and-control government structure.

In its wisdom and with my great support, the Trump administration and the FCC threw those new rules out, taking us back to those rules that provided the foundation for the internet and all of the productivity that it has provided.

It is unfortunate, Mr. Speaker, that so many folks are afraid of internet freedom that we need to try to find a way to clamp down on internet freedom and bend the internet to the will of the government.

I would argue that the Wild West innovation style that has driven the internet and tech companies from day one shouldn't be boxed in by the government and certainly shouldn't be replaced with a 1930s-era, Ma Bell telephone regulatory scheme.

That is what we are talking about here today with this bill, Mr. Speaker, is turning over regulation of the internet to title II of the Communications Act.

If you have not looked at title II recently, Mr. Speaker, it is almost 100 years old. It was created to govern that wonderful emerging technology called the landline telephone and the monopolistic telephone companies that existed at that time.

I don't know how many of your staffers still have landline telephones, Mr. Speaker. I know your grandchildren probably don't even know how to operate one these days.

We certainly should not be relying on those regulations to bring us forward with innovation. The heavy hand of government regulation always takes us backwards.

The good news, Mr. Speaker, is that, if you see legitimate challenges out there, we do have some bipartisan solutions to help address those: Former Chairman WALDEN's H.R. 1101, one such bill that could have been on the floor today; Mr. LATTA's H.R. 1006, another bill that could have been on the floor today; Mrs. MCMORRIS RODGERS' H.R. 1096 could have been on the floor today, just to name a few.

But none of those bipartisan options were seriously considered. Instead, we are left with a single option, in true government, monopolistic fashion, and that option is to support the Obama administration's failed government takeover of the internet.

Mr. Speaker, I oppose that. I oppose the legislation. I hope my other colleagues will as well.

It did not have to be this way. This could have been a productive partnership discussion about how to take what is obviously a productive and innovative tool fueling, not just urban America, not just suburban America, but rural America, and we could have talked about how to grow it together. But we chose a different path, digging partisan ditches even deeper early in 2019.

If that is not disappointing enough, Mr. Speaker, there is a second bill that this rule makes in order. That is H.R. 2021. That bill comes out of another committee that Mr. MORELLE and I serve on, the House Budget Committee.

I love serving on the House Budget Committee, I have to tell you, Mr. Speaker. It is a wonderful committee on which to serve. Mr. MORELLE and I are both lucky to be on it, and we have two fabulous leaders on that committee: Mr. YARMUTH of Kentucky leading the Democratic side of the aisle and Mr. WOMACK of Arkansas leading the Republican side of the aisle.

If you were going to task two leaders in this institution with crafting the kind of budget that I talked about from the well earlier, Mr. Speaker, a budget that would protect Social Security, protect Medicare, protect Medicaid, a budget that would lay out priorities for America, talk about where it is that we want to see our children and our grandchildren go in the 21st century, those are the two leaders who could have brought us together for the first time in a long time around a unified vision.

But, instead, the order came down from on high, Mr. Speaker. There was to be no budget. I assume that is true. We have considered absolutely no budget in the so-called Budget Committee. We have had no budget markup in the Budget Committee. We have had no discussions of budget in the Budget Committee.

Instead, what we have before us today is a bill that is sometimes referred to as a caps deal. You have heard ''caps deal'' before, Mr. Speaker.

It is those times in years past where we have taken what are those discretionary caps, those limits on how much Federal money we can spend, and we have adjusted those so that we can invest in some shared priorities on the one hand while reducing spending in some other, lower priority places.

We have done that in a bipartisan way not once, not twice, but three times. We could have been here today, Mr. Speaker, for a fourth time.

If we are not going to actually do a budget, we still could have been here on a caps deal. But this is not a caps deal. This is not a caps bill that had input from Republicans in the House. This is not a caps deal that had consultation with the Senate. This is not a caps deal that has been done in bipartisanship with the White House.

This is a caps deal that is just a deal among warring factions of a divided Democratic Caucus, and that bill has come to the floor today—again, a bill that will not be considered in the Senate and a bill that will not be signed by the President.

We can normalize partisan failure in this institution, Mr. Speaker. We can. We can also normalize bipartisan cooperation.

I don't fault the other side for the struggles that are, inevitably, going to happen when a new majority takes over in the U.S. House of Representatives. Leading is a very difficult, difficult thing to do.

But, at the end of the day, the majority is tasked with doing exactly that—leading. The Budget Committee should produce a budget. The United States of America should have a budget.

It is not easy to do. It is not easy to pass this House floor. It is not easy to pass through a committee. But it is what the law requires us to do; it is what we have the right leaders on the Budget Committee to do; and it is what every single Member in this institution knows in their heart that we should do.

Mr. Speaker, I urge defeat of this rule, and I reserve the balance of my time.

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

Mr. Speaker, let me just make a few brief comments, and I always appreciate the passion that Mr. WOODALL, my distinguished friend and colleague, brings to this discussion.

I do want to say what this is. First of all, the rule before the House has both a resolution, which I talked about, which is really the safety net, it establishes the $1.295 trillion for discretionary spending and, in addition, allows us to do IRS enforcement—$400 million is in the resolution—and the census 2020, which is upcoming and which will take thousands and thousands of people to conduct the census in the way that the Framers identified it to be.

It also has a budget bill. And I do want to just mention just a few points that relate to what Mr. WOODALL said.

The major components of the budget are in the budget bill. It provides a top line for discretionary spending, provides allocations to the authorizing committees, provides a revenue floor, enforces all these 302 allocations, and sets new caps for discretionary spending, gives allocations to authorizing committees, all of these things which will match the CBO's baseline, I might add, and enforcement through regular Budget Act points of order.

So this does have a budget bill. What we do with the resolution, however, is critically important because it makes sure that we begin this process.

I think the thing that we all want to avoid in the greatest possible way is a shutdown. We saw that happen, and 2018 made history.

Although the House, the Senate, and the White House were all controlled by the same party, we ended Congress for the first time in U.S. history in a government shutdown, an inglorious end to the 115th Congress.

We need to do anything we can. This starts that process, creates a safety net, and jump-starts the budget process. So this is a completely appropriate and, in my view, mandatory way to start this process. And I will perhaps, if I get a moment or two, talk about the budget that the President submitted to us.

I also want to just mention for a moment, if I can, the comments raised by my colleague relative to the net neutrality bill. This, under the current rule, has enormous exposure to consumers and businesses. It does not impede innovation, what we are attempting to do. In fact, in my view, it will spur innovation, and it provides predictably for all users, consumers and businesses alike.

I do note that the rule that we reported out last night ensures that we do everything we can to reaffirm that commitment to fair access.

The rule made in order 12 amendments, both from Democrats and Republicans. It is a structured rule. Some of those amendments I agree with, some of those I disagree with, but every single one is worthy of debate on the floor. I am very proud, and I want to also congratulate the chair of our committee, Mr. MCGOVERN, for making sure that we have amendments from both sides to discuss on this floor.

I do want to just mention a couple of them. Several amendments aim to strengthen access to broadband internet in rural and underserved communities. Mr. BRINDISI, for instance, has an amendment which we will take up which requires the GAO to produce a report about the ways the U.S. government can promote the deployment of broadband to rural communities.

Representative WEXTON has an amendment requiring the FCC to submit to Congress a plan on how the Commission would address problems in collecting data on deployment of broadband. By fixing these problems, we can have a better understanding of those communities that are served by broadband and ensure every community has access.

We have an amendment by Representative WATERS asking the Comptroller General to submit a report on how net neutrality helps ethnic and racial minorities and how those rules will help disadvantaged groups, rural populations, individuals with disabilities, and the elderly. Without that full information, we cannot ensure that everyone is receiving the same treatment.

We have an amendment from Representative DAVIDS directing GAO to

submit a report examining the FCC's efforts to assess competition. Colleagues are worried about how net neutrality rules will impact competition, but they have no data to back up their claims, so let's collect the data we need. Good policy is always backed by good evidence.

We also made in order an amendment by Representative MCADAMS which would affirm that ISPs can still block unlawful content, such as child pornography. Some content has no place on the internet, nor anywhere in our homes, and we want to make sure that ISPs block this, as they should, and that nothing in the bill will prevent them from doing so.

There are several other amendments made by Democrats that will be on the floor. I won't go into them any further. But I do want to acknowledge, also, that we have amendments in order submitted by Republican colleagues as well.

Mr. LATTA submitted an amendment requiring the FCC to share the list of 700 rules that will be permanently forborne once this bill becomes law, which makes sense to me. We had this conversation in rules yesterday, to ask the question what those 700 rules are. The FCC has determined them to be unnecessary and burdensome.

Let's look at them and see what they are. Let's see the list. Let's show the American people that the government was not regulating for the sake of regulating and that, when those regulations are no longer appropriate, we will remove them.

Finally, my colleagues on the Rules Committee made Representative BURGESS' amendment in order. It directs the GAO to initiate a study to examine the virtuous cycle of the internet ecosystem and the effect of net neutrality on that ecosystem—again, an amendment which was made in order to make sure that we have bipartisan discussion here on the floor.

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

Mr. WOODALL. Mr. Speaker, I would like to respond to my friend from New York, but I just have too many speakers who have come down to the House floor today to speak about this.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), a member of the Rules Committee, our ranking member on the Rules Committee, a member of the Appropriations Committee, and one of the most thoughtful Members of the Republican Conference.

□ 1245

Mr. COLE. Mr. Speaker, I want to thank my good friend, a member of the Budget Committee, for yielding, and my colleague on the Rules Committee.

I rise to oppose the rule and oppose the underlying legislation. Now, I oppose the rule because it is not really a rule at all. It is really legislation masking as a rule.

Buried in this rule is a measure that will, what we call self-execute, but deem what the budget is going to be. In other words, our friends are telling us: We may not have the votes, even though we have a substantial majority, to pass our own caps bill. But just in case, the rule vote, which is a partisan vote, we are going to put it in here.

Now, that doesn't speak to a high degree of confidence that my friends will have the votes, which they should have, on their caps deal. I would argue it is technically legal, but it is not a very seemly practice to actually express your distrust of your own majority that directly.

Second, let's talk a little bit about the underlying legislation. There is a lot here I don't agree with, but I want to focus on one thing in particular, Mr. Speaker, and that is the ''budget'' itself, because it is not a budget. It is a caps bill.

It is not even a caps deal. It hasn't been negotiated with the Senate. It hasn't been negotiated with the administration. It is an arbitrary number. It has no chance of becoming law. There is no way a Republican Senate will have double the amount of increase for domestic programs as it has for defense. It is just not going to happen.

So, now, the Appropriations Committee—and I am always happy to have numbers as an appropriator—will now move on down with a set of numbers that we know will not survive negotiations with the Senate or with the President. So we are going to mark up a lot of bills, but they are going to be the numbers that are a fantasy.

Finally, in this caps deal, we ought to point out, our own rules require the majority to present a budget. We couldn't even get a budget out of the Democratic Budget Committee. Now, that is a failure to govern.

The Speaker, herself, said on one occasion: Show me your budget, and I will show you your values.

It suggests that you don't want to show the American people your values, because you certainly aren't showing us a budget in this legislation.

So the rule, frankly, is a backdoor way to enact some sort of caps legislation, caps legislation that will not be accepted by the Senate, that will not be accepted by the President of the United States.

The underlying legislation doesn't have a budget, which our own rules require that it have. It has a mere statement of spending levels that, again, are not going to be accepted by the other Chamber or by the President of the United States.

And, finally, our friends have abdicated their most important responsibility, which is showing the American people their view and their vision of what the budget ought to shape.

The rule ought to be rejected; the underlying legislation ought to be rejected; and our friends ought to challenge themselves to bring us a budget that they can support, that they can put in front of the American people.

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

I appreciate my good friend, the gentleman from Oklahoma's comments.

Those on the other side may say this is messy, but do you know what is messier? Another government shutdown.

We just endured, earlier this year, a 35-day government shutdown, the longest shutdown in our history. In this committee, we are committed to doing everything in our power to prevent that from happening again.

We want to make sure we can move forward with appropriations legislation, and this provision is a safety net to assure that process can begin. Whenever a budget bill comes up, whenever we begin that appropriations process, we will have a path forward.

My good friend raised the question of the President. I have to admit I am new here, haven't been here very long. I have been involved in the budget process in the State of New York for many years.

Frankly, watching the budget and looking at the budget submitted by the President, I would be embarrassed. I think it is no wonder that my friends on the other side of the aisle didn't submit, as an amendment, the President's budget.

The President's budget is devastating. I look to how it would devastate the people in my home State of New York: repeals the Affordable Care Act, eliminates health insurance for 2.2 million New Yorkers, abolishes protections for people with preexisting conditions, substantially increases premiums for older Americans.

If the budget that Donald Trump submitted became law, a 60-year-old living in New York making $25,000 a year could see their healthcare premiums increase by up to $5,000 annually, from $1,600 to $6,300 in 2020, a quarter of their income.

It cuts funding for New York's Medicaid program by $159 billion over the next 10 years. Nationally, the Trump budget proposes to cut Medicaid by $1.5 trillion over the next 10 years, 36 percent in 2029 alone.

College would be more expensive for 179,000 New Yorkers by completely eliminating the Direct Subsidized Loan Program and taking away grants for 108,000 students by abolishing the Supplemental Education Opportunity Grant program. At a time when people need to have knowledge more than at any other time in human history to safeguard their economic future and those of their families, to cut college programs is reprehensible.

But I don't care just about New Yorkers, Mr. Speaker. My friend from Georgia, I have a brother who lives in Georgia. His children live in Georgia. I care a great deal about the people in Georgia as well.

The Trump budget:

Eliminates after-school programs for 41,000 Georgia students by zeroing out the 21st Century Community Learning Centers program;

Takes away high-quality childcare and early education for 4,200 low-income Georgia children by cutting Head

Start by 17 percent in the final year of this budget;

Eliminates nutrition assistance for up to 395,000 Georgians, 90 percent of whom live in households with at least one child, elderly person, or a person with a disability, by cutting the Supplemental Nutrition Assistance Program by $220 billion, nationally, over 10 years;

Takes the food out of the mouths of 4,000 pregnant women, new moms, babies, and toddlers in Georgia by cutting the Women, Infants and Children program by 13 percent in the final year of this budget.

I could go on and on, Mr. Speaker, but I will spare my colleagues a long dissertation on the Trump budget, other than recognize that this House is moving forward. We are beginning this process. We have established a safety net.

This is what Americans want. They don't want another shutdown. And we are going to do everything in our power—together, I hope, in a bipartisan way—to make sure that we continue to move forward in the years to come.

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

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds just to say that my friend's criticisms of the Trump budget are perfectly legitimate. What he failed to mention, though, is the reason he can make those criticisms is because the law required the administration to offer a budget, and it did. The law also requires this House to offer a budget, and we have not.

We are better than that. This is not an Article II responsibility. This is an Article I responsibility, and we will rue the day that we decided that we would rather talk about what Article II was doing instead of doing the work ourselves here at Article I.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MEUSER), a new Member of this institution and a member of the Budget Committee.

Mr. MEUSER. Mr. Speaker, I rise today in opposition to this rule and to H.R. 1644, also known as the government-controlled internet act.

Once again, House Democrats are putting Federal Government control over freedom and bringing to the floor yet another partisan, central command government bill.

H.R. 1644, or the government-controlled internet act, which, fortunately, has no chance of being signed into law, goes against everything that made the internet what it is today.

There is a reason the United States is home to the top internet companies in the world. This doesn't happen by accident. It is because of the laissez faire approach that allows for an environment of economic growth, competition, and innovation.

Instead of building on the pro-innovation approach that has revolutionized how we communicate, work, and stay connected, this legislation would impose heavy-handed, top-down regulations that would box the internet into outdated rules written in the 1930s.

Why is the Democratic majority supporting a bill that will take the internet backwards?

This bill is the quintessential solution in search of a problem. If we want to protect constituents, promote investment, and encourage innovation, H.R. 1644 is not the solution.

If my colleagues across the aisle are serious about protecting consumers and ensuring access to a free and open internet, then we need to find bipartisan consensus on net neutrality principles that address blocking, throttling, and paid prioritization. We need a modern framework that allows for continued American innovation and investment, not another Federal Government regulatory takeover.

H.R. 1644 is not a serious solution to protecting our constituents and advancing American ingenuity. I urge my colleagues to oppose this effort and send a clear message that we need to move the internet forward, not backward. I hope they will oppose this rule and the underlying legislation.

Mr. MORELLE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), a member of the Energy and Commerce Committee and the Rules Committee.

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

As you know, the difficulty is, when we take away the managing of a business operation from that underlying business, the incentive to innovate and to serve consumers is likely to dissipate.

The internet, for decades, has thrived because it was not under the heavy hand of government. Because of this freedom, we are now on the brink of accessing the fifth generation of broadband technology that, when fully implemented, will eliminate the need for net neutrality regulations because latency for all content will be almost zero.

I don't think you find any disagreement that blocking, throttling, and paid prioritization are not practices that anyone wants as a part of the open internet. But classifying broadband internet as a telecommunications service under title II of the Telecommunication Act of 1934 will limit the ability of service providers to respond to consumer demands and potentially result in disruptions due to content neutrality requirements.

Republicans have introduced three proposals to preserve a free and open internet. I hope we can work together, going forward, to achieve that laudable goal.

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

I do note for my friend, Mr. BURGESS, whom I serve on the Rules Committee with, that we, in an effort to enhance bipartisanship, made his amendment in order. I believe it is the first amendment in order, and I certainly expect that it will get broad consideration on both sides of the aisle.

Mr. Speaker, I include in the RECORD a letter from over 120 businesses and startups urging Congress to support net neutrality. This letter says: ''Passing H.R. 1644 will provide certainty for businesses and startups and would ensure critical consumer protections for all internet users.''

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI AND LEADER MCCARTHY: We are writing in support of H.R. 1644, the Save the Internet Act, to fully restore the strong net neutrality protections for Internet users that were adopted through the FCC's 2015 Open Internet Order but later repealed.

Net neutrality is fundamental to guaranteeing that every American has unencumbered access to the Internet. This access is also essential to a competitive, free market for the technology economy to thrive as well as entrepreneurship in this country. The benefits of these protections are not confined to technology companies and startups. Main Street businesses across numerous sectors increasingly rely on unfettered Internet access to run their operations and to reach customers.

Net neutrality has been critical to the Internet's explosive growth, creating an open platform on which companies large and small can grow. We urge members of Congress to stand on the side of consumers and Internet users to quickly pass a clean, unamended version of H.R. 1644. This bill would restore strong rules prohibiting blocking, throttling, and paid-prioritization while reinstating ex-ante enforcement and oversight by the FCC to prevent net neutrality-related harms from happening in the first place.

Passing H.R. 1644 will provide certainty for businesses and startups and would ensure critical consumer protections for all Internet users.

Sincerely,

1Huddle, Ad Hoc Labs (dba Burner), Adaptive Energy, AlleyWatch, Applemon, Attentive, Inc, BetaDefense, Binary Formations, LLC, Bitly, Bloomers Island, Blue Ocean Technology, Bluebell Advisors, Inc/Gilbane Advisor, BusBot Incorporated, CapSen Robotics, Chartbeat, CitiQuants Corporation, Cogent Communications, Cole House LLC, Concourse Markets, Contextly.

Creative Action Network (CAN), CredSimple, D3FY.COM, Darling, Inc., DART Technologies, Digital4Startups Inc., DLT Education, EarnedCard, Educreations, Elucd, Etsy, Inc, Expa, Fan Guru, Filament, FinToolbox (Screener.co), FluentStream, Founder Academy, Foursquare, Friends, G. A. Hensley Company Inc.

General Assembly Space, Inc., GitHub, Inc., Globig Inc., goTenna, Grey Horse Communications, Gust, Gusto, Haute Huab, High Fidelity hobbyDB, HOGARU, Hoola Hoop LLC, InnovateEDU, Inwage LLC, JOOR, JustFix.nyc, Karavan App, Karma+, Laconia Capital Group, Launch Pad.

Loxo, LR, Makeo Company LLC, Mapbox, Market Mic LLC, Martech, Mavatar Technology Inc., Medium, Meta, LLC, MetaProp.vc, Minibar Delivery, Mozilla Corporation, Music to, Neighborland, Neta Collab, Netsyms Technologies, Onfido, Onfleet, Inc., Outdoor Project, Patreon, Inc.

Postmates, Promogogo, Rainmakers, Reddit, Inc., Rentify, Rex Ag Labs, Routific, Sandwich.Net, LLC, Shotwell Labs, Inc., Shutterstock, Inc, Simply Made Apps, SlidesUp, Snaps Media Inc., Spoonful, SpotHero, Starsky Robotics, Stealth Communications, Stripe, Stylaquin, Svaha LLC, Tampa Bay Wave.

Tenpin, textile.io, Tinybeans USA Ltd, Tostie Productions, LLC, Troops.ai, TrueAbility, Tunesync, Twitter, Uncork Capital, Venrock, Via, Vimeo, Inc., WayUp, Wellthy, White Lioness Coaching®, Women 2.0, WorkHound, Yapp, You Got Listings, Inc, Zyper.

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

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

My friend from New York is right: They did make a number of amendments in order, but not enough amendments to solve some underlying problems.

One amendment they didn't make in order was an amendment to provide disaster funding to so many of our communities that have been waiting on disaster funding—not for a day, not for a week, not for a month, but, now, into the new year.

If we defeat the previous question today, we can correct that injustice, and I will bring up an amendment to the rule to make this disaster funding possible. It is critically important.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT) to talk about that, one of the greatest advocates for that language here in the House.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to urge my colleagues to defeat the previous question so the House can immediately bring up meaningful disaster relief.

I want to thank my friends and colleagues from across the aisle, Representative WOODALL, obviously, Chairman MCGOVERN, Ranking Member COLE, and others on the Rules Committee, for allowing me to speak last night on behalf of the amendment. I also want to thank them for their help in previously passing very similar legislation.

My amendment is quite simple. The text contained the same dollar-for-dollar amounts from H.R. 268, the House-passed disaster assistance bill.

This bill was a work of compromise and work that many of us representing districts that have been hit by disasters in 2018 worked on. It includes a bipartisan amendment that I and many others sponsored, which raised the crop and livestock loss assistance to $3 billion, from approximately $1 billion. That is included in the final text.

Unfortunately, my amendment was not made in order; but, if we defeat the previous question, it will be included in an amendment, along with other important provisions, to help those affected by the natural disasters of 2018.

Disaster relief has never been a partisan issue in the United States of America, and it should not be a partisan issue today. I urge my colleagues and I ask every Member in this body to defeat the previous question so that we can immediately bring up legislation to deliver on our promise of passing disaster assistance prior to leaving for the Easter break.

□ 1300

Mr. MORELLE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I appreciate the sentiments of the gentleman. We certainly agree.

The House has passed disaster relief. We await Senate conferees, so we can move that process forward. But what strikes me is how troubling it is to have this conversation.

The reality is that the President of the United States has chosen which Americans to provide aid to. The island of Puerto Rico, American citizens, has suffered disasters, calamities, as a result of Hurricane Maria, yet the President shows no indication that he understands the plight of the people on Puerto Rico. That is why it is necessary for the House and Senate to come together to provide relief, because the President, frankly, has chosen not to do it.

We welcome the comments by the gentleman. We look forward to the Senate establishing members of a conference committee, so we can work out differences that we may have and move this forward. We continue to hope for that day and hope that the President will gain some enlightenment about how we help and protect all American citizens.

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

Mr. WOODALL. Mr. Speaker, as we have heard so often on the House floor, hopeful wishes are not enough for our constituents. We need to deliver results.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DUNN), who has been working hard in that direction.

Mr. DUNN. Mr. Speaker, I rise today to demand that critical natural disaster relief be voted upon.

Tomorrow will be the 6-month anniversary of Hurricane Michael, 6 months with absolutely no disaster supplemental funding, no serious action on the part of Congress except the political farce in the House and two failed cloture votes in the Senate.

Both Chambers have refused to extend even routine tax relief to ensure that people have access to their money when they need it most. With tax day just around the corner, this is unacceptable.

Floridians are tough, but they need help and deserve help.

Six months ago, Hurricane Michael devastated the South, damaging more than 90 percent of the structures on Tyndall Air Force Base, decimating our agricultural industry, and destroying entire communities. Yet, here we are with only 1 day left in the legislative calendar before Easter and no tax relief in sight.

If the previous question is defeated, it will be a first step in making some meaningful progress for victims of all the 2018 disasters. It will bring the Disaster Tax Relief Act of 2019 to the floor. I am a proud cosponsor of that bill with TOM RICE and AUSTIN SCOTT.

This bill includes a set of common, routine tax breaks victims of virtually every disaster over the last decade have been entitled to, things like access to retirement savings without penalty, a tax credit for employers who continue to pay employees while shut down, suspending tax limitations on charitable contributions for relief efforts, and allowing hardworking families to use earned income from the previous year to calculate their earned income tax credits and child tax credits.

It is a shame that we have to resort to a procedural trick to ask for a vote on this very bipartisan, commonsense legislation that we have passed many times before.

Mr. Speaker, it is time we take action to help those suffering from the 2018 disasters. For this reason, I urge a ''no'' vote on the previous question.

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

Mr. Speaker, I would just reiterate what I said earlier, which is that all Americans need help in times of disaster.

Despite the fact that some would try to ignore the fact that climate change exists and has created natural disasters that we could not have predicted years ago, the fact is that those disasters continue to happen.

All Americans—I don't care whether you live in New York or Alabama, Florida, Puerto Rico, the U.S. Virgin Islands—all Americans need help.

One of the first bills we passed under a structured rule in this Congress was to provide that relief, yet it sits in the Senate because they seek to choose which Americans get benefited by the Federal Government's relief efforts and which do not.

We are going to stand firmly in the corner of all Americans getting the support from the Federal Government that they deserve. We are not going to pick and choose.

Mr. Speaker, I certainly hope that my colleagues here across the aisle are going to march across to the other Chamber and insist to the United States Senate that it takes up that bill, that we establish a conference committee, and that we send this to the White House.

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

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time, and I would say to my friend from New York, we do not have any further speakers remaining, so if he would like to get this show on the road, I am prepared to close if he is.

Mr. Speaker, I have great respect for my friend from New York on the Rules Committee, and I really do enjoy serving with him on the Budget Committee.

It is neat to be on the Budget Committee as a freshman because you are working with the biggest issues that we have in this country. We all care about healthcare and how it gets implemented, but we can't implement it if we can't pay for it, so the Budget Committee grapples with those issues.

We all want our seniors to be protected. They have been paying into Medicare and Social Security their entire lives, but we know those programs are headed toward bankruptcy. We can't solve those problems except in the overarching look of a Federal budget process. It is what the law requires.

We get to talk about those big ideas. We get to think those big thoughts. We get to come together to make big and, yes, Mr. Speaker, difficult decisions.

President Trump, in his budget, made difficult decisions. I dare say I could go Member to Member in this Chamber and find 435 people out of 435 who would find at least one flaw in the President's budget. I bet I could.

It is hard to write a budget for the United States of America, but the law requires that we do it. More importantly, even if the law didn't require that we do it, Mr. Speaker, we know that we should. We know the Constitution lays out that responsibility, the power of the purse, for the House. We have constituted an entire committee called the Budget Committee.

I don't want to wow you, Mr. Speaker, with my eloquence, but do you know what the responsibility of the Budget Committee is? It only has one: write the budget.

For years, there was a time when the Senate was not taking up budgets in its Budget Committee. I wondered why they didn't disband the Budget Committee because the only job the Budget Committee has is to write the budget.

We know we need to do that together. We know we do, but we are not.

The second bill this rule makes in order is the government takeover of the internet bill. Again, if you think the internet is broken and the benevolent hand of government can fix it, this is the bill for you. If you think the internet is not broken and perhaps government ought to stay where government is, and the freedom of the internet should continue, this is not the bill for you.

We need to defeat both of these bills, and we need to defeat the rule.

I do want to point out, for the Rules Committee, we were working just beyond those doors last night, Mr. Speaker, and I think the Rules Committee did the best it could with the material that it had to work with. I see the staff director of the Rules Committee sitting over there. He has a tough job.

I think the chairman did the best he could. You cannot solve the problem of a flawed, partisan committee process with the inclusion of amendments in the Rules Committee. You just can't do it. But they tried as hard as they possibly could, making in order as many amendments as they could to try to satisfy as many concerns as they could.

The problem is not the Rules Committee, Mr. Speaker. That is not why we need to defeat the rules today. The problem is the leadership decision that has been made to bring up these two flawed products that were created in a partisan way when we could have brought to the floor two positive products created in a collaborative way.

We have to make a decision in this Chamber. Either we are in the business of making a point or we are in the business of making a difference. So far, the first 4 months of this year, we have been great at making a point, but we have been struggling to make a difference.

Like it or not, we have a Senate that has to pass this legislation and a President who has to sign it if we are to make it the law of the land. The two products today fail that test.

Let's not waste another moment on them, Mr. Speaker, not another moment. Let's reject this rule. Let's not bring these two pieces of legislation to the floor. Let's go back to the drawing board collaboratively, as we know we can. Lock any bipartisan group of Members into a room together, Mr. Speaker, and they will craft a better solution. We have the right leaders in this Chamber for this time. We just need to free them up to lead.

Defeat this rule. Defeat the previous question.

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

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

There was no objection.

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

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

Mr. Speaker, I always appreciate the passion that Mr. WOODALL brings to conversations, both here on the floor as well as in the two committees on which we are privileged to serve. I thank him for that and thank him for his concerns about how we move forward.

I believe this is moving forward. Today, we are moving forward. We set the tone of how we move forward. We establish our discretionary amount. We end the sequestration caps. We begin to move forward, and I think that is what we want to do.

It is fascinating. I note that Mr. WOODALL, in his comments, mentioned you can't get all 435 Members to agree. I certainly understand that, and I appreciate it. We couldn't get one Member to offer the President's budget as an amendment.

The truth is that there is a failure of leadership here. This is a process that is new to me, but I certainly expected that the President would provide greater leadership on how to move forward. We have seen none from the White House, which I find troubling and I find puts us at a considerable disadvantage.

We need to move forward, nonetheless, Mr. Speaker, and that is what we are doing today.

I do know that, for me, the amount of discretionary investments we make will say a great deal about where we are going as a country and what our priorities are.

I think we need to make greater investments in education and in public health, highways and transit, veterans healthcare, agricultural research, workplace safety, K–12 education support, national parks, housing assistance and mortgage insurance, small business assistance, Head Start, food safety, scientific research and space exploration—God knows, as a percentage of GDP, we need to continue to invest dramatically in those—embassy security, Pell grants for higher education students, hazardous waste cleanup, waterway maintenance for commerce and recreation, weather forecasting, hurricane-proofing communities, forest and wildlife habitat management, conservation resources, patents and trademarks, consumer protections, and aviation safety.

The list goes on and on for the kind of investments we need to make to continue to make sure that America leads in the 21st century. That is what this does today. That is what this rule will do. That is what the resolution budget process starts today.

Mr. Speaker, I thank all my colleagues for their words of support for H.R. 2021, the Investing for the People Act. I especially thank Chairman YARMUTH and Ranking Member WOMACK for their work on our Nation's budget.

I also thank Chairman PALLONE and Ranking Member WALDEN and all those who have worked on H.R. 1644, the Save the Internet Act.

Mr. Speaker, I urge a ''yes'' vote on the rule, and I urge a ''yes'' vote on the previous question.

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

At the end of the resolution, add the following:

SEC. 8. Immediately upon adoption of this resolution the Speaker shall, 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. 2145) to provide disaster relief. 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 confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. No amendment shall be in order except the amendments specified in section 9 of this resolution. Each such amendment may be offered only in the order specified, may be offered only by the Member designated, shall be considered as read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived. After the conclusion of consideration of the bill for amendment, the Committee shall rise and

report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. The amendments referred to in section 8 of this resolution are as follows:

(1) A proper amendment, if offered by the chair of the Committee on Ways and Means or his designee; and

(2) A proper amendment, if offered by the ranking minority member of the Committee on Ways and Means or his designee.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2145.

Mr. MORELLE. 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 Speaker pro tempore announced that the noes appeared to have it.

Mr. MORELLE. 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.

□ 1315

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

BUILDING ON REEMPLOYMENT IMPROVEMENTS TO DELIVER GOOD EMPLOYMENT FOR WORKERS ACT

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1759) to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1759

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Building on Reemployment Improvements to Deliver Good Employment for Workers Act'' or the ''BRIDGE for Workers Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bipartisan Budget Act of 2018 (Public Law 115–123) improved program accountability for effectively serving unemployed workers and made a significant new investment in reemployment services.

(2) Research shows the longer workers are out of work, the harder it can be to maintain their skills, professional network, and stable home life.

(3) Reemployment services give workers who might otherwise struggle to find new jobs the tools that they need to get back to work—such as individualized career counseling and job search help as well as local labor market information—and they can serve as an entry point to the workforce development system.

(4) Reemployment services have been demonstrated to reduce the number of weeks that program participants receive unemployment benefits by improving their employment outcomes, including earnings.

(5) Unemployment benefits replace less than half of working income, on average, so workers who find new jobs quickly suffer less financial hardship.

(6) Combining targeted reemployment services with unemployment benefits helps keep people attached to the labor force who might otherwise become discouraged and drop out.

(7) The Congressional Budget Office estimates that, over time, investments in reemployment services create savings for taxpayers and unemployment trust funds by reducing spending on unemployment benefits.

(8) Many different types of workers can benefit from reemployment services. Reemployment services should be used to shorten the duration of unemployment for workers even if they are not projected to fully exhaust their unemployment benefits.

SEC. 3. ELIGIBILITY FOR REEMPLOYMENT SERVICES.

Section 306(a) of the Social Security Act (42 U.S.C. 506(a)) is amended—

(1) by striking ''individuals referred to reemployment services as described in section 303(j)'' and inserting ''claimants for unemployment compensation, including claimants referred to reemployment services as described in section 303(j),''; and

(2) by striking ''such individuals'' and inserting ''such claimants''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DANNY K. DAVIS) and the gentlewoman from Indiana (Mrs. WALORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1759, the BRIDGE for Workers Act, continues our committee's bipartisan work to help Americans who are receiving earned unemployment insurance benefits to get back to work faster.

Unemployment benefits are a vital lifeline for Americans who have lost their jobs, helping them keep the lights on and pay the rent while they search for work. But unemployment benefits replace less than half of a worker's paycheck, on average. Especially for lower paid workers, who may not have any savings to fall back on, the best outcome is to find a new job as quickly as possible.

When you lose your job, it can be difficult to find a new one, especially if you are older, haven't looked for a job in a long time, or have made mistakes in the past. Reemployment services give people looking for help the personal help they need to overcome those barriers.

For instance, States might provide assistance targeted to a claimant's needs, things like customized career and labor market information, help with application materials, or allowing them to practice for tough job interviews.

Last year, we passed important legislation to improve reemployment services and eligibility assessment grants, or RESEAs. Our legislation added important worker protections, gave States incentives to improve the quality of the services being provided for workers, and ensured that sufficient funding is available in every State and territory.

When I asked how RESEA grants were being used in my home State of Illinois, they told me about Tara, who struggled to find a new job after she was laid off, both because her skills weren't up to date for the current labor market and because she had a criminal record. The Illinois RESEA helped her upgrade her job skills and find a job with an employer willing to take a chance, a chance on someone who had made mistakes. She is now working and going to school to get an associate's degree in welding, so she will have better pay and benefits in the future.

The BRIDGE for Workers Act would add important and needed flexibility to allow States to serve all workers who could benefit from reemployment services, not just those who are expected to run out of benefits before finding work.

Mr. Speaker, I include in the RECORD a letter from the National Association of State Workforce Agencies endorsing the BRIDGE for Workers Act.

NATIONAL ASSOCIATION OF STATE WORKFORCE AGENCIES,
Washington, DC, March 13, 2019.

Hon. STEPHANIE MURPHY,
House of Representatives,
Washington, DC.
Hon. JACKIE WALORSKI,
House of Representatives,
Washington, DC.
Hon. XOCHITL TORRES SMALL,
House of Representatives,
Washington, DC.
Hon. DARIN LAHOOD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES MURPHY, WALORSKI, TORRES SMALL AND LAHOOD: We are writing on behalf of the National Association of State Workforce Agencies

(NASWA) to endorse the BRIDGE for Workers Act and express our appreciation of your bipartisan effort to authorize the Reemployment Services and Eligibility Assessments (RESEA) program as part of the Bipartisan Budget Act of 2018 (P.L. 115–245).

Until the passage of the Act, RESEA had been limited to a widely-successful pilot grant program. Today, States around the nation now have the ability to accelerate unemployment insurance (UI) claimants' transition back to employment faster than nonparticipants, which is particularly important in an economy desperately in need of skilled workers.

To enhance these efforts, we are pleased to see the proposed minor statutory fix proposed in the BRIDGE for Workers Act that reflects your intent to ensure any UI claimant, not just those most likely to exhaust their benefits, are eligible for RESEA services and assessments. The current language in Section 306 of Act needs to be modified to ensure this intent is actualized and while the Appropriations Committee made such a modification in their FY 19 Labor-HHS Appropriations bill, a permanent fix would provide clarity and stability for states actively focused on helping claimants return to work expeditiously.

NASWA is the national organization representing all 50 state workforce agencies, D.C. and U.S. territories. These agencies deliver training, employment, career, and business services, in addition to administering the unemployment insurance, veteran reemployment, and labor market information programs. NASWA provides policy expertise, shares promising state practices, and promotes state innovation and leadership in workforce development.

Thank you for your consideration of this request.

Sincerely,

JON PIERPONT,
NASWA Board President, Executive Director, Utah Department of Workforce Services.

SCOTT B. SANDERS,
NASWA Executive Director.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, the BRIDGE for Workers Act will ensure that more workers who need reemployment services get them. Those individuals and workers, like Tara, will get back to work faster, in better jobs, and on a path to a better future.

Mr. Speaker, I urge my colleagues to support the BRIDGE for Workers Act, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1759, the Building on Reemployment Improvements to Deliver Good Employment for Workers Act, also known as the BRIDGE for Workers Act, which I have worked on with my colleagues, Representative MURPHY and Representative LAHOOD.

This legislation builds upon the Bipartisan Budget Act of 2018, where we made a significant step forward in helping those unemployed, through no fault of their own, by pairing unemployment benefits with services.

Over the last few decades, there has been a focus on automation that has removed all human interaction from the benefit claims process. Beneficiaries have become nothing more than a number entered into a spreadsheet or into a computer database.

During the last recession, we saw that merely providing 99 weeks of unemployment benefits was not enough to help individuals return to the workforce. That is why, in 2012, we offered reemployment services and eligibility assessments, known as RESEAs, to the long-term unemployed based on successful State efforts to engage UI beneficiaries.

Since the recession, many States have rebranded unemployment to reemployment, and focused on efforts to promote rapid reemployment, because it is better for workers, their families, and an economy where we have 1 million more job openings than we have employed.

The Bipartisan Budget Act of 2018 provides States with funding certainty, so they can invest in these services and serve greater numbers of workers. That is why H.R. 1759 is so important. It makes permanent a technical correction first made in FY 2019 appropriations.

This bill clarifies that reemployment services and eligibility assessments shall promote quicker reemployment to shorten benefit durations for all unemployment insurance claimants, not just those likely to exhaust unemployment benefits.

In my home State of Indiana, RESEA was redesigned in 2016 to assist UI claimants through early intervention to aid in a quicker return to meaningful employment and eliminate UI fraud.

Indiana's RESEA program is twofold. The initial RESEA expects beneficiaries to make an in-person visit to a WorkOne Center on approximately the sixth week of benefits. During that visit, they attend an orientation to learn more about these services, and then meet with a RESEA counselor for a one-on-one assessment interview to develop an individual reemployment plan. That plan may include workshops to improve job search or interviewing skills, or referrals to other supports or services beyond the UI agency.

Any of the RESEA initial participants who are still collecting at the 15th week of their UI claim are contacted for reengagement as part of the subsequent RESEA program. These long-term claimants are brought in for a one-on-one reassessment interview to determine if additional barriers to reemployment are present. At any point in the process where it becomes apparent that additional, more intensive services are needed, the customer then moves into the workforce system to gain more skills.

RESEAS are a valuable reemployment tool for those who have lost their job, through no fault of their own.

Again, I urge support of H.R. 1759, and I reserve the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 4 minutes to the gentlewoman from Florida (Mrs. MURPHY), the sponsor of the bill.

Mrs. MURPHY. Mr. Speaker, I rise today as the proud sponsor of this bill, the BRIDGE for Workers Act. I want to express my gratitude to the three original cosponsors of this bipartisan legislation: Congresswoman WALORSKI, Congresswoman TORRES SMALL, and Congressman LAHOOD. I also thank Chairman NEAL and Ranking Member BRADY for their leadership on the committee, and Chairman DANNY DAVIS and his staff for all the work they have done on this bill to prepare it for floor consideration.

Mr. Speaker, no American worker wants to be unemployed, and it is vital for our government to provide cost-effective support during that challenging and stressful time. Our focus should be on giving unemployed workers the skills and resources required to return to the workforce as quickly as possible. We want everyone to feel the sense of dignity that comes with earning a paycheck, providing for their family, and contributing to our economy.

One way we support unemployed workers is through the Reemployment Services and Eligibility Assessment program. This program, administered by the Department of Labor, makes annual grants to States and territories to provide a range of services to recipients of unemployment benefits. Services include individual career counseling, assistance with job searches, and information on the local job market.

Under current law, States can only use these grants to assist workers who are expected to exhaust their unemployment benefits without having found a job. That is an unnecessary restriction that prevents many unemployed workers from getting valuable assistance.

Our bill would remove this restriction and allow States to use their grants to provide support to any individual receiving unemployment benefits, as long as the State believes these services would help the individual return to work more quickly. We provided a 1-year patch in the 2019 appropriations bill to make this change temporarily, but this bill would make it permanent.

This is a critical step because research shows the longer workers are out of work, the harder it can be to maintain their skills, their professional networks, and a stable home life. By combining targeted reemployment services with unemployment insurance benefits, we will help keep people attached to the labor force who might otherwise become discouraged and give up looking for a job.

In my home State of Florida, it is estimated this bill could provide up to 25,000 additional individuals claiming unemployment benefits each week with access to reemployment services.

Mr. Speaker, I respectfully ask my colleagues to support the bipartisan BRIDGE for Workers Act.

Mrs. WALORSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I thank Mrs. WALORSKI for her hard work on this particular piece of legislation.

Mr. Speaker, I rise today in strong support of H.R. 1759, the BRIDGE for Workers Act, also known as the Building on Reemployment Improvements to Deliver Good Employment for Workers Act. I am also proud to join Congresswoman MURPHY, Congresswoman TORRES SMALL, and Congressman DAVIS, my colleague from Illinois, in being part of this bipartisan legislation.

Since becoming a member of the Ways and Means Committee, I have been focused on closing the JOBS Act, improving workforce development, and removing barriers to employment.

It is incumbent upon our Federal Government, in coordination with States and local governments, to ensure that those looking for a job have the necessary tools and skills they need to get back into the workforce.

Last Congress, we worked in a bipartisan fashion to codify into law the Reemployment Services and Eligibility Assessments program, bolstering its funding and improving the effectiveness. These reemployment services include career counseling, resume support, individualized reemployment plans, and access to trainings for those receiving unemployment insurance.

The goal of this program is to promote rapid reemployment and, ultimately, shorten benefit durations for all unemployment insurance claimants, not just those most likely to exhaust all benefits.

This bill makes a technical correction to ensure that States have the flexibility to provide reemployment services to all insurance claimants from a variety of backgrounds and help them return to work more quickly. This legislation builds on the recent law that improved the reemployment service program and will ensure that those in need of these services will be able to access them.

With over 7 million unfilled jobs in this country, it is crucial we work with our States, including my home State of Illinois, to provide the necessary resources to fill these jobs. Finding skilled workers is one of the number one issues in my district and many districts across the country: finding enough relief welders, truck drivers, construction workers, machinists, nurses, technicians, just to name a few.

Empowering individuals to get off the sideline and back into the workforce is something this body should always strive to achieve. Every week that a person is out of work, through no fault of their own, is a week too long. This bipartisan fix to reemployment will help these individuals get back to receiving what they want most: a job and a paycheck.

Mr. Speaker, I thank my colleagues on the Ways and Means Committee for their support on this legislation, and I urge its passage in the House.

□ 1330

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise to support the BRIDGE Act, which would ensure that all unemployment insurance beneficiaries could use reemployment service grants to get back to work sooner. Currently, only unemployed individuals who are likely to exhaust their unemployment benefits have access to these grants.

I know this change will make an impact in my district. In Pasadena, California, the Employment Development Department administers this program, which offers an orientation to dislocated workers. At the orientations, these clients are given a tour of all the services available, including partner services under the Workforce Innovation and Opportunity Act, and they are then able to pick out a service that best fits their needs.

But this change would allow all individuals to have access to this program and will help coordinate services better so that staff can help these individuals so that they don't have to figure it out on their own, and then more dislocated workers in my community could find work more quickly.

It would help people like Hector. Just last week, I met with the Los Angeles Workforce Development Board and they told me his story.

Hector lost his job as an account manager, where he was making $44.71 per hour. This forced him to seek public assistance to make ends meet for himself and his family.

Through the help of the staff at the East Los Angeles/West San Gabriel Valley America's Job Center of California, Hector was able to receive a referral for an interview with the Maintco Corporation and was provided a bus pass that enabled him to get to the interview. He was able to quickly secure employment as a finance controller and is now making $55 an hour, which is $11 more than when he lost his job.

We must pass this bill to make sure that individuals who lose their jobs are not out of the workforce for too long. I applaud my colleague, STEPHANIE MURPHY, for introducing this bill, and I urge my colleagues to vote for it.

Mrs. WALORSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES. Mr. Speaker, I thank the gentlewoman from Indiana (Mrs. WALORSKI) for yielding.

Mr. Speaker, I want to mention that I, too, rise today in support of H.R. 1759, the BRIDGE for Workers Act. This technical correction bill builds on the progress we made in last year's budget act to provide reemployment services to help get more people back to work faster and easier.

While the intent of last year's law was to allow job counselors to consult with unemployed individuals as soon as possible, oftentimes implementation of the law led to this happening only in cases where unemployment benefits were set to expire.

Today's bill realigns reemployment services and eligibility assessment with the original intent of their mission to assist unemployed individuals as soon as possible to get people back to work.

I know, in my district, case managers at the Workforce Centers of South Central Kansas provide a critical service connecting people with jobs or skills training to further their careers.

At a time when our economy is growing at historic rates and we have more job openings than ever before, the work these centers provide is extremely important to help make sure all Americans can participate in this economic revival.

I want to thank my fellow Ways and Means Committee members for working to bring this bill to the floor, and I urge my colleagues to support it.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from Wisconsin (Ms. MOORE), a member of our subcommittee

Ms. MOORE. Mr. Speaker, I want to thank the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. Speaker, I am absolutely delighted to rise in support of H.R. 1759, the Building on Reemployment Improvements to Deliver Good Employment for Workers Act, also known as the BRIDGE for Workers Act.

I do want to congratulate the authors of this bill, Mrs. WALORSKI and my colleague Mrs. MURPHY, for their effort in putting this forward.

This bill aims to provide workers receiving unemployment benefits the support they need to not only get back into the workforce as soon as possible, but to prevent them from being unemployed in the first place.

This legislation is so important because it would extend reemployment services and eligibility assessments to all claimants of unemployment benefits, rather than limiting these benefits to only those who are expected to run out of benefits. Helping all unemployment insurance claimants reenter the workforce is vital for a robust economy that will only thrive with a skilled workforce.

Mr. Speaker, research shows that the longer workers are out of work, the harder it can be to maintain their skills. Reemployment services equip workers with important tools, such as individualized career counseling and job search assistance, to find a job well matched to their skills and experience more quickly. This helps to stabilize families' income.

These are the kinds of services that we need to invest in as a nation, especially since we know that not all boats are rising in this economy.

In my own State of Wisconsin, funding to the Department of Workforce

Development's Reemployment Services Program was bolstered for fiscal year 2019, with an increase of nearly $722,000. Already, we have seen improvements in the program's effectiveness for Wisconsinites in need of just a little bit of extra assistance with finding suitable employment.

Mr. Speaker, I would also note that the BRIDGE for Workers Act was a bipartisan effort, so important for getting things done. We are pleased with the overwhelming cooperation on both sides of the aisle, and I urge my colleagues to support its passage.

Mrs. WALORSKI. Mr. Speaker, having no other speakers, I reserve the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Illinois has 9 minutes remaining.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 4 minutes to the gentlewoman from New Mexico (Ms. TORRES SMALL), a cosponsor of this bill.

Ms. TORRES SMALL of New Mexico. Mr. Speaker, I rise today to express my full support for H.R. 1759, the BRIDGE for Workers Act, led by Representatives Murphy, Walorski, LaHood, and myself.

Mr. Speaker, my State of New Mexico continues to suffer from one of the highest unemployment rates in the country. In one county in my district, the unemployment rate is 17 percent.

As lawmakers, we must prioritize policies that will help counties across the Nation like Luna County combat systemic problems that are preventing a swift return to the workforce.

Research shows that the longer workers are out of work, the harder it can be to maintain their skills and the more likely workers will fall out of the labor force entirely.

When I was in college, my dad lost his job to funding cuts. My parents and I had just taken out loans so that I could go to college. I remember sitting in class, worried. I was homesick, and I felt powerless to do anything to help my family through that difficult time.

My dad is one of the hardest working people I know. On his own, he got the training he needed to find a job in our hometown, but it took years. We all made sacrifices in the meantime.

I worked multiple jobs, and I graduated in 3 years to help limit that debt, and I took on my parents' loan payments to help out.

Now my dad is a schoolbus driver, and the kids he drives to school, the colleagues he serves as a union president, and our community are all better because of the work that he does. I just wish he had found his second calling earlier.

This bill will help. The earlier we retrain people, the earlier they find new careers. This helps people in their most vulnerable moments. It supports families, and it builds stronger communities.

That is why I am proud to help lead the BRIDGE for Workers Act, which will help unemployed individuals find a job faster so that they can provide for their families and get back on their feet as soon as possible.

This would fix a flaw in the current law that limits reemployment services to only those expected to remain unemployed after their benefits run out.

Reemployment services are essential, as they give people without a job the tools they need to get back to work through programs offering targeted job search assistance, career counseling, and interview and resume workshops. With greater access to these services, unemployed individuals will be more likely to find a job faster and rejoin the workforce.

This bill is also cost effective. Since it allows States to use their reemployment services grants more effectively, individuals will return to work quicker, which will generate more savings for our government.

When Americans who want to work hard get the support they need to do just that, we all succeed. I encourage my colleagues on both sides of the aisle to support this legislation and help unemployed Americans across our Nation get back on their feet.

Mrs. WALORSKI. Mr. Speaker, having no other speakers, I reserve the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, I am proud to stand as a member of this subcommittee to support the BRIDGE for Workers Act.

Mr. Speaker, no person wants to be without a job. I think that the hardest and most important thing that we as Members of Congress can do is to support the American worker to not only stay employed and find jobs, but, when they have to lose their job, that they are helped to be retrained—and that is exactly what this bill will do.

This bill will provide better reemployment services. Right now, they are limited. By expanding it, we will help American workers who are unemployed get back to work quicker and faster.

I want to acknowledge that this is a bipartisan bill. It is exactly what the American people need to see us do, which is to help workers maintain their dignity by not only staying employed but, when they lose their job, getting reemployed.

Mr. Speaker, I urge my colleagues to support this bipartisan piece of legislation and want to thank the chairman of our subcommittee and the ranking member of our subcommittee for bringing this bipartisan bill to the floor.

Mrs. WALORSKI. Mr. Speaker, I have no other speakers. I am prepared to close, and I yield myself the balance of my time.

Mr. Speaker, as you have heard today, the ability to pair benefits with services can have a profound effect on the lives of workers and their families. At a time with more than a million more jobs than we actually have unemployed, this effort is especially critical. This bill gives States the flexibility they need to make reemployment services a great success.

Again, I urge support of H.R. 1759, and I yield back the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I came to this session with the simple notion of coming to do a job and to go do my work. Listening to my colleagues' representations and their articulation of experiences and what this bill really means, I am renewed, and I am delighted because it is an important bill, seriously important.

Yes, in many places the economy is good; people are able to work. But bridges connect and transport, and this bridge connects people to the opportunity to get a job, to go back to work, to be able to take care of their families, to have money so that their children can go to college or they can sustain themselves while their daughter is completing her education.

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Mr. Speaker, I commend my colleagues, Mrs. MURPHY and Ms. TORRES SMALL; the ranking member of the subcommittee, Mrs. WALORSKI; and Mr. LAHOOD, my colleague from Illinois, for their ingenuity, creativity, and for the introduction of this tremendous piece of legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DANNY K. DAVIS) that the House suspend the rules and pass the bill, H.R. 1759, as amended.

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. DANNY K. DAVIS of Illinois. 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.

TAXPAYER FIRST ACT OF 2019

Mr. LEWIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1957) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1957

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer First Act of 2019''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title; etc.

TITLE I—PUTTING TAXPAYERS FIRST

Subtitle A—Independent Appeals Process

Sec. 1001. Establishment of Internal Revenue Service Independent Office of Appeals.

Subtitle B—Improved Service

Sec. 1101. Comprehensive customer service strategy.
Sec. 1102. IRS Free File Program.
Sec. 1103. Low-income exception for payments otherwise required in connection with a submission of an offer-in-compromise.

Subtitle C—Sensible Enforcement

Sec. 1201. Internal Revenue Service seizure requirements with respect to structuring transactions.
Sec. 1202. Exclusion of interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.
Sec. 1203. Clarification of equitable relief from joint liability.
Sec. 1204. Modification of procedures for issuance of third-party summons.
Sec. 1205. Private debt collection and special compliance personnel program.
Sec. 1206. Reform of notice of contact of third parties.
Sec. 1207. Modification of authority to issue designated summons.
Sec. 1208. Limitation on access of non-Internal Revenue Service employees to returns and return information.

Subtitle D—Organizational Modernization

Sec. 1301. Office of the National Taxpayer Advocate.
Sec. 1302. Modernization of Internal Revenue Service organizational structure.

Subtitle E—Other Provisions

Sec. 1401. Return preparation programs for applicable taxpayers.
Sec. 1402. Provision of information regarding low-income taxpayer clinics.
Sec. 1403. Notice from IRS regarding closure of taxpayer assistance centers.
Sec. 1404. Rules for seizure and sale of perishable goods restricted to only perishable goods.
Sec. 1405. Whistleblower reforms.
Sec. 1406. Customer service information.
Sec. 1407. Misdirected tax refund deposits.

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

Sec. 2001. Public-private partnership to address identity theft refund fraud.
Sec. 2002. Recommendations of Electronic Tax Administration Advisory Committee regarding identity theft refund fraud.
Sec. 2003. Information sharing and analysis center.
Sec. 2004. Compliance by contractors with confidentiality safeguards.
Sec. 2005. Identity protection personal identification numbers.
Sec. 2006. Single point of contact for tax-related identity theft victims.
Sec. 2007. Notification of suspected identity theft.
Sec. 2008. Guidelines for stolen identity refund fraud cases.
Sec. 2009. Increased penalty for improper disclosure or use of information by preparers of returns.

Subtitle B—Development of Information Technology

Sec. 2101. Management of Internal Revenue Service information technology.
Sec. 2102. Internet platform for Form 1099 filings.
Sec. 2103. Streamlined critical pay authority for information technology positions.

Subtitle C—Modernization of Consent-Based Income Verification System

Sec. 2201. Disclosure of taxpayer information for third-party income verification.
Sec. 2202. Limit redisclosures and uses of consent-based disclosures of tax return information.

Subtitle D—Expanded Use of Electronic Systems

Sec. 2301. Electronic filing of returns.
Sec. 2302. Uniform standards for the use of electronic signatures for disclosure authorizations to, and other authorizations of, practitioners.
Sec. 2303. Payment of taxes by debit and credit cards.
Sec. 2304. Authentication of users of electronic services accounts.

Subtitle E—Other Provisions

Sec. 2401. Repeal of provision regarding certain tax compliance procedures and reports.
Sec. 2402. Comprehensive training strategy.

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Reform of Laws Governing Internal Revenue Service Employees

Sec. 3001. Prohibition on rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct.
Sec. 3002. Notification of unauthorized inspection or disclosure of returns and return information.

Subtitle B—Provisions Relating to Exempt Organizations

Sec. 3101. Mandatory e-filing by exempt organizations.
Sec. 3102. Notice required before revocation of tax-exempt status for failure to file return.

Subtitle C—Revenue Provision

Sec. 3201. Increase in penalty for failure to file.

TITLE IV—BUDGETARY EFFECTS

Sec. 4001. Determination of budgetary effects.

TITLE I—PUTTING TAXPAYERS FIRST

Subtitle A—Independent Appeals Process

SEC. 1001. ESTABLISHMENT OF INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.

(a) IN GENERAL.—Section 7803 is amended by adding at the end the following new subsection:

''(e) INDEPENDENT OFFICE OF APPEALS.—

''(1) ESTABLISHMENT.—There is established in the Internal Revenue Service an office to be known as the 'Internal Revenue Service Independent Office of Appeals'.

''(2) CHIEF OF APPEALS.—

''(A) IN GENERAL.—The Internal Revenue Service Independent Office of Appeals shall be under the supervision and direction of an official to be known as the 'Chief of Appeals'. The Chief of Appeals shall report directly to the Commissioner of Internal Revenue and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

''(B) APPOINTMENT.—The Chief of Appeals shall be appointed by the Commissioner of Internal Revenue without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

''(C) QUALIFICATIONS.—An individual appointed under subparagraph (B) shall have experience and expertise in—

''(i) administration of, and compliance with, Federal tax laws,

''(ii) a broad range of compliance cases, and

''(iii) management of large service organizations.

''(3) PURPOSES AND DUTIES OF OFFICE.—It shall be the function of the Internal Revenue Service Independent Office of Appeals to resolve Federal tax controversies without litigation on a basis which—

''(A) is fair and impartial to both the Government and the taxpayer,

''(B) promotes a consistent application and interpretation of, and voluntary compliance with, the Federal tax laws, and

''(C) enhances public confidence in the integrity and efficiency of the Internal Revenue Service.

''(4) RIGHT OF APPEAL.—The resolution process described in paragraph (3) shall be generally available to all taxpayers.

''(5) LIMITATION ON DESIGNATION OF CASES AS NOT ELIGIBLE FOR REFERRAL TO INDEPENDENT OFFICE OF APPEALS.—

''(A) IN GENERAL.—If any taxpayer which is in receipt of a notice of deficiency authorized under section 6212 requests referral to the Internal Revenue Service Independent Office of Appeals and such request is denied, the Commissioner of Internal Revenue shall provide such taxpayer a written notice which—

''(i) provides a detailed description of the facts involved, the basis for the decision to deny the request, and a detailed explanation of how the basis of such decision applies to such facts, and

''(ii) describes the procedures prescribed under subparagraph (C) for protesting the decision to deny the request.

''(B) REPORT TO CONGRESS.—The Commissioner of Internal Revenue shall submit a written report to Congress on an annual basis which includes the number of requests described in subparagraph (A) which were denied and the reasons (described by category) that such requests were denied.

''(C) PROCEDURES FOR PROTESTING DENIAL OF REQUEST.—The Commissioner of Internal Revenue shall prescribe procedures for protesting to the Commissioner of Internal Revenue a denial of a request described in subparagraph (A).

''(D) NOT APPLICABLE TO FRIVOLOUS POSITIONS.—This paragraph shall not apply to a request for referral to the Internal Revenue Service Independent Office of Appeals which is denied on the basis that the issue involved is a frivolous position (within the meaning of section 6702(c)).

''(6) STAFF.—

''(A) IN GENERAL.—All personnel in the Internal Revenue Service Independent Office of Appeals shall report to the Chief of Appeals.

''(B) ACCESS TO STAFF OF OFFICE OF THE CHIEF COUNSEL.—The Chief of Appeals shall have authority to obtain legal assistance and advice from the staff of the Office of the

Chief Counsel. The Chief Counsel shall ensure, to the extent practicable, that such assistance and advice is provided by staff of the Office of the Chief Counsel who were not involved in the case with respect to which such assistance and advice is sought and who are not involved in preparing such case for litigation.

''(7) ACCESS TO CASE FILES.—

''(A) IN GENERAL.—In any case in which a conference with the Internal Revenue Service Independent Office of Appeals has been scheduled upon request of a specified taxpayer, the Chief of Appeals shall ensure that such taxpayer is provided access to the nonprivileged portions of the case file on record regarding the disputed issues (other than documents provided by the taxpayer to the Internal Revenue Service) not later than 10 days before the date of such conference.

''(B) TAXPAYER ELECTION TO EXPEDITE CONFERENCE.—If the taxpayer so elects, subparagraph (A) shall be applied by substituting 'the date of such conference' for '10 days before the date of such conference'.

''(C) SPECIFIED TAXPAYER.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified taxpayer' means—

''(I) in the case of any taxpayer who is a natural person, a taxpayer whose adjusted gross income does not exceed $400,000 for the taxable year to which the dispute relates, and

''(II) in the case of any other taxpayer, a taxpayer whose gross receipts do not exceed $5,000,000 for the taxable year to which the dispute relates.

''(ii) AGGREGATION RULE.—Rules similar to the rules of section 448(c)(2) shall apply for purposes of clause (i)(II).''.

(b) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''Internal Revenue Service Office of Appeals'' and inserting ''Internal Revenue Service Independent Office of Appeals'':

(A) Section 6015(c)(4)(B)(ii)(I).

(B) Section 6320(b)(1).

(C) Subsections (b)(1) and (d)(3) of section 6330.

(D) Section 6603(d)(3)(B).

(E) Section 6621(c)(2)(A)(i).

(F) Section 7122(e)(2).

(G) Subsections (a), (b)(1), (b)(2), and (c)(1) of section 7123.

(H) Subsections (c)(7)(B)(i) and (g)(2)(A) of section 7430.

(I) Section 7522(b)(3).

(J) Section 7612(c)(2)(A).

(2) Section 7430(c)(2) is amended by striking ''Internal Revenue Service Office of Appeals'' each place it appears and inserting ''Internal Revenue Service Independent Office of Appeals''.

(3) The heading of section 6330(d)(3) is amended by inserting ''INDEPENDENT'' after ''IRS''.

(c) OTHER REFERENCES.—Any reference in any provision of law, or regulation or other guidance, to the Internal Revenue Service Office of Appeals shall be treated as a reference to the Internal Revenue Service Independent Office of Appeals.

(d) SAVINGS PROVISIONS.—Rules similar to the rules of paragraphs (2) through (6) of section 1001(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall apply for purposes of this section (and the amendments made by this section).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) ACCESS TO CASE FILES.—Section 7803(e)(7) of the Internal Revenue Code of 1986, as added by subsection (a), shall apply to conferences occurring after the date which is 1 year after the date of the enactment of this Act.

Subtitle B—Improved Service

SEC. 1101. COMPREHENSIVE CUSTOMER SERVICE STRATEGY.

(a) IN GENERAL.—Not later than the date which is 1 year after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall submit to Congress a written comprehensive customer service strategy for the Internal Revenue Service. Such strategy shall include—

(1) a plan to provide assistance to taxpayers that is secure, designed to meet reasonable taxpayer expectations, and adopts appropriate best practices of customer service provided in the private sector, including online services, telephone call back services, and training of employees providing customer services;

(2) a thorough assessment of the services that the Internal Revenue Service can co-locate with other Federal services or offer as self-service options;

(3) proposals to improve Internal Revenue Service customer service in the short term (the current and following fiscal year), medium term (approximately 3 to 5 fiscal years), and long term (approximately 10 fiscal years);

(4) a plan to update guidance and training materials for customer service employees of the Internal Revenue Service, including the Internal Revenue Manual, to reflect such strategy; and

(5) identified metrics and benchmarks for quantitatively measuring the progress of the Internal Revenue Service in implementing such strategy.

(b) UPDATED GUIDANCE AND TRAINING MATERIALS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall make available the updated guidance and training materials described in subsection (a)(4) (including the Internal Revenue Manual). Such updated guidance and training materials (including the Internal Revenue Manual) shall be written in a manner so as to be easily understood by customer service employees of the Internal Revenue Service and shall provide clear instructions.

SEC. 1102. IRS FREE FILE PROGRAM.

(a) IN GENERAL.—

(1) The Secretary of the Treasury, or the Secretary's delegate, shall continue to operate the IRS Free File Program as established by the Internal Revenue Service and published in the Federal Register on November 4, 2002 (67 Fed. Reg. 67247), including any subsequent agreements and governing rules established pursuant thereto.

(2) The IRS Free File Program shall continue to provide free commercial-type online individual income tax preparation and electronic filing services to the lowest 70 percent of taxpayers by adjusted gross income. The number of taxpayers eligible to receive such services each year shall be calculated by the Internal Revenue Service annually based on prior year aggregate taxpayer adjusted gross income data.

(3) In addition to the services described in paragraph (2), and in the same manner, the IRS Free File Program shall continue to make available to all taxpayers (without regard to income) a basic, online electronic fillable forms utility.

(4) The IRS Free File Program shall continue to work cooperatively with the private sector to provide the free individual income tax preparation and the electronic filing services described in paragraphs (2) and (3).

(5) The IRS Free File Program shall work cooperatively with State government agencies to enhance and expand the use of the program to provide needed benefits to the taxpayer while reducing the cost of processing returns.

(b) INNOVATIONS.—The Secretary of the Treasury, or the Secretary's delegate, shall work with the private sector through the IRS Free File Program to identify and implement, consistent with applicable law, innovative new program features to improve and simplify the taxpayer's experience with completing and filing individual income tax returns through voluntary compliance.

SEC. 1103. LOW-INCOME EXCEPTION FOR PAYMENTS OTHERWISE REQUIRED IN CONNECTION WITH A SUBMISSION OF AN OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Section 7122(c) is amended by adding at the end the following new paragraph:

''(3) EXCEPTION FOR LOW-INCOME TAXPAYERS.—Paragraph (1), and any user fee otherwise required in connection with the submission of an offer-in-compromise, shall not apply to any offer-in-compromise with respect to a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 250 percent of the applicable poverty level (as determined by the Secretary).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to offers-in-compromise submitted after the date of the enactment of this Act.

Subtitle C—Sensible Enforcement

SEC. 1201. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking ''Any property'' and inserting the following:

''(A) IN GENERAL.—Any property''; and

(2) by adding at the end the following:

''(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

''(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

''(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

''(I) make a good faith effort to find all persons with an ownership interest in such property; and

''(II) provide each such person so found with a notice of the seizure and of the person's rights under clause (iv).

''(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

''(iv) POST-SEIZURE HEARING.—If a person with an ownership interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an

interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.''.

SEC. 1202. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by inserting before section 140 the following new section:

''SEC. 139H. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

''Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139H. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

SEC. 1203. CLARIFICATION OF EQUITABLE RELIEF FROM JOINT LIABILITY.

(a) IN GENERAL.—Section 6015 is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

''(7) STANDARD AND SCOPE OF REVIEW.—Any review of a determination made under this section shall be reviewed de novo by the Tax Court and shall be based upon—

''(A) the administrative record established at the time of the determination, and

''(B) any additional newly discovered or previously unavailable evidence.''; and

(2) by amending subsection (f) to read as follows:

''(f) EQUITABLE RELIEF.—

''(1) IN GENERAL.—Under procedures prescribed by the Secretary, if—

''(A) taking into account all the facts and circumstances, it is inequitable to hold the individual liable for any unpaid tax or any deficiency (or any portion of either), and

''(B) relief is not available to such individual under subsection (b) or (c),

the Secretary may relieve such individual of such liability.

''(2) LIMITATION.—A request for equitable relief under this subsection may be made with respect to any portion of any liability that—

''(A) has not been paid, provided that such request is made before the expiration of the applicable period of limitation under section 6502, or

''(B) has been paid, provided that such request is made during the period in which the individual could submit a timely claim for refund or credit of such payment.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions or requests filed or pending on or after the date of the enactment of this Act.

SEC. 1204. MODIFICATION OF PROCEDURES FOR ISSUANCE OF THIRD-PARTY SUMMONS.

(a) IN GENERAL.—Section 7609(f) is amended by adding at the end the following flush sentence:

''The Secretary shall not issue any summons described in the preceding sentence unless the information sought to be obtained is narrowly tailored to information that pertains to the failure (or potential failure) of the person or group or class of persons referred to in paragraph (2) to comply with one or more provisions of the internal revenue law which have been identified for purposes of such paragraph.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses served after the date that is 45 days after the date of the enactment of this Act.

SEC. 1205. PRIVATE DEBT COLLECTION AND SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(d)(3) is amended by striking ''or'' at the end of subparagraph (C) and by inserting after subparagraph (D) the following new subparagraphs:

''(E) a taxpayer substantially all of whose income consists of disability insurance benefits under section 223 of the Social Security Act or supplemental security income benefits under title XVI of the Social Security Act (including supplemental security income benefits of the type described in section 1616 of such Act or section 212 of Public Law 93–66), or

''(F) a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 200 percent of the applicable poverty level (as determined by the Secretary),''.

(b) DETERMINATION OF INACTIVE TAX RECEIVABLES ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(c)(2)(A)(ii) is amended by striking ''more than ⅓ of the period of the applicable statute of limitation has lapsed'' and inserting ''more than 2 years has passed since assessment''.

(c) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS OFFERED UNDER TAX COLLECTION CONTRACTS.—Section 6306(b)(1)(B) is amended by striking ''5 years'' and inserting ''7 years''.

(d) CLARIFICATION THAT SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT MAY BE USED FOR PROGRAM COSTS.—

(1) IN GENERAL.—Section 6307(b) is amended—

(A) in paragraph (2), by striking all that follows ''under such program'' and inserting a period, and

(B) in paragraph (3), by striking all that follows ''out of such account'' and inserting ''for other than program costs.''.

(2) COMMUNICATIONS, SOFTWARE, AND TECHNOLOGY COSTS TREATED AS PROGRAM COSTS.—Section 6307(d)(2)(B) is amended by striking ''telecommunications'' and inserting ''communications, software, technology''.

(3) CONFORMING AMENDMENT.—Section 6307(d)(2) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by inserting after subparagraph (B) the following new subparagraph:

''(C) reimbursement of the Internal Revenue Service or other government agencies for the cost of administering the qualified tax collection program under section 6306.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to tax receivables identified by the Secretary (or the Secretary's delegate) after December 31, 2020.

(2) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS.—The amendment made by subsection (c) shall apply to contracts entered into after the date of the enactment of this Act.

(3) USE OF SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The amendment made by subsection (d) shall apply to amounts expended from the special compliance personnel program account after the date of the enactment of this Act.

SEC. 1206. REFORM OF NOTICE OF CONTACT OF THIRD PARTIES.

(a) IN GENERAL.—Section 7602(c)(1) is amended to read as follows:

''(1) GENERAL NOTICE.—An officer or employee of the Internal Revenue Service may not contact any person other than the taxpayer with respect to the determination or collection of the tax liability of such taxpayer unless such contact occurs during a period (not greater than 1 year) which is specified in a notice which—

''(A) informs the taxpayer that contacts with persons other than the taxpayer are intended to be made during such period, and

''(B) except as otherwise provided by the Secretary, is provided to the taxpayer not later than 45 days before the beginning of such period.

Nothing in the preceding sentence shall prevent the issuance of notices to the same taxpayer with respect to the same tax liability with periods specified therein that, in the aggregate, exceed 1 year. A notice shall not be issued under this paragraph unless there is an intent at the time such notice is issued to contact persons other than the taxpayer during the period specified in such notice. The preceding sentence shall not prevent the issuance of a notice if the requirement of such sentence is met on the basis of the assumption that the information sought to be obtained by such contact will not be obtained by other means before such contact.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to notices provided, and contacts of persons made, after the date which is 45 days after the date of the enactment of this Act.

SEC. 1207. MODIFICATION OF AUTHORITY TO ISSUE DESIGNATED SUMMONS.

(a) IN GENERAL.—Paragraph (1) of section 6503(j) is amended by striking ''coordinated examination program'' and inserting ''coordinated industry case program''.

(b) REQUIREMENTS FOR SUMMONS.—Clause (i) of section 6503(j)(2)(A) is amended to read as follows:

''(i) the issuance of such summons is preceded by a review and written approval of such issuance by the Commissioner of the relevant operating division of the Internal Revenue Service and the Chief Counsel which—

''(I) states facts clearly establishing that the Secretary has made reasonable requests for the information that is the subject of the summons, and

''(II) is attached to such summons,''.

(c) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—Subsection (j) of section 6503 is amended by adding at the end the following new paragraph:

''(4) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—In any court proceeding described in paragraph (3), the Secretary shall establish that reasonable requests were made for the information that is the subject of the summons.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses issued after the date which is 45 days after the date of the enactment of this Act.

SEC. 1208. LIMITATION ON ACCESS OF NON-INTERNAL REVENUE SERVICE EMPLOYEES TO RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Section 7602 is amended by adding at the end the following new subsection:

''(f) LIMITATION ON ACCESS OF PERSONS OTHER THAN INTERNAL REVENUE SERVICE OFFICERS AND EMPLOYEES.—The Secretary shall not, under the authority of section 6103(n), provide any books, papers, records, or other data obtained pursuant to this section to any person authorized under section 6103(n), except when such person requires such information for the sole purpose of providing expert evaluation and assistance to the Internal Revenue Service. No person other than an officer or employee of the Internal Revenue Service or the Office of Chief Counsel may, on behalf of the Secretary, question a witness under oath whose testimony was obtained pursuant to this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section—

(1) shall take effect on the date of the enactment of this Act; and

(2) shall not fail to apply to a contract in effect under section 6103(n) of the Internal Revenue Code of 1986 merely because such contract was in effect before the date of the enactment of this Act.

Subtitle D—Organizational Modernization

SEC. 1301. OFFICE OF THE NATIONAL TAXPAYER ADVOCATE.

(a) TAXPAYER ADVOCATE DIRECTIVES.—

(1) IN GENERAL.—Section 7803(c) is amended by adding at the end the following new paragraph:

''(5) TAXPAYER ADVOCATE DIRECTIVES.—In the case of any Taxpayer Advocate Directive issued by the National Taxpayer Advocate pursuant to a delegation of authority from the Commissioner of Internal Revenue—

''(A) the Commissioner or a Deputy Commissioner shall modify, rescind, or ensure compliance with such directive not later than 90 days after the issuance of such directive, and

''(B) in the case of any directive which is modified or rescinded by a Deputy Commissioner, the National Taxpayer Advocate may (not later than 90 days after such modification or rescission) appeal to the Commissioner, and the Commissioner shall (not later than 90 days after such appeal is made) ensure compliance with such directive as issued by the National Taxpayer Advocate or provide the National Taxpayer Advocate with the reasons for any modification or rescission made or upheld by the Commissioner pursuant to such appeal.''.

(2) REPORT TO CERTAIN COMMITTEES OF CONGRESS REGARDING DIRECTIVES.—Section 7803(c)(2)(B)(ii) is amended by redesignating subclauses (VIII) through (XI) as subclauses (IX) through (XII), respectively, and by inserting after subclause (VII) the following new subclause:

''(VIII) identify any Taxpayer Advocate Directive which was not honored by the Internal Revenue Service in a timely manner, as specified under paragraph (5);''.

(b) NATIONAL TAXPAYER ADVOCATE ANNUAL REPORTS TO CONGRESS.—

(1) INCLUSION OF MOST SERIOUS TAXPAYER PROBLEMS.—Section 7803(c)(2)(B)(ii)(III) is amended by striking ''at least 20 of the'' and inserting ''the 10''.

(2) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Section 7803(c)(2) is amended by adding at the end the following new subparagraph:

''(E) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Before beginning any research or study, the National Taxpayer Advocate shall coordinate with the Treasury Inspector General for Tax Administration to ensure that the National Taxpayer Advocate does not duplicate any action that the Treasury Inspector General for Tax Administration has already undertaken or has a plan to undertake.''.

(3) STATISTICAL SUPPORT.—

(A) IN GENERAL.—Section 6108 is amended by adding at the end the following new subsection:

''(d) STATISTICAL SUPPORT FOR NATIONAL TAXPAYER ADVOCATE.—Upon request of the National Taxpayer Advocate, the Secretary shall, to the extent practicable, provide the National Taxpayer Advocate with statistical support in connection with the preparation by the National Taxpayer Advocate of the annual report described in section 7803(c)(2)(B)(ii). Such statistical support shall include statistical studies, compilations, and the review of information provided by the National Taxpayer Advocate for statistical validity and sound statistical methodology.''.

(B) DISCLOSURE OF REVIEW.—Section 7803(c)(2)(B)(ii), as amended by subsection (a), is amended by striking ''and'' at the end of subclause (XI), by redesignating subclause (XII) as subclause (XIII), and by inserting after subclause (XI) the following new subclause:

''(XII) with respect to any statistical information included in such report, include a statement of whether such statistical information was reviewed or provided by the Secretary under section 6108(d) and, if so, whether the Secretary determined such information to be statistically valid and based on sound statistical methodology; and''.

(C) CONFORMING AMENDMENT.—Section 7803(c)(2)(B)(iii) is amended by adding at the end the following: ''The preceding sentence shall not apply with respect to statistical information provided to the Secretary for review, or received from the Secretary, under section 6108(d).''.

(c) SALARY OF NATIONAL TAXPAYER ADVOCATE.—Section 7803(c)(1)(B)(i) is amended by striking '', or, if the Secretary of the Treasury so determines, at a rate fixed under section 9503 of such title''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) SALARY OF NATIONAL TAXPAYER ADVOCATE.—The amendment made by subsection (c) shall apply to compensation paid to individuals appointed as the National Taxpayer Advocate after March 31, 2019.

SEC. 1302. MODERNIZATION OF INTERNAL REVENUE SERVICE ORGANIZATIONAL STRUCTURE.

(a) IN GENERAL.—Not later than September 30, 2020, the Secretary of the Treasury (or the Secretary's delegate) shall submit to Congress a comprehensive written plan to redesign the organization of the Internal Revenue Service. Such plan shall—

(1) ensure the successful implementation of the priorities specified by Congress in this Act;

(2) prioritize taxpayer services to ensure that all taxpayers easily and readily receive the assistance that they need;

(3) streamline the structure of the agency including minimizing the duplication of services and responsibilities within the agency;

(4) best position the Internal Revenue Service to combat cybersecurity and other threats to the Internal Revenue Service; and

(5) address whether the Criminal Investigation Division of the Internal Revenue Service should report directly to the Commissioner of Internal Revenue.

(b) REPEAL OF RESTRICTION ON ORGANIZATIONAL STRUCTURE OF INTERNAL REVENUE SERVICE.—Paragraph (3) of section 1001(a) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall cease to apply beginning 1 year after the date on which the plan described in subsection (a) is submitted to Congress.

Subtitle E—Other Provisions

SEC. 1401. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

(a) IN GENERAL.—Chapter 77 is amended by inserting after section 7526 the following new section:

''SEC. 7526A. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

''(a) ESTABLISHMENT OF VOLUNTEER INCOME TAX ASSISTANCE MATCHING GRANT PROGRAM.—The Secretary shall establish a Community Volunteer Income Tax Assistance Matching Grant Program under which the Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation programs assisting applicable taxpayers and members of underserved populations.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Qualified return preparation programs may use grants received under this section for—

''(A) ordinary and necessary costs associated with program operation in accordance with cost principles under the applicable Office of Management and Budget circular, including—

''(i) wages or salaries of persons coordinating the activities of the program,

''(ii) developing training materials, conducting training, and performing quality reviews of the returns prepared under the program,

''(iii) equipment purchases, and

''(iv) vehicle-related expenses associated with remote or rural tax preparation services,

''(B) outreach and educational activities described in subsection (c)(2)(B), and

''(C) services related to financial education and capability, asset development, and the establishment of savings accounts in connection with tax return preparation.

''(2) REQUIREMENT OF MATCHING FUNDS.—A qualified return preparation program must provide matching funds on a dollar-for-dollar basis for all grants provided under this section. Matching funds may include—

''(A) the salary (including fringe benefits) of individuals performing services for the program,

''(B) the cost of equipment used in the program, and

''(C) other ordinary and necessary costs associated with the program.

Indirect expenses, including general overhead of any entity administering the program, shall not be counted as matching funds.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each applicant for a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications which demonstrate—

''(A) assistance to applicable taxpayers, with emphasis on outreach to, and services for, such taxpayers,

''(B) taxpayer outreach and educational activities relating to eligibility and availability of income supports available through this title, including the earned income tax credit, and

''(C) specific outreach and focus on one or more underserved populations.

''(3) AMOUNTS TAKEN INTO ACCOUNT.—In determining matching grants under this section, the Secretary shall only take into account amounts provided by the qualified return preparation program for expenses described in subsection (b).

''(d) PROGRAM ADHERENCE.—

''(1) IN GENERAL.—The Secretary shall establish procedures for, and shall conduct not less frequently than once every 5 calendar years during which a qualified return preparation program is operating under a grant under this section, periodic site visits—

''(A) to ensure the program is carrying out the purposes of this section, and

''(B) to determine whether the program meets such program adherence standards as the Secretary shall by regulation or other guidance prescribe.

''(2) ADDITIONAL REQUIREMENTS FOR GRANT RECIPIENTS NOT MEETING PROGRAM ADHERENCE STANDARDS.—In the case of any qualified return preparation program which—

''(A) is awarded a grant under this section, and

''(B) is subsequently determined—

''(i) not to meet the program adherence standards described in paragraph (1)(B), or

''(ii) not to be otherwise carrying out the purposes of this section,

such program shall not be eligible for any additional grants under this section unless such program provides sufficient documentation of corrective measures established to address any such deficiencies determined.

''(e) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED RETURN PREPARATION PROGRAM.—The term 'qualified return preparation program' means any program—

''(A) which provides assistance to individuals, not less than 90 percent of whom are applicable taxpayers, in preparing and filing Federal income tax returns,

''(B) which is administered by a qualified entity,

''(C) in which all volunteers who assist in the preparation of Federal income tax returns meet the training requirements prescribed by the Secretary, and

''(D) which uses a quality review process which reviews 100 percent of all returns.

''(2) QUALIFIED ENTITY.—

''(A) IN GENERAL.—The term 'qualified entity' means any entity which—

''(i) is an eligible organization,

''(ii) is in compliance with Federal tax filing and payment requirements,

''(iii) is not debarred or suspended from Federal contracts, grants, or cooperative agreements, and

''(iv) agrees to provide documentation to substantiate any matching funds provided pursuant to the grant program under this section.

''(B) ELIGIBLE ORGANIZATION.—The term 'eligible organization' means—

''(i) an institution of higher education which is described in section 102 (other than subsection (a)(1)(C) thereof) of the Higher Education Act of 1965 (20 U.S.C. 1002), as in effect on the date of the enactment of this section, and which has not been disqualified from participating in a program under title IV of such Act,

''(ii) an organization described in section 501(c) and exempt from tax under section 501(a),

''(iii) a local government agency, including—

''(I) a county or municipal government agency, and

''(II) an Indian tribe, as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)), including any tribally designated housing entity (as defined in section 4(22) of such Act (25 U.S.C. 4103(22))), tribal subsidiary, subdivision, or other wholly owned tribal entity,

''(iv) a local, State, regional, or national coalition (with one lead organization which meets the eligibility requirements of clause (i), (ii), or (iii) acting as the applicant organization), or

''(v) in the case of applicable taxpayers and members of underserved populations with respect to which no organizations described in the preceding clauses are available—

''(I) a State government agency, or

''(II) an office providing Cooperative Extension services (as established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914).

''(3) APPLICABLE TAXPAYERS.—The term 'applicable taxpayer' means a taxpayer whose income for the taxable year does not exceed an amount equal to the completed phaseout amount under section 32(b) for a married couple filing a joint return with three or more qualifying children, as determined in a revenue procedure or other published guidance.

''(4) UNDERSERVED POPULATION.—The term 'underserved population' includes populations of persons with disabilities, persons with limited English proficiency, Native Americans, individuals living in rural areas, members of the Armed Forces and their spouses, and the elderly.

''(f) SPECIAL RULES AND LIMITATIONS.—

''(1) DURATION OF GRANTS.—Upon application of a qualified return preparation program, the Secretary is authorized to award a multi-year grant not to exceed 3 years.

''(2) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than $30,000,000 per fiscal year (exclusive of costs of administering the program) to grants under this section.

''(g) PROMOTION OF PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall promote tax preparation through qualified return preparation programs through the use of mass communications and other means.

''(2) PROVISION OF INFORMATION REGARDING QUALIFIED RETURN PREPARATION PROGRAMS.—The Secretary may provide taxpayers information regarding qualified return preparation programs receiving grants under this section.

''(3) REFERRALS TO LOW-INCOME TAXPAYER CLINICS.—Qualified return preparation programs receiving a grant under this section are encouraged, in appropriate cases, to—

''(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from qualified low-income taxpayer clinics receiving funding under section 7526, and

''(B) provide information regarding the location of, and contact information for, such clinics.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

''Sec. 7526A. Return preparation programs for applicable taxpayers.''.

SEC. 1402. PROVISION OF INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS.

(a) IN GENERAL.—Section 7526(c) is amended by adding at the end the following new paragraph:

''(6) PROVISION OF INFORMATION REGARDING QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may—

''(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from one or more specific qualified low-income taxpayer clinics receiving funding under this section, and

''(B) provide information regarding the location of, and contact information for, such clinics.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 1403. NOTICE FROM IRS REGARDING CLOSURE OF TAXPAYER ASSISTANCE CENTERS.

Not later than 90 days before the date that a proposed closure of a Taxpayer Assistance Center would take effect, the Secretary of the Treasury (or the Secretary's delegate) shall—

(1) make publicly available (including by non-electronic means) a notice which—

(A) identifies the Taxpayer Assistance Center proposed for closure and the date of such proposed closure; and

(B) identifies the relevant alternative sources of taxpayer assistance which may be utilized by taxpayers affected by such proposed closure; and

(2) submit to Congress a written report that includes—

(A) the information included in the notice described in paragraph (1);

(B) the reasons for such proposed closure; and

(C) such other information as the Secretary may determine appropriate.

SEC. 1404. RULES FOR SEIZURE AND SALE OF PERISHABLE GOODS RESTRICTED TO ONLY PERISHABLE GOODS.

(a) IN GENERAL.—Section 6336 is amended by striking ''or become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property seized after the date of the enactment of this Act.

SEC. 1405. WHISTLEBLOWER REFORMS.

(a) MODIFICATIONS TO DISCLOSURE RULES FOR WHISTLEBLOWERS.—

(1) IN GENERAL.—Section 6103(k) is amended by adding at the end the following new paragraph:

''(13) DISCLOSURE TO WHISTLEBLOWERS.—

''(A) IN GENERAL.—The Secretary may disclose, to any individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a), return information related to the investigation of any taxpayer with respect to whom the individual has provided such information, but only to the extent that such disclosure is necessary in obtaining information, which is not otherwise reasonably available, with respect to the correct determination of tax liability for tax, or the amount to be collected with respect to the enforcement of any other provision of this title.

''(B) UPDATES ON WHISTLEBLOWER INVESTIGATIONS.—The Secretary shall disclose to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) the following:

''(i) Not later than 60 days after a case for which the individual has provided information has been referred for an audit or examination, a notice with respect to such referral.

''(ii) Not later than 60 days after a taxpayer with respect to whom the individual has provided information has made a payment of tax with respect to tax liability to which such information relates, a notice with respect to such payment.

''(iii) Subject to such requirements and conditions as are prescribed by the Secretary, upon a written request by such individual—

''(I) information on the status and stage of any investigation or action related to such information, and

''(II) in the case of a determination of the amount of any award under section 7623(b), the reasons for such determination.

Clause (iii) shall not apply to any information if the Secretary determines that disclosure of such information would seriously impair Federal tax administration. Information described in clauses (i), (ii), and (iii) may be disclosed to a designee of the individual providing such information in accordance with guidance provided by the Secretary.''.

(2) CONFORMING AMENDMENTS.—

(A) CONFIDENTIALITY OF INFORMATION.—Section 6103(a)(3) is amended by striking ''subsection (k)(10)'' and inserting ''paragraph (10) or (13) of subsection (k)''.

(B) PENALTY FOR UNAUTHORIZED DISCLOSURE.—Section 7213(a)(2) is amended by striking ''(k)(10)'' and inserting ''(k)(10) or (13)''.

(C) COORDINATION WITH AUTHORITY TO DISCLOSE FOR INVESTIGATIVE PURPOSES.—Section 6103(k)(6) is amended by adding at the end the following new sentence: ''This paragraph shall not apply to any disclosure to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) which is made under paragraph (13)(A).''.

(b) PROTECTION AGAINST RETALIATION.—Section 7623 is amended by adding at the end the following new subsection:

''(d) CIVIL ACTION TO PROTECT AGAINST RETALIATION CASES.—

''(1) ANTI-RETALIATION WHISTLEBLOWER PROTECTION FOR EMPLOYEES.—No employer, or any officer, employee, contractor, subcontractor, or agent of such employer, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment (including through an act in the ordinary course of such employee's duties) in reprisal for any lawful act done by the employee—

''(A) to provide information, cause information to be provided, or otherwise assist in an investigation regarding underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, when the information or assistance is provided to the Internal Revenue Service, the Secretary of Treasury, the Treasury Inspector General for Tax Administration, the Comptroller General of the United States, the Department of Justice, the United States Congress, a person with supervisory authority over the employee, or any other person working for the employer who has the authority to investigate, discover, or terminate misconduct, or

''(B) to testify, participate in, or otherwise assist in any administrative or judicial action taken by the Internal Revenue Service relating to an alleged underpayment of tax or any violation of the internal revenue laws or any provision of Federal law relating to tax fraud.

''(2) ENFORCEMENT ACTION.—

''(A) IN GENERAL.—A person who alleges discharge or other reprisal by any person in violation of paragraph (1) may seek relief under paragraph (3) by—

''(i) filing a complaint with the Secretary of Labor, or

''(ii) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(B) PROCEDURE.—

''(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

''(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

''(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code, except that in applying such section—

''(I) 'behavior described in paragraph (1)' shall be substituted for 'behavior described in paragraphs (1) through (4) of subsection (a)' each place it appears in paragraph (2)(B) thereof, and

''(II) 'a violation of paragraph (1)' shall be substituted for 'a violation of subsection (a)' each place it appears.

''(iv) STATUTE OF LIMITATIONS.—A complaint under subparagraph (A)(i) shall be filed not later than 180 days after the date on which the violation occurs.

''(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

''(3) REMEDIES.—

''(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

''(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

''(i) reinstatement with the same seniority status that the employee would have had, but for the reprisal,

''(ii) the sum of 200 percent of the amount of back pay and 100 percent of all lost benefits, with interest, and

''(iii) compensation for any special damages sustained as a result of the reprisal, including litigation costs, expert witness fees, and reasonable attorney fees.

''(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

''(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

''(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to disclosures made after the date of the enactment of this Act.

(2) CIVIL PROTECTION.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 1406. CUSTOMER SERVICE INFORMATION.

The Secretary of the Treasury (or the Secretary's delegate) shall provide helpful information to taxpayers placed on hold during a telephone call to any Internal Revenue Service help line, including the following:

(1) Information about common tax scams.

(2) Information on where and how to report tax scams.

(3) Additional advice on how taxpayers can protect themselves from identity theft and tax scams.

SEC. 1407. MISDIRECTED TAX REFUND DEPOSITS.

Section 6402 is amended by adding at the end the following new subsection:

''(n) MISDIRECTED DIRECT DEPOSIT REFUND.—Not later than the date which is 6 months after the date of the enactment of the Taxpayer First Act of 2019, the Secretary shall prescribe regulations to establish procedures to allow for—

''(1) taxpayers to report instances in which a refund made by the Secretary by electronic funds transfer was not transferred to the account of the taxpayer;

''(2) coordination with financial institutions for the purpose of—

''(A) identifying the accounts to which transfers described in paragraph (1) were made; and

''(B) recovery of the amounts so transferred; and

''(3) the refund to be delivered to the correct account of the taxpayer.''.

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

SEC. 2001. PUBLIC-PRIVATE PARTNERSHIP TO ADDRESS IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury (or the Secretary's delegate) shall work collaboratively with the public and private sectors to protect taxpayers from identity theft refund fraud.

SEC. 2002. RECOMMENDATIONS OF ELECTRONIC TAX ADMINISTRATION ADVISORY COMMITTEE REGARDING IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury shall ensure that the advisory group convened by the Secretary pursuant to section 2001(b)(2) of the Internal Revenue Service Restructuring and Reform Act of 1998 (commonly known as the Electronic Tax Administration Advisory Committee) studies (including by providing organized public forums) and makes recommendations to the Secretary regarding methods to prevent identity theft and refund fraud.

SEC. 2003. INFORMATION SHARING AND ANALYSIS CENTER.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) may participate in an information sharing and analysis center to centralize, standardize, and enhance data compilation and analysis to facilitate sharing actionable data and information with respect to identity theft tax refund fraud.

(b) DEVELOPMENT OF PERFORMANCE METRICS.—The Secretary of the Treasury (or the Secretary's delegate) shall develop metrics for measuring the success of such center in detecting and preventing identity theft tax refund fraud.

(c) DISCLOSURE.—

(1) IN GENERAL.—Section 6103(k), as amended by this Act, is amended by adding at the end the following new paragraph:

''(14) DISCLOSURE OF RETURN INFORMATION FOR PURPOSES OF CYBERSECURITY AND THE PREVENTION OF IDENTITY THEFT TAX REFUND FRAUD.—

''(A) IN GENERAL.—Under such procedures and subject to such conditions as the Secretary may prescribe, the Secretary may disclose specified return information to specified ISAC participants to the extent that the Secretary determines such disclosure is in furtherance of effective Federal tax administration relating to the detection or prevention of identity theft tax refund fraud, validation of taxpayer identity, authentication of taxpayer returns, or detection or prevention of cybersecurity threats.

''(B) SPECIFIED ISAC PARTICIPANTS.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified ISAC participant' means—

''(I) any person designated by the Secretary as having primary responsibility for a function performed with respect to the information sharing and analysis center described in section 2003(a) of the Taxpayer First Act of 2019, and

''(II) any person subject to the requirements of section 7216 and which is a participant in such information sharing and analysis center.

''(ii) INFORMATION SHARING AGREEMENT.—Such term shall not include any person unless such person has entered into a written agreement with the Secretary setting forth the terms and conditions for the disclosure of information to such person under this paragraph, including requirements regarding the protection and safeguarding of such information by such person.

''(C) SPECIFIED RETURN INFORMATION.—For purposes of this paragraph, the term 'specified return information' means—

''(i) in the case of a return which is in connection with a case of potential identity theft refund fraud—

''(I) in the case of such return filed electronically, the internet protocol address, device identification, email domain name, speed of completion, method of authentication, refund method, and such other return information related to the electronic filing characteristics of such return as the Secretary may identify for purposes of this subclause, and

''(II) in the case of such return prepared by a tax return preparer, identifying information with respect to such tax return preparer, including the preparer taxpayer identification number and electronic filer identification number of such preparer,

''(ii) in the case of a return which is in connection with a case of a identity theft refund fraud which has been confirmed by the Secretary (pursuant to such procedures as the Secretary may provide), the information referred to in subclauses (I) and (II) of clause (i), the name and taxpayer identification number of the taxpayer as it appears on the return, and any bank account and routing information provided for making a refund in connection with such return, and

''(iii) in the case of any cybersecurity threat to the Internal Revenue Service, information similar to the information described in subclauses (I) and (II) of clause (i) with respect to such threat.

''(D) RESTRICTION ON USE OF DISCLOSED INFORMATION.—

''(i) DESIGNATED THIRD PARTIES.—Any return information received by a person described in subparagraph (B)(i)(I) shall be used only for the purposes of and to the extent necessary in—

''(I) performing the function such person is designated to perform under such subparagraph,

''(II) facilitating disclosures authorized under subparagraph (A) to persons described in subparagraph (B)(i)(II), and

''(III) facilitating disclosures authorized under subsection (d) to participants in such information sharing and analysis center.

''(ii) RETURN PREPARERS.—Any return information received by a person described in subparagraph (B)(i)(II) shall be treated for purposes of section 7216 as information furnished to such person for, or in connection with, the preparation of a return of the tax imposed under chapter 1.

''(E) DATA PROTECTION AND SAFEGUARDS.—Return information disclosed under this paragraph shall be subject to such protections and safeguards as the Secretary may require in regulations or other guidance or in the written agreement referred to in subparagraph (B)(ii). Such written agreement shall include a requirement that any unauthorized access to information disclosed under this paragraph, and any breach of any system in which such information is held, be reported to the Treasury Inspector General for Tax Administration.''.

(2) APPLICATION OF CIVIL AND CRIMINAL PENALTIES.—

(A) Section 6103(a)(3), as amended by this Act, is amended by striking ''or (13)'' and inserting '', (13), or (14)''.

(B) Section 7213(a)(2), as amended by this Act, is amended by striking ''or (13)'' and inserting '', (13), or (14)''.

SEC. 2004. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS AND OTHER AGENTS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed to any contractor or other agent of a Federal, State, or local agency unless such agency, to the satisfaction of the Secretary—

''(A) has requirements in effect which require each such contractor or other agent which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an on-site review every 3 years (or a mid-point review in the case of contracts or agreements of less than 3 years in duration) of each contractor or other agent to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that such contractor or other agent is in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor or other agent, a description of the contract or agreement with such contractor or other agent, and the duration of such contract or agreement. The requirements of this paragraph shall not apply to disclosures pursuant to subsection (n) for purposes of Federal tax administration.''.

(b) CONFORMING AMENDMENT.—Section 6103(p)(8)(B) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after December 31, 2022.

SEC. 2005. IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall establish a program to issue, upon the request of any individual, a number which may be used in connection with such individual's social security number (or other identifying information with respect to such individual as determined by the Secretary) to assist the Secretary in verifying such individual's identity.

(b) REQUIREMENTS.—

(1) ANNUAL EXPANSION.—For each calendar year beginning after the date of the enactment of this Act, the Secretary shall provide numbers through the program described in subsection (a) to individuals residing in such States as the Secretary deems appropriate, provided that the total number of States served by such program during such year is greater than the total number of States served by such program during the preceding year.

(2) NATIONWIDE AVAILABILITY.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall ensure that the program described in subsection (a) is made available to any individual residing in the United States.

SEC. 2006. SINGLE POINT OF CONTACT FOR TAX-RELATED IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall establish and implement procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to tax-related identity theft has a single point of contact at the Internal Revenue Service throughout the processing of the taxpayer's case. The single point of contact shall track the taxpayer's case to completion and coordinate with other Internal Revenue Service employees to resolve case issues as quickly as possible.

(b) SINGLE POINT OF CONTACT.—

(1) IN GENERAL.—For purposes of subsection (a), the single point of contact shall consist of a team or subset of specially trained employees who—

(A) have the ability to work across functions to resolve the issues involved in the taxpayer's case; and

(B) shall be accountable for handling the case until its resolution.

(2) TEAM OR SUBSET.—The employees included within the team or subset described in paragraph (1) may change as required to meet the needs of the Internal Revenue Service, provided that procedures have been established to—

(A) ensure continuity of records and case history; and

(B) notify the taxpayer when appropriate.

SEC. 2007. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 77 is amended by adding at the end the following new section:

''SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

''(a) IN GENERAL.—If the Secretary determines that there has been or may have been an unauthorized use of the identity of any individual, the Secretary shall, without jeopardizing an investigation relating to tax administration—

''(1) as soon as practicable—

''(A) notify the individual of such determination,

''(B) provide instructions on how to file a report with law enforcement regarding the unauthorized use,

''(C) identify any steps to be taken by the individual to permit law enforcement to access personal information of the individual during the investigation,

''(D) provide information regarding actions the individual may take in order to protect the individual from harm relating to the unauthorized use, and

''(E) offer identity protection measures to the individual, such as the use of an identity protection personal identification number, and

''(2) at the time the information described in paragraph (1) is provided (or, if not available at such time, as soon as practicable thereafter), issue additional notifications to such individual (or such individual's designee) regarding—

''(A) whether an investigation has been initiated in regards to such unauthorized use,

''(B) whether the investigation substantiated an unauthorized use of the identity of the individual, and

''(C) whether—

''(i) any action has been taken against a person relating to such unauthorized use, or

''(ii) any referral has been made for criminal prosecution of such person and, to the extent such information is available, whether such person has been criminally charged by indictment or information.

''(b) EMPLOYMENT-RELATED IDENTITY THEFT.—

''(1) IN GENERAL.—For purposes of this section, the unauthorized use of the identity of an individual includes the unauthorized use of the identity of the individual to obtain employment.

''(2) DETERMINATION OF EMPLOYMENT-RELATED IDENTITY THEFT.—For purposes of this section, in making a determination as to whether there has been or may have been an unauthorized use of the identity of an individual to obtain employment, the Secretary shall review any information—

''(A) obtained from a statement described in section 6051 or an information return relating to compensation for services rendered other than as an employee, or

''(B) provided to the Internal Revenue Service by the Social Security Administration regarding any statement described in section 6051,

which indicates that the social security account number provided on such statement or information return does not correspond with the name provided on such statement or information return or the name on the tax return reporting the income which is included on such statement or information return.''.

(b) ADDITIONAL MEASURES.—

(1) EXAMINATION OF BOTH PAPER AND ELECTRONIC STATEMENTS AND RETURNS.—The Secretary of the Treasury (or the Secretary's delegate) shall examine the statements, information returns, and tax returns described in section 7529(b)(2) of the Internal Revenue Code of 1986 (as added by subsection (a)) for any evidence of employment-related identity theft, regardless of whether such statements or returns are submitted electronically or on paper.

(2) IMPROVEMENT OF EFFECTIVE RETURN PROCESSING PROGRAM WITH SOCIAL SECURITY ADMINISTRATION.—Section 232 of the Social Security Act (42 U.S.C. 432) is amended by inserting after the third sentence the following: ''For purposes of carrying out the return processing program described in the preceding sentence, the Commissioner of Social Security shall request, not less than annually, such information described in section 7529(b)(2) of the Internal Revenue Code of 1986 as may be necessary to ensure the accuracy of the records maintained by the Commissioner of Social Security related to the amounts of wages paid to, and the amounts of self-employment income derived by, individuals.''.

(3) UNDERREPORTING OF INCOME.—The Secretary of the Treasury (or the Secretary's delegate) shall establish procedures to ensure that income reported in connection with the unauthorized use of a taxpayer's identity is not taken into account in determining any penalty for underreporting of income by the victim of identity theft.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7529. Notification of suspected identity theft.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date that is 6 months after the date of the enactment of this Act.

SEC. 2008. GUIDELINES FOR STOLEN IDENTITY REFUND FRAUD CASES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in consultation with the National Taxpayer Advocate, shall develop and implement publicly available guidelines for management of cases involving stolen identity refund fraud in a manner that reduces the administrative burden on taxpayers who are victims of such fraud.

(b) STANDARDS AND PROCEDURES TO BE CONSIDERED.—The guidelines described in subsection (a) may include—

(1) standards for—

(A) the average length of time in which a case involving stolen identity refund fraud should be resolved;

(B) the maximum length of time, on average, a taxpayer who is a victim of stolen identity refund fraud and is entitled to a tax refund which has been stolen should have to wait to receive such refund; and

(C) the maximum number of offices and employees within the Internal Revenue Service with whom a taxpayer who is a victim of stolen identity refund fraud should be required to interact in order to resolve a case;

(2) standards for opening, assigning, reassigning, or closing a case involving stolen identity refund fraud; and

(3) procedures for implementing and accomplishing the standards described in paragraphs (1) and (2), and measures for evaluating such procedures and determining whether such standards have been successfully implemented.

SEC. 2009. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

''(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

''(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

''(A) by substituting '$1,000' for '$250', and

''(B) by substituting '$50,000' for '$10,000'.

''(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this subsection applies and to which it does not apply.''.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking ''$1,000'' and inserting ''$1,000 ($100,000 in the case of a disclosure or use to which section 6713(b) applies)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses on or after the date of the enactment of this Act.

Subtitle B—Development of Information Technology

SEC. 2101. MANAGEMENT OF INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.

(a) DUTIES AND RESPONSIBILITIES OF INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—Section 7803, as amended by section 1001, is amended by adding at the end the following new subsection:

''(f) INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—

''(1) IN GENERAL.—There shall be in the Internal Revenue Service an Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the 'IRS CIO') who shall be appointed by the Commissioner of Internal Revenue.

''(2) CENTRALIZED RESPONSIBILITY FOR INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.—The Commissioner of Internal Revenue (and the Secretary) shall act through the IRS CIO with respect to all development, implementation, and maintenance of information technology for the Internal Revenue Service. Any reference in this subsection to the IRS CIO which directs the IRS CIO to take any action, or to assume any responsibility, shall be treated as a reference to the Commissioner of Internal Revenue acting through the IRS CIO.

''(3) GENERAL DUTIES AND RESPONSIBILITIES.—The IRS CIO shall—

''(A) be responsible for the development, implementation, and maintenance of information technology for the Internal Revenue Service,

''(B) ensure that the information technology of the Internal Revenue Service is secure and integrated,

''(C) maintain operational control of all information technology for the Internal Revenue Service,

''(D) be the principal advocate for the information technology needs of the Internal Revenue Service, and

''(E) consult with the Chief Procurement Officer of the Internal Revenue Service to ensure that the information technology acquired for the Internal Revenue Service is consistent with—

''(i) the goals and requirements specified in subparagraphs (A) through (D), and

''(ii) the strategic plan developed under paragraph (4).

''(4) STRATEGIC PLAN.—

''(A) IN GENERAL.—The IRS CIO shall develop and implement a multiyear strategic plan for the information technology needs of the Internal Revenue Service. Such plan shall—

''(i) include performance measurements of such technology and of the implementation of such plan,

''(ii) include a plan for an integrated enterprise architecture of the information technology of the Internal Revenue Service,

''(iii) include and take into account the resources needed to accomplish such plan,

''(iv) take into account planned major acquisitions of information technology by the Internal Revenue Service, and

''(v) align with the needs and strategic plan of the Internal Revenue Service.

''(B) PLAN UPDATES.—The IRS CIO shall, not less frequently than annually, review and update the strategic plan under subparagraph (A) (including the plan for an integrated enterprise architecture described in subparagraph (A)(ii)) to take into account the development of new information technology and the needs of the Internal Revenue Service.

''(5) SCOPE OF AUTHORITY.—

''(A) INFORMATION TECHNOLOGY.—For purposes of this subsection, the term 'information technology' has the meaning given such term by section 11101 of title 40, United States Code.

''(B) INTERNAL REVENUE SERVICE.—Any reference in this subsection to the Internal Revenue Service includes a reference to all components of the Internal Revenue Service, including—

''(i) the Office of the Taxpayer Advocate,

''(ii) the Criminal Investigation Division of the Internal Revenue Service, and

''(iii) except as otherwise provided by the Secretary with respect to information technology related to matters described in subsection (b)(3)(B), the Office of the Chief Counsel.''.

(b) INDEPENDENT VERIFICATION AND VALIDATION OF THE CUSTOMER ACCOUNT DATA ENGINE 2 AND ENTERPRISE CASE MANAGEMENT SYSTEM.—

(1) IN GENERAL.—The Commissioner of Internal Revenue shall enter into a contract with an independent reviewer to verify and validate the implementation plans (including the performance milestones and cost estimates included in such plans) developed for

the Customer Account Data Engine 2 and the Enterprise Case Management System.

(2) DEADLINE FOR COMPLETION.—Such contract shall require that such verification and validation be completed not later than the date which is 1 year after the date of the enactment of this Act.

(3) APPLICATION TO PHASES OF CADE 2.—

(A) IN GENERAL.—Paragraphs (1) and (2) shall not apply to phase 1 of the Customer Account Data Engine 2 and shall apply separately to each other phase.

(B) DEADLINE FOR COMPLETING PLANS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall complete the development of plans for all phases of the Customer Account Data Engine 2.

(C) DEADLINE FOR COMPLETION OF VERIFICATION AND VALIDATION OF PLANS.—In the case of any phase after phase 2 of the Customer Account Data Engine 2, paragraph (2) shall be applied by substituting ''the date on which the plan for such phase was completed'' for ''the date of the enactment of this Act''.

(c) COORDINATION OF IRS CIO AND CHIEF PROCUREMENT OFFICER OF THE INTERNAL REVENUE SERVICE.—

(1) IN GENERAL.—The Chief Procurement Officer of the Internal Revenue Service shall—

(A) identify all significant IRS information technology acquisitions and provide written notification to the Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the ''IRS CIO'') of each such acquisition in advance of such acquisition, and

(B) regularly consult with the IRS CIO regarding acquisitions of information technology for the Internal Revenue Service, including meeting with the IRS CIO regarding such acquisitions upon request.

(2) SIGNIFICANT IRS INFORMATION TECHNOLOGY ACQUISITIONS.—For purposes of this subsection, the term ''significant IRS information technology acquisitions'' means—

(A) any acquisition of information technology for the Internal Revenue Service in excess of $1,000,000; and

(B) such other acquisitions of information technology for the Internal Revenue Service (or categories of such acquisitions) as the IRS CIO, in consultation with the Chief Procurement Officer of the Internal Revenue Service, may identify.

(3) SCOPE.—Terms used in this subsection which are also used in section 7803(f) of the Internal Revenue Code of 1986 (as added by subsection (a)) shall have the same meaning as when used in such section.

SEC. 2102. INTERNET PLATFORM FOR FORM 1099 FILINGS.

(a) IN GENERAL.—Not later than January 1, 2023, the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall make available an Internet website or other electronic media, with a user interface and functionality similar to the Business Services Online Suite of Services provided by the Social Security Administration, that provides access to resources and guidance provided by the Internal Revenue Service and allows persons to—

(1) prepare and file Forms 1099;

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service; and

(3) maintain a record of completed, filed, and distributed Forms 1099.

(b) ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the services described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers; and

(2) comply with applicable security standards and guidelines.

SEC. 2103. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

(a) IN GENERAL.—Subchapter A of chapter 80 is amended by adding at the end the following new section:

''SEC. 7812. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

''In the case of any position which is critical to the functionality of the information technology operations of the Internal Revenue Service—

''(1) section 9503 of title 5, United States Code, shall be applied—

''(A) by substituting 'during the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2025' for 'Before September 30, 2013 in subsection (a)',

''(B) without regard to subparagraph (B) of subsection (a)(1), and

''(C) by substituting 'the date of the enactment of the Taxpayer First Act of 2019' for 'June 1, 1998' in subsection (a)(6),

''(2) section 9504 of such title 5 shall be applied by substituting 'During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2025' for 'Before September 30, 2013' each place it appears in subsections (a) and (b), and

''(3) section 9505 of such title shall be applied—

''(A) by substituting 'During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2025' for 'Before September 30, 2013' in subsection (a), and

''(B) by substituting 'the information technology operations' for 'significant functions' in subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 80 is amended by adding at the end the following new item:

''Sec. 7812. Streamlined critical pay authority for information technology positions.''.

Subtitle C—Modernization of Consent-Based Income Verification System

SEC. 2201. DISCLOSURE OF TAXPAYER INFORMATION FOR THIRD-PARTY INCOME VERIFICATION.

(a) IN GENERAL.—Not later than 1 year after the close of the 2-year period described in subsection (d)(1), the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall implement a program to ensure that any qualified disclosure—

(1) is fully automated and accomplished through the Internet; and

(2) is accomplished in as close to real-time as is practicable.

(b) QUALIFIED DISCLOSURE.—For purposes of this section, the term ''qualified disclosure'' means a disclosure under section 6103(c) of the Internal Revenue Code of 1986 of returns or return information by the Secretary to a person seeking to verify the income or creditworthiness of a taxpayer who is a borrower in the process of a loan application.

(c) APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the program described in subsection (a) complies with applicable security standards and guidelines.

(d) USER FEE.—

(1) IN GENERAL.—During the 2-year period beginning on the first day of the 6th calendar month beginning after the date of the enactment of this Act, the Secretary shall assess and collect a fee for qualified disclosures (in addition to any other fee assessed and collected for such disclosures) at such rates as the Secretary determines are sufficient to cover the costs related to implementing the program described in subsection (a), including the costs of any necessary infrastructure or technology.

(2) DEPOSIT OF COLLECTIONS.—Amounts received from fees assessed and collected under paragraph (1) shall be deposited in, and credited to, an account solely for the purpose of carrying out the activities described in subsection (a). Such amounts shall be available to carry out such activities without need of further appropriation and without fiscal year limitation.

SEC. 2202. LIMIT REDISCLOSURES AND USES OF CONSENT-BASED DISCLOSURES OF TAX RETURN INFORMATION.

(a) IN GENERAL.—Section 6103(c) is amended by adding at the end the following: ''Persons designated by the taxpayer under this subsection to receive return information shall not use the information for any purpose other than the express purpose for which consent was granted and shall not disclose return information to any other person without the express permission of, or request by, the taxpayer.''.

(b) APPLICATION OF PENALTIES.—Section 6103(a)(3) is amended by inserting ''subsection (c),'' after ''return information under''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after the date which is 180 days after the date of the enactment of this Act.

Subtitle D—Expanded Use of Electronic Systems

SEC. 2301. ELECTRONIC FILING OF RETURNS.

(a) IN GENERAL.—Section 6011(e)(2)(A) is amended by striking ''250'' and inserting ''the applicable number of''.

(b) APPLICABLE NUMBER.—Section 6011(e) is amended by striking paragraph (5) and inserting the following new paragraphs:

''(5) APPLICABLE NUMBER.—

''(A) IN GENERAL.—For purposes of paragraph (2)(A), the applicable number shall be—

''(i) except as provided in subparagraph (B), in the case of calendar years before 2021, 250,

''(ii) in the case of calendar year 2021, 100, and

''(iii) in the case of calendar years after 2021, 10.

''(B) SPECIAL RULE FOR PARTNERSHIPS FOR 2018, 2019, 2020, AND 2021.—In the case of a partnership, for any calendar year before 2022, the applicable number shall be—

''(i) in the case of calendar year 2018, 200,

''(ii) in the case of calendar year 2019, 150,

''(iii) in the case of calendar year 2020, 100, and

''(iv) in the case of calendar year 2021, 50.

''(6) PARTNERSHIPS REQUIRED TO FILE ON MAGNETIC MEDIA.—Notwithstanding paragraph (2)(A), the Secretary shall require partnerships having more than 100 partners to file returns on magnetic media.''.

(c) RETURNS FILED BY A TAX RETURN PREPARER.—Section 6011(e)(3) is amended by adding at the end the following new subparagraph:

''(D) EXCEPTION FOR CERTAIN PREPARERS LOCATED IN AREAS WITHOUT INTERNET ACCESS.—The Secretary may waive the requirement of subparagraph (A) if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement by reason of being located in a geographic area which does not have access to internet service (other than dial-up or satellite service).''.

(d) CONFORMING AMENDMENT.—Section 6724(c) is amended by striking ''250 information returns (more than 100 information returns in the case of a partnership having more than 100 partners)'' and inserting ''the applicable number (determined under section 6011(e)(5) with respect to the calendar year to which such returns relate) of information returns''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2302. UNIFORM STANDARDS FOR THE USE OF ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.

Section 6061(b)(3) is amended to read as follows:

''(3) PUBLISHED GUIDANCE.—

''(A) IN GENERAL.—The Secretary shall publish guidance as appropriate to define and implement any waiver of the signature requirements or any method adopted under paragraph (1).

''(B) ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.—Not later than 6 months after the date of the enactment of this subparagraph, the Secretary shall publish guidance to establish uniform standards and procedures for the acceptance of taxpayers' signatures appearing in electronic form with respect to any request for disclosure of a taxpayer's return or return information under section 6103(c) to a practitioner or any power of attorney granted by a taxpayer to a practitioner.

''(C) PRACTITIONER.—For purposes of subparagraph (B), the term 'practitioner' means any individual in good standing who is regulated under section 330 of title 31, United States Code.''.

SEC. 2303. PAYMENT OF TAXES BY DEBIT AND CREDIT CARDS.

Section 6311(d)(2) is amended by adding at the end the following: ''The preceding sentence shall not apply to the extent that the Secretary ensures that any such fee or other consideration is fully recouped by the Secretary in the form of fees paid to the Secretary by persons paying taxes imposed under subtitle A with credit, debit, or charge cards pursuant to such contract. Notwithstanding the preceding sentence, the Secretary shall seek to minimize the amount of any fee or other consideration that the Secretary pays under any such contract.''.

SEC. 2304. AUTHENTICATION OF USERS OF ELECTRONIC SERVICES ACCOUNTS.

Beginning 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall verify the identity of any individual opening an e-Services account with the Internal Revenue Service before such individual is able to use the e-Services tools.

Subtitle E—Other Provisions

SEC. 2401. REPEAL OF PROVISION REGARDING CERTAIN TAX COMPLIANCE PROCEDURES AND REPORTS.

Section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 6012 note) is repealed.

SEC. 2402. COMPREHENSIVE TRAINING STRATEGY.

Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall submit to Congress a written report providing a comprehensive training strategy for employees of the Internal Revenue Service, including—

(1) a plan to streamline current training processes, including an assessment of the utility of further consolidating internal training programs, technology, and funding;

(2) a plan to develop annual training regarding taxpayer rights, including the role of the Office of the Taxpayer Advocate, for employees that interface with taxpayers and the direct managers of such employees;

(3) a plan to improve technology-based training;

(4) proposals to—

(A) focus employee training on early, fair, and efficient resolution of taxpayer disputes for employees that interface with taxpayers and the direct managers of such employees; and

(B) ensure consistency of skill development and employee evaluation throughout the Internal Revenue Service; and

(5) a thorough assessment of the funding necessary to implement such strategy.

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Reform of Laws Governing Internal Revenue Service Employees

SEC. 3001. PROHIBITION ON REHIRING ANY EMPLOYEE OF THE INTERNAL REVENUE SERVICE WHO WAS INVOLUNTARILY SEPARATED FROM SERVICE FOR MISCONDUCT.

(a) IN GENERAL.—Section 7804 is amended by adding at the end the following new subsection:

''(d) PROHIBITION ON REHIRING EMPLOYEES INVOLUNTARILY SEPARATED.—The Commissioner may not hire any individual previously employed by the Commissioner who was removed for misconduct under this subchapter or chapter 43 or chapter 75 of title 5, United States Code, or whose employment was terminated under section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 7804 note).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the hiring of employees after the date of the enactment of this Act.

SEC. 3002. NOTIFICATION OF UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Subsection (e) of section 7431 is amended by adding at the end the following new sentences: ''The Secretary shall also notify such taxpayer if the Internal Revenue Service or a Federal or State agency (upon notice to the Secretary by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee's unauthorized inspection or disclosure of the taxpayer's return or return information. The notice described in this subsection shall include the date of the unauthorized inspection or disclosure and the rights of the taxpayer under such administrative determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to determinations proposed after the date which is 180 days after the date of the enactment of this Act.

Subtitle B—Provisions Relating to Exempt Organizations

SEC. 3101. MANDATORY E-FILING BY EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Section 6033 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) MANDATORY ELECTRONIC FILING.—Any organization required to file a return under this section shall file such return in electronic form.''.

(b) CONFORMING AMENDMENT.—Paragraph (7) of section 527(j) is amended by striking ''if the organization has'' and all that follows through ''such calendar year''.

(c) INSPECTION OF ELECTRONICALLY FILED ANNUAL RETURNS.—Subsection (b) of section 6104 is amended by adding at the end the following: ''Any annual return required to be filed electronically under section 6033(n) shall be made available by the Secretary to the public as soon as practicable in a machine readable format.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) TRANSITIONAL RELIEF.—

(A) SMALL ORGANIZATIONS.—

(i) IN GENERAL.—In the case of any small organizations, or any other organizations for which the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this paragraph as the ''Secretary'') determines the application of the amendments made by this section would cause undue burden without a delay, the Secretary may delay the application of such amendments, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

(ii) SMALL ORGANIZATION.—For purposes of clause (i), the term ''small organization'' means any organization—

(I) the gross receipts of which for the taxable year are less than $200,000; and

(II) the aggregate gross assets of which at the end of the taxable year are less than $500,000.

(B) ORGANIZATIONS FILING FORM 990–T.—In the case of any organization described in section 511(a)(2) of the Internal Revenue Code of 1986 which is subject to the tax imposed by section 511(a)(1) of such Code on its unrelated business taxable income, or any organization required to file a return under section 6033 of such Code and include information under subsection (e) thereof, the Secretary may delay the application of the amendments made by this section, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

SEC. 3102. NOTICE REQUIRED BEFORE REVOCATION OF TAX-EXEMPT STATUS FOR FAILURE TO FILE RETURN.

(a) IN GENERAL.—Section 6033(j)(1) is amended by striking ''If an organization'' and inserting the following:

''(A) NOTICE.—If an organization described in subsection (a)(1) or (i) fails to file the annual return or notice required under either subsection for 2 consecutive years, the Secretary shall notify the organization—

''(i) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

''(ii) about the revocation that will occur under subparagraph (B) if the organization fails to file such a return or notice by the due date for the next such return or notice required to be filed.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsections (a)(1) and (i).

''(B) REVOCATION.—If an organization''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to failures to file returns or notices for 2 consecutive years if the return or notice for the second year is required to be filed after December 31, 2019.

Subtitle C—Revenue Provision

SEC. 3201. INCREASE IN PENALTY FOR FAILURE TO FILE.

(a) IN GENERAL.—The second sentence of subsection (a) of section 6651 is amended by striking ''$205'' and inserting ''$330''.

(b) INFLATION ADJUSTMENT.—Section 6651(j)(1) is amended—

(1) by striking ''2014'' and inserting ''2020'',

(2) by striking ''$205'' and inserting ''$330'', and

(3) by striking ''2013'' and inserting ''2019''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after December 31, 2019.

TITLE IV—BUDGETARY EFFECTS

SEC. 4001. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. KELLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LEWIS. 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.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1957, as amended, the Taxpayer First Act of 2019.

I would like to begin by thanking my good friend, the gentlewoman from New York (Mrs. LOWEY), who is the chair of the Appropriations Committee for her support and helping move this important bill.

Mr. Speaker, this is not a Republican or a Democratic bill. It is an American one. I am proud of the process and the product. I also want to thank Chairman NEAL and Ranking Member BRADY; the Oversight Subcommittee Ranking Member KELLY, my good friend; and all members of the Subcommittee on Oversight for joining me on this bill.

I also would like to thank our former subcommittee chairs, the gentleman from Florida (Mr. BUCHANAN) and our former colleague from Kansas, Ms. Jenkins, for their great work.

In addition, I am pleased that Chairman GRASSLEY, and Ranking Member WYDEN introduced a companion bill in the Senate.

Mr. Speaker, I would also like to congratulate all of the House Members and Senators who have bills and ideas that are included in this bill.

Mr. Speaker, as you well know, and as I know, and as other members of the committee know, this is a good bill. It is a necessary bill to do what is right and what is fair.

In particular, I would like to thank our staff, Karen, Rachel, Susan, Isabella, Zach, Lindsay, Jason, Lori, Michael, and Jamila. They worked so hard on this important bill, and I have faith that this time we will cross the finish line. We have been trying for years. Three times this bill passed the House. These individuals worked so hard on this important bill, and I have faith that this time we will do more than just cross the finish line.

For many years, the Oversight Subcommittee worked in a bipartisan manner to improve the IRS. This bill is the result of many hearings, thoughtful oversight, and help from stakeholders. Mr. Speaker, we took our time and we did it right.

We asked Democrat and Republican Members to provide feedback. We reached out to taxpayers and advocates. We asked questions and listened to the response. We listened to the answers. We learned that we all share the common goal of finding ways to help American taxpayers, and there is no time like the present.

Mr. Speaker, this is the season when millions of Americans are working around the clock to file their taxes by April 15. I am proud that this Congress will respond to their concerns with this bill to improve taxpayer services, protect taxpayers during enforcement, and strengthen the appeals process.

Mr. Speaker, the Taxpayer First Act contains many commonsense policies to achieve these goals. For example, the bill provides for matching grants for the Volunteer Income Tax Assistance program which help low-income and moderate-income taxpayers complete and file their taxes.

This bill also protects low-income taxpayers and people who receive Social Security disability insurance, benefits from the private debt collection program.

Above all, the Taxpayer First Act serves as an example of the good and thoughtful policy that Congress can produce when both the process and the product are bipartisan.

Mr. Speaker, with this bill, we show taxpayers and IRS public servants that their frustration does not fall on deaf ears, blind eyes, and hard hearts.

With this bill, Congress heard their concerns and responded to their calls, to their cries for action, and we did act.

Mr. Speaker, this bill should be an inspiration to us all. I urge all of my colleagues to support this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 8, 2019.

Hon. RICHARD E. NEAL,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1957, the ''Taxpayers First Act of 2019.'' Because you have been working with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo formal consideration of the bill so that it may proceed expeditiously to the House Floor. I do so based on my understanding that the Committee on Ways and Means will work to ensure that the text of H.R. 1957 that will be considered by House of Representatives will include changes that have been discussed between the two Committees.

The Committee on Financial Services takes this action to forego formal consideration of H.R. 1957 with our mutual understanding that, by foregoing formal consideration of H.R. 1957 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and request your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 1957.

Sincerely,

MAXINE WATERS,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 8, 2019.

Hon. MAXINE WATERS,
Chairwoman, Committee on Financial Services, Washington, DC.

DEAR CHAIRWOMAN WATERS: Thank you for your letter regarding H.R. 1957, the Taxpayer First Act of 2019. As you know, the bill was referred primarily to the Committee on Ways and Means, with an additional referral to the Committee on Financial Services.

I thank you for agreeing to waive consideration of provisions that fall within your Committee's Rule X jurisdiction. The Committee on Ways and Means confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation, and your Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within your Committee's jurisdiction.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

RICHARD E. NEAL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, April 8, 2019.

Hon. RICHARD NEAL,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN NEAL: I am writing with respect to H.R. 1957, the ''Taxpayer First Act of 2019.'' As a result of your having consulted with us on provisions on which the Committee on Appropriations has a jurisdictional interest, I will not request a sequential referral on this measure, an opportunity to raise a point of order under clause 4 of rule XXI of the Rules of the House, or further amendment to the bill when it is considered on the House floor.

The Committee on Appropriations takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, we do not agree to future suspension or waivers of the House rule restricting the carrying of appropriations in measures and amendments thereto, and the Committee will be appropriately consulted and involved as the bill or other legislation carrying appropriations moves forward so that

we may address any issues within our jurisdiction and provisions giving rise to a point of order—regardless of whether a measure is similar to legislation passed by the House in a previous Congress, or represents the product of negotiation between parties or chambers.

The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and request your support for such a request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 1957.

Sincerely,

NITA M. LOWEY,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 8, 2019.

Hon. NITA M. LOWEY,
Chairwoman, Committee on Appropriations, Washington, DC.

DEAR CHAIRWOMAN LOWEY: Thank you for consulting with the Committee on Ways and Means on provisions of H.R. 1957, the Taxpayer First Act of 2019, for which the Committee on Appropriations has a jurisdictional interest. I appreciate your agreement to not pursue a sequential referral or assert any point of order so that the legislation may proceed expeditiously to the House floor.

The Committee on Ways and Means confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation, and your Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within your Committee's jurisdiction.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you on this measure and future legislation.

Sincerely,

RICHARD E. NEAL,
Chairman.

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

Mr. Speaker, today exemplifies what this body is supposed to be about, the people's House acting in the best interest of the people. Republicans and Democrats have come together to pass the Taxpayer First Act, landmark legislation to reform the IRS so it better works for every single American.

I am honored to have coauthored this bill with my good friend, the gentleman from Georgia (Mr. LEWIS). I thank the gentleman for his commitment to the taxpayers and for working with me on a great achievement for the American people.

We all work for the American people, whether you are sitting in this House, or whether you are a member of some agency. And we look at the 80,000 employees at the IRS, and we know that they work with an $11 billion budget which is supplied by hardworking American taxpayers. It should work in their best interest.

Over the last 2 years, the Ways and Means Committee and various subcommittees held hearings and other events to discover what is working, and what isn't. As we looked at redesigning the IRS, we focused on improving the relationship between our taxpayers and our government.

Both sides agree that the IRS should prioritize taxpayers' rights and that it should be a resource and not an adversary to the American people.

This bill will achieve those goals. Americans will interact with an IRS that carries out customer service like we do in the private sector; improved support with services online, in person and on the phone will finally become a reality.

Gone are those days when you would walk into a business and there would be a complaint department. Instead, it has been replaced by customer service. The IRS is going to be a customer service agency. Let's look at what this legislation will do.

First, to achieve the mission outlined above, the agency's quality service motto will no longer just be a motto that rings hollow. The bill requires the IRS to adopt commonsense, private-sector-like customer service standards; things as simple as a callback option so Americans aren't stuck on hold for hours on end.

Secondly, we are overhauling the IRS' enforcement tools so families and small businesses don't have property unfairly seized. The Constitution guarantees all Americans the right to due process and protection from unreasonable searches and seizures. Our legislation prevents outrageous enforcement abuses to protect taxpayers from unfair seizures.

Third, the Taxpayer First Act recasts the IRS as our tax administrator rather than simply an enforcement agency. It is more than a semantic difference. It would change the culture at the agency for the better.

Another way it will protect taxpayers is by creating an independent appeals office. This will give taxpayers a fair and impartial review of disputes they may have with the IRS.

We also took note of the fact that it shouldn't take a Freedom of Information Act request to see what evidence the IRS is using against taxpayers in those disputes. This legislation will make sure you can see your individual case file when resolving a dispute with the agency.

Lastly, we are revamping the IRS' outdated and ancient technology which will better position the agency to proactively combat cyber threats. IRS employees are forced to use technology that is outrageously outdated; some of it dates back to the 1960s.

This bill provides accountability to the IRS for the billions in funding it is given for IT each year. That accountability extends to protections against cyber threats. We must ensure that taxpayer information is safe and that refunds are not at risk to thieves. This legislation strengthens the IRS' partnership with States and the private sector to combat those threats.

Taken together, these reforms will greatly benefit Americans each year during tax season and end disputes with the IRS.

Mr. Speaker, I support H.R. 1957, and I reserve the balance of my time.

Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to commend Chairman LEWIS and Ranking Member KELLY for their tremendous work on this bill.

I feel like today might be one of my best days in Congress, because I had the opportunity a moment ago to talk about helping individuals who are unemployed.

Now, we are talking about helping individuals with their income tax preparation, individuals who might be low income; individuals who have difficulty reading and writing and understanding; individuals who are disabled; individuals who are poverty stricken, people who make less than 250 percent of what is known as the poverty level in this country.

□ 1400

I feel good because I have spent much of the day talking about helping those individuals in our country and in our society who need help the most. It is a great bill, and I am proud to support it.

I thank all of those operations in Chicago, the Center for Economic Progress, the City-Wide Tax Assistance Program via Ladder Up, the United Way, and all the rest of those agencies in the city of Chicago that are helping low-income people with their income tax.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Mr. Speaker, as a former tax lawyer and CPA, I have seen too often the detrimental effect of substandard technology at the IRS and substandard customer service.

I stand in support today of the Taxpayer First Act. Since the Tax Cuts and Jobs Act became the law of the land, our economic potential has been unleashed, and America is, once again, the land of opportunity. When we passed the tax reform package, our message was clear: We won't wait another 30 years to take up tax legislation. We will consistently work to improve the system for American taxpayers.

In order for any company to be successful, it needs modern technology that supports its customer service mission. The IRS, whose customers are 140 million Americans, should be no exception.

Filing taxes should be straightforward and simple, and taxpayers should be treated fairly and with respect by the IRS. However, that is not how the majority of Americans describe their experience with the agency. This legislation will require the

IRS to modernize their ancient technology and will address many of the issues American taxpayers face when dealing with our Nation's tax collector.

Included in this package is my bill, the Electronic Signature Standards Act, which requires the IRS to implement uniform standards to accept electronic signatures. This is a simple, free way for small businesses and individual taxpayers to comply with system requirements. Providing uniform guidance for e-signatures will simplify the filing process for taxpayers who depend on this commonly used technology and enable the IRS to move forward with a secure filing option they already support.

In conjunction with other legislation in this reform package, the Electronic Signature Standards Act will bring the IRS into the 21st century so that it can serve hardworking American taxpayers better.

Mr. Speaker, I urge all my colleagues to support this legislation and take this opportunity to return the IRS to its taxpayer first mission.

Mr. LEWIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from the great State of Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, as we approach tax day, I am proud to support the passage of the Taxpayer First Act, a commonsense, bipartisan piece of legislation to improve the relationship between taxpayers and the IRS.

Tax season is often confusing and overly burdensome for millions of families and small business owners across this country as people spend countless hours struggling to correctly file their taxes. Outdated IRS systems and practices contribute to this confusion and jeopardize the security of taxpayers' personal information. Additionally, too many taxpayers don't have reliable access to customer service supports and timely dispute resolution.

The Taxpayer First Act includes a number of important provisions to address these challenges, expanding taxpayer assistance services and improving data security. Families in my Alabama district and across this country will benefit from this bill codifying the Free File program, shielding certain low-income households from private debt collectors, and making more resources available online.

I am proud that the Taxpayer First Act also includes a provision that I had in my bill that I introduced with a Republican colleague, JASON SMITH, the Preserving Taxpayers' Rights Act. This provision establishes an independent office of appeals within the IRS and gives taxpayers a legal right to impartial, timely, and efficient dispute resolution. It also helps protect taxpayers by clarifying the limited scope of cases that can be litigated and prevents the IRS from outsourcing audits of private taxpayers to outside law firms.

Mr. Speaker, I thank Congressman LEWIS and Congressman KELLY for their continued support and leadership on this legislation. I know this legislation has been introduced and passed the House three times, but I know that Congressman LEWIS knows that when you are right, and you are fighting on behalf of the American people for what is right, you must persist and keep fighting to get to the finish line. It is called good trouble, according to Congressman LEWIS, and we are getting into good trouble today by helping to make the tax filing process more efficient, fair, and secure for the American people.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I rise today in strong support of H.R. 1957, the Taxpayer First Act. I thank Chairman LEWIS and Ranking Member KELLY for their hard work on the Ways and Means Subcommittee on Oversight and for introducing this important piece of legislation to modernize and improve the Internal Revenue Service.

Since last Congress, our committee has focused on finding legislative solutions to make needed changes at the IRS. Dealing with the IRS can be frustrating, and ensuring an efficient and transparent IRS is key to restoring the relationship between taxpayers and the agency, as well as effective implementation of our Tax Code.

I am pleased that a bill I introduced with a Democratic colleague, Congressman TOM SUOZZI, H.R. 1825, the Improving Assistance for Taxpayers Act, is included in this bill. Currently, the Office of the Taxpayer Advocate located within the IRS represents taxpayer interests and helps address both individual and systemic issues at the agency. When it comes to addressing systemic issues, the taxpayer advocate can issue what is called a taxpayer advocate directive. Unfortunately, these orders are not always responded to in a detailed or timely manner.

Our bill aims to improve the process. Specifically, the IRS would be required to respond to taxpayer advocate directives within 90 days. We also establish an appeals process, when the advocate deems necessary. If detailed and timely responses are not provided, then the taxpayer advocate must report such instances to Congress.

This bill empowers taxpayers across the country by improving transparency and ensuring substantive and timely answers for taxpayers dealing with an issue at the IRS while improving congressional oversight.

Our constituents sent us to Washington to make government more effective, efficient, and accountable. These reforms included in my bill and the Taxpayer First Act will do exactly that. This package passed the House last Congress, and I hope to receive the same support from my colleagues today.

Mr. LEWIS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise in strong support of the Taxpayer First Act, the first package of IRS reforms that Congress has considered since 1998.

This bipartisan bill takes broad steps to improve the taxpayer experience by making the filing process easier and more efficient. It also strengthens the IRS' ability to combat identity theft and refund fraud. These are issues that create worry and stress for our constituents, and I am proud that we are acting swiftly to bring relief.

This bill also tamps down on the program that allows the IRS to outsource debt collection to private contractors. These contractors often use many aggressive tactics to pressure the poorest and most vulnerable among us, forcing them to make payments even if they can't afford it. This creates economic hardship for families who would otherwise qualify for alternative payment plans by the IRS. What is worse, it costs the U.S. Treasury more than the money it brings in. I believe it should be abolished for good, but this bill reaches a strong compromise to ensure the poorest are no longer targeted.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I thank the Subcommittee on Oversight chairman, Mr. LEWIS, and the ranking member, Mr. KELLY, for getting this bill to the floor today. This legislation is the product of years of work, and I am glad to see these commonsense provisions get one step closer to the finish line.

Congress hasn't tackled real IRS reform in decades. With a bipartisan, bicameral effort, our goal is to modernize the IRS and improve the taxpayer experience. With sensible reforms, the Taxpayer First Act redesigns the IRS with that mission at the forefront—putting the taxpayer first.

I would also like to highlight that this bill includes a provision to codify the Volunteer Income Tax Assistance, or VITA, matching grant program and make it permanent. My colleague, Dr. Davis from Illinois, and I have introduced legislation to make VITA permanent, and I am pleased to see the provisions included in the bill before us today.

VITA centers provide free tax help by many volunteers to low-income individuals, persons with disabilities, and limited English-speaking taxpayers who need assistance with their taxes. These centers, and the many volunteers who operate them, assist thousands of our constituents every year. By making this program permanent, we will provide VITA organizations, volunteers, and the taxpayers they serve with certainty.

Mr. Speaker, I am glad to see this provision included and this bill on the

floor today, and I urge its swift passage.

Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I am such a proud cosponsor of the Taxpayer First Act, and I stand with my colleagues as we vote on this bipartisan, bicameral bill.

I am going to quickly address two key provisions of this bill.

First, this bill is an important step that Congress is taking toward reforming the IRS for the first time in 20 years to better serve taxpayers and to strengthen taxpayer protections that have been long overdue. This wholescale modernization is an important step toward restoring confidence and trust in this crucial Federal agency.

Secondly, with the aim of encouraging sensible enforcement, this act modifies the IRS private debt collection program to stop the targeting of lower income Americans by creating two additional categories of cases not eligible for referral to private collection agencies: taxpayers whose income is substantially derived from Supplemental Security Income benefits or disability insurance benefits payments, or taxpayers with an adjusted gross income of 200 percent of the poverty level and below.

For years, experts have told Congress that private debt collection has hurt the most vulnerable among us. Today, we are providing safeguards to protect against businesses profiting by collecting from financially vulnerable taxpayers.

Mr. Speaker, I urge immediate passage of this important legislation, and I urge all Members to support it.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES. Mr. Speaker, I thank my friend, Representative KELLY, for bringing this to the floor.

Mr. Speaker, I rise today in support of H.R. 1957, the Taxpayer First Act. This bipartisan bill redesigns and modernizes the IRS for the first time in 21 years and focuses on improving the agency's service to taxpayers.

As the only former State treasurer in the House, I understand the need for the country's tax administration agency to adopt a mission of customer service and to help taxpayers retrieve information, resolve issues, and make payments.

This bill accomplishes these goals in several ways. First, it establishes an independent appeals process so that taxpayers are treated fairly. It provides for easier electronic submission of tax return forms, and it strengthens the IRS ability to combat identity theft. It also requires the agency to submit to Congress plans to further improve efficiency and customer service.

Altogether, the Taxpayer First Act provides needed, commonsense, and overdue reforms to the IRS.

I thank my fellow Ways and Means Committee members for working to bring this bill to the floor.

Today's vote is a culmination of several years of work and numerous hearings and discussions, including passing this bill in the House during last Congress.

Mr. Speaker, I encourage my colleagues to support the bill.

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Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. HILL).

Ms. HILL of California. Mr. Speaker, I rise in support of H.R. 1957, the Taxpayer First Act, which I wasn't expecting to rise in support of; but this act improves taxpayer service, modernizes IRS infrastructure, helps low- and middle-income taxpayers, and really creates critical reforms that my colleagues like the Honorable JOHN LEWIS have been fighting to pass for years. They have finally gotten Senate Republicans to work with them and, for the first time, could enact critical provisions that will help consumers and become law, despite a divided government.

But that means that Senate Republicans fit in some bitter pills and some problematic provisions. One of these is a piece that came to my attention today—which the corporate tax lobby has spent years and millions of dollars to get—which would bar the IRS from creating a simple, free filing system that would compete with their own.

Analysis shows that, through these corporate programs, U.S. taxpayers eligible for free filing pay about $1 billion a year in unnecessary fees.

In this freshman class, I and many of my colleagues were sent to reject corporate influence and stand up for people. This puts us in a difficult spot.

But the rest of this bill is too important. Champions for low-income, working people say that this is an opportunity that will not come again and will help 150 million taxpayers. Therefore, I support it, and, separately, I will introduce legislation with some of my colleagues to address the problems that have been inserted by special interests.

We have to continue the fight to get big money out of politics, and this is the beginning of the fight, not the end.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I rise today in support of H.R. 1957, the Taxpayer First Act. The Taxpayer First Act modernizes the IRS and ensures that the IRS cannot abuse its enforcement powers.

To that end, in 2013, a fellow northeast Georgian, Andrew Clyde, experienced IRS abuse in the form of civil asset forfeiture firsthand. Andrew is a Navy veteran who has served multiple tours of duty, and he owns Clyde Armory in Athens, Georgia. The IRS seized $950,000 from his bank accounts despite no evidence of criminal activity. The IRS seized his accounts under what is called structuring laws.

Under structuring laws, the IRS may seize money if an individual made regular deposits or withdrawals of less than $10,000. The law was originally intended to catch those trying to conceal a crime, but, too often, it has been used to target innocent individuals and small business owners.

Andrew Clyde went to court to challenge the IRS abuse and was eventually forced to forfeit $50,000 to the IRS and spend over $100,000 in legal fees.

Andrew Clyde's story is, sadly, a common one, with the IRS seizing more than $242 million in structuring cases from 2005 to 2012. That is why I introduced the RESPECT Act, to stop this practice and to protect hardworking Americans like Andrew Clyde from IRS overreach.

I am glad to see that the RESPECT Act was introduced and has been included in the Taxpayer First Act. This legislation will rein in IRS overreach by requiring prosecutors to demonstrate probable cause that seized funds were illegally earned or structured to conceal illegal activity. It also enables property owners to challenge a seizure at a postseizure hearing rather than wait months or years to have their case heard.

I would like to thank my friends and my dear friend from Georgia, Congressman LEWIS, and also MIKE KELLY for their work on this legislation and for supporting the modernization of the IRS and protecting innocent Americans from IRS abuse.

Mr. LEWIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. OCASIO-CORTEZ).

Ms. OCASIO-CORTEZ. Mr. Speaker, I rise to speak on this bill.

First, I would like us to clarify exactly some of the things that we are able to deliver in this bill:

One is low-income taxpayer exception to the Private Debt Collection program.

The second is that it codifies the Volunteer Income Tax Assistance program that helps low-income taxpayers prepare their tax returns.

The third is that the bill allows the IRS to refer taxpayers needing assistance to low-income taxpayer clinics.

The bill also creates a single point of contact within the IRS to identify identity theft victims.

And, lastly, the bill allows all taxpayers, over the next 5 years, to request an identity protection personal identification number to use to prevent identity theft.

So, I would like to commend all of those positive concessions delivered to the American people in this bill. However, I would also like to lodge some of my concerns perhaps for us to address in the future.

Dylan Matthews at Vox recently published an article that said: ''It is a huge scandal that Congress has not yet instructed the IRS to automatically prepare taxes for the vast majority of Americans. The IRS has all the information required to do that for all but

a few taxpayers,'' and the main reason it doesn't may have to do with the role of money in politics.

So, with this bill, I would like to again commend the advancements that we have made for working-class people, but, long term, we should be looking at a solution where everyday people do not necessarily have to spend hours every year preparing tax returns when the majority of Americans have relatively simple and straightforward returns. I would like to just rise and commend those positive contributions and also point the way forward in the future.

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

I thank Mr. LEWIS so much. I can't tell the gentleman what an honor it is to be on the floor with him today in the people's House, working on legislation that benefits every single American, something he has done all his life. To be here with Mr. LEWIS today and to get this done is incredible.

It has often been said that, if you do the right thing for the right reasons, good things happen. Wouldn't it be great today if all of our colleagues come together to do the right thing for the right reason, for the right people: our hardworking American taxpayers.

This is an incredible day for America to look at the people's House and say this was a day when both Democrats and Republicans came together to do the right thing at the right time, for the right people.

It has been an incredible honor, and I want to thank the staff. As we know, it is the staff that does so much work and puts in hour after hour after hour to make this a success. I can't thank them all enough for what they have all done. It has been incredible work. It was done not just in the best interest of the Congressperson for whom they work because, more importantly, they work for the American people.

It is always great being with Mr. LEWIS, especially on a day like this. It has been an incredible day for the American people, to prove to them that, in Washington, D.C., the people's House is doing that, working together for them, bringing us together as a body, a legislative body, something that they have been looking for and looking to and saying: Why can't you all just get together and do the right thing? Today is the day that that is going to happen.

I thank Mr. LEWIS so much for working with us and getting this done, and, Mr. Speaker, I yield back the balance of my time.

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

I want to thank Mr. KELLY—my friend, my brother—for all of his help, all of his support. Working together, Democrats and Republicans, we can get some things done. It has been a pleasure to work with the gentleman on this bill.

Mr. Speaker, the Taxpayer First Act is a bipartisan bill in both the House and the Senate. The bill will improve the Internal Revenue Service and help our taxpayers.

Again, I want to thank my friend, the gentleman from Pennsylvania, for working with me on this bill. And he is a good friend. We have traveled together from Washington, D.C., to the heart of the Deep South with his grandson and several Members of Congress. Again, I want to thank him and ask him to tell his grandson I said hi.

Mr. Speaker, this bill is a product of more than 14 hearings and a number of roundtables over the past 3 years in the Subcommittee on Oversight. It is a good and thoughtful policy. I urge all of my colleagues on both sides of the aisle to support the Taxpayer First Act.

I want to thank all of the staff, each and every one of them, on both sides of the aisle, for helping us. Without their help and without their support, we would not be here. Again, I say thank you.

Mr. Speaker, again, I say thank you to my friend and my brother, Mr. KELLY, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 1957, as amended.

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

A motion to reconsider was laid on the table.

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:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 9, 2019.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 9, 2019, at 11:50 a.m.:

That the Senate passed S. 1057.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 294;

Adoption of House Resolution 294, if ordered; and

The motion to suspend the rules and pass H.R. 1759.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1644, SAVE THE INTERNET ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 2021, INVESTING FOR THE PEOPLE ACT OF 2019; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 294) providing for consideration of the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission; providing for consideration of the bill (H.R. 2021) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 and to establish a congressional budget for fiscal year 2020; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 225, nays 192, not voting 14, as follows:

[Roll No. 160]

YEAS—225

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean

Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Yarmuth

NAYS—192

Aderholt
Allen
Amash
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—14

Abraham
Amodei
Bishop (UT)
Gabbard
Higgins (LA)
Jeffries
McEachin
Rice (NY)
Rooney (FL)
Ryan
Sánchez
Swalwell (CA)
Welch
Wilson (FL)

□ 1452

Messrs. ARRINGTON and GROTHMAN changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HIGGINS of Louisiana. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 160.

The SPEAKER pro tempore. The question is on the resolution.

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

Mrs. LESKO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 201, not voting 11, as follows:

[Roll No. 161]

YEAS—219

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Speier
Stanton
Stevens
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—201

Aderholt
Allen
Amash
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Horn, Kendra S.
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Phillips
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Torres Small (NM)
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—11

Abraham
Amodei
Gabbard
Jeffries
McEachin
Rice (NY)
Rooney (FL)
Ryan
Sánchez
Swalwell (CA)
Welch

□ 1501

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JEFFRIES. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 160 and "yea" on rollcall No. 161.

BUILDING ON REEMPLOYMENT IMPROVEMENTS TO DELIVER GOOD EMPLOYMENT FOR WORKERS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1759) to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (DANNY K. DAVIS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 393, nays 24, not voting 14, as follows:

[Roll No. 162]

YEAS—393

Adams
Aderholt
Aguilar
Allen
Allred
Armstrong
Arrington
Axne
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crist
Crow
Cuellar
Cummings
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duffy
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd (TX)
Jackson Lee
Jayapal
Johnson (GA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McCollum
McGovern
McHenry
McKinley
McNerney
Meeks
Meng
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young
Zeldin

NAYS—24

Amash
Babin
Biggs
Brooks (AL)
Buck
Burchett
Cline
Comer
Duncan
Gosar
Green (TN)
Hern, Kevin
Hice (GA)
Johnson (LA)
Jordan
Massie
McClintock
Meuser
Norman
Olson
Roy
Weber (TX)
Wright
Yoho

NOT VOTING—14

Abraham
Amodei
Crenshaw
Gabbard
Jeffries
McEachin
Meadows
Mullin
Rice (NY)
Rooney (FL)
Ryan
Sánchez
Swalwell (CA)
Welch

□ 1510

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment benefits, and for other purposes.''.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

AUTHORIZING THE USE OF EMANCIPATION HALL FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of H. Con. Res. 31, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 31

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on April 29, 2019, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF THE 26TH EDITION OF THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of

S. Con. Res. 7, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 7

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES.

(a) IN GENERAL.—The 26th edition of the pocket version of the Constitution of the United States shall be printed as a Senate document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 480,500 copies of the document, of which 255,500 copies shall be for the use of the House of Representatives, 200,000 copies shall be for the use of the Senate, and 25,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of $226,250, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

(c) DISTRIBUTION.—The copies of the document printed for the use of the House of Representatives and the Senate under subsection (a) shall be distributed in accordance with—

(1) a distribution plan approved by the chair and ranking minority member of the Committee on House Administration of the House of Representatives, in the case of the copies printed for the use of the House of Representatives; and

(2) a distribution plan approved by the chair and ranking minority member of the Committee on Rules and Administration of the Senate, in the case of the copies printed for the use of the Senate.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

□ 1515

ELECTING MEMBERS TO THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND THE JOINT COMMITTEE ON PRINTING

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of H. Res. 226, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 226

Resolved,

SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND JOINT COMMITTEE ON PRINTING.

(a) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration and the chair of the Subcommittee on the Legislative Branch of the Committee on Appropriations:

(1) Mr. Butterfield.

(2) Mr. Rodney Davis of Illinois.

(3) Mr. Loudermilk.

(b) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

(1) Mr. Raskin.

(2) Mrs. Davis of California.

(3) Mr. Rodney Davis of Illinois.

(4) Mr. Loudermilk.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Survivors Protection Act, legislation which protects the sanctity of life for the unborn by ensuring that infants who are born alive receive proper medical care, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

PARLIAMENTARY INQUIRY

Mr. CHABOT. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CHABOT. Mr. Speaker, if this unanimous consent request cannot be entertained, I urge the Speaker and the majority leader to immediately schedule consideration of the Born-Alive bill so we can stand up and protect the sanctity of human life, and I would ask all of my colleagues in this body to join in my request.

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

SAVE THE INTERNET ACT OF 2019

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore (Ms. KAPTUR). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 294 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1644.

The Chair appoints the gentleman from Indiana (Mr. CARSON) to preside over the Committee of the Whole.

□ 1517

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission, with Mr. CARSON of Indiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member on the Committee on Energy and Commerce.

The gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), my good friend from the East Coast, and the gentleman from Oregon (Mr. WALDEN), my other good friend, each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, I yield myself 3 minutes.

Mr. Chair, I rise today in support of H.R. 1644, the Save the Internet Act.

This bill comes to the floor after more than 18 hours of consideration by the Energy and Commerce Committee over the course of hearings and markups since the start of this Congress.

During that time, we have heard from consumer advocates, minority and underrepresented communities, rural broadband providers, small businesses, innovators, entrepreneurs, and millions of constituents, all calling for the restoration of net neutrality rules.

In addition, polls show that more than 86 percent of all Americans, whether they be Republicans, Independents, or Democrats, opposed the Trump FCC's repeal of the protections that this bill reinstates.

People around the country care deeply about a free and open internet because it is critical for so many communities and sectors of our economy.

This legislation will do three things:

First, it restores bipartisan, commonsense net neutrality protections and puts a cop back on the beat to protect consumers, small businesses, and competitors from unjust, unreasonable, and discriminatory practices by internet service providers.

Second, this bill gives the FCC the authority to protect consumers, now and in the future, through forward-looking regulatory authority.

Third, the bill restores the FCC's legal authority to support broadband access and deployment programs through the Universal Service Fund.

These programs pay for the deployment of broadband in rural communities through the Connect America Fund and support access for low-income families, seniors, and veterans through the Lifeline program.

The Save the Internet Act codifies the FCC's 2015 Open Internet Order and permanently prohibits the FCC from applying provisions on rate setting, unbundling of ISP networks, or levying additional taxes or fees on broadband access.

This legislation that we are considering here today charts a new course for net neutrality and would put in place 21st century rules for a 21st century internet.

I look forward to advancing this legislation out of the House and, ultimately, through the Congress so that we can restore these essential protections for all Americans.

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

Mr. WALDEN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, Republicans and Democrats can agree more than they disagree on the issue of net neutrality parameters to protect a free and open internet for consumers.

The net neutrality bright line rules Republicans support are simple, and they are actually pretty easy to understand, Mr. Chairman: no blocking, no throttling, no paid prioritization—period. And no government takeover of the internet by Washington bureaucrats.

Unfortunately, for the last few years, Democrats have caved in to the idea that only putting unelected bureaucrats in charge of every facet of the internet is the answer. And they know what all Americans know: The bill before us today is opposed by the President, and the leader of the Senate says it is dead on arrival there, so it will not become law. This is the end of its journey.

They also know the internet grew up under very light-touch regulation, which Republicans favor and which even President Clinton favored. That is what allowed the bright innovators in our Nation's Silicon Valley and across the world to experiment and to invent the great services we all enjoy today. You see, they did not have to come to Washington, D.C., to some agency and get a permit or permission first. They didn't have to get second-guessed later, either.

Unfortunately, the regime that my friends across the aisle seek to saddle the internet with was only in place for less than 2 years. Less than 2 years, that is it.

Some argue that during that period, investment broadband build-out actually declined. We had testimony at the Energy and Commerce Committee from an internet service provider in rural Oregon who spoke to that very fact.

This bill, called Save the Internet Act, is another plank in their socialist agenda that would regulate the internet as if it were a monopoly utility under the title II section of the Communications Act of 1934. That is the law originally used to govern monopoly telephone companies in the 1930s.

This legislation imposes that heavy hand of Washington's regulatory bureaucracy over the single most vibrant and important driver of the economic growth in America and the world: job creation, better quality of life, information sharing. We call that the open internet that we enjoy today.

I would admit, no one fully understands the implications of this legislation, the scope of what it entails, and the impact it could have on consumers. There is much debate on this point in the committee.

Does this bill empower the FCC to dictate where and when new broadband networks can or must be deployed? We think it could.

Will this bill provide the authority for a government takeover and management of private networks? We think it could.

Would this bill allow government taxation of the internet? It could.

Could it lead to government regulation of speech on the internet? Yep.

And will this legislation limit the full potential of 5G and impede the development of the next wave of innovation in internet services? Most outside experts think it could.

So Republicans attempted to get to the bottom of these questions through our hearings and our markups. The answer to all of these questions was, regrettably, yes.

Now, we offered amendments, Mr. Chairman, at the full committee to close the doors to these and other powers that are granted to the Federal Communications Commission under this bill, powers that are completely unrelated to net neutrality. Every one of those amendments was rejected.

Supporters claim the bill locks into law more than 700 instances where the Federal Communications Commission forbore from taking action under title II, but supporters cannot provide Members of Congress with a list of those 700 forbearances—nope. We have asked; no list. The Democrats won't or can't even tell us precisely what they are putting into law if we can't see that list.

But we even offered an amendment to truly lock in this forbearance and prevent the FCC from imposing similar regulations in the future or through other provisions in statute, and that, too, was rejected.

We offered an amendment protecting the next generation of wireless networks, 5G, from the incompatible regulatory regime. That, too, was rejected on party-line votes.

So, disappointingly, the Democrats went back on an agreement I helped negotiate in each of the last two Congresses to relieve some of our rural internet providers from some of the most burdensome reporting requirements of the FCC's 2015 order.

Twice we passed that relief, and we did so unanimously in this House, and it was bipartisan, obviously. They more than cut the relief in half, putting costly bureaucratic reporting requirements ahead of small internet service providers investing in connecting Americans to high-speed internet services.

It doesn't have to be this way. It should not be this way. Republicans have put forth serious proposals. We put forth a menu of options as a starting point for true bipartisan net neutrality legislation.

I have introduced a bill that codifies the FCC's bright-line rules prohibiting blocking and throttling and paid prioritization for internet traffic, and that would require that ISPs, internet service providers, be transparent in their network management practices and prices.

Two of my Republican colleagues on the House Energy and Commerce Committee have introduced legislation that should also gain Democratic support.

Representative BOB LATTA, who is our top Republican on the subcommittee, has legislation drawn from a proposal introduced in 2010 by the previous Democratic chairman of the full Energy and Commerce Committee, Henry Waxman of California.

If Democrats don't believe Mr. Waxman's plan is a good starting point, then Representative CATHY MCMORRIS RODGERS has introduced legislation that is drawn directly from a bill that passed in Washington State's Democratic-controlled legislature and was signed into law in 2018 by a Democratic Governor.

So what do all three of these proposals have in common? They are rooted in the shared principles of net neutrality that will protect consumers, but without putting unelected bureaucrats in control of the internet.

So I remain committed to a bipartisan solution, to preserving a free and open internet. I actually believe it is achievable, and I want to express to my friends on the other side of the aisle—and they are my friends—that our work and our efforts together are genuine and have been made in good faith.

The fact is we can permanently address blocking, throttling, and paid prioritization. We could do so in a bipartisan way, and we all believe in open and free internet. We believe in net neutrality.

But net neutrality is not title II, near limitless government management of the internet. Net neutrality does not need the harmful, heavy-handed approach of title II. Net neutrality does not require a government takeover of the internet.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, what my friend refers to as a takeover of the internet we call protecting consumers, and that is what we are asking the FCC to do.

I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), chairman of the full Energy and Commerce Committee.

□ 1530

Mr. PALLONE. Mr. Chairman, I thank the chairman of our Subcommittee on Communications and Technology for all the work that he has done on this net neutrality legislation.

We are here today to debate and vote on a bill that will keep the internet free and open. That sounds like a big deal, and it is a big deal.

The Save the Internet Act ensures that consumers, rather than internet service providers, have control over their internet experience. This is just common sense. Each of us should be able to decide what videos we watch, which sites we read, and which services we use. Nobody should be able to influence that choice—not the government and not the large companies that run the networks.

This legislation not only protects consumers from large corporations, but it also strengthens our economy by promoting innovation and small businesses. Net neutrality ensures that any business, no matter how small, gets the same internet at the same speeds as giant corporate interests. That is only fair. There should not be favorites.

H.R. 1644 will return strong net neutrality protections to the internet. For over a decade, both Republican and Democratic FCCs restricted ISPs' ability to control consumer access to the internet and undermine small businesses' ability to compete. The Trump FCC affirmatively gave up that authority in 2017, choosing the big companies over the people.

The bill before us would return the FCC to its traditional role of overseeing the Nation's channels of communications. This is a carefully crafted bill that balances the need to put a cop on the beat without weighing down the industry. We are preventing blocking, throttling, and paid prioritization, and we are giving the FCC the authority to stop harmful practices in the future that are unjust or unreasonable.

The American people, Mr. Chairman, both Democrats and Republicans, overwhelmingly support restoring net neutrality. That makes sense. We all want to control our own internet experience.

Again, I thank Chairman DOYLE for his leadership. Let me also take a moment to recognize the hard work of the committee staff, Alex Hoehn-Saric, Jerry Leverich, Jennifer Epperson, AJ Brown, Dan Miller, and Phil Murphy.

I strongly urge all my colleagues to vote ''yes'' on the Save the Internet Act.

Mr. WALDEN. Mr. Chairman, it is my honor to yield 5 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican whip of the House and a terrific member of our Energy and Commerce Committee.

Mr. SCALISE. Mr. Chairman, I thank the gentleman from Oregon for yielding.

Mr. Chairman, I rise in opposition to this bill that would create a government takeover of the internet.

If you look at the bill, first of all, it is always interesting to pay attention to the titles of bills—the Save the Internet Act. Whom do you want to save the internet from? Many would say they want to save it from the heavy hand of government.

I have asked my friends on the other side of the aisle to please show me what is so broken about the internet that the Federal Government needs to come in to save it.

First of all, if you look at the growth of this great industry, this is one of America's greatest exports. It is one of America's greatest economic drivers. Some of the best jobs in America are created from the technology industry that has boomed and thrived because of the growth of the internet.

How has this internet grown? It has grown because there is no heavy hand of the Federal Government slowing it down. If you go back to look, as the internet continued to grow, as applications continued to get developed on all kinds of devices, small handheld devices, the things that people are able to do, the improvements in their daily lives, because of the growth of the internet, the private money that has come in, billions of dollars of private money has come in to help develop this great superhighway. It has come in, in large part, because the Federal Government hasn't figured out how to regulate and slow it down.

Then along comes this bill. Let's be keenly aware of what this bill is trying to do. The bill actually imposes what is called title II regulations of the internet. What are title II regulations? These are laws that were created in the 1930s when there was a monopoly telephone company.

You would have to google it these days because most people might not remember, but they used to have these little plugs that they would push in and pull out. You would literally pick up a telephone that was plugged into a wall back then—it wasn't a remote device—and you would call an operator and the operator would patch you through.

That was the series of laws that they are now trying to apply to the internet. Can you imagine these archaic 1930s laws being forced upon the internet that is growing so robustly that we are the envy of the world? Our technology, American technology, is dominant in this industry because the government doesn't have these heavy-handed regulations.

Then along comes this bill, the Save the Internet Act, to save us from this growth, to save us from this job creation. I think people can clearly see what is going on here. This is a battle we are having on a lot of fronts. It is a battle of individual freedom versus government control.

Should you have the choice to decide which provider you want to get your internet service from? The great thing about the internet today is there are so many different people competing for your business, and they are spending billions of dollars to do it.

Take a look at 5G. Maybe you are on a 3G network or a 4G network, and now all of these private companies are spending their own money, billions of dollars, to build out a 5G network.

Mr. Chairman, what we would like to see is more of this competition. Yet if you go back to look when the Federal Government did try this—because this isn't some newly created idea. Back in 2015, when there was a different administration in the White House, a different FCC, the FCC started to impose these kinds of regulations and limit the growth of the internet. What happened during that period in 2015? You saw a dramatic drop. Over $3 billion of investment went away. Private money that used to come in to grow and expand these networks, 3G, 4G, hopefully 5G, when the government started to impose these kinds of regulations, people stopped investing because they said the Federal Government telling them how to spend their private money so that we can have a better, faster internet, they weren't going to do it.

If you look at what this bill doesn't do, that is the really interesting part. When they talk about the people who are limiting content and closing off lanes to the superhighway, it is not those service providers. It is the edge providers.

These big companies that are the application developers that actually do control your data, they are not part of this bill. They were exempt from this bill.

So the thing that we want to do and see is a freer, more open internet, which we have already. The government is not regulating the internet today, and it is growing and expanding to the point where we are the envy of the world. We have some of the best job creation in this industry. We don't need the Federal Government to come in and save us from this great growth and expansion.

Let's let the internet stay free and open like it is today without the heavy hand of the Federal Government.

I urge my colleagues to vote ''no.''

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

I find this pretty humorous that the Republicans want to talk about government takeover of the internet. The only person I know who has proposed publicly to take over the internet is the President of the United States when he said he wants to nationalize 5G.

Maybe you guys need to take a little trip over to the White House and prevent that little government takeover of the internet.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO), a valuable member of this committee.

Ms. ESHOO. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding.

First, I include in the RECORD a letter from the County of Santa Clara, California, relative to the issue of net neutrality and the underlying legislation.

COUNTY OF SANTA CLARA,
OFFICE OF THE COUNTY EXECUTIVE,
San Jose, CA, April 4, 2019.

Hon. ANNA ESHOO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ESHOO: The County of Santa Clara strongly supports H.R. 1644, the ''Save the Internet Act of 2019.'' This measure would re-establish federal rules and policies protecting net neutrality as articulated by the Federal Communications Commission (FCC) in its 2015 Report and Order, In the Matter of Protecting and Promoting the Open Internet (FCC 15–24) (the Order).

Like local governments across the country, the County of Santa Clara provides public safety, welfare, and governance services that depend on an open internet. For example, County public health alert systems and the County's virtual emergency operations center could both be hobbled by broadband internet access service (BIAS) provider practices subject to regulation under the Order. The County is deeply concerned that there currently is no ''cop on the beat'' ensuring the protection of such systems, and thus strongly supports H.R. 1644, which would re-establish oversight of BIAS provider practices that threaten public safety.

The County's concerns are particularly acute in light of its past experience with BIAS provider practices. The County's experience has demonstrated that BIAS providers will act in their own economic interests, even when doing so threatens public safety. For example, shortly after the FCC revoked net neutrality protections, Verizon throttled Santa Clara County firefighters in the midst of their efforts to fight the then-largest fire in California history—despite repeated requests to remove the throttling and allow the firefights to perform their duties. These events are outlined in the attached Declaration, submitted to the U.S. Court of Appeals for the D.C. Circuit.

Net neutrality is also vital to the continued economic success of our region. Santa Clara County is a world-leading hub of high-technology innovation and development and is home to almost 2 million residents. Net neutrality is necessary for the prosperity of the county's economy, as it encourages competition among businesses, fosters innovation, creates jobs, and promotes economic vitality both within the county and across the nation.

Preserving net neutrality for County of Santa Clara residents has long been an action point for the County. In 2017, the County's Board of Supervisors unanimously adopted resolution number BOS–2017–105, Resolution of the Board of Supervisors of the County of Santa Clara Supporting the Preservation of Federal Rules and Policies Protecting Net Neutrality, to publicly confirm its support of an open internet. In addition, the County of Santa Clara and the Santa Clara County Central Fire Protection District, along with the City and County of San Francisco, California Public Utilities Commission, 22 states (including California), the District of Columbia, and several private and nonprofit entities filed a lawsuit (Docket 181051, D.C. Cir.) challenging the FCC's December 2017 decision to repeal net neutrality policies with its Report and Order, In the Matter of Restoring Internet Freedom (FCC 17–166).

By restoring the FCC's 2015 order In the Matter of Protecting and Promoting the Open Internet, H.R. 1644 would ensure net neutrality. In addition, the bill would nullify the FCC's 2017 order In the Matter of Restoring Internet Freedom and would prohibit the enactment of any other rule substantially the same as this order, unless the new rule is specifically authorized by a law enacted after the date of the enactment of H.R. 1644. It is for these reasons we support H.R. 1644.

On behalf of the County and its residents, thank you for your co-sponsorship of this important measure that will protect net neutrality rules and policies now and in future.

Sincerely,

JEFFREY V. SMITH, M.D., J.D.,
County Executive.

Enclosure: Declaration of Fire Chief Anthony Bowden (Docket 18–1051, D.C. Cir.)

IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

CASE NO. 18–1051 (LEAD): CONSOLIDATED WITH NOS. 10–1052, 18–1053, 18–1054, 18–1055, 18–1056, 18–1061, 18–1062, 18–1064, 18–1065, 18–1066, 18–1067, 18–1068, 18–1088, 18–1089, 18–1105

MOZILLA CORPORATION, et al., Petitioners, v. FEDERAL COMMUNICATIONS COMMISSION and UNITED STATES OF AMERICA,—Respondents.

DECLARATION OF FIRE CHIEF ANTHONY BOWDEN

I, Anthony Bowden, declare:

1. I make this declaration in support of the Brief of the County of Santa Clara (''County'') in the matter referenced above. I know the facts herein of my own personal knowledge and if called upon to do so, I could competently testify to them under oath.

2. 1 was recently appointed the Fire Chief for the Santa Clara County Central Fire Protection District (''County Fire''). As Fire Chief, I also serve as Fire Marshal for Santa Clara County and as the California Office of Emergency Services (OES) Operational Area Fire and Rescue Coordinator. In these roles, I am responsible for the coordination of mutual aid resources in Santa Clara County. This includes the coordination of all fire resources to significant events, such as wildfires, throughout the State, when those resources are requested from Santa Clara County's operational area. I have worked in fire protection for more than two decades, and in that time, I have held every rank at County Fire.

3. Established in 1947, County Fire provides fire services for Santa Clara County and the County's communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, and Saratoga. The department also provides protection for the unincorporated areas adjacent to those cities. Wrapping in an approximately 20-mile arc around the southern end of Silicon Valley, County Fire has grown to include 15 fire stations, an administrative headquarters, a maintenance facility, and several other support facilities, and covers 128.3 square miles. The department employs almost three hundred fire prevention, suppression, investigation, administration, and maintenance personnel; daily emergency response consists of more than sixty employees. County Fire also contributes resources to all-hazard response outside Santa Clara County and around the state. For example, County Fire has deployed equipment and personnel in response to the ongoing Mendocino Complex Fire, the largest fire in California's history.

4. County Fire relies upon Internet-based systems to provide crucial and time-sensitive public safety services. The Internet has become an essential tool in providing fire and emergency response, particularly for events like large fires which require the rapid deployment and organization of thousands of personnel and hundreds of fire engines, aircraft, and bulldozers. During these events, resources are marshaled from across the state and country—in some cases, even from other countries. In these situations, a key responsibility of emergency responders, and of County Fire in particular, is tracking those resources and ensuring they get to the right place as quickly and safely as possible. County Fire, like virtually all other emergency responders, relies heavily on the Internet to do both of these things.

5. As I explain below, County Fire has experienced throttling by its ISP, Verizon. This throttling has had a significant impact on our ability to provide emergency services. Verizon imposed these limitations despite being informed that throttling was actively impeding County Fire's ability to provide crisis-response and essential emergency services.

6. Only a few weeks ago, County Fire deployed OES Incident Support Unit 5262 (''OES 5262''), to the Mendocino Complex Fire, now the largest fire in state history. OES 5262 is deployed to large incidents as a command and control resource. Its primary function is to track, organize, and prioritize routing of resources from around the state and country to the sites where they are most needed. OES 5262 relies heavily on the use of specialized software and Google Sheets to do near-real-time resource tracking through the use of cloud computing over the Internet.

7. Resources tracked across such a large event include personnel and equipment supplied from local governments across California; the State of California; federal agencies including the Department of Defense, the Bureau of Land Management, the U.S. Forest Service; and other countries. As of Monday, August 13, 2018, the response effort for the wildfires burning across California included 13,000 firefighters, multiple aircraft, dozens or hundreds of bulldozers, and hundreds of fire engines. The wildfires have resulted in over 726,000 acres burned and roughly 2,000 structures destroyed. With several months left in what is a ''normal'' fire season, we fully expect these numbers to rise.

8. OES 5262 also coordinates all local government resources deployed to the Mendocino Complex Fire. That is, the unit facilitates resource check-in and routing for local government resources. In doing so, the unit typically exchanges 5–10 gigabytes of data per day via the Internet using a mobile router and wireless connection. Near-real-time information exchange is vital to proper function. In large and complex fires, resource allocation requires immediate information. Dated or stale information regarding the availability or need for resources can slow response times and render them far less effective. Resources could be deployed to the wrong fire, the wrong part of a fire, or fail to be deployed at all. Even small delays in response translate into devastating effects, including loss of property, and, in some cases, loss of life.

9. In the midst of our response to the Mendocino Complex Fire, County Fire discovered the data connection for OES 5262 was being throttled by Verizon, and data rates had been reduced to 1/200, or less, than the previous speeds. These reduced speeds severely interfered with the OES 5262's ability to function effectively. My Information Technology staff communicated directly with Verizon via email about the throttling, requesting it be immediately lifted for public safety purposes. That email exchange is attached here as Exhibit A. We explained the importance of OES 5262 and its role in providing for public and first-responder safety and requested immediate removal of the throttling. Verizon representatives confirmed the throttling, but, rather than restoring us to an essential data transfer speed, they indicated that County Fire would

have to switch to a new data plan at more than twice the cost, and they would only remove throttling after we contacted the Department that handles billing and switched to the new data plan.

10. In the interim, County Fire personnel in were forced to use other agencies' Internet Service Providers and their own personal devices to provide the necessary connectivity and data transfer capability required by OES 5262. While Verizon ultimately did lift the throttling, it was only after County Fire subscribed to a new, more expensive plan.

11. In light of our experience, County Fire believes it is likely that Verizon will continue to use the exigent nature of public safety emergencies and catastrophic events to coerce public agencies into higher cost plans ultimately paying significantly more for mission critical service—even if that means risking harm to public safety during negotiations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August at San José, California.

Anthony Bowden.

Ms. ESHOO. Mr. Chair, I rise in support of this bill. To those who may be viewing and listening in, it sounds as if, from my Republican friends, that the sky is actually coming down around our ears. I have good news for you. It isn't.

The ranking member of the full committee said that the Republicans simply are opposed to paid prioritization, throttling, and blocking. But there is something else that the American people need to know. What they are against here is what they call the heavy hand of government. We say it is the Federal Communications Commission that should be able to enforce the law against throttling, blocking, and paid prioritization.

It is as simple as that. They don't want a cop on the beat.

This is a very simple, three-page bill, but it is powerful because it puts in place the protections that the FCC came up with in 2015. Notably, the courts upheld that decision.

There is much talk on the other side of the aisle about Silicon Valley. You are not from Silicon Valley; I represent it. There are companies there that had filed suit against the ISPs because of what they have done.

If you don't think that the ISPs haven't misbehaved, talk to the firefighters of Santa Clara County. Talk to them. They were fighting the worst fire in California's history when they were being throttled. They called Verizon, and Verizon tried to sell them an upgraded plan as they were trying to save lives.

Across America, 86 percent of the American people—Democrats, Republicans, and Independents—support what we are doing. We want this for our constituents. We want the protection of consumers. We don't want any mitts on the internet. It is as simple as that. Groups from A to Z, from the United States Conference of Catholic Bishops to the American Library Association, support this.

I am proud to be a net neutrality warrior, and I ask everyone in the House to become one, too, by voting for H.R. 1644. It is a simple, three-page, powerful bill that will serve the people of our country well.

Mr. WALDEN. Mr. Chairman, I am now privileged to yield 5 minutes to the gentleman from Ohio (Mr. LATTA), the ranking Republican on the Communications and Technology Subcommittee.

Mr. LATTA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chair, I rise today in opposition to H.R. 1644, the government takeover of the internet act.

This is not about net neutrality. If this was about net neutrality, we would be operating under the longstanding bipartisan premise that net neutrality would be achieved without title II.

Like many of my colleagues on both sides of the aisle, I agree that Congress needed to codify basic internet protection principles, such as no blocking, no throttling, and no paid prioritization. The net neutrality bill I introduced is based directly upon the proposal from former Energy and Commerce Chairman Henry Waxman, which would prevent internet service providers from engaging in much of the discriminatory behavior the majority is concerned about. It would do so under title I.

Both former Republican and Democratic Federal Communications Commission Chairmen have also recognized that net neutrality can be resolved without vastly expanding the FCC's power under title II.

It is important to recognize the difference between title I and title II. The internet is currently regulated under title I, which means it is considered an information service. Besides the 2 years the FCC's 2015 order was in effect, the internet has always operated under title I, since its infancy.

Chairman Wheeler put the internet under title II rules that classify broadband as a telecommunication service. These rules were created in the 1930s for the monopoly telephone systems and, obviously, do not fit on an innovative engine that has thrived on minimal government involvement.

Although the exact framework of net neutrality has been a bipartisan issue these past 10 years, we are at a point where Republicans and Democrats are aligned on bright-line principles to preserve a free and open internet. Rather than push through purely partisan legislation drafted by a group of unelected bureaucrats, I encourage my colleagues to vote ''no'' on H.R. 1644, so we can engage in a truly bipartisan process on net neutrality and resolve this issue once and for all.

There is a menu of legislative options on the table. Each of these net neutrality bills would ensure that the FCC is a cop on the beat to keep the internet free and open from discriminatory conduct by ISPs.

As acknowledged by H.R. 1644's sponsor, the gentleman from Pennsylvania, the bill does not preserve all aspects of a free and open internet because it does not address blocking and prioritization done by edge providers.

It also isn't clear if the bill addresses ambiguous definitions from the 2015 order for specialized services or recognizes the unintended consequences in innovations like advanced network slicing capabilities in 5G.

The bill also does not protect small businesses. With over 3,000 ISPs in our country, most of which are small or very small, we should make it a priority to shield these businesses from onerous regulations.

I offered an amendment at the Rules Committee that would do just that. It would have allowed small ISPs to focus better on expanding their networks and serving their customers. This amendment was based on a bipartisan compromise made in the 114th Congress and the 115th Congress that unanimously passed the House and afforded small and often rural ISPs predictability.

My Democratic colleagues supported the 5-year exemption and 250,000-subscriber limit last Congress but seem to have forgotten their statements about the need to allow small ISPs to provide broadband access rather than being bogged down with these regulations.

□ 1545

We have seen broadband investment and innovation decline during the time the internet was regulated under the framework that H.R. 1644 would establish. This has been verified through studies, but also in a recent Energy and Commerce Committee hearing when a witness who owns a small ISP in Oregon testified on the hampering effects the 2015 order had on his own business. While we can't quantify lost investment, we do not know the advancements in technology we have missed out on due to limited resources directed toward innovation.

On the point of not knowing, we still do not know the 700-plus regulations that H.R. 1644 would permanently forbear from either. Before we permanently lock in anything, I believe Congress should know exactly what we are locking in. We have pressed the majority for the list multiple times and have not received it. That is why I filed an amendment that would have required the Federal Communications Commission to produce this list if the bill does become law.

I support net neutrality, but I cannot and do not support H.R. 1644. We should be providing the American people with a real net neutrality solution rather than pushing forward an agenda that does not have the capability to become law and won't protect the internet.

I thank the gentleman for yielding, Mr. Chairman.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, my friends keep talking about the government takeover of the internet. I am glad to see that they are finally taking a stand against

the foolish 5G nationalization proposal that the Trump administration can't seem to stop talking about.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Chairman, I thank Chairman DOYLE for yielding time this afternoon.

Mr. Chairman, I rise today in support of H.R. 1644. Phone calls and letters from my constituents make it abundantly clear that they want to see broadband internet expanded in their communities, they want greater consumer protections, and they want it now. The digital divide is holding them down.

Until someone has lived in a community, Mr. Chairman, that does not have reliable access to high-speed internet, one cannot comprehend its importance. Internet connectivity enables students regardless of their financial circumstances the opportunity to access world-class educational resources. It spurs economic growth by giving businesses an opportunity to connect with customers throughout the world. It can help bring access to quality healthcare for families in rural communities.

I say to my friends on the other side, this legislation is not a socialist initiative. It is America, my friends, in the 21st century.

This bill provides permanent net neutrality protections and secures a free and neutral internet for constituents. This legislation will ensure that all Americans—Democrat, Republican, Libertarian, Independent, and Green Party—will have their voices heard, their stories told, and equal access to the information that is important to them.

The Save the Internet Act addresses the way in which internet traffic is handled before it reaches the consumer—an important step toward closing the digital divide and making the digital economy more inclusive. The internet was developed to enable user choice about what content to access. That is why we need to pass this legislation, and we need to pass it now.

I appreciate the work of Chairman DOYLE and the Democratic Caucus for understanding the urgency of passing this legislation.

Mr. Chairman, I urge my colleagues to vote ''yes'' on this legislation. Let's send it to the Senate. Let's try to reason with our friends in the Senate, and let's get it passed and protect the internet.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN. Mr. Chairman, I would just like to say, when it comes to 5G, Republicans had an amendment to keep 5G from being regulated by 1930s law called title II.

My friends on the other side of the aisle do not want to get into a big discussion about the huge regulatory door they are opening in section 201 and section 202 that allows the FCC to basically run amok with rules. They will claim that they are locking down what the FCC did in 2015 but, in fact, while they may close one door—although we don't even know all those 700 rules they are forbearing against that are going to go into statute, they can't even provide that list and this bill isn't going anywhere—they are opening this other authority—unlimited authority, frankly—to the FCC to regulate all these forms of technology.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, I rise today to join my colleagues in opposition to the so-called Save the Internet Act. I say ''so-called'' because it really should be called another Big Government attempt to grab the internet act.

I am disappointed in my colleagues across the aisle who chose to place partisan politics above the interests of the American people and refused to work across party lines to codify actual workable solutions that prevent anticompetitive conduct rather than continuing the political game of information technology regulatory ping-pong under the guise of net neutrality.

Let me be clear, I support an open and free internet. However, this legislation doesn't do that.

What it would do is impose heavy-handed title II regulations on the internet, which is not only unnecessary, but would actually stall broadband deployment.

From 1996 to 2015, the internet was thriving. It grew at a rapid, unprecedented pace and enabled countless innovative technologies that Americans have come to rely on: connectivity for businesses, students to do their schoolwork, families and friends staying connected, telemedicine, and many other everyday conveniences.

However, it was under the Big Government grab of then-FCC Chairman Wheeler and the classification of broadband as a utility-style telecommunications service under title II that we saw a decline in broadband deployment and online innovation and investment.

This is a serious issue, particularly for geographically challenging, rural areas such as eastern and southeastern Ohio that already struggle with broadband deployment. The digital divide is very real, and we have a responsibility to provide solutions, not create additional barriers to employment, growth, and innovation.

Rural communities don't need or want higher costs and fewer options than they already have, and that is why I am opposed to this legislation. As I have stated before, the only saving the internet needs is from heavy-handed Washington regulations.

Mr. Chairman, I urge my colleagues to oppose this disingenuous legislation.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chairman, I would submit that we are listening to the public and our constituents. Eighty-six percent of all Americans—Republicans, Democrats, and Independents—support what we are doing here today. It is the Republicans who are standing up for a very small number of ISPs in this country.

It gives me great pleasure to yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), who is the Speaker of the House.

Ms. PELOSI. I thank the gentleman for yielding, Mr. Chairman, and I commend him for his extraordinary leadership on this very important subject. To young people in our country and to every person in our country from sea to shining sea and to the future of our country, I join my colleagues in defense of the free and open internet which is a pillar of our democracy. I am pleased to follow Mr. DOYLE and his leadership; Mr. PALLONE, the chairman of the committee; Ms. ESHOO, a godmother of net neutrality in an earlier time; Mr. BUTTERFIELD, for his wonderful statement; and I know we will be hearing from Congresswoman MATSUI and other Members, and I am honored to join all of them.

Again, I salute Chairman MIKE DOYLE for his leadership of the Save the Internet Act and for his persistent, dissatisfied leadership to protect net neutrality. I also commend our former colleague in the House, Senator MARKEY, for his leadership now in the Senate.

Let us salute the millions of Americans who have marched, mobilized, and made their voices heard in this fight, the 4 million Americans who wrote to the FCC—that would be the Federal Communications Commission—to support the 215 Obama-era net neutrality protections; the 10 million Americans who weighed in again this time to oppose the 2017 Trump decision to destroy those protections; the 600,000 Americans who tuned in to watch a livestream of the full committee markup on this legislation, and, Mr. Chairman, it is now 4.8 million and a growing number who have watched the committee proceedings on the House floor today.

That is so much enthusiasm in our country, that is the growing extent of the interest. That is unheard of for the work that we do here.

Net neutrality is a bipartisan priority for the American people. As Chairman DOYLE said, a full 86 percent of Americans oppose the Trump assault on net neutrality, including 82 percent of Republicans outside.

Young people, in particular, get it. This is about their jobs and their futures. With the Save the Internet Act, Democrats are honoring the will of the American people. We are restoring protections so that we can stop unjust discriminatory practices by ISPs—that would be internet service providers—that try to throttle consumers' browsing speed, block their internet access, and increase their costs—throttle their speed, block their access, and increase their cost.

It would give entrepreneurs and small businesses a level playing field on which to compete and ensure American innovation can continue to be the envy of the world.

This legislation also brings the power of the internet to every corner of the country from rural America to cities, as Mr. BUTTERFIELD pointed out, because it provides the legal basis for the Connect America Fund.

We must close the urban-rural digital divide, although we have challenges in urban areas as well as in rural areas, but in rural areas this is a must do. It will make all the difference in the world guaranteeing better and cheaper internet for everyone, so we can create jobs and unlock the economic potential of every person in every community.

This debate is not just about legislation. It is about the quality of people's lives. More than 30,000 San Franciscans in my own district have written my own office about the impact of net neutrality in their lives.

They know that American businesses are at risk.

One writes:

> As a small business owner, I depend on free and unfettered communication with my customers and vendors. My business and personal lifestyle are in jeopardy.

They know that America's innovation is at risk.

As a young student writes:

> Without net neutrality, we lose our last medium of allowing small and upcoming companies to thrive.

They know that our spirit of entrepreneurialism is at risk. As another constituent writes:

> The internet is a place where anyone, rich or poor, can make a living, become successful, and make themselves known.

They know that our very democracy is at risk because as one constituent writes:

> A world without net neutrality undermines a central priority for a democratic society—the necessity of all citizens to inform themselves and each other.

Those are some of the communications from my constituents.

I will just tell you about a family discussion I had. I was visiting my brother in Baltimore, Maryland, Thomas D'Alesandro, and we were sitting around the table with his children and grandchildren. We were talking about one thing and another that was going on in the country.

I said to his grandson: What do you think about all of this?

We were talking about national security, et cetera.

He said: My friends and I care about one thing, net neutrality.

That was so exciting to hear, and here we are delivering for young people.

Supporting this bill means supporting our democracy and showing that our voices—the voices of the public—are heard, that their will is respected, and that the internet remains free and open to all. We call on our Republican colleagues to join us to support our democracy by restoring net neutrality.

I hope we have a good, strong bipartisan vote as a tribute to Chairman DOYLE.

Mr. Chairman, I urge an ''aye'' vote.

Mr. WALDEN. Mr. Chairman, again, I would say Republicans are for stopping any kind of action that throttles or blocks even paid prioritization on the internet. We share that common view of net neutrality.

But I would remind my colleagues that the legislation before us does not in any way provide any regulatory oversight over where you go when you get off the ISPs, get off that freeway, if you will, into places like Google, Facebook, and Amazon. They are great American companies. But what I hear from my constituents is they are concerned about pay prioritization, the security, the trust, the data, and all of that that the edge providers are a huge part of this ecosystem.

Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

□ 1600

Mr. WALBERG. Mr. Chair, I rise today in opposition to H.R. 1644. I believe, if we use words appropriately, that should be named the ''Regain Big Government Control of the Internet Act.''

Thankfully, after 2015, we only had a short time of what was so-called net neutrality, which are words that sound good but aren't true. It was Big Government takeover of net neutrality, and this bill opens the door to disastrous effects like that on getting broadband into rural America, where I live.

I still don't have broadband. In 2015, under the so-called net neutrality, we saw that broadband build-out stop. I am still looking forward to it someday. So this bill would take us backwards, not forwards.

It is clear that the bill also could have several unintended consequences which are completely at odds with the authors' intended outcomes.

Instead of doubling down on the light-touch framework which has resulted in the widespread success of the internet, Mr. Chair, my colleagues seem more interested in imposing more and bigger government regulation.

The bill only forbears from what the FCC claims it forbore from, not what it can forbear from through the backdoor of sections 201 and 202.

Instead of letting the markets work under a framework which still robustly protects consumers, this bill would inject even more uncertainty into the market. It seems that, instead of locking in protections for consumers, the only thing it is really locking in is more partisanship.

I urge my colleagues to work with Republicans on bipartisan legislation that protects consumers and promotes broadband deployment in rural America, the place I live and the place I lack broadband now and, with the continued effort to have Big Government control, I probably will still lack.

It is time to change that, and I encourage my colleagues to oppose H.R. 1644, the ''Regain Big Government Control of the Internet Act.''

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Chair, we keep hearing over and over again that same mantra, ''government takeover of the internet.''

What the Republicans call the heavy hand of government is what is actually protecting consumers. If they want to stop a government takeover of the internet, then they had better talk to the White House: ''Trump apparently wants to control 5G in a 'state-run' socialist twist to American capitalism.'' That is where you need to take those concerns about the government takeover to.

Madam Chair, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), vice chair of the Subcommittee on Communications and Technology.

Ms. MATSUI. Madam Chair, I am pleased to join my colleagues in cosponsoring this legislation.

Our internet economy has been the envy of the world, with good reason. The first site to ever go live on the world wide web did so in August 1991, less than 28 years ago.

Since then, a balance of innovation and investment has transformed the internet into a driving force of the American economy, and that balance of innovation and investment also requires that the internet remain open.

Innovators, entrepreneurs, businesses, and consumers rely on the internet as an open platform for online commerce, to freely exchange ideas, and to make internet access more accessible to more Americans.

To that end, addressing and preventing paid prioritization arrangements that result in consumer harm has been a priority of mine for years; and, as I have said through this debate, the fundamental issue surrounding net neutrality is ensuring consumers don't have to pay more for the same products and services online.

I am mindful of the potential use cases that next-generation networks can facilitate, and I previously introduced legislation to ensure that all consumers are able to access online content equally as we balance the service requirements and consumer benefits of our open internet policies.

I also want to be clear that I don't support taxing the internet, but, going forward, I welcome a serious conversation with all my colleagues on universal service contribution reform in order to protect the long-term sustainability of rural broadband support.

Net neutrality protections must ensure the internet remains an open marketplace, ensure that the internet is free of content-based discrimination, and ensure broadband access is affordably and reliably deployed across the country.

Passage of this legislation is an important step toward these goals, and I am proud to support it.

Mr. LATTA. Madam Chair, may I inquire as to how much time I have remaining.

The Acting CHAIR (Ms. KAPTUR). The gentleman from Ohio has 7½ minutes remaining.

Mr. LATTA. Madam Chair, I yield 2 minutes to the gentlewoman from Washington State (Mrs. RODGERS).

Mrs. RODGERS of Washington. Madam Chair, I appreciate the gentleman yielding.

Madam Chair, I join my colleagues in rising in opposition to H.R. 1644. What is most disappointing to me is that it seems like this is another example of the Democratic majority, during this Congress, being more interested in scoring political points than actually solving a problem.

In order for this legislation to become law, it is going to require bipartisan support, yet the Democrats have chosen today to move forward in a partisan way.

The rhetoric around net neutrality has been driven to a fever pitch. Dire predictions on the end of the internet led to death threats against the chairman of the FCC and his family, as well as against some of our own colleagues.

Democrats say they want to save the internet; however, in the time since the title II regulations were repealed under the Trump administration, network speeds are up drastically. Investment and coverage in rural areas has increased.

This debate isn't about the merits of an open internet. I support an open, free internet, and I always have. This is truly about how we shape the future of our economy:

Do we want to regulate the internet as a 1930s-style utility where regulations stifle innovation and leave behind rural and poor Americans?

Do we want an internet economy that lifts people out of poverty and provides them with more economic opportunities?

As we work to close the digital divide, we need to decrease the barriers to deployment, not increase them. Imposing unnecessary regulations on small companies providing rural broadband will only further this divide. We must protect people in a way that does not leave underserved areas of our country behind.

Republicans, for years, have offered to work across the aisle. I have introduced legislation modeled after a bill that passed in Washington State, enjoying bipartisan support overwhelmingly. In fact, it was lauded by Senator CANTWELL.

She said: ''In our State, Republicans and Democrats came together. . . . Why can't we see this same bipartisanship in the U.S. House?''

I ask my Democratic colleagues today that same question.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I would say to the gentlewoman that we know that net neutrality rules don't affect internet speed or internet investment.

And who says that? The CEOs of all the internet companies when they are talking to their Wall Street investors.

Madam Chair, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Madam Chair, I rise today in support of H.R. 1644.

One of the greatest aspects of the internet is its potential to be an equalizer for small businesses that might not otherwise have resources to set up a brick-and-mortar shop. The internet provides them with the means to reach customers around the world. For students who want to learn how to code but whose schools can't afford such classes, the internet opens the door for them. And for veterans who would otherwise have to drive hours to receive healthcare services, the internet gives them the ability to consult with their doctors wherever they are.

All of this is only possible if internet access is unfiltered, and that is not the case today. Today, we don't even have a free and open internet because Trump's FCC has repealed net neutrality protections and set our country on a path backwards.

More than 8,000 of my constituents have written to me and called to express their opposition to elimination of these protections.

I also held a net neutrality townhall, where people came from all over my district. They were of different ages, occupations, and backgrounds, but they all had something in common: They overwhelmingly wanted strong net neutrality protections.

I have listened to my constituents, and that is why I am fighting hard to restore these crucial protections, and that is why I became an original cosponsor of the Save the Internet Act.

We have an opportunity today to pass legislation that would offer real protections for constituents. This legislation is simple. It takes an approach that accounts for the internet of today and tomorrow, and it provides certainty for Americans across the country.

This act will curb monopolistic behavior that would gradually strangle the internet. I am afraid of corporate takeover of the internet.

My friend, the minority whip, spoke about how the Telecom Act of 1934 was passed to curb the monopolies of the large telephone corporations. Today, the situation is similar. The ISPs are large, and they are consolidating with content providers, a ripe situation for monopoly.

Americans hate monopolies.

Madam Chair, I urge my colleagues to vote ''yes'' on H.R. 1644.

Mr. LATTA. Madam Chair, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Chair, I rise today in opposition to H.R. 1644, the so-called Save the Internet Act.

This legislation seeks to restore the FCC's heavy-handed, stifling title II regulations of 2015 to govern the internet, the same antiquated regulations originally enacted to regulate wired phone companies of the 1930s.

The internet, which is the single most important invention in modern human history, has thrived precisely due to light-touch regulations. Reinstating heavy-handed, stifling title II regulations on the internet is just plain bad policy.

My colleagues on the other side of the aisle have supported these stifling title II regulations to ensure what they call net neutrality and prevent unreasonable discrimination practices of blocking, throttling, and paid prioritization.

While I agree with my colleagues that no business should engage in these types of unreasonable business practices, this bill is hardly neutral. It blatantly ignores ''edge providers,'' such as Facebook and Google. Just read the headlines about their great behavior. They have made headlines for things like blocking, throttling, and requiring paid prioritization of consumer internet services.

Additionally, in the 2 years following the FCC's 2015 order to regulate the internet under the stifling title II, internet investments regulations, those investments have actually declined for the first time and only time in U.S. history outside of a recession.

As a Representative of some of the most unserved rural populations of Virginia, I have heard from providers, both large and small, that these stifling title II regulations have hindered their ability to expand service to rural populations. This is particularly concerning, as unserved areas already face extreme challenges to gaining access to broadband. Reinstating these stifling title II regulations would only further increase the digital divide between urban and rural America.

I am a cosponsor of three bills offered by Ranking Members WALDEN, LATTA, and RODGERS, all based on bipartisan approaches, which prohibit the practices of blocking, throttling, and paid prioritization. I believe all three of these bills provide a bipartisan, permanent solution to opening the internet.

I urge my Democratic colleagues to work with Republicans to solve this issue.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 14½ minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself such time as I may consume.

This debate can be broken down very simply. There is agreement on the three bright lines. So Democrats and Republicans agree: no blocking, no throttling, no paid prioritization. But that is where my friends on the Republican side stop.

Democrats understand that, already, we see behavior by ISPs that isn't covered by those three bright lines, in the areas of zero rating and interconnection. There has to be a cop on the beat to protect consumers.

This bill is very basic. It says we are going to outlaw the three bright lines. We all agree with that.

The only things we do in addition to this are two other things:

Number one, we restore the legal underpinnings for the Connect America program, which helps rural broadband, and the Lifeline program, which helps our seniors, veterans, and low-income families in the country. We make it easier for pole attachments to make rural deployment of broadband easier to do, to facilitate that. So we take care of rural America in the bill.

Then we also say there has to be someone to look out for consumers if, somewhere down the road, an ISP finds a new way to have some unjust or unreasonable or discriminatory behavior. Someone has to have the ability to say: You can't do that, and, if you continue to do that, we are going to levy a fine or we are going to take action against you.

□ 1615

That is called consumer protection. What my friends over here want to do is simply take the three bright lines and say, okay, we will enforce that because they have been caught red-handed doing that. Everybody knows they have pled guilty to the blocking, the throttling, and the paid prioritization. We will outlaw that. But if they find some new, novel way to game the system and disadvantage consumers, we don't want anyone to be able to stop that kind of behavior.

Madam Chair, it is sort of like locking your front door and leaving the back door wide open. That is what the Republicans would have us do, if we would agree to their so-called compromise that they are putting forward.

Let me tell you something. I didn't come to Congress to work for internet service providers. I came to Congress to protect consumers.

And you are not fooling Americans. Eighty-six percent of Americans, be they Democrats, Republicans, or Independents, did not want to see the Pai FCC, the Trump FCC, repeal these net neutrality rules. There was overwhelming testimony during the rulemaking from more than 20 million people asking the FCC not to take this action. This is an issue not only amongst millennials but all throughout our population.

You have been hearing it on your telephones, too. That is why you all want to say you are for something. You stand there and say we are for a free and open internet, but what you are for is allowing these ISPs to figure out new ways to game the system and making sure there is no cop on the beat, the FCC, to be able to regulate that. That is why we are never going to agree until we sit down and protect consumers in this kind of bill.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. LATTA. Madam Chair, I am prepared to close if the gentleman is. I have no more speakers.

Madam Chair, how much time do I have?

The Acting CHAIR. The gentleman from Ohio has 3½ minutes remaining.

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

In this debate today, we have heard both sides, but I really believe that, on our side, the American people don't want to have a takeover of the internet. As we have spoken on our side, we all believe in the same things. We don't want throttling; we don't blocking; and we don't want paid prioritization out there.

As has been stated already earlier today, we have had three bills that were introduced, one being my piece of legislation that had been introduced by the former chairman of the Energy and Commerce Committee that set forth those policies and also stating that it should not have title II in it because, again, you do not want to have the heavy hand of government coming in on this.

We had the Republican leader of the full committee with his legislation, taking what the FCC has done and putting in legislation to make sure, again, we don't have the blocking and the throttling.

The gentlewoman from Washington State, when you look at her legislation, again, it came from a Democratic legislature, signed by a Democratic Governor, which stated the same things: You don't want to have the throttling, blocking, or paid prioritization.

The American people want to make sure that the internet is out there, that it is working, and that you don't have that heavy hand.

I think it is also important, as has been noted during the debate—what are we looking at here? We have had past FCC Chairmen all saying the same thing, except for Chairman Wheeler when he changed and went with the 2015 order. But Republicans and Democrats have all said the same thing, that this is an information service, not a telecommunications service that would be coming under the draconian laws of the 1930s that were really to take care of the Ma Bells out there.

We also have seen that this bill does not cover the edge providers, and a lot of people would be surprised about that. The question is raised: Why aren't they included in this piece of legislation? Because if you want to make sure that everyone is included, you should have been looking at it in this piece of legislation, because when you are looking at the Facebook and the Twitters out there, what is happening with them?

I also want to point out that I know there is some concern when this was going on back in 2015 and what happened when the current FCC rescinded the order. You know, the internet did not end. I did not get calls the next day saying I was not able to go online. I wasn't unable to do our work or do anything like that. I never received a call. So I think it is important we note that.

At the same time, what we have also discussed here today, and also in committee, is that we would like to see the 700 rules and the regs out there that the FCC forbore on. We still don't have those. I have asked, through my amendment, that we get those because I think it is important we know what that is, because how do you know what they are doing if you don't see it?

I think that it is very important that these facts are considered. I think it is important that we have had this debate today. But I think it is also important that we don't want to have a takeover by the government of the internet because we want to make sure that it does what it has always done. It is something that was formed out there that had what they called a light touch to let it go forward, so I think it is important that we do that.

For those reasons, Madam Chair, I would recommend a ''no'' vote on H.R. 1644, and I yield back the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, how much time do I have left?

The Acting CHAIR. The gentleman has 10 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself the balance of my time.

I appreciate this debate. A couple of points I would like to make as we close. I think people need to understand that, 2 years ago, when the Trump FCC decided to repeal the net neutrality rules that were in place, what did they replace them with? How did they protect consumers when they decided to repeal the net neutrality rules put in place by Chairman Wheeler during the Obama administration? I will tell you what they did. They did nothing—nothing, no protections, the Wild, Wild West. The only thing a consumer could look forward to was, if one of these ISPs violated their terms and conditions, they might be able to go over to the FTC and ask for relief.

Ask the California firefighters how that worked for them when they were in the middle of trying to put out these devastating fires in California and came up on their data cap and had no recourse. Ask them if they think that was unjust or unreasonable behavior.

For Republicans to stand here and say that they care about net neutrality rules when they had 2 years when they controlled the House and the Senate and the White House to put one of these three bills they like to talk about on the floor—because they controlled the floor to pass the bills, to

pass it in their Republican-controlled Senate and give it to their Republican President to implement net neutrality rules to protect consumers. What did they do? They did nothing—nothing, crickets, silence.

Now Democrats control the House of Representatives. We said that it is important to all Americans, and all Americans regardless—Democrats, Republicans, and Independents—wanted to see those net neutrality rules that were repealed restored. So what we have done is we have taken that 2015 open internet order and we said let's put this into law. Let's put this into statute so that no future FCC Commissioner can come there and change this.

We have forborne on 700 regulations that were in title II. You keep hearing this: We are putting the heavy hand of title II, Ma Bell, 1934 rules on the internet. That is not true. All of those provisions of title II were forborne. They are not part of this bill.

What did we keep in title II? We kept the consumer protections in sections 201 and 202. We saved the legal underpinnings that make it possible to do the Connect America Fund and the Lifeline Program. We put a cop on the beat so that, for future bad behavior on the part of the ISPs, there is someone there to say you can't do that, and if you try to do that, we can take action against you.

Now, I ask you, what do the ISPs have to fear from that? If they are not acting in an unjust or an unreasonable or a discriminatory fashion, they have nothing to worry about.

I would ask my friends, what unjust and unreasonable and discriminatory behavior do you think they should be allowed to engage in?

Well, I have news for you. Just the three bright lines, that doesn't cut it anymore. We have already seen behavior that is discriminatory that isn't covered by those three bright lines. If there is no cop on the beat to enforce that on behalf of consumers, then it is the consumers who are the losers.

We are not going to let that happen. The American people don't want that to happen. People of all stripes have said, loud and clear, that they want to see commonsense, bipartisan net neutrality rules put into place.

When I say bipartisan, the only place it isn't bipartisan is here in the House of Representatives, not out in the country. The Senate passed a similar bill last year in their CRA with 52 Members. It was bipartisan.

We tried to put that CRA on the floor last year, and the Republican majority wouldn't put the bill on the floor so that we could have a vote on it. We tried a discharge petition to see if we could get the bill on the floor, and not a single Republicans helped us pass the discharge petition so that we could have a vote on net neutrality.

Let's not kid ourselves here. Any chance that Republicans had to have no regulation on the internet, that is what they have been about when they have been in power in this body.

Madam Chair, it is a new day, and it is a new House of Representatives, one that listens to the will of the people, the citizens of America who have said loud and clear that they want to see these rules put back in place.

To all my colleagues on both sides of the aisle, this is your chance to be on the right side of history. This is your chance to be on the side of the angels. I ask all my colleagues to vote for this bill, vote ''yes'' on H.R. 1644 and restore net neutrality rules for all Americans.

I yield back the balance of my time.

Ms. JACKSON LEE. Madam Chair, as a senior member of the Judiciary Committee and an original co-sponsor, I rise in strong support of H.R. 1644, the ''Save the Internet Act of 2019.''

The Save the Internet Act puts a cop on the beat to protect consumers, small businesses, and competition from abusive practices of internet service providers and codifies popular, bipartisan, and targeted net neutrality protections.

An overwhelming 86 percent of Americans opposed the FCC's roll back of the same protections that would be enacted by the Save the Internet Act, including 82 percent of Republicans.

The Save the Internet Act mirrors the similar bipartisan Congressional Review Act legislation that passed the Senate last Congress and had 182 bipartisan signers in the House.

The Save the Internet Act restores necessary, common-sense provisions for defending the internet put in place by the FCC during the Obama Administration and stops the current Trump-dominated FCC from applying more than 700 regulations under the Communications Act that are unnecessary to protecting an open internet such as rate setting.

The Save the Internet Act represents true net neutrality protections that are designed for today and tomorrow without loopholes.

The Save the Internet Act includes enhanced transparency protections, and enacts specific rules against blocking, throttling, and paid prioritization.

The legislation empowers the FCC to investigate consumer and business complaints, and, when necessary, fine internet service providers for violations of the Communications Act.

Additionally, the Save the Internet Act empowers the FCC to stop internet service providers from undermining net neutrality principles through new and harmful mechanisms.

Because of the Save the Internet Act, no longer will internet service providers be able to exploit choke points online, such as interconnection points, which creates bottlenecks and stifle internet connectivity.

Another reason why all Members should support the Save the Internet Act is because it provides important new authorities that can be used to support broadband access and adoption for rural communities and struggling Americans.

The Save the Internet Act also restores authorities the FCC used starting in 2016 to fund broadband for low-income Americans, including veterans, seniors, students, and disabled Americans, under the Lifeline program that has subsidized phone service since the Reagan Administration, but only began fully supporting internet access recently.

Madam Chair, nothing in the Save the Internet Act would diminish internet service providers' investments in broadband.

It should be noted that internet service providers did not cut back on investing, deploying and increasing speeds in 2015 and 2016, when the kind of protections the bill restores were put in place by the FCC.

In fact, after the Trump FCC repealed those protections, investments by many of the largest providers went down despite their claims that just opposite would happen.

Finally, Madam Chair, it should be noted the legislation before us affirms several important principles and values, including the following:

1. A free and open internet is the single greatest technology of our time, and control should not be at the mercy of corporations.

2. A free and open internet stimulates internet service provider competition.

3. A free and open internet helps prevent unfair pricing practices.

4. A free and open internet promotes innovation.

5. A free and open internet promotes the spread of ideas.

6. A free and open internet drives entrepreneurship.

In short, Madam Chair, a free, open, and vibrant internet protects and strengthens our democracy.

I urge all Members to join me in voting to save the internet for all of our people by voting to pass H.R. 1644, the ''Save the Internet Act of 2019.''

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–10. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1644

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Save the Internet Act of 2019''.

SEC. 2. RESTORATION OF OPEN INTERNET ORDER.

(a) REPEAL OF RULE.—

(1) IN GENERAL.—The Declaratory Ruling, Report and Order, and Order in the matter of restoring internet freedom that was adopted by the Commission on December 14, 2017 (FCC 17–166), shall have no force or effect.

(2) PROHIBITION ON REISSUED RULE OR NEW RULE.—The Declaratory Ruling, Report and Order, and Order described in paragraph (1) may not be reissued in substantially the same form, and a new rule that is substantially the same as such Declaratory Ruling, Report and Order, and Order may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the enactment of this Act.

(b) RESTORATION OF REPEALED AND AMENDED RULES.—The following are restored as in effect on January 19, 2017:

(1) The Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet

that was adopted by the Commission on February 26, 2015 (FCC 15–24).

(2) Part 8 of title 47, Code of Federal Regulations.

(3) Any other rule of the Commission that was amended or repealed by the Declaratory Ruling, Report and Order, and Order described in subsection (a)(1).

(c) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) RESTORED AS IN EFFECT ON JANUARY 19, 2017.—The term ''restored as in effect on January 19, 2017'' means, with respect to the Declaratory Ruling and Order described in subsection (b)(1), to permanently reinstate the rules and legal interpretations set forth in such Declaratory Ruling and Order (as in effect on January 19, 2017), including any decision (as in effect on such date) to apply or forbear from applying a provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.) or a regulation of the Commission.

(3) RULE.—The term ''rule'' has the meaning given such term in section 804 of title 5, United States Code.

SEC. 3. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY REQUIREMENTS RELATING TO PERFORMANCE CHARACTERISTICS AND NETWORK PRACTICES FOR SMALL BUSINESSES.

(a) IN GENERAL.—The enhancements to the transparency rule relating to performance characteristics and network practices of the Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 165 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet that was adopted by the Commission February 26, 2015 (FCC 15–24), shall not apply to any small business.

(b) SUNSET.—Subsection (a) shall not have any force or effect after the date that is 1 year after the date of the enactment of this Act.

(c) REPORT BY FCC.—Not later than 180 days after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains the recommendations of the Commission (and data supporting such recommendations) regarding—

(1) whether the exception provided by subsection (a) should be made permanent; and

(2) whether the definition of the term ''small business'' for purposes of such exception should be modified from the definition in subsection (d)(3).

(d) DEFINITIONS.—In this section:

(1) BROADBAND INTERNET ACCESS SERVICE.—The term ''broadband Internet access service'' has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(3) SMALL BUSINESS.—The term ''small business'' means any provider of broadband Internet access service that has not more than 100,000 subscribers aggregated over all the provider's affiliates.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute is in order except those printed in part A of House Report 116–37. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 116–37.

Mr. BURGESS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 4. GAO REPORT ON INTERNET ECOSYSTEM.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the effect of the rules described in section 2(b) on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, I yield myself 2 minutes.

This amendment directs the Comptroller General of the United States to submit to Congress a report examining the influence of all entities on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

A portion of a consumer's online experience is through social media platforms and through other edge providers. Examples of this would include Facebook, Google, Twitter, and YouTube, among others.

□ 1630

Nothing in the Save the Internet Act reviews all parts of the internet ecosystem. Yet, so-called edge providers are the services exercising the most discretion over content delivery.

As we saw last year with testimony in the Energy and Commerce Committee from Facebook and Twitter, the algorithms written by these companies are proprietary, and those proprietary algorithms may manipulate consumer access. We understand the role of these service providers and how each is weighted against the others. We have transparency rules for broadband providers, but not for edge providers.

The bill targets broadband service providers by reclassifying them as utilities under title II of the Communications Act, but we cannot achieve effective net neutrality principles without including the influence of edge providers on the internet ecosystem. For this reason, the amendment simply directs the Government Accountability Office to study the full internet ecosystem so that we can better understand the influence of all online entities in order to protect access to a free and open internet for every consumer.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Ms. BASS) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2030. An act to direct the Secretary of the Interior to execute and carry out agreements concerning Colorado River Drought Contingency Management and Operations, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

SAVE THE INTERNET ACT OF 2019

The Committee resumed its sitting.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR (Ms. KAPTUR). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I yield myself as much time as I may consume.

The Save the Internet Act is narrowly focused on ISPs as the gatekeepers to the internet. They control the networks, so they have the ability to shape and control traffic as it moves over their network.

Edge providers play a different role in the internet ecosystem and are not in the same class as internet service providers.

There are numerous cases of documented abuses by ISPs going back several years. I am sure that is a big part of why net neutrality has such overwhelming bipartisan support. Even 82 percent of Republicans oppose the FCC's 2017 rollback of the rules.

Now, that is not to say that there are not problems on the edge—there are—but that is not what this bill is about.

So in the spirit of bipartisanship, we are going to accept this amendment. We hear the concerns of Mr. BURGESS and our friends on the other side of the aisle, and we want to work together with them to address this.

We appreciate Mr. BURGESS' willingness to work with us to find a compromise on this issue.

Madam Chair, I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), the valuable ranking member of the full committee.

Mr. WALDEN. Madam Chair, I want to thank the gentleman from Texas (Mr. BURGESS) for his work on this amendment, and the Democrats for accepting this very thoughtful approach.

Americans are more and more concerned about the role that tech companies play in this Information Age. You

read about how content gets blocked, gets prioritized, or in some cases allegedly shadow banned.

We increasingly see these tech giants' inability to curb harmful and illicit behavior online while they monetize our personal information.

Now, these are incredibly important platforms as well, they are great American companies, but in most cases, they come about as close to a monopoly as I have ever seen.

Meanwhile, these edge providers get special protection under section 230 of the 1996 Telecommunications Act and they are not covered by the net neutrality rules that we are discussing today. They are not covered at all.

This bill does nothing to protect consumers from online abuses.

When Republicans were in the majority, I personally presided over hearings with the heads of some of the most important tech companies in America. Mark Zuckerberg of Facebook and Jack Dorsey of Twitter came before our committee, sat inside the Rayburn hearing room, and talked to us for hours.

Our majority enacted landmark protections against online human sex trafficking that received the support of both sides of the aisle. We moved forward with that legislation. It is now law.

Just as the internet has not stopped working from rescinding the 2015 order, the internet has not stopped working because we enacted protections like FOSTA and SESTA. The internet still works.

But more improvements can be made in how we bring responsibility to this sector of the internet. We should review all participants in the virtuous cycle of the internet ecosystem, and that is the aim of this amendment.

The amendment calls on the Government Accountability Office to recommend solutions in dealing with edge providers, so they do not abuse their special privileges that the 1996 act gave them.

This is our third revision of the amendment to make it acceptable to move forward with the majority. I certainly had hoped we wouldn't outsource this responsibility to the GAO over the FCC, not to mention the Energy and Commerce Committee and Congress, but I certainly believe we must make progress on this issue for the benefit of all American consumers and for the health of the overall internet ecosystem.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, we know the FCC does not have the authority to regulate the edge providers, and we know currently, since there are no net neutrality rules, the only recourse people have is to the FTC. Chairman Pai assured people that the FTC can fully police net neutrality.

Well, here is a nice article: ''FTC gives ISPs green light to block applications as long as they disclose it.''

So, there it is, ladies and gentlemen, these protections which you want to send over to the FTC, they have just now told the world that as long as they put it in their terms and conditions, they can block applications if they choose to do so.

The gentleman from Texas and the gentleman from Oregon, both friends, bring up valid concerns about edge providers, but this isn't the bill where it belongs. But we do want to work with them, and I look forward to engaging both of them and my good friend, the ranking member of the Communication and Technology Subcommittee, as we go forward to look into that part of the ecosystem.

Madam Chair, I yield back the balance of my time.

Mr. BURGESS. Madam Chair, again, this bill targets broadband service providers by reclassifying them as utilities under title II of the Communications Act, but we cannot achieve net neutrality principles without including the influence of edge providers on the internet ecosystem.

For this reason, the amendment simply directs the GAO to study the full ecosystem so that we can understand the influence of all online entities and, again, provide a free and open internet for every consumer.

Madam Chair, I certainly want to thank the chairman of the subcommittee and thank the ranking member of the full committee for participating in this amendment discussion.

Madam Chair, I urge an ''aye'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. LATTA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 116–37.

Mr. LATTA. Madam Chair, I have an amendment at the desk, No. 2.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 4. REPORT.

Not later than 3 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that lists the 27 provisions of title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) and the over 700 rules and regulations referred to in paragraphs 5 and 37 of the Report and Order on Remand, Declaratory Ruling, and Order described in section 2(b)(1).

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from Ohio (Mr. LATTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. LATTA. Madam Chair, I rise in support of my amendment that would require the Federal Communications Commission to provide a list of the 700 rules and regulations it claims it forbore from in the 2015 Open Internet Order.

This list will be provided to the Energy and Commerce Committee and the Senate Commerce Committee within 3 days of enactment of H.R. 1644.

The need for this amendment arises out of the majority's claim that H.R. 1644 would lock in all provisions of law and regulations that the FCC forbore from applying to internet service providers in 2015.

At that time, the FCC claimed it forbore from applying over 700 regulations, but never made clear what 700 rules it was exempting ISPs from under title II.

For broadband providers to know what regulations actually apply to them, they need to know what provisions of law the FCC forbore from.

For the FCC to arrive at the number of over 700, it seems they must have analyzed the Code of Federal Regulations to determine which rules were applicable to broadband and which were not, but the FCC never made that list public.

We have asked the majority on multiple occasions for help tracking down that list. Instead of helping locate it, the majority has doubled down on the public statements made by the Obama FCC quantifying that number.

Now that H.R. 1644 might be passed by the House of Representatives, it is time to make it clear which rules of the road will not apply to broadband providers.

H.R. 1644 already imposes enough uncertainty on broadband providers, because it would give the FCC broad authority under title II to regulate the internet beyond even the bright-line rules.

If we cannot clear up that uncertainty before this bill gets passed, we should do all we can to let the public know what the bill does after it would become law.

Unless we require the FCC to produce that list, we will never know what is in the bill.

We must do better for the American public and provide more transparency to support broadband employment, investment, and growth.

Madam Chair, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, the overwhelmingly popular Save the Internet Act would restore the commonsense and much loved net neutrality protections adopted by the FCC's 2015 net neutrality order.

These protections were comprehensive in addressing bad behavior, but

targeted so as not to be overly burdensome. The agency made sure that dated and unnecessary provisions of the Communications Act and certain implementing regulations did not apply to broadband internet service. In fact, the 2015 order says that more than 700 regulations would not apply to broadband.

While the industry apparently didn't need the FCC to tell them what wasn't in the order, our Republican colleagues have raised a concern that more clarity is needed.

Madam Chair, I don't remember the last time, however, that legislation was brought to the floor and concerns were raised about what the legislation didn't do and where we asked for an enumerated list of provisions the legislation didn't apply to.

That being said, I support greater clarity. The gentleman's amendment would require the FCC to publish a list of all the provisions and regulations that were forborne by the 2015 order.

Importantly, this wasn't an issue at all when these net neutrality protections were in place for nearly 3 years, but our Republican colleagues have raised a concern, and in the spirit of bipartisanship, we will support this amendment.

Given that we are taking affirmative steps to address the concerns, we hope they will be persuaded to join us in supporting this immensely popular commonsense legislation.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), the Republican leader of the Energy and Commerce Committee.

Mr. WALDEN. Madam Chair, I want to thank Mr. LATTA for bringing this very thoughtful amendment to the House floor, and I want to thank my colleagues on the other side of the aisle who, I believe, agreed to accept it, if I heard that correctly.

The bill would codify the forbearance of 700 regulations into law, as you probably heard, Madam Chair. However, we just don't know what those 700 provisions that are being forborne upon are.

We have repeatedly asked for that information in the subcommittee, in the full committee, and every step of the way.

□ 1645

In fact, I don't think the authors of this legislation could tell us today what those 700 provisions are, although they get referenced from time to time. We are told that is really the underpinning and crux of this legislation, that, in all these areas of law, the FCC said, ''We are not going to, basically, regulate in this area,'' and they said there are about 700 of these.

So I think it does matter, if you are in business or just whatever you do in your life, to not know what the government—a pretty big, powerful government here in Washington—is going to enforce or not enforce or regulate or not regulate, and we don't know. But we are being asked today, in this bill, to enshrine in Federal law the whole 700 of these that the FCC—not this one, not a future one, we are told—would ever regulate in.

So we want the list. That is what this amendment asks for.

But wouldn't it be better when we legislate to actually know what we are legislating on before we vote? That is a pretty simple concept in good legislating, I think, and that is why we repeatedly asked for it; and, obviously, we have not been able to get it, so it is a bit of an irony.

Now, at the same time, they say don't worry because the FCC—you can trust us. The FCC is never going to regulate in this area. And, in fact, we are going to take these forbearances and lock them into statute and they can never come back and everything is locked down solid, boom. But that is like locking the front door of your house while you open the backdoor.

And the backdoor is another part under title II. This is the argument on the floor today. It is not about blocking, throttling, or paid prioritization. You have heard us go back and forth, and we both agree. We can stop those bad behaviors, and we should, and that could become law. This bill will not become law.

But they open the backdoor and say to the FCC: You have got the right, under sections 201 and 202, to basically do anything you want through a rulemaking. So all the agency has to do is do a rulemaking, and basically they can do everything they have done before and more.

It is that uncertainty of regulation on the internet that we have referred to as the heavy-handed government. And this could be about taxing the internet, fees on the internet, et cetera, et cetera.

So I am glad we are doing this amendment, and I am glad the majority is going to accept it. I only wish it were a list before us in the RECORD today, Madam Chair.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 3 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I am thrilled to get the gentleman this information. I know the FCC has it and will be happy to share it with him.

It is kind of amusing that he wants to know what regulations we aren't putting on business. I thought they were the guys who didn't like any regulations on business. Now they are dying to know where are these 700 regulations that aren't going to be put in the bill.

What is important about the bill is not what is not in the bill, but what is in the bill. That is what they need to focus on. This is kind of like Geraldo Rivera trying to open Al Capone's safe. They are just dying to know what those 700 regulations are.

And guess what. We are going to pass this bill and vote with them on this, so that desire to know what isn't in the bill will finally be satisfied. I am sure that their Chairman, Chairman Pai, the current Chairman of the FCC, will be more than happy to hand them that list once we pass this bill. I will be happy to do that for our friends.

We on the Democratic side support the amendment and intend to vote ''yes'' on the amendment.

Mr. WALDEN. Will the gentleman yield?

Mr. MICHAEL F. DOYLE of Pennsylvania. I yield to the gentleman from Oregon.

Mr. WALDEN. Madam Chair, I appreciate that from my good friend.

If it were that easy to get that list, why didn't they get it for us from the Chairman of the FCC before we went through this whole process? We shouldn't have to vote on the bill to find out what is in it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, reclaiming my time, I was just amazed that he didn't have the list already. That is his good friend over there, and I am sure a quick phone call on his point would have satisfied this curiosity he has.

Madam Chair, I am happy to entertain this. I intend to vote ''yes'' on this, and I yield back the balance of my time.

Mr. LATTA. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. LATTA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. WATERS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 116–37.

Ms. WATERS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 4. GAO REPORT ON IMPORTANCE OF OPEN INTERNET RULES TO VULNERABLE COMMUNITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the importance of the open internet rules to vulnerable communities.

(b) DEFINITIONS.—In this section:

(1) OPEN INTERNET RULES.—The term ''open internet rules'' means the rules described in section 2(b).

(2) VULNERABLE COMMUNITIES.—The term ''vulnerable communities'' means—

(A) ethnic and racial minorities;

(B) socioeconomically disadvantaged groups;

(C) rural populations;

(D) individuals with disabilities; and

(E) the elderly.

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from California (Ms. WATERS) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in strong support of H.R. 1644, the Save the Internet Act. The Save the Internet Act is a simple and transparent piece of legislation that will restore the widely supported 2015 Open Internet Order rules and reinstate the consumer protections previously applied to industry by the Federal Communications Commission. I am proud to support the Save the Internet Act and thrilled to see Congress doing its job and protecting consumers once again.

Across the United States, more than 129 million people are limited to a single provider for broadband internet access. Of those 129 million Americans, about 52 million must obtain internet access from a company that has violated network neutrality protections in the past and continues to undermine the policy today. This leaves over 177 million Americans, in primarily underserved communities, left without any market protection following the repeal of the 2015 Open Internet Order.

The FCC's repeal of the 2015 Open Internet Order harmed all internet users, but it disproportionately hurt people of color in underserved communities. This is unacceptable, and Congress must fulfill its duty to represent and protect Americans' interests.

My amendment would call on the Comptroller General and the Government Accountability Office to conduct a study on the importance of net neutrality and what access to the internet means to those in vulnerable communities. Specifically, it will examine the importance of net neutrality on the socioeconomically disadvantaged, individuals with disabilities, the elderly, racial and ethnic minorities, and individuals from rural communities.

By mandating that the study be conducted by the GAO, we can ensure that the data collected is transparent and free of political motivation. With this report, Congress will be able to decide for itself what the best course for it will be for the vulnerable consumer.

Over 80 percent of Americans support net neutrality and agree that an open internet uplifts the voices of people of color, rural communities, socioeconomically disadvantaged, the elderly, and disabled. It is no coincidence that all these constituencies have joined together, alongside millions of individual internet users. An open internet levels the playing field and gives all Americans a better shot at prosperity and a better opportunity to achieve the American Dream.

Madam Chair, I urge all my colleagues to support gathering critical information to help us improve connectivity for our most vulnerable Americans and to vote in the affirmative for my amendment.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I appreciate my colleague, the gentlewoman's concern for disadvantaged and vulnerable groups and the possible impact of the 2015 Open Internet Order on their ability to get connected online and have access to all the economic and social opportunities the internet has made possible. These are all very important questions to consider, and so I will not oppose this amendment.

However, I hope my colleagues will consider just as much the possibility that throwing the internet into title II and all of the heavy-handed government regulation that it represents may not be the best way to address the concerns of these populations.

We completely agree with the transformative impact of the internet on minorities, rural populations, individuals with disabilities, the elderly, and the socioeconomically disadvantaged. In many ways, the internet is even more important to these populations than to anyone else.

So what would really help to bridge the digital divide and get more of these folks connected? I would argue what is most critical in this problem we are all trying to solve is, number one, to encourage investment.

But you have heard me say it before, and I will say it again: Title II is a devastating investment killer. We saw those numbers take a dip after the FCC diverged from the longstanding bipartisan path of light-touch regulation into the 1930s era monopoly regulation of title II.

So what impact would the title II reclassification have on the disadvantaged and vulnerable populations we are talking about with this amendment? How will it impact future deployment that could connect them? Maybe we should also have the GAO looking into that.

Madam Chair, I reserve the balance of my time.

Ms. WATERS. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank my friend for yielding.

Madam Chair, during our committee's hearing on net neutrality in the Save the Internet Act, we heard testimony about the importance of a free and open internet to vulnerable populations and groups underrepresented in the traditional media. The message was clear:

Net neutrality protections are critical to vulnerable populations.

Net neutrality is critical for minority communities to have their stories told. It is a lifeline to connecting with job training, employment searches, and family connections.

Net neutrality is important for ensuring that small businesses or aspiring writers can use the internet to find customers and fan bases across the country or across the globe.

Madam Chair, this is an important issue, and I fully support the gentlewoman's amendment.

Ms. WATERS. Madam Chair, I yield back the balance of my time.

Mr. LATTA. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. DELGADO

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 116–37.

Mr. DELGADO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill insert the following:

SEC. 4. GAO REPORT ON BENEFITS OF STANDALONE BROADBAND.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act the Comptroller General of the United States shall transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that assesses the benefits to consumers of broadband internet access service being offered on a standalone basis (and not as part of a bundle with other services) by providers of broadband internet access. Such report shall include recommendations for legislation to increase the availability of standalone broadband internet access service to consumers, particularly those living in rural areas.

(b) DEFINITION.—As used in subsection (a), the term ''provider of broadband internet access'' means a provider of broadband internet access, as such term is defined in section 8.2 of title 47, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 294, the gentleman from New York (Mr. DELGADO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. DELGADO. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I want to first thank my colleague, Chairman DOYLE, for his leadership on this bill.

The Save the Internet Act restores critical net neutrality protections that the FCC repealed last year. This legislation is necessary to hold on firm legal ground the net neutrality principles we should all support: no blocking, no throttling, and no paid prioritization.

While ensuring a free and open internet is of the utmost importance, so, too, is ensuring broadband internet access for all. In fact, according to the FCC's 2018 Communications Marketplace Report, nearly one in four Americans lack access to broadband internet service at home.

As a proud Representative of one of the most rural congressional districts in the country, I cannot overstate what

a huge problem this is. Individuals and small businesses in my district still lack access to stand-alone broadband internet because of high service costs, a lack of broadband infrastructure, and outdated and unreasonable bundling practices that require consumers to purchase a home telephone service or a cable package as a condition for purchasing broadband internet service.

□ 1700

In today's global economy, broadband shouldn't come with any strings attached. That is why my amendment would give GAO 1 year to report to Congress on the benefits to consumers of making broadband internet service available to everyone on a standalone basis.

Additionally, it would include recommendations to Congress on ways to increase the availability of stand-alone broadband internet service to consumers, particularly those living in rural areas.

Consumers increasingly don't want to buy big cable bundles. They just want access to the internet. That is why I urge support for this amendment and for the underlying bill.

Madam Chair, I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I appreciate my colleague's interest, the gentleman's interest in stand-alone broadband. As he knows, this is a really important issue, especially in rural America, and one that the FCC has spent considerable time on, in fact, one that I have spent considerable time on as one of the co-chairs of the Rural Broadband Caucus.

So I do not oppose this amendment, but I want to observe here that this amendment will not do anything to relieve the smallest ISPs found in the most rural areas from some of the worst excesses of this bill.

So I must say, I am disappointed that our friends in the majority refuse to give us a vote on my amendment, which would have included the language on small businesses that was passed unanimously by the House in the last two Congresses.

This amendment was exactly the same as the one that the Democrats have agreed—twice—to tie to the original 2015 order. It would have extended the exemption for small ISPs from the Obama FCC's enhanced transparency rule for 5 years and expanded the exemption to include businesses with 250,000 subscribers or fewer.

I am supportive of protecting the consumers of small ISPs, but these enhanced disclosures placed an unnecessary regulatory burden on small businesses and distracted them from working to bring broadband internet access to customers across the country, especially those in rural America.

My colleagues in the majority seem supportive of the plight of the small, rural ISPs but could not support this amendment at subcommittee—even though they had voted to support it twice before. Instead, they asked us to find yet another bipartisan agreement on an issue that we have already spent hours negotiating and have already found common ground.

We held up our end of the bargain, even as we walked away from the deal that they agreed to twice before and proceeded to dig in on terms of the FCC's 2015 order instead.

Although time has passed since the Small Business Broadband Deployment Act, H.R. 4596, passed the House unanimously in the 114th Congress with a vote of 411–0 and was reintroduced in the 115th Congress and passed on voice vote as H.R. 288, the need still exists to promote the continued deployment of broadband and prevent small ISPs from becoming burdened with additional requirements that make it more difficult to do what they are in business to do. In fact, based on our hearings in the past Congress and some of the statements on the floor today, I think it is safe to say there is bipartisan consensus on the need to support rural broadband for consumers.

As a reminder, my amendment would not have let small ISPs skirt transparency. Instead, they would follow the less onerous transparency rules adopted by the FCC in 2010. So consumers would still have access to the information needed to make informed decisions about their internet service, and ISPs could focus on providing service rather than cumbersome regulatory requirements.

I believe my friends across the aisle when they say they care about expanding broadband in rural America and closing the digital divide. Although, if they truly cared as much as they claim to, I would have expected my amendment to be made in order and to be adopted unanimously as it has been by the House in the past.

Madam Chair, I reserve the balance of my time.

Mr. DELGADO. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), chairman of the Subcommittee on Communications and Technology.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentleman from New York (Mr. DELGADO), my friend.

You know, the FCC does need to do more to support the funding of stand-alone broadband, particularly for rural areas, and this amendment will help push them to do that.

The Save the Internet Act would restore many of the key authorities the FCC can use to fund rural broadband deployment in the future. It is really hard to understate how important that is for rural America, and this amendment would help us do even more.

This amendment would simply require the GAO to study the benefits of stand-alone broadband plans and how we in Congress can increase the availability of these stand-alone plans in rural areas of the country where broadband is so hard to come by.

I support this amendment. It is a wonderful addition to a bill that would restore net neutrality to everyone across this country and help support rural broadband build-out as well.

Madam Chair, I look forward to working with the gentleman from New York.

Mr. LATTA. Madam Chair, we do not oppose the amendment, and I yield back the balance of my time.

Mr. DELGADO. Madam Chair, I yield myself the balance of my time.

Once again, I would like to thank Chairman DOYLE for introducing this critical legislation and urge Members on both sides of the aisle to support this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. DELGADO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. PORTER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 116–37.

Ms. PORTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 4. REPORT BY FCC ON ENFORCEMENT ACTIONS.

Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes all enforcement actions taken by the Commission under the rules described in section 2(b) since such date of enactment, including the amount of each fine imposed or settlement agreed to, the actions taken by the Commission to collect such fines and settlements, and the amounts of such fines and settlements collected.

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from California (Ms. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. PORTER. Madam Chair, the Save the Internet Act of 2019 empowers the Federal Communications Commission, the FCC, to enforce net neutrality, protect consumers, and assist them with complaints against their internet service providers.

The FCC can fine internet service providers when they break the rules. However, simply issuing fines to a bad actor isn't enough to change the behavior of those bad actors. Those fines need to be collected. Corporations that break the law must pay.

My amendment would require the FCC to report to Congress within 1 year on the number of enforcement actions it has taken against internet service providers that violate net neutrality. Importantly, that report must include both the fines imposed and the amounts collected.

The FCC must act as a cop on the beat when internet service providers misbehave, protecting consumers and keeping the internet free and open to all.

When the FCC finds a bad actor, that fine should be paid by the company. If the FCC is not following through on protecting consumers, Congress should know so it can take oversight action, if necessary.

The FCC failing to collect fines is a real concern. Recently, The Wall Street Journal has highlighted the extent of the problem.

While the FCC has imposed record fines on robocallers—$208 million—it has collected less than $7,000 since 2015. That is 0.003 percent of the fines imposed.

When everyday Americans get a parking ticket or a traffic violation, the government makes sure that they pay their fines. Corporations must be held accountable as well.

As we vote to restore a free and open internet, we should also vote to provide oversight of the agency tasked to protect consumers.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I agree with the gentlewoman from California (Ms. PORTER), my colleague, that FCC enforcement is important in any area that the agency regulates, and that is why we will not oppose this amendment.

That is also why we in the majority have asked, at several hearings, when we were going to have our first FCC oversight hearing this Congress. We are 4 months into this Congress, and the majority has yet to bring the FCC before the committee to answer questions relating to its past enforcement efforts on ISPs, the impact of this legislation, and other topics pending at the FCC.

This is an issue that could have gained by having the FCC before the committee rather than the topic being delegated to a report that does not pertain to the base bill.

This is also an issue that could have gained from bipartisan negotiations. All three Republican net neutrality bills would have the FCC oversee ISP practices and enforce net neutrality to keep a free and open internet.

There is more agreement here than the majority would have you believe. There is also a role for the FCC to have in overseeing net neutrality and maintaining a free and open internet, and there should be clear net neutrality rules on the book.

Where we disagree is on giving the FCC unchecked powers to regulate the internet and determine on its own what is just and reasonable. That is not net neutrality.

Madam Chair, I yield back the balance of my time.

Ms. PORTER. Madam Chair, I just want to clarify that this amendment doesn't define the power that the FCC would have to regulate, but would merely make sure that, when it does take action, the companies are held accountable for the fines that are imposed.

I appreciate that my colleague from the other side of the aisle does not oppose the amendment.

Madam Chair, I yield 1 minute to my colleague from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentlewoman for yielding.

The important protections we are discussing today will only be a toothless tiger if the FCC is not taking action to investigate potential violations and taking enforcement action where it is warranted.

The great thing about this amendment is that the FCC will have to come back to us 1 year after the Save the Internet Act is adopted and tell us what kinds of investigations and enforcement actions they have undertaken.

It also shines a light on whether the FCC follows through with its enforcement actions. As we just heard, recently, it was reported that even though the FCC fined robocallers $208 million, it only collected $7,000.

Remind me not to use them as my collection agent.

Rules aren't a deterrent unless there are real consequences. This amendment will help Congress determine if the FCC is truly doing its job and better facilitate the critical oversight role of this body.

I fully support this amendment, and I look forward to getting this report.

Ms. PORTER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. PORTER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. WEXTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 116–37.

Ms. WEXTON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 4. PLAN RELATING TO FORM 477 DATA COLLECTION.

Not later than 30 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to Congress a report containing a plan for how the Commission will evaluate and address problems with the collection on Form 477 of data regarding the deployment of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations).

The Acting CHAIR. Pursuant to House Resolution 294, the gentlewoman from Virginia (Ms. WEXTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia.

Ms. WEXTON. Madam Chair, I rise in support of this amendment, which would require the FCC to submit to Congress a plan for how the Commission will evaluate and address problems with the collection on form 477 of data regarding the deployment of broadband internet access service.

Form 477 is used by the FCC to determine which providers are—if any—providing services in various areas, and it is the government's main source of data used for identifying underserved areas of opportunity.

This amendment is needed because it has been more than 20 months—or almost 2 years—since the FCC originally sought comment on ways to improve the value of the data they collect through form 477.

Having better data and the creation of improved maps is essential to ensuring that service providers and government have the tools that we need to truly make universal broadband internet access a reality.

Too many residents of my district, and many other districts as well, lack affordable or any broadband internet access. This untenable situation is only made worse by maps and data charts that don't accurately reflect this experience of our constituents on the ground.

Consumers should not bear the responsibility or burden of reporting on an issue that the FCC and service providers should actively be working to address.

Madam Chair, I reserve the balance of my time.

□ 1715

Mr. LATTA. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Madam Chair, I am pleased to see the Democrats bring so many ideas today as it comes to rural broadband, and because of that, we will not oppose this amendment.

The gentleman from Ohio (Mr. JOHNSON) on our committee has been a strong advocate of improving the 477 data at the FCC and how to have the National Telecommunications and Information Administration, the NTIA, more engaged in mapping by aggregating resources across the Federal Government. He was part of an effort

last fall that shared a draft reauthorization of NTIA with the Democrats that would have helped get more granular information. Unfortunately, our friends on the other side of the aisle put down their pens on this effort.

In our markup last week, Mr. JOHNSON offered an amendment that was voted down by the majority that would have eased the title II albatross from small rural carriers. Sadly, this was rejected. Coincidentally, we saw a number of the Democratic amendments made in order to study the problems of rural broadband deployment.

Madam Chair, I yield back the balance of my time.

Ms. WEXTON. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I thank the gentlewoman for yielding to me.

The Save the Internet Act is going to ensure that net neutrality throughout this country is ensured, and, hopefully, it is going to bring the internet to all parts of this country. It will do that, in part, by restoring the legal authority of section 706 of the Telecommunications Act, which gives the FCC authority to take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.

The FCC's 477 data is critical for getting an accurate picture of broadband deployment in this country, but the methods of collecting that data are outdated, and the results are sometimes rife with errors.

This amendment calls upon the FCC to submit a report within 30 days of enactment, detailing how it plans to evaluate and address problems with the collection of that form 477 data.

We have already seen how inaccurate Commission data can lead to poor policy choices, whether it is holding up the Mobility Fund II proceedings, which will fund the deployment of wireless broadband in rural communities, or rendering inaccurate the Commission's recent draft broadband deployment report, which drastically overstated deployment in this country due to lax and faulty data collection methods.

I fully support this amendment, and I thank the gentlewoman for yielding.

Ms. WEXTON. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the American people deserve an internet and FCC that works for them. By supporting this amendment and requesting an update regarding form 477 and the data collected thereby from the FCC, Congress can hold the FCC accountable in their mission to promote competition, innovation, and most importantly, investment in broadband services and facilities.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Virginia (Ms. WEXTON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Virginia will be postponed.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. WEXTON) having assumed the chair, Ms. KAPTUR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1644) to restore the open internet order of the Federal Communications Commission, had come to no resolution thereon.

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on H.R. 1644.

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

There was no objection.

PROVIDING FOR BUDGET ENFORCEMENT FOR FISCAL YEAR 2020

The SPEAKER pro tempore (Ms. KAPTUR). Pursuant to the adoption of House Resolution 294 earlier today, H. Res. 293 is considered as adopted.

The text of the resolution is as follows:

H. RES. 293

Resolved,

SECTION 1. BUDGET MATTERS.

(a) FISCAL YEAR 2020.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2020, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives in the same manner as for a concurrent resolution on the budget for fiscal year 2020 with appropriate budgetary levels for fiscal year 2020 and for fiscal years 2021 through 2029.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—In the House of Representatives, the chair of the Committee on the Budget shall submit a statement for publication in the Congressional Record as soon as practicable, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2020 for new discretionary budget authority of $1,295,018,000,000, and the outlays flowing therefrom, and committee allocations for fiscal year 2020 for current law mandatory budget authority and outlays, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of the House other than the Committee on Appropriations, committee allocations for fiscal year 2020 and for the period of fiscal years 2020 through 2029 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2020 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(4) aggregate revenue levels for fiscal year 2020 and for the period of fiscal years 2020 through 2029 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The statement referred to in subsection (b) may also include for fiscal year 2020, the matter contained in the provisions referred to in subsection (h).

(d) ADJUSTMENTS.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b)—

(1) to reflect changes resulting from the Congressional Budget Office's updates to its baseline for fiscal years 2020 through 2029; or

(2) for any bill, joint resolution, amendment, or conference report by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2020 to fiscal year 2024 or fiscal year 2020 to fiscal year 2029.

(e) OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM ADJUSTMENT LIMIT.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) in accordance with the Overseas Contingency Operations/Global War on Terrorism adjustment in section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 for any bill, joint resolution, amendment, or conference report, except that such adjustment shall not exceed $69,000,000,000 for the revised security category or $8,000,000,000 for the revised nonsecurity category.

(f) ADJUSTMENT FOR INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2020 specifies an amount in the Enforcement account and the Operations Support account for tax enforcement activities, including tax compliance to address the Federal tax gap, of the Internal Revenue Service of the Department of the Treasury, then the adjustment shall be the additional new budget authority provided in such measure for such purpose, but shall not exceed $400,000,000.

(2) DEFINITION.—As used in this subsection, the term ''additional new budget authority'' means the amount provided for fiscal year 2020, in excess of $8,584,000,000, in a bill, joint resolution, amendment, or conference report and specified for tax enforcement activities,

including tax compliance to address the Federal tax gap, of the Internal Revenue Service.

(g) ADJUSTMENT FOR THE U.S. CENSUS FOR 2020.—The chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2020 specifies an amount for the 2020 Census in the Periodic Censuses and Programs account of the Bureau of the Census of the Department of Commerce, then the adjustment shall be the new budget authority provided in such measure for such purpose, but shall not exceed $7,500,000,000.

(2) DEFINITION.—As used in this subsection, the term ''new budget authority'' means the amount provided for fiscal year 2020 in a bill, joint resolution, amendment, or conference report and specified to pay for expenses associated with 2020 Census operations.

(h) APPLICATION.—

(1) Upon submission of the statement referred to in subsection (b), all references to allocations, aggregates, or other appropriate levels in ''this concurrent resolution'' in sections 5201, 5202, and 5203 of the House Concurrent Resolution 71 (115th Congress), specified in section 30104(f)(1) of the Bipartisan Budget Act of 2018, and continued in effect by section 103(m) of House Resolution 6 (116th Congress), shall be treated for all purposes in the House of Representatives as references to the allocations, aggregates, or other appropriate levels contained in the statement referred to in subsection (b), as adjusted in accordance with this section or any Act.

(2) The provisions of House Concurrent Resolution 71 (115th Congress), specified in section 30104(f)(1) of the Bipartisan Budget Act of 2018, shall have no force or effect through the remainder of the One Hundred Sixteenth Congress except for the sections of such concurrent resolution identified in paragraph (1).

(i) ADJUSTMENT FOR HOUSE PASSAGE OF H.R. 2021.—Upon passage of H.R. 2021, the chair of the Committee on the Budget of the House of Representatives may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) consistent with H.R. 2021 as passed by the House.

SEC. 2. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), any general appropriation bill or bill or joint resolution continuing appropriations, or amendment thereto or conference report thereon, may not provide an advance appropriation.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, activities, or accounts identified in lists submitted for printing in the Congressional Record by the chair of the Committee on the Budget—

(1) for fiscal year 2021, under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $28,852,000,000 in new budget authority, and for fiscal year 2022, accounts separately identified under the same heading; and

(2) for fiscal year 2021, under the heading ''Veterans Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $87,636,650,000 in new budget authority.

(c) DEFINITION.—The term ''advance appropriation'' means any new discretionary budget authority provided in a general appropriation bill or bill or joint resolution continuing appropriations for fiscal year 2020, or any amendment thereto or conference report thereon, that first becomes available following fiscal year 2020.

COMMEMORATING NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN'S 35TH ANNIVERSARY

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

Mr. COMER. Madam Speaker, I rise today to celebrate the 35th anniversary of the National Center for Missing and Exploited Children.

For more than three decades, this organization has assisted families in their times of greatest need and unimaginable pain, and it has assisted law enforcement agencies with the recovery of more than 290,000 missing children.

Although the Walsh family was the victim of child abduction with a tragic ending, their story inspired others and began a movement to create a coordinated national response to assist families like themselves.

The resulting organization has dutifully carried out their mission of finding missing children, reducing child sexual exploitation, and preventing future victimization. They achieved these goals not only by assisting families during and after their traumatic experiences but by providing technical assistance and resources to law enforcement and healthcare professionals.

I am proud that two vital pieces of legislation became law during the last Congress, the CyberTipline Modernization Act of 2018 and the Missing Children's Assistance Act of 2018, both of which strengthened and modernized programs essential to supporting the center's operations.

I join with the staff, partners, and past and future beneficiaries of the National Center for Missing and Exploited Children in celebrating their 35th anniversary.

HONORING JOE BRAMAN

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

Mr. CLOUD. Madam Speaker, I rise today to honor Joe Braman, a Refugio rancher who is recognized internationally for his commitment to protecting endangered animals from poachers, as well as aiding law enforcement officers in protecting our border.

Thanks to meticulous training, Mr. Braman's free-running pack dogs assisted with protecting South Africa's endangered black and white rhinos, ultimately leading to the arrest of 27 poachers and also beginning the recovery of the species.

His dogs can track human scent several hours old and take down hunters more than 20 miles away. They have proved immensely valuable in Texas as well. They have assisted local law enforcement in manhunts and border security.

Their 98 percent success rate with locating and capturing targets demonstrates their potential usefulness in future border security efforts.

Joe Braman's unique and incredible ability to train dogs has made a positive difference, not just in Texas, but around the world, and I would like to extend to him our district's appreciation for his excellent work and devotion to justice.

WISHING FIRST LIEUTENANT JAMES CLAYTON FLOWERS A HAPPY 103RD BIRTHDAY

(Ms. TORRES SMALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TORRES SMALL of New Mexico. Madam Speaker, I rise today to honor First Lieutenant James Clayton Flowers and wish him a very happy 103rd birthday.

Born on Christmas Day in 1915, Mr. Flowers has seen our great Nation through a century of progress, conflict, and change.

Enlisting in the United States Army Air Forces during World War II, Mr. Flowers was one of the few African American soldiers chosen to train as a Tuskegee Airman.

After World War II, Mr. Flowers started a family with his wife, Evelyn Flowers, and began teaching for New York City public schools, where he was a leader in the United Federation of Teachers.

When he and his wife retired, they found their new home in southern New Mexico. Even in retirement, Mr. Flowers continued to work for the betterment of his community. Leading by example, he taught future generations to serve their communities by building houses with Habitat for Humanity. He also invested in the local chapters of the NAACP and the Alpha Phi Alpha Fraternity.

Madam Speaker, please join me today in thanking First Lieutenant James Clayton Flowers for his service to our Nation and wishing him a happy 103rd birthday.

HONORING SERGEANT DOMINICK PILLA

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

Mr. VAN DREW. Madam Speaker, I am here today to honor an outstanding member of south Jersey.

Recently in Vineland, New Jersey, we celebrated the naming of Sergeant Dominick Pilla Middle School. Sergeant Pilla was a brave soul who loved this country enough to enlist in the Army to serve to protect it.

Tragically, he was killed while saving a fellow soldier in Somalia during the Battle of Mogadishu in 1993 and was posthumously awarded the Bronze Star and the Purple Heart.

The naming of this school is to honor Sergeant Pilla's love and sacrifice for

his country. Now he will be remembered by every student who walks through those halls. He will be honored by these students as they grow and learn to dedicate themselves to do what they do and love the way that Sergeant Pilla did.

I thank Sergeant Dominick Pilla for his service.

To all of the men and all of the women in the Armed Forces who serve our country so bravely and so selflessly, may God bless them.

CALLING FOR VOTE ON DISASTER FUNDING

The SPEAKER pro tempore (Ms. TORRES SMALL of New Mexico). Under the Speaker's announced policy of January 3, 2019, the gentleman from Florida (Mr. DUNN) is recognized for 60 minutes as the designee of the minority leader.

Mr. DUNN. Madam Speaker, today, I join my colleagues in calling for an immediate vote on disaster funding.

In 2018 and so far in 2019, we have witnessed devastating disasters with hurricanes hitting Florida, Georgia, Alabama, and the Carolinas; wildfires in California; flooding in the Midwest; an earthquake in Alaska; and several other widespread weather events that have harmed communities across our country and our territories.

The people in our districts and States need our help, and it is our duty to fight for them.

I thank my colleagues for joining me today, and I yield to the gentlewoman from Alabama (Mrs. ROBY), whose district adjoins my district.

Mrs. ROBY. Madam Speaker, I thank the gentleman from Florida for leading this very important conversation here tonight, and I thank all my colleagues from our neighboring States and across this country for keeping this issue in the forefront of the American people's minds.

Over the last several months, Americans in many corners of this country have experienced a devastating loss of life, property, and livelihood because of wildfires, flooding, and severe storms. I am here tonight to express my strong support for the many Alabamians, both in the Second District and in neighboring Lee County, who have been badly impacted by severe weather.

Last October, areas of the Wiregrass region in Alabama's Second Congressional District were ravaged when Hurricane Michael made landfall. Barbour, Dale, Henry, Geneva, and Houston Counties were the most severely impacted.

Throughout the Southeast, people lost their loved ones and their homes, and our farmers were dealt a devastating blow during the middle of harvest.

□ 1730

This unprecedented disaster resulted in a tremendous economic setback for our agriculture community and our State. Last month, our neighbors in Lee County faced extreme devastation when tornadoes touched down. Many were killed, and many homes were lost and destroyed.

Madam Speaker, we are here tonight because these people need help. Here in Congress, it is our responsibility to make disaster recovery funds available now. I implore my colleagues on both sides of the aisle to stop playing political games with disaster funding. By politicizing this humanitarian issue, we are playing politics with people's lives.

We must immediately advance commonsense, nonpartisan disaster assistance for the people who have been hit hardest and are struggling to recover. I am hopeful that alongside my colleagues on both sides of the aisle that a solution will be reached soon. Many Alabamians—many Americans—are depending on it.

Madam Speaker, I thank the gentleman from Florida for leading this discussion.

Mr. DUNN. Madam Speaker, I wish to express my gratitude to MARTHA ROBY for her speech and for her sentiments on her people in Alabama.

Next, Madam Speaker, I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT), who is my good friend and who has been one of the champions for the disaster supplemental. He has worked tirelessly for the last 7 months to advance this effort.

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, I want to thank my colleague, Mr. DUNN, for leading this effort. I know his district was hit probably harder than any other district in the United States.

Madam Speaker, I rise today alongside many of my fellow colleagues to again stress the hardships many of our fellow Americans faced following these devastating natural disasters of 2018.

On October 10, 2018, Hurricane Michael entered my home State of Georgia as a Category 3 storm. With it, we saw widespread damage from dangerous winds, flooding, and torrential rains. Hurricane Michael traced a path of destruction through south and middle Georgia, straddling both mine and Congressman SANFORD BISHOP's districts.

Our districts are largely rural areas that have also been hit hard by tornadoes and flooding in recent years. These areas are key to the State's agriculture sector, which is Georgia's number one industry.

Madam Speaker, the American farmer is the backbone of agriculture, and agriculture is Georgia's number one industry.

Fearing the worst of this storm, many farmers began harvesting what they could as Hurricane Michael crept closer and closer to Georgia. It was the best yield we had seen in years for what was gathered before the storm hit. After years of low commodity prices, unfair trade practices, labor shortages, and consecutive years of devastating storms, we needed it. Once Hurricane Michael hit, it was all gone. Not only did we lose billions of dollars in commodity crops, like cotton and peanuts, but we also lost orchards and forests that will take decades to regrow.

Since the day after the storm, I have worked side by side with my friend and colleague, Congressman BISHOP, in an effort to bring our communities impacted by Hurricane Michael tools they need to recover and rebuild. At every turn, we have worked together to bring attention to the crisis and to bring relief to these farmers alongside our other colleagues who have been impacted.

The President and Vice President personally came down and promised help. I was there. For months, we have stressed the magnitude of the damage to our colleagues, and for months we were promised this was a priority for the White House and congressional leadership from both sides of the aisle.

''Any bill to fund the Government has disaster relief.'' I don't know how many times I have heard it. I can't name all the people I have heard it from. As we stand here today 6 months later, these can only be called empty promises.

Never before have we seen American communities that were wrecked with catastrophes neglected like this. To this day, OMB has not even submitted a request for disaster assistance, calls to White House staff have gone unheeded, and but for one tweet on April 1, it seems the President has moved on.

For months I have received calls from farmers and the lenders they rely on that the financial impacts from Hurricane Michael were becoming increasingly more difficult to bear. Then last week, the Senate showed how truly ugly and partisan politics have become, voting down a measure that would have brought billions in Federal relief that communities in my home State of Georgia and around the country desperately need to get back on their feet again, money to restore infrastructure and restore services, as well as farm aid.

Certainly, no one would have stood in the way of disaster relief for States like Vermont or New York. Rural Americans, we have been forgotten. We were forgotten again last week in the Senate's failure to pass disaster assistance.

Rural Americans are Americans, too, whether the press likes it or not, and whether certain Members of the Senate like it or not. They need our help to rebuild. If the Senate cannot pass a bill to provide this Federal disaster assistance, the bottom line is farm bankruptcies will continue, and I fear that the community banks and businesses that support the farm sector will too.

The truth is if Hurricane Michael had hit Americans who aren't farmers or farmers who aren't Americans, the stories of Washington's apathy to get things done would be the front page of every paper.

Mr. Speaker, the American farmers work day in and day out to feed and clothe America and the world. I urge the White House and the Congress to reverse their course of abandoning our farmers and keep the promises that were made to them.

Mr. DUNN. Madam Speaker, I thank my good friend, AUSTIN SCOTT, for his words. He has truly been at the forefront on the fight for this disaster supplemental since day one.

Madam Speaker, I yield to the gentleman from Omaha, Nebraska, (Mr. BACON). General DON BACON is my good friend and classmate.

Mr. BACON. Madam Speaker, I rise today to advocate in support of a disaster assistance package for recent floods, storms, fires, and others. Last month, my district and home State of Nebraska was hit by devastating flooding, destroying more than 2,000 homes, 340 businesses, and taking several lives, making it the worst natural disaster to hit the State in our 152-year history.

Many families and communities in my district have been severely impacted. For several days in March, the only way in and out of Valley and Waterloo, two towns in our district, was either by boat or helicopter. Next door to our district, one-third of Offutt Air Force Base was under water to include 60 structures.

The economic impact has also been severe and will hurt the State of Nebraska for years to come. Current estimates reveal that the cost of the damage will surpass $1.3 billion to $1.4 billion. This includes $449 million in damaged roads, levees, and other infrastructure.

Currently, 200 miles of Nebraska roads are in need of repair. What once was a short drive of minutes, in some cases may take hours, disrupting everyday commerce and travel.

The Nebraska Department of Agriculture estimates that the March floods will have $400 million in losses for livestock, $36 million in livestock feed loss, and $440 million worth of potential crop loss from delayed and prevented planting. Nebraskans are a strong and resilient people, but they need to know that we are with them and will help them through these difficult times.

While Nebraska has been experiencing these horrible floods, I take solace in our first responders and National Guard. I cannot thank these brave men and women enough for helping so many in our community. In many small communities across Nebraska, first responders are only volunteer, often rushing out to help others while their own homes were in peril. These heroes selflessly saved countless lives and property.

I want to give a shout-out to the Waterloo Fire Department volunteers; they rescued nearly 200 people as volunteers over the course of a week. I think of the Salvation Army leader who ran the collection center, working countless hours while his own home was underwater.

In these trying times, I urge my colleagues to put politics aside and come together to help Nebraskans and other Americans hurting from these natural disasters that have occurred over the past year. We are Nebraska strong. We do need that Federal support.

Mr. DUNN. Madam Speaker, I thank General BACON for his words.

Madam Speaker, from Nebraska we have a true leader of the House and a good friend.

Madam Speaker, I yield to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, I thank Dr. DUNN for hosting this very important discussion. As we have visited on several different occasions, I want to publicly commend the gentleman for his dedication for fighting for the right thing to do, for his deep compassion for the people he represents and the tireless effort that he is making to explain the consequences of Hurricane Michael as it hit him, the floods that have hit us, and the wildfires that have hit others. I thank the gentleman so much for the time and for his leadership.

Madam Speaker, when spring approaches in Nebraska, we expect our rivers and streams to peacefully rise as snow from the nearby Rockies gently melts. We are the Cornhusker State, but we actually could be called the River State. Here is why: We have more miles of rivers than any other State in the Union. The Missouri, the Platte, the Republican, the Elkhorn, and the Niobrara are our most famous rivers, but we really don't think of them as threatening—until they are.

So as General BACON just said, this was the most destructive storm in most Nebraskans' lifetimes. A perfect storm of factors caused the pain and destruction now all around us. Lands that were soaked from earlier autumn rains were frozen solid and then covered in snow. When the bomb cyclone's lethal mix of blizzard and rain did hit our State, an enormous quantity of water, ice, and collected topsoil sped down the hard land like a furious slurry, into rivers, creeks, and reservoirs bursting through dams, levees, and other structures that normally would hold this back.

Madam Speaker, it is pretty hard to get the mind around what a 500-year event actually means. But as I was standing at the ridge on Offutt Air Force Base, which is located right south of Omaha near the confluence of the Platte and Missouri Rivers, I could see how the unprecedented force of water covered one-third of that entire base and many communities in eastern Nebraska. As the rushing water hit the bank on the other side of the river, on the Iowa side, it blew it out and created a 62-foot deep hole.

As a member of the Appropriations Committee here in Congress, I turned to the commander of the Corps of Engineers who was with me.

I looked at him, and I said: What is the number?

He immediately shot back without hesitation and said: It is going to be a lot.

Now, a little bit down the road to the west is the town of Fremont. Mayor Scotty Getzschman is a dedicated local public servant who is in the heating and air-conditioning business as his main job. He brought out a 1940 map of the old river channel of the Platte River. The problem for this town of Fremont began when the river got a bit nostalgic and sought to go back to its old ways. In a place now named ground zero near the Rod and Gun Club west of town, massive chunks of ice and the pressure of the Platte blew the levee. Water began to find its own channels in multiple breaches, and the southern part of the town of Fremont endured serious flooding.

We surveyed the damage from a freshly patched hole made from remnants of an old hog confinement lot and riprap from the old Scribner Air Base.

An initial call for help in the community brought 250 people out. Shortly thereafter, 1,000 people showed up to sandbag. One man moved his car to higher ground because he could see what was coming, but then it was later swept away by the raging river, and he spent the next few days at the intersection directing traffic as a volunteer.

Madam Speaker, a bit west of the town of Fremont is the small town of North Bend, and that is where a ditch dike could not contain itself and made its own channel, creating fingers of water flowing throughout the city, and the vast majority of homes in this small community were hit. The paved streets looked like mud streets by the time I got there, but even with 6 inches of water inside of it, the North Bend Eagle, the local newspaper, figured out a way to get that edition out.

Realizing that he was in a critical spot, the North Bend school superintendent transformed the entire school, really one of the newer buildings, into a center of gravity for emergency operations. Though school was canceled, it didn't mean the kids weren't busy. Initially they sandbagged, then they began to volunteer for days on end with the cleanup effort.

The people of North Bend organized themselves, and word spread. Goods poured in from all over the country. And as the superintendent told me, he said that what was happening there could make a good country song, they would have so much more appreciation for Nebraska.

Areas south of the town of Columbus, a little bit further to the west also were particularly hard hit with very large and mounting ag losses, the most visible sign of which were dead cattle. In fact, this past Saturday I went to a high school fundraiser in Columbus, and along Highway 81 the speed signs were still bent over with grass attached to them showing the magnitude and the volume of water that rushed over that area.

There is a truck stop there named T-Bone, Madam Speaker. It greets passersby with two enormous cowboy boots on poles embedded in concrete. One was found 300 yards away at Matulka's garage. The other one was across the highway about a half mile away. They will probably be put back up to greet passersby once again. By the time I got there, the 4 feet of mud and water had receded, and a lot had been cleaned up.

I looked at Fred, and I said: How did this happen?

He said:

At T-Bone's, we don't mess around. We are Nebraskans. We get it done.

On a more positive note, Madam Speaker, a Federal project initiated after the last flood of 2011 saved the little town of Schuyler, Nebraska, and a couple of other things positively have happened. Nebraska's congressional delegation asked for expedited federal disaster assistance, and the President granted it.

□ 1745

Even in the midst of this trauma, Nebraskans found a way to get a few laughs. Along the fence across from that truck stop of T-Bone's, there was a hand-painted sign that said, ''Mud Wrestling Tomorrow.''

Back at Offutt Air Force Base, it is a pretty jarring scene when you see a large fuel tank lifted up and turned on its side. It shows you the powerful force of this water.

As many of the Members of Congress who have experienced this have had the same outpouring of support from family and friends around the country, I want to tell you just a quick few things that happened to me.

A nun from Rome wrote to me and offered her prayers. A Congressman from another area of the country texted me and said: ''I'll send my staff. Whatever you need.'' The Jordanian Ambassador to the United States contacted me with her concerns.

Madam Speaker, as you and I have seen firsthand, a natural disaster can create certain blessings in disguise. It is a time when we can come together and put aside any political differences and lend a helping hand to our fellow citizens.

I think that is exactly what America wants Congress to do right now: put our differences aside, find consensus, quickly pass a supplemental to simply help my constituents and the others who have been so devastated by these unpredictable, unforeseen events. Many have waited and waited, and I think this is the time.

Mr. DUNN. Madam Speaker, I thank Representative FORTENBERRY for his compelling description of the damages that were suffered in Nebraska and also of the response of those brave people.

Madam Speaker, I yield to the gentleman from Virginia (Mr. RIGGLEMAN). Representative DENVER RIGGLEMAN is my good friend and one of the most outstanding members of the new class here in Congress.

Mr. RIGGLEMAN. Madam Speaker, to my colleagues, I rise in support of them and the incredible work they have done for disaster relief, and I also rise today to speak about my district, the Fifth District of Virginia, which borders North Carolina, which was devastated last year by two hurricanes, first Florence and then Michael. The damage was immense, and the impact on families was tragic, including the loss of lives.

This is not an issue I take lightly. In fact, I pledged to make a donation to Drakes Branch Volunteer Fire Department in Charlotte County, which was an area the hurricanes hit particularly hard, actually, with the collapse of the volunteer fire station back into the river—and the fact is they had nowhere to actually do fire emergency work.

Applications for FEMA aid were filed in Charlotte County, Danville City, Franklin County, Halifax County, Lunenburg County, Mecklenburg County, and Prince Edward County. And many additional counties in my district were affected by these hurricanes.

Unfortunately, the effects were not limited to my district, and the lasting damage done by these storms lingers in these communities today. Yes, they are rebuilding and recovering, but we cannot ignore the opportunity to prevent this from happening again.

There are other things we can do not only with disaster relief and supplementals, but also working on issues like I am in the Financial Services Committee by addressing issues in the National Flood Insurance Program.

The NFIP is a necessary Federal backstop for flood insurance, but substantially increasing private participation will help Americans better prepare for potential future flood emergencies.

I would also like to take this time to commend the great work done by so many emergency responders and volunteers who helped the communities of the Fifth District and throughout the other States and in my colleagues' districts, helped them dig out and move forward after these hurricanes.

I have visited with many of these brave men and women who put themselves at risk to help their communities. I commend the strong folks who make up all of these communities, linked not only by hurricanes but by their ability to move on with great resilience.

Mr. DUNN. Madam Speaker, I thank Representative RIGGLEMAN for his words, and I know that his constituents are fortunate to have a man of his rare abilities serving them at all times.

Madam Speaker, I yield to the gentleman from South Dakota (Mr. JOHNSON). Representative DUSTY JOHNSON is another outstanding member of the freshman class.

Mr. JOHNSON of South Dakota. Madam Speaker, I am honored to be a part of this Special Order tonight.

I want to highlight the dire situation in my home State of South Dakota. Our State is just barely beginning to recover from dramatic flooding while, simultaneously, we are trying to prepare for the disaster to get worse as a blizzard this week will dump freezing rain and more than a foot of snow onto already saturated ground.

Now, I have heard colleagues talk about similar and, in some cases, even more dramatic damage to their homes, and we have seen, in their States and in mine, commerce interrupted; we have seen livelihoods devastated; we have seen cattle killed; and, worse yet, we have seen human life lost.

Now, within South Dakota, there have been many impacted communities, although perhaps none more dramatically than Indian Country. When I have talked to President Bear Runner, Pine Ridge; President Bordeaux, Rosebud; or Chairman Frazier from Cheyenne River, their texts, their phone calls, our face-to-face meetings, they are heavy with the frustration and the exhaustion, the irritation, the concern about what is going on for their people. Madam Speaker, put more appropriately, they are concerned for what is going on with our people.

Right before I walked onto the floor here, I came from a meeting with Chairman Harold Frazier, and he had picture after picture after picture, Madam Speaker, of the devastation there at Cheyenne River: cemeteries under water, roads under water, cattle under water, cars under water.

I know South Dakota is not the only community that is impacted. Many of us need a helping hand. Many of the people in our States are too proud to ask for a helping hand, but tonight I would just ask my colleagues in this body and my colleagues in the Senate to do everything they can to put politics aside and to pass a disaster relief bill that can do much-needed work for our country.

Mr. DUNN. Madam Speaker, I thank Representative JOHNSON for his description, his words, and also for his granular knowledge of his district. I know that that is a benefit to everybody there.

Madam Speaker, I yield to the gentleman from Florida (Mr. RUTHERFORD). Sheriff JOHN RUTHERFORD is my good friend whose district of Jacksonville, Florida, abuts mine on the east side.

Mr. RUTHERFORD. Madam Speaker, I appreciate the gentleman yielding and giving me the opportunity to speak about this very important topic impacting our State and our constituents.

Madam Speaker, I rise today to strongly urge House and, particularly, Senate leadership to stop turning their backs on hurricane survivors in my home State of Florida and pass a disaster supplemental bill before Congress leaves for the next 2 weeks.

Last October, Hurricane Michael ravaged our State, hitting the panhandle with speeds of up to 155 miles an hour and killing 49 people. Six months later—6 months later—families, farmers, and businesses are still waiting for the assistance that they deserve.

Families lost homes, precious belongings, things that can never be replaced.

Florida's timber industry was decimated. The total timber damage is an estimated 2.8 million acres of timber that is now lying rotting on the ground—2.8 million acres.

This is, unquestionably, one of the worst storms to hit Florida in our long history.

But not only are Florida agriculture and other industries desperately awaiting our help, our national security is also being impacted. Tyndall Air Force Base, one of the Nation's premier military installations, was completely demolished by this storm.

Since Congress has not passed emergency funding, the Air Force has been forced to move money from other accounts to help pay for the recovery. The Air Force is now facing even tougher choices, like limiting flying time and construction projects from other installations.

Madam Speaker, this is simply unacceptable. Maybe if the Senate Democrats would spend less time focused on running for President and more time doing the job that they were elected to do, folks back home would already have the disaster relief that they are due.

I voted, along with my House colleagues, to pass a supplemental back in December. In December, we passed that. The Senate Democrats have just obstructed that effort.

Entire small communities that were wiped away still have no assistance coming from the Federal Government. I hope the hardworking taxpayers of Florida remember this lack of concern when they go to the polls in 2020.

Our Senate is broken by a 60-vote cloture rule that has to be removed, and I hope the folks back home will remember this in November of 2020.

Mr. DUNN. Madam Speaker, I thank Sheriff RUTHERFORD for his words. He has been a stalwart ally and a great friend ever since we arrived here on day one. He is a true friend to all of Florida.

Madam Speaker, I yield to the gentleman from California (Mr. LAMALFA), one of the true leaders of our Conference.

Mr. LAMALFA. Madam Speaker, I want to thank my colleague, Mr. DUNN from Florida, for leading us in this Special Order tonight and providing this opportunity to talk about a very important aspect of our job together as it affects our different regions and our States across the country.

This is an important opportunity to highlight, in my own district, our critical need for disaster funding in California, as well as the success stories we have had in the past, but, also, the needs of my colleagues in the Southern States and now, unfortunately, too, in the Midwest, my colleagues from Nebraska.

Unfortunately, it appears that we will head into a 2-week recess now without the Senate doing their half of the job in this Congress and sending a relief package to the House that is so desperately needed—a real shame.

This comes after the Senate Democrats rejected the latest attempts by Republicans to reach a compromise. It highlights one common trend I have seen so far in this Congress that Democrats are not interested in good faith negotiations with Republicans. They say all or nothing; take it or leave it.

We have got two different Houses. One has a majority of one and the other has a majority of the other. We are going to have to come together a lot if we are going to get anything done in this Congress. What we have right now is no way to govern.

Disasters take a substantial toll on many areas of the country. In my own district, 2 years ago was the spillway disaster at Oroville on the Oroville Dam. Now, with 2 years of good work, that spillway is now back functioning once again, rebuilt with a heck of a lot of money and a lot of people coordinating to get it done quickly.

We just saw, in the last few days, 25,000 cfs of water is coming over that spillway in order for the lake to be regulated safely and accurately for flood control as well as storing water that we need through the year.

Unfortunately, that isn't the last disaster in northern California. We had two more on top of that: near Redding, California, what is known as the Carr fire—a firenado, they labeled it—doing so much devastation on the west side there; then, ultimately, in November, 2 days after the election, in Paradise, California—we have all heard about that—a whole town basically has disappeared in that fire, in that conflagration, destroying, again, thousands of homes and buildings, and dozens of people were lost in that.

The Camp fire and the areas around it—Concow, Magalia—they will be recovering for quite some time. Thankfully, we have had help, and we are thankful for that. We are thankful for the funding for the Oroville Dam spillway. We are thankful for the help initially here for the Carr fire in Redding and for the Camp fire in Paradise.

But, for all the combined diasters we are looking at—Mr. SCOTT in Georgia, who still needs help, and my other colleagues—we have to have a stable flow into the coffers for our disaster relief that is so desperately needed all over the country.

Why isn't the Senate doing its job? With all that has happened in our home State of California, why is the junior Senator from California more worried about, 2 years ahead of the election, spending all the time in the other 49 States campaigning instead of showing up to vote on the relief measure when the Senate considered it last week and the House passed a version of it back in December?

It appears that Senator has more important things to do. I hope Californians will remember that for a lot of reasons.

The Camp fire in Paradise was the deadliest and most destructive wildfire in California's history, the deadliest in our country for over 100 years.

It is time for the Senate Democrats to quit fooling around with political games and get this disaster assistance in place, not just for me but for all my colleagues around the country who have people they are responsible for and need to get the work done.

We have done our job in the House. D.C. must do its job overall, the Senate included.

□ 1800

Mr. DUNN. Madam Speaker, I want to thank Representative LAMALFA for his sincere words and his seasoned judgment and insights. Let us hope that those words fall on fertile ground.

Madam Speaker, I yield to the gentleman from Florida's First District (Mr. GAETZ), one of my dearest friends in the House. We were friends for many years before we came to this House, and his talents are known to all of us. He is an Olympian among his class.

Mr. GAETZ. Madam Speaker, I thank the gentleman for yielding, and I thank Dr. DUNN for the work, not only in ripening this issue, but also in crafting disaster response legislation that would work for the people impacted by Hurricane Michael.

I also want to thank the gentleman from Georgia, AUSTIN SCOTT. Well before others were speaking out on this issue, Dr. DUNN and Mr. SCOTT were working very hard to ensure that the needs of our constituents were adequately represented.

Madam Speaker, disasters give us time to rise to the occasion as leaders in our community. They give us the chance to inspire people on their worst day, and to ensure that those who carry the disproportionate burden of challenge will be assisted and helped by their fellow countrymen and women in the United States of America.

But sadly, following Hurricane Michael, we have not, as a Congress, risen to the occasion, particularly in the Senate, where there is no movement now on legislation, before a two-week recess, to address the terrible tragedy of Hurricane Michael.

It is unfathomable to me that every other major storm that has hit our country, named, has received a disaster supplemental. And I guess the constituents that I serve, that Dr. DUNN, that Mr. SCOTT serve wonder, What is so special about us? What is so different about the people of South Georgia, South Alabama, North Florida, that we would be left out?

Is it that Hurricane Michael blew at less of a rate of wind? No. Is it that it dumped less rain?

I guess it's just that the people impacted by Michael are unique victims of a broken system in Washington that careens from disaster to disaster itself, rather than focusing on the disasters impacting our constituents.

And, Madam Speaker, what is so deeply tragic about this is that as folks

are trying to put their lives, and their schools, and their families, and their churches back together, we are moving into the summer lightning storm season in my community, and they are going to be victimized all over again, because we have got 72 million cubic tons of fuel on the ground in North Florida and South Georgia, and South Alabama, and with the first lightning storm that is going to ignite.

And so, as my Democrat colleagues, in a matter of a day or so, prepare for their retreat, my constituents prepare, not for a retreat, but for the advance of fires that will take their homes, their lives, their farms, their livelihoods, and their hope for a brighter future.

So I beg, I plead, I implore my colleagues, let's look past the politics of this moment. Let's realize that it could be any of our districts uniquely impacted by a storm, or a fire, or an earthquake or some other terrible disaster; and that, while on most days, we wear our jerseys and suit up and compete against one another in the marketplace of ideas, let's come together as one team, as one country, and do right by those who are suffering from these terrible tragedies.

Again, I thank my colleague from Florida for yielding time, and I thank him for his leadership.

Mr. DUNN. Madam Speaker, it is always a pleasure to introduce Representative GAETZ and hear his oratory. I thank him for his brilliant words.

Madam Speaker, I yield to the gentleman from North Carolina (Mr. ROUZER). Representative ROUZER is a friend. He has visited my home. I have visited his district. He truly knows what it is like to see other districts and empathize with them and to reach out; and I am deeply gratified to have him here speaking today.

Mr. ROUZER. Madam Speaker, I want to thank my colleague from Florida, Representative NEAL DUNN, who is not only a great colleague but a great friend.

Madam Speaker, it is not just Hurricane Matthew—pardon me, Hurricane Michael. In my district we had Hurricane Matthew in 2016—but it is also Hurricane Florence that devastated southeastern North Carolina and many other areas this past fall as well.

A lot of the previous speakers, colleagues who have come before me here today have talked about the need for disaster assistance, and they are exactly right. I want to complement what they have said, supplement what they have said, and paint a little bit of a broader picture here.

You have got to understand that agriculture, in particular, has faced 5 years of really, really low prices; so farmers, whether they are in North Carolina and have suffered from the flood of Hurricane Florence, or whether they are in Georgia or Florida or anywhere else and have suffered from Hurricane Michael, or the floods in Nebraska, for example, they have no equity left.

They have suffered 5 years of really, really low prices. We had a farm bill in place that, quite honestly, was not adequate in terms of the safety net that was in place and, as a result, they have no equity.

And think about this: Think about all those out there—and for those who are not involved in agriculture, think about it this way—assume that you have invested millions and millions and millions of dollars that are plowed, literally plowed into the ground, but have no opportunity to produce a crop.

You have no equity left. You just took a loan out from the bank. You are highly leveraged because of 5 years of low commodity prices. You have taken that loan out. This is the one year that you had available to you to make up the difference, to begin to turn it around financially.

And lo and behold, you get hit by Hurricane Florence, totally flooded early September, no opportunity to harvest your crop, and there you are.

That is the scenario. That is the picture. That is what so many farm families all across Eastern North Carolina, all across the Southeast are facing today.

Meanwhile, you have got Members of the House and the Senate who care very deeply about their constituency, who have been working very, very hard to get an ag disaster package, and find it incredibly frustrating that here, in April, months after these storms have hit, we have made no progress. And there are a variety of reasons for that.

But the fact of the matter is, this Chamber and the Senate Chamber need to come together with the White House to get this ag disaster package done just as quickly as possible.

In North Carolina, agriculture is an $87 billion industry, the largest industry, by far.

And let me make one final point. When these farm families are gone, when these farms are gone, they are not coming back; they are growing houses instead. They are not coming back.

This agriculture disaster package is so critically important. We have got to get it done. I thank the leadership and the spirit of my good friend from Florida, NEAL DUNN, and I really, really commend him and my other colleagues for putting forward the effort tonight to raise awareness of this issue. It is so critically important, not only for my home State of North Carolina, but for America.

Mr. DUNN. Madam Speaker, I thank Representative DAVID ROUZER for those words. It is a sad story that the gentleman told, but it is a story that needed to be heard and is one that is being lived out through many of our districts; the end of generations of farming in some families. It is a very sad story.

Madam Speaker, I yield to the gentleman from Georgia (Mr. ALLEN), a good friend of mine from our class. He is a great Congressman. We have visited in his district. And let me say that it has been a pleasure to work with him and his wife.

Mr. ALLEN. Madam Speaker, I thank Dr. DUNN for his work here this evening to bring attention to something that is critical for not only our great citizens in Florida, North Florida, but of course we heard about North Carolina, Nebraska; and, of course, we have been waiting since last October in Georgia.

You have heard about devastation from Hurricane Michael. It left a tremendous trail of destruction. It was a Category 3 storm that reached my district with winds over 100 miles per hour. We lost trees, power lines, crops, poultry houses, and much more.

While traveling the district, I was able to see firsthand the heart-wrenching wreckage that Hurricane Michael left behind, and it is still there to this day, nearly 6 months later.

Many of our farmers in my district are struggling to survive. I mean, we had cotton on the ground, probably the best harvest we were going to have in a long time. Gone.

In addition to Hurricane Michael, it is also important to highlight the need for the assistance we have been working to secure for our blueberry and peach producers in the State who still suffer from losses and damaged bushes and trees resulting from late season freezes.

Not a day goes by that I don't hear from a Georgia-12 farmer about the urgency of providing disaster relief funding immediately.

And just last week, Senate Democrats chose to block a desperately-needed bipartisan disaster relief package that would have provided critical funding to our communities, not only in Georgia, but across the Nation that have been affected by these disasters.

Let me just say this: Holding farmers who feed and clothe our Nation hostage over partisan politics is downright shameful.

I cannot stress enough that local farmers must obtain bank loans ahead of the upcoming planting season. So the urgency of getting a bill passed in both Chambers and sent to the President cannot be overstated. We do not have time for political games aimed at undermining our President.

Madam Speaker, agriculture is the number 1 industry in Georgia and in the 12th District of Georgia. I know this process has been more challenging than many of our farmers could have imagined, and I just want to reiterate that I will always stand with rural America 100 percent.

I will not stop working until the farmers of the 12th District of Georgia and across our great State get this disaster relief that they need and deserve.

I would like to thank Senators PERDUE and ISAKSON for leading the effort in the Senate, my colleagues AUSTIN SCOTT, SANFORD BISHOP, and NEAL DUNN, and others that you will hear from here tonight in the House, and all of my colleagues here this evening for

the commitment to getting this done. It cannot wait any longer.

Mr. DUNN. Madam Speaker, I wish to thank Representative ALLEN for his words and his support.

Next, I yield to the gentleman from Florida (Mr. BILIRAKIS), one of the most senior and experienced representatives in the delegation from Florida, a man who has been a personal mentor to me and a great model.

Mr. BILIRAKIS. Madam Speaker, I will tell the gentleman this: He has been a great model for me serving on the Energy and Commerce Committee. It is always good to go to the physician to hear firsthand what the patients need and want. So I thank the gentleman for healing his constituents over the years, and now serving them in the United States Congress.

Madam Speaker, I cannot stress enough the devastation that hurricanes over the last few years have inflicted not only on the State of Florida, but all over the country, as you can see, Georgia, North Carolina, Texas, what have you. And folks, we need to get—come together. We need to come together and get this done for the American people.

This should be a no-brainer. We have waited too long for this to happen, and it needs to be a bipartisan bill out of the Senate. Get it on the floor of the House as soon as possible so we can help our constituents.

One particular case, in the city of Tarpon Springs alone, Hurricane Irma exacerbated shallowing problems at its port. This puts at risk the livelihood of our marine and tourism business owners and impacts $250 million in yearly commerce a year.

A remedy known as the Anclote River Dredge Project was set to be funded under the previously-passed emergency supplemental bill. We were given assurances—I understand we have a lot of disasters that need to be taken care of—but we need to take care of our constituents, and this is a good example.

And we did this right. We have county matching funds, State matching funds that are at risk right now. The city has put up money. We have got to get this project through.

The seafood industry is suffering. Again, commerce, the sponge industry is suffering because of the lack of dredging of this beautiful Anclote River.

Unfortunately, the sheer number of areas in need of repair from disasters force the already-allocated funding to be moved to other projects, and I understand that. But these projects are important as well.

We need to ensure projects like Anclote are quickly and adequately fixed after a hurricane or other disaster; and, therefore, I support the immediate consideration of a disaster supplemental bill.

I thank my colleague, NEAL DUNN, for this Special Order. He is doing an outstanding job.

We have got to get this done quickly for our constituents.

□ 1815

Mr. DUNN. Madam Speaker, I thank Representative BILIRAKIS for his leadership and for the personal generosity of his time spent with me tonight.

Madam Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 11 minutes remaining.

Mr. DUNN. Madam Speaker, next, I would like to introduce the third and final Representative from Nebraska, a good friend and a good friend of Nebraska. Thank you so much very much for being here.

Madam Speaker, I yield to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Madam Speaker, I thank Congressman DUNN for yielding. I appreciate his taking the initiative to bring folks together to discuss, unfortunately, the need to address the disasters across America.

Madam Speaker, representing one of the most rural districts in America, we have a lot of natural resources, among them, a lot of rivers, a lot of miles of river in Nebraska.

Not so long ago, conditions were such that the rivers flooded in the central and eastern part of Nebraska. In the west, a blizzard hit with the bomb cyclone, and it created massive damage. The chunks of ice flowing down rivers took out a dam, probably the first dam to break due to ice floes and the chunks of ice.

It has been tragic. There has been loss of human life, certainly the loss of livestock.

The initial estimates are about $400 million in infrastructure damage and another roughly $1 billion in damage to crops and livestock.

I appreciate the fact that President Trump moved quickly on Governor Ricketts' request for the disaster declaration.

We are working together among the Nebraska delegation, both Senators and all three House Members, to make sure that we articulate the needs of not only Nebraskans, but when you remove agriculture products, as is the case, ultimately, consumers will likely be impacted.

This is something we should always keep in mind because everyone needs to eat. When we lose the channels of supply for agriculture products, that is bound to increase the cost of food.

When you look at the storm, the bomb cyclone that hit, it probably couldn't have happened at a worse time of year, right in the middle of calving season.

It is a devastating condition here.

I do appreciate the fact that so many producers—I talked to one today. Instead of a 30-minute commute for a drive to work, they have to go 95 miles one way to work, because the bridge is out. When one bridge is out in rural Nebraska, that takes a few miles to make up for that.

I think we are resilient. Ag operators are resilient, so they are looking up. But we are concerned that, here in the next few weeks, in fact, there is another storm forecasted for later this week where folks are bracing for perhaps even more damage. Hopefully, we can get through this.

Again, I appreciate this opportunity to share what the needs are in Nebraska. I will be introducing legislation to extend a number of tax provisions often provided to disaster areas to cover this year's disasters. I hope we can offer that support to disasters from last year as well, since we are discussing this evening multiple disasters from last year and this year.

Madam Speaker, again, I appreciate this opportunity.

Mr. DUNN. Madam Speaker, I thank Representative SMITH for his words. It speaks to the disaster, what happened in Nebraska, that all three Representatives showed up.

Madam Speaker, next, I would like to introduce and yield to the gentleman from Florida (Mr. YOHO), my good friend.

We share more in common than most Representatives. Because of the vagaries of redistricting, we ran in 2016 in the same 12 counties. He was a great support, a great example, and cleared the way for me. I want to say that I am deeply grateful for having Dr. TED YOHO here tonight.

Mr. YOHO. Madam Speaker, I want to compliment Dr. DUNN for doing an awesome job. His leadership on this is well noticed and well taken by the people of his district and all north central Florida, working together with the Georgia delegation and other States.

Florida is no stranger to hurricanes. The year before, we had Hurricane Irma that went through the whole State, bypassed the panhandle. In 2018, we had Michael that hit the panhandle with virtually a Category 5. It was 2 miles short of Category 5.

The estimated impact for Hurricane Michael—in fact, it was so severe, before I get into the impact, we couldn't get ahold of Dr. DUNN, so our office was very concerned about that. We took a load, with the Gilchrist County Sheriff, to take supplies up there, looking for Dr. DUNN. We didn't know if he had survived, because nobody had heard. So we are thankful that Dr. DUNN is here, and I know his constituents are.

The impact of this went from timber, cotton, cattle, peanuts, nursery, poultry, vegetables, other field crops, dairy, aquaculture, fruit crops, tree nuts, beekeepers, to mention a few. That is no structures.

The estimated cost just in the panhandle of Florida is $1.5 billion.

We heard these other States talking about agriculture as their largest economic driver in that State, their largest industry. Florida is the third largest State in the Union, with 22 million people. Agriculture is our second largest industry. It is vital.

We look at the past—this is my fourth term in Congress—and I remember Hurricane Sandy came, hit the

Northeast. Relief was put out. It was sent out.

This is something that we need to come together as Americans. We send billions of dollars in foreign aid around the world. It is time for us to look internally, fix our problems here, because the expense of these storms, they accumulate. They don't go away from one year to the next, and we are going into the next season, the next fire season. This is something we need to work now, to correct these things.

Madam Speaker, I appreciate the leadership of Dr. DUNN.

Mr. DUNN. Madam Speaker, let me say that I am deeply indebted to Dr. YOHO. Our channel of communications went down after the storm in a way that America has never seen. We lost cellphones, landlines. We lost police radios. We were talking to each other by ham radios and runners.

When Dr. YOHO could not raise me or my office staff, he mounted a rescue operation complete with food and supplies and took care of the east end of my district. I will always be grateful to Dr. YOHO for that, and I thank him so much.

Madam Speaker, for my final guest, I would like to introduce the Representative from south Georgia, another good friend and a neighbor. We don't quite abut districts, but we come pretty close. I spend a lot of time in his neighborhood. He needs to spend more time down on my beaches.

Madam Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I thank Dr. DUNN for the work that he has done, as well as my other colleagues, Representative AUSTIN SCOTT, Representative SANFORD BISHOP, and Representative MARTHA ROBY. All of these fine legislators have worked diligently on this, and I thank them for their efforts, as well as others.

Madam Speaker, I have the honor and the privilege of representing the First Congressional District of Georgia. The First Congressional District of Georgia includes the entire coast of Georgia, over 100 miles of coastline. We have a lot to be thankful for, a lot to be proud of. We have two major seaports and four military installations, Moody Air Force Base, Kings Bay Naval Base, Fort Stewart, and Hunter Army Airfield. We have the Federal Law Enforcement Training Center. We have two Coast Guard stations, one in Savannah and one in Brunswick.

We have so much to be thankful for, but we also have a very strong agriculture community, particularly in the western portion of our district. It is very, very important.

Madam Speaker, much of the State of Georgia is in need right now, and they can't wait any longer.

In the First Congressional District of Georgia over the past few years, we have had hurricanes. We had Hurricane Matthew, Hurricane Irma, and Hurricane Michael. We have had fires. We had the West Mims Fire. We have had freezes and harsh freezing conditions that impacted our agriculture community.

These disasters have been detrimental to agriculture in Georgia. By the way, agriculture in Georgia is our largest industry. That is very important and very important for the First District.

In fact, just to be specific, blueberries, which are the leading fruit now in the State of Georgia, blueberries alone make up a $1 billion industry. That is ''billion'' with a B, a $1 billion industry. Those farmers are the backbones of their communities.

Blueberry farmers, in some areas, their crops make up 30 percent of the portfolios of banks. That is significant to these communities, and we simply cannot allow these farmers to continue going without this assistance.

The banks are waiting for many of these farmers to repay their loans. It is putting them in jeopardy of not being able to farm next year and putting entire rural economies at risk. When you put 30 percent of your portfolio at risk, you are putting your community at risk.

Congressional inaction on this is absolutely unacceptable.

The Senate's failure to pass disaster aid last week was one of the worst moments that I have experienced in Washington since I have come to Congress.

These people need assistance, Madam Speaker. They need assistance. We need to help them. The American farmer feeds the world. Georgia farmers are an integral part of this. Blueberries are an important crop in our district. Agriculture is the number one industry in Georgia.

It is time for us to respond to this. This is what we are to do as Members of Congress. We cannot simply ignore this. It will not go away.

We need these farmers. They need our help, and we need to respond.

Madam Speaker, I encourage all my colleagues to support disaster aid.

Mr. DUNN. Madam Speaker, I thank my good friend, Representative CARTER, for his impassioned words. Obviously, he is echoing thoughts that we have heard from the other speakers.

Seldom has a Special Order been so well subscribed. So many people came to speak, so many people moved and hurt by the disaster.

It leaves me with very little time, but I want to say a couple things.

I want to reiterate that this is an unprecedented event for timber. Nobody has ever seen this much timber on the ground, 3 million acres of timber. Think about what that does to the foresters, the loggers, and the sawmills.

The military, we have lost an Air Force base, probably $4 billion to $6 billion worth of damage to that. We will rebuild it. We will rebuild it, and it will be great, but we need help from Congress to do that.

I have a Navy base in my district, $288 million in damage.

I have a Coast Guard base in my district that is particularly sad. They have a single building standing. They were victims of the storm; they were first responders to the storm. They were not paid, because they are with the Department of Homeland Security, for a month. It is shameful. These are fine people in the Coast Guard.

We have housing problems right now. Thirty percent of the homes in my home county is uninhabitable. Fifty percent of the commercial real estate is not usable.

We have special geography. We are 100 miles away from the next place where there is multifamily housing. We need housing on the ground in the affected areas.

Madam Speaker, I thank all the people who took time to come and tell our story, which is a sad story, and I urge the Congress to come to our rescue.

That picture, by the way, is not 6 months old. It is 2 weeks old.

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

2019 DEMOCRATIC FRESHMAN CLASS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentlewoman from Michigan (Ms. STEVENS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. STEVENS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Ms. STEVENS. Madam Speaker, I yield to the gentleman from California (Mr. GARAMENDI), my friend.

RECOGNIZING BRIGADIER GENERAL THOMAS E. KUNKEL

Mr. GARAMENDI. Madam Speaker, I thank the freshman class for giving me the opportunity to take a few seconds here.

Madam Speaker, I wish to recognize Brigadier General Thomas Kunkel upon his departure as Chief, Air Force Legislative Liaison to the U.S. House of Representatives.

In this role, General Kunkel managed the Air Force interaction with Members of Congress and their staffs in support of the Air Force programs and congressional oversight and travel.

He served as the Air Force's senior escort for staff and congressional delegations, traveling to more than 20 countries, supporting leadership, Members, and committee offices.

□ 1830

Prior to his current position, he served as the 23rd Wing Commander,

which operates A–10Cs, HC–130Js, HH–60Gs, and Guardian Angel pararescuemen at Moody Air Force Base, Georgia; Davis-Monthan Air Force Base, Arizona; and Nellis Air Force Base, Nevada; and oversight of Avon Park aerial gunnery range, Florida.

General Kunkel received his commission in 1994 from the University of Texas, Arlington. He has served in the Air Force Special Operations and the Combat Air Forces as an HH–60G special operations and rescue pilot, flight examiner, and weapons officer. He has deployed in support of operations Allied Force, Enduring Freedom-Philippines, Enduring Freedom, and Iraqi Freedom. During his time serving in operation Allied Force, then Captain Kunkel was the pilot in command who rescued the now Chief of Staff of the Air Force, General David Goldfein, whose aircraft had been downed by an enemy surface-to-air missile in Serbia. General Kunkel has also served on the Air Staff as Program Element Monitor for helicopter sustainment and acquisitions.

He is married to Jennifer and has three children—Avery, Noah, and Griff—who have supported him and his career.

Madam Speaker, on behalf of the U.S. Congress and a grateful Nation, I extend our deepest appreciation to Brigadier General Thomas E. Kunkel for his dedicated service to the U.S. House of Representatives and to our Nation. We wish him well as he moves on to his next role at the National Military Command Center at the Pentagon.

There is no question that the Air Force, the Department of Defense, the United States, and all of us have benefited greatly from his service.

Ms. STEVENS. Madam Speaker, we are here today to recognize the accomplishments of the freshman class of the 116th Congress as we approach the 100th day since we were sworn into office. History is before us. Congress is 230 years old.

As co-president of the freshman class, alongside my colleague, Representative COLIN ALLRED of Texas, we ring with a dutiful pride, deeply humbled by this opportunity to serve in a legislative session that will mark the conclusion of a decade and the beginning of another. We take stock of new representation, new voices, people, that the likes of this body have never seen before, what the American people called for in their voting booth, and all that this great body represents.

This class of freshman Democrats, 67 Members strong, from every corner of our great Nation, is the largest in nearly 45 years. Our class represents several historic firsts. With 42 new women in Congress, the House of Representatives is more female than at any point in the Chamber's deep history.

Representative DAVIDS of Kansas and Representative HAALAND of New Mexico are the first Native American women to serve in this Chamber.

Representative OMAR of Minnesota and my fellow Michigander, Representative TLAIB, are the first Muslim women in Congress.

We now have more African American women and men serving in this body than ever before.

Nearly two-dozen new Members, from both sides of the aisle, have served our country as members of the military or Central Intelligence Agency.

Representative OCASIO-CORTEZ of New York is the youngest woman to ever serve in the House, and Representative FINKENAUER of Iowa is the second youngest.

Representative VAN DREW of New Jersey is a dentist.

Representative SCHRIER of Washington is a pediatrician.

Representative UNDERWOOD of Illinois is a nurse.

Representative HAYES of Connecticut was the Teacher of the Year.

And Representative SHALALA of Florida, the longest serving health and human services secretary in history. Representative MUCARSEL-POWELL, also of Florida, is the first South American immigrant Member of Congress.

This freshman class brings its brilliant diversity, experience, and unity, a broad array of skills and life experience, to the Halls of Congress, generating a commitment to address legacy issues and usher in opportunities for the common good to promote the general welfare for all American people.

President Lincoln's words bear down on us. He, who was once a Member of this very body, said: ''Fellow citizens, we cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation.''

The issues of today are complex, enormous, and often frustrating, but we do not bemoan. We bring a commitment to serve, to problem solve, and create opportunity. We are reminded that this very body saw us through western expansion to become a land of sea to shining sea, through pain, by the way. And we did reconstruction following a brutal Civil War.

And now, in the year 2019, in the first 100 days of the 116th Congress, we have been hard at work. We have passed the For the People Act, a historic bill to clean up corruption and restore ethics in Washington, putting voters at the center of elections.

We passed the Paycheck Fairness Act, to finally fulfill gender economic equality in the workplace and bring more people into the middle class.

We passed a universal background check bill, to keep firearms out of the hands of those who seek to do evil, and we will do more commonsense gun safety legislation to put the safety of all communities at the top of the priority list.

We have held hearings, long overdue, on climate change and outrageous prescription drug prices, on Government oversight on human rights abuses at our border, and we have led on matters of safety and security.

And we are evaluating all the ways to meet our country's infrastructure needs.

We, the people, for the people, a country in a new moment.

As a representative from the great State of Michigan, I have been privileged to introduce my first piece of legislation, the bipartisan Building Blocks of STEM Act, which promotes STEM education and pathways to education in the sciences, particularly for young girls.

As the chairwoman of the Research and Technology Subcommittee, I have had the opportunity to preside over hearings on bioengineering and advanced manufacturing, essential to regional economic development, particularly in places like southeastern Michigan.

I passed a bipartisan amendment to the Rebuilding America's Schools Act and led an effort to maintain funding for advanced technological educational training programs, an important initiative with active grants in my district.

This was all in the first 100 days: multiple townhalls, coffee hours, and Manufacturing Mondays.

The question before us, the Moon shot of 2015, what will usher in new scientific advancements in the workforce to help us achieve them? It is for those who dare to create a vision.

There are 18 freshmen currently serving as subcommittee chairs, holding informative hearings and driving important policy discussions on issues like veterans' healthcare, small business advocacy, trade assistance, and for justice and equality, for the individual hardworking Americans residing and fueling the energy in the towns throughout suburban metro Detroit, where I represent, and their young children dreaming of their future. They are eagerly, and sometimes quietly, counting on us to wage great discussion, to think deeply and penetratingly, to seize the duty at hand.

Congress often feels like being on a great ship, each side weighing side to side, sometimes in stormy weather, but we have all taken the oath to reside on this ship, to come together for the remainder of our service, to improve the outcomes for the next generation and for those to come, the whispers of time and time.

Madam Speaker, I yield to the gentleman from Texas (Mr. ALLRED).

Mr. ALLRED. Madam Speaker, this new freshman class has made history as the youngest and most diverse ever, and I am incredibly proud to be a Member of this class and of this Congress and to serve with my friend, Representative STEVENS, as freshman class co-president of the Democratic class.

We truly do represent our Nation's slogan of E pluribus unum—out of

many, one. And though we have much more work to do as the end of our first 100 days approaches, we have made real progress in fulfilling our efforts to make the lives of ordinary Americans a little bit better.

As freshman class co-president, I can tell you that this class came here with a mandate to end the sabotage of Americans' healthcare and to work to lower costs. I was proud to lead the effort, on our very first day in Congress, as we placed the United States House back on the side of the people by intervening to defend the Affordable Care Act in court and with it its protections for people with preexisting conditions.

This resolution, that I was proud to lead, passed with bipartisan support, sending a strong message that the United States House will not stand idly by while this administration tries to take us back to the bad old days when people were denied care because they had a preexisting condition or ran into lifetime caps on their coverage.

We have also introduced bold legislation that will stop the sabotage, stabilize healthcare markets, and lower costs for regular folks, that I hope will pass with bipartisan support. After all, that is what the American people want us to do, to work together.

We have also passed commonsense gun safety measures that will keep our communities safe by closing loopholes in the background check system.

We passed the Paycheck Fairness Act, which helps guarantee that, no matter who you are, everyone gets equal pay for equal work.

We passed the most historic anticorruption and pro-democracy bill in a generation, H.R. 1, the For the People Act, which will reduce the influence of big money and special interests in Washington and return power to the people by expanding voting rights and ending voter suppression.

From my post on the Transportation and Infrastructure Committee, we are laying the groundwork for a much-needed and long overdue infrastructure bill. In my district in north Texas, we are rapidly growing, and I know that I am not alone in hearing from folks who are stuck in traffic and tired of congestion on their commutes, and we can and must do more to repair our roads and bridges and to diversify the transportation options available to all Americans.

In closing, I issue this challenge to my colleagues in both parties, in the House and in the Senate. The American people are counting on us. Let's put aside partisan politics and let's work together. From prescription drugs to infrastructure, there is so much that we agree on. Let's deliver in the next 100 days for the American people.

Ms. STEVENS. Madam Speaker, I yield to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Madam Speaker, if we think back to the beginning of this Congress, we started the first 100 days under an unnecessary government shutdown. I met with constituents, Federal workers, and businessowners in my district who were forced to suffer for the President's frivolous campaign promise.

At the end of the day, we funded the government and made sure Federal workers received back pay. All the while, we were setting up a path to work for the people, making our communities a priority, not just the wealthy and well connected, but people who suffer when they lose a paycheck and need to rely on accessible healthcare.

We are in a special moment in history, a moment when our freshman class of House Members look more like the people we represent, and our experiences reflect the experiences of everyday Americans. I am a single mother. I often had to piece together healthcare for my daughter and I, and I am still paying off my student loans. This class of freshman lawmakers know the struggles that many are going through, and, with our new majority, it is clear we are working for the people.

□ 1845

We passed the bill that would ensure everyone has an opportunity to participate in our democracy, while taking steps to end corruption.

The most significant land legislation of our time made it across the finish line, including provisions of my first bill, to designate land for everyone to have access to public lands in New Mexico.

It was a huge win for my State, because in New Mexico we value our natural heritage and resources, and we believe in protecting the places we hold dear for future generations to enjoy.

The public lands package makes all of those things possible. It is also a prime example of what our Democratic majority can get done because we are willing to work across the aisle and push legislation through.

Our progress includes things like fighting for equality with the Paycheck Fairness Act and a resolution condemning the President's transgender troops ban, fighting for prosperity for everyone by introducing a $15 minimum wage and passing the Dream and Promise Act.

We are also tackling the challenges of our time with the Violence Against Women Act and forging a path to address climate change with an unprecedented number of committee hearings uncovering the climate change realities facing our communities, and we are working on legislation that will create a Green New Deal for everyone and for our country.

In 100 days, you can get a lot done, and we are looking forward to getting more done for the people in the next 100 days.

Ms. STEVENS. Madam Speaker, we are so proud of our freshman class.

Madam Speaker, I yield to the gentlewoman from Texas (Ms. GARCIA), someone whom her constituents know as ''Senator SYLVIA'' from her great service in her State's capitol, but whom we knew as the great Congresswoman from Texas.

Ms. GARCIA of Texas. Madam Speaker, I thank the gentlewoman from Michigan.

Madam Speaker, I rise today to commemorate the first 100 days of the 116th Congress. In this short amount of time, Madam Speaker, a lot has surely happened.

At our swearing in, the Congress became the most diverse on record, including 42 freshman women. And with one in five Members of Congress being people of color, we have come a long way, baby.

As our Representatives in Congress begin to look more like the communities we represent, our legislative priorities also more closely reflect the will of the people.

Our citizens have sent a message loud and clear that Congress should be giving a voice to our families on Main Street and not to the rich and the wealthy on Wall Street. As a result, we have been focused on passing groundbreaking legislation that protects our democracy, expands our civil liberties, provides for a stronger national security, and boosts our economy, all while staying true to our values.

Passage of H.R. 1, the For the People Act, is the largest, most sweeping election reform and campaign finance reform bill to pass the House in our Nation's history.

It also significantly protects access to the ballot box for every American; it will shed light on the corrupting influence of dark money in our campaign finance system; and, finally, it will return the voices of working-class Americans to our democracy. And the best part: election day would be a holiday.

We are upholding the promise of equal protection under the law for our citizens. With the Equality Act, we are finally providing explicit protections to the LGBTQ community, finally making them equal under the eyes of the law.

We are keeping our promise to women as well. With the introduction of the Paycheck Fairness Act, we are finally taking steps to close the wage gap, where women in Texas still make only 79 cents for every dollar a man makes, and 44 cents if you are Hispanic.

With the Violence Against Women Reauthorization Act, we are upholding our sacred duty to protect the millions of Texas women who experience violence and domestic abuse every year.

Perhaps most importantly for my district, we have finally introduced the Dream and Promise Act, which will provide protections for immigrants who, in their hearts, are often as American as myself and anyone else on this House floor.

These young men and women—about 113,100 in my district—whom we call

family, friends, and colleagues, will be able to continue working hard in their communities and contributing to our economy—nearly $50 billion a year, by the way—without fear of being separated from their families.

Unfortunately, during our 100 days, the Trump administration's top priority has proven not to be for the people. The administration's recent budget proposal included deep cuts to Medicare, Medicaid, and the SNAP assistance program, all of this to pay for the radical GOP tax cuts which they have made on the backs of working people, veterans, and seniors.

After the eventual passage of the bipartisan budget without funding for a border wall, this administration decided to create a completely avoidable but devastating government shutdown. The 26-day shutdown cost families real money and opportunity, maybe more than 800,000 workers without a paycheck during that time.

Since then, we have seen an illegal national emergency declaration that seeks to take funding from vital national security needs to build the President's border wall.

We are also now hearing threats of another shutdown, this time shutting down the border completely. This is wrong and downright reckless. Trade through our southern border accounts for $1.7 billion per day and would hurt our Texas economy.

And, finally, the Trump administration is trying once again to take our healthcare system, this time through the courts. This move could leave up to 53 million non-elderly Americans with preexisting conditions without access to healthcare—320,000 in my district. This is cruel; it is immoral; and it is just plain wrong.

It should be clear that our work is not done.

I am proud to be a Member of the majority that will fight for the people, defend our democracy, protect access to quality, affordable healthcare, and do so with justice and decency.

Madam Speaker, we have accomplished so much in these first 100 days, but we must make sure that the American people know that we are resoundingly focused on real solutions that will actually keep our border safe, help our businesses, and uphold our American values.

Ms. STEVENS. Madam Speaker, I yield to the gentlewoman from Pennsylvania (Ms. WILD), my friend.

Ms. WILD. Madam Speaker, I am so proud to rise today as part of this wonderful, diverse, strong, and vibrant freshman class.

As we mark the 100 first days of the 116th Congress, it has been a busy time, to say the least. In our first days of this 116th Congress, I have met with more than 150 constituents. I have held five townhalls and question-and-answer events and visited 17 local businesses and 10 local schools.

I have met with educators and labor leaders, health workers, business leaders, manufacturers, students, and senior citizens.

I have heard the same messages from constituents of all backgrounds throughout Pennsylvania's Seventh District:

Build an economy that delivers for working and middle-class people;

Protect benefits like Medicare and Social Security that we have earned;

Defend the rights and dignity of all people;

Work across the aisle on urgent priorities, like protecting our communities from gun violence, combating the opioid epidemic, and protecting the environment; and

Fight to ensure that the next generation doesn't have a lower standard of living than its parents.

These messages have driven and shaped my work, particularly as a Member of the Education and Labor Committee, where we have been working on legislation to raise the minimum wage, make workplaces safer for working Pennsylvanians and all Americans, help students saddled with student loan debt, and make higher education more inclusive and affordable.

I am so proud of everything we are doing in the Education and Labor Committee to build an economy and education system that lifts all workers, all students, all Pennsylvanians, and all Americans. I am also proud that I am keeping my promises to my constituents.

My promise to work to improve our healthcare system, lower healthcare costs, and protect people with preexisting conditions led me to introduce my own bill as part of a larger effort to improve the Affordable Care Act—the Family Healthcare Affordability Act—to fix the ACA family glitch, an issue that has prevented some workers from being able to extend their employer-provided insurance to their families. My bill is a small fix to a big problem for many working families.

I also committed to my constituents that I would work to reform our government, reduce the influence of money in politics, and ensure that every American has a voice in our democracy. We kept that commitment when we passed H.R. 1, a landmark government reform package that included my bill to enact early voting across the country. In Pennsylvania, we don't have early voting, and that hurts working and lower income people who often have far less time and flexibility to get to the polls.

This has been a productive 100 days, but people in my community and across the country are counting on us to do so much more. They are also counting on the Senate and the White House to do their part so that the legislation we are passing gets signed into law.

In these next 100 days, I will continue working to bring about a more just, more equal future across our community, and I will continue doing everything I can to make the people of the Seventh District proud.

Ms. STEVENS. Madam Speaker, I yield to the gentleman from Michigan (Mr. LEVIN), my friend and fellow Michigander.

Mr. LEVIN of Michigan. Madam Speaker, I thank Congresswoman STEVENS, and it is so great to go after Congresswoman WILD.

The first thing I want to say is what a great time I am having with you all, how much I am learning from you, how much fun we are having working on things together.

Congresswoman WILD and I are particularly concerned that any new replacement for NAFTA really protects the working people of our country, really protects our environment, and does not subject people to outrageously high prices for prescription drugs.

As I look about me and see the other Members here, I see others whom I am working with on different things, and I think that is the great thing about this new freshman class. I am really so proud to be a part of this freshman class of the 116th Congress, and I feel like we have really had an outstanding first 100 days fighting for the people.

Right out of the gate, we are delivering on our promises to pass bold, transformative legislation and conduct essential oversight that the Constitution demands of us.

Voting on final passage of H.R. 1, the For the People Act, was certainly one of my proudest days.

My Transparency and Corporate Political Spending Act is in the final version of the bill, and it will increase transparency for big corporations that dump dark money into our elections.

My amendment to Whip CLYBURN's gun violence prevention bill to close the Charleston loophole will require the Government Accountability Office to report on gun violence prevention methods so that we have the best information available while crafting policy. I think it is so important that we bring back research to this public health crisis of gun violence.

Just last week, so many colleagues joined me in calling on the Department of Homeland Security and Immigration and Customs Enforcement to halt the cruel and unjust detention and deportation of Iraqi nationals, many of whom are Chaldean Christians and other religious minorities.

My district, the Ninth District of Michigan, has the most Iraqi nationals of any district in the country, out of 435. But I think, Congresswoman STEVENS, 9 out of the 10 districts with the most Iraqi nationals, those Representatives join me—I think, 23 altogether—in calling on our government to respect the rights of these people to just have their day in court.

I came to Congress on a mission to raise the standard of living for working people, and the Democratic majority has delivered on that promise in several ways already, from passing legislation to reduce the cost of healthcare to passing the Paycheck Fairness Act, to guaranteeing women get equal pay for equal work.

□ 1900

I commend my colleagues in the majority and the leadership of our Caucus for their hard work, fearlessness, and dedication that has gotten us this far, and we have only just begun.

I yield back to my sister Michigander, the gentlewoman from Rochester Hills, Ms. STEVENS.

Ms. STEVENS. Madam Speaker, I thank the gentleman, and I yield to the gentlewoman from Oklahoma (Ms. KENDRA S. HORN), my dear friend.

Ms. KENDRA S. HORN of Oklahoma. Madam Speaker, I thank Congresswoman STEVENS for yielding to me.

I am honored to rise this evening to talk about our accomplishments in the first 100 days. As a Representative of Oklahoma and Oklahoma's Fifth Congressional District, I talked to people all across my district about what is important to them, about what is paramount, and above and beyond everything else, the thing I heard from people across my district is that people need a voice. That is exactly what we have done in this first 100 days.

From day one, I have said and will continue to say and advocate for the people of Oklahoma in the Fifth Congressional District that their voice is number one.

Throughout this time, we have prioritized commonsense solutions for the people of Oklahoma, legislation and actions that help to improve the lives of everyday individuals. I have shown that with the time I have spent back in my district talking to and listening to the people there.

In order to hear from as many people as possible, we have held eight public events, or townhalls, ranging from coffee meetings to large townhall gatherings. From Seminole to Oklahoma City, from Oklahoma City Community College to diners, in both Oklahoma and Washington, D.C., I have met with more than 2,300 Oklahomans over the course of more than 200 meetings.

In response to inquiries from folks back home, I have replied to thousands of calls, letters, emails, and text messages about issues that are most important to them. Over and over I have heard: We need a voice.

So I have cosponsored 28 pieces of bipartisan legislation ranging from ensuring that the Indian Health Service is funded to increasing transparency in politics with the passage of H.R. 1, to ensuring that those individuals have that voice.

When we came in in the middle of a, sadly, historic shutdown, I spoke up for the members of the FAA and our Federal employees, including our air traffic controllers, because we should never play politics with people's lives. No family should have to endure the hardships caused by partisan political games.

I cosponsored legislation; that is the Shutdown to End All Shutdowns Act. And beyond that, we stood up for paycheck fairness and for wage equality, which is not just a women's issue. This is an issue that impacts our families and our communities and our overall quality of life.

I have spoken up for education and ensuring that everyone has access to quality, available healthcare. That includes protecting people with preexisting conditions, lifetime caps, and working, as we will continue to do, to make prescription drugs more affordable.

As a member of the House Armed Services Committee, I have been a vocal advocate for our servicemen and -women who have, sadly, had to deal with substandard housing.

I have spoken up for the security of our Nation, but also for respect for every single individual in our district.

And in an effort to stay in touch with all corners of the district, I have toured some of our most critical facilities, from Tinker Air Force Base to the Palomar Family Justice Center and the Regional Food Bank of Oklahoma, and so many more.

I have spoken with some of our most vital organizations, like the VFW, the Black Chamber of Commerce, the Farm Bureau, education and healthcare advocates, as well as local elected leaders, about priorities in our communities.

I have even had the privilege of showing a sheep at the Oklahoma Youth Expo, the largest youth expo in the Nation.

I am proud of what we have accomplished so far, and I am especially proud to serve with this historic freshman class. I look forward to what we accomplish moving forward and to being an independent voice for Oklahomans.

We have only begun, and I look forward to what we can accomplish in the next 100 days and the next 100 days after that to put the people first.

Ms. STEVENS. Madam Speaker, I thank Congresswoman HORN for showing us what leadership looks like.

It should also be noted that our presiding Speaker this evening, Ms. XOCHITL TORRES SMALL, the Congresswoman from the great State of New Mexico, is also a member of our freshman class.

Madam Speaker, I yield to the gentleman from Colorado (Mr. NEGUSE), my friend.

Mr. NEGUSE. Madam Speaker, I thank the gentlewoman for yielding.

I would like to engage in a colloquy of sorts with my fellow colleague in House leadership, a Representative of the freshman class, Representative HILL, and, of course, our co-class president, Representative STEVENS.

Representative HILL, what do you think about the freshman class?

Ms. HILL of California. Mr. NEGUSE, I am pretty excited to be here today because we get to brag a little, and I get a little tired with bragging about myself. I think that is something we do a lot as a Member of Congress, and today we get to brag about our friends.

Mr. NEGUSE. I couldn't agree more, Representative HILL.

Representative STEVENS, what do you think about the freshman class?

Ms. STEVENS. Well, I am delighted to be among the freshman class, and I am so proud of all of our accomplishments, particularly that we have 18 freshmen chairing subcommittees from all of the various great committees, the Committee on Science, Space, and Technology, the Veterans' Affairs Committee, and the Small Business Committee.

Mr. NEGUSE. Well, I couldn't agree more, and I want to associate myself with the remarks of Representative STEVENS and Representative HILL.

We have got an incredible freshman class in this 116th Congress. Not only is it the youngest and most diverse in history, but we got straight to work. We hit the ground running.

At the end of the day, this freshman class is making a lot of progress, so I would like to give the American people a sense of what the freshman class has been up to.

Over the last two recesses, the freshman class has held over 100 townhalls and over 400 events. That is a lot of events, Representative HILL.

Ms. HILL of California. That is a lot of events, and if you recall, the colleagues that many of us replaced, the former colleagues that many of us replaced, were criticized for not having townhalls. But, in fact, during the February recess alone, freshman Members made up 51 percent of the Members of Congress holding townhalls, even though we make up just 18 percent of Congress.

Mr. NEGUSE. That is right. Congressman ANDY KIM from the great State of New Jersey has held more townhalls in the last 3 months than his predecessor did over the last 4 years, and he has responded to over 5,000 letters from constituents—quite a feat.

Ms. HILL of California. Five thousand letters is a lot of letters.

Congressman DEAN PHILLIPS actually started holding townhalls before he was even sworn in.

Mr. NEGUSE. Well, let me tell you about my friend, Congressman ANTONIO DELGADO, who has held six townhalls over the first in-district work period.

Ms. HILL of California. At her first townhall in Virginia Beach, Congresswoman ELAINE LURIA, whom I am proud to sit on the Armed Services Committee with, brought the Beach's voter registrar and police chief, the head of its affordable housing efforts, and one of the State delegates with her and heard from more 250 people who were attending.

Mr. NEGUSE. Clearly, this freshman class is making townhalls the rule and not the exception. But the freshman class is also taking great care to talk about the issues that really matter to their constituents.

Ms. HILL of California. That is absolutely right. Congressman BRINDISI's Working for Rural New York plan focuses on solving problems rural communities face in his district.

Mr. NEGUSE. Let me tell you about my friend Congresswoman ANGIE CRAIG from the great State of Minnesota, who held a flood briefing to start discussions around different agencies working together in the case of major flooding.

Ms. HILL of California. Well, let me tell you about my friend JOSH HARDER from the great State of California, who is fighting for broadband in rural areas through the Save the Internet Act.

Mr. NEGUSE. I don't want to brag, but I will. Congressman JARED GOLDEN, from the great State of Maine, is advocating to lower the cots of prescription drugs for his constituents.

Ms. HILL of California. And Congresswoman JAHANA HAYES, who was Teacher the Year before, is now fighting to keep guns out of our classrooms.

Mr. NEGUSE. This freshman class truly is legislating with aggressive momentum.

Ms. HILL of California. Oh, we are indeed. Eighteen freshmen are leading House subcommittees, as my colleague, Ms. STEVENS mentioned, including: Congresswoman KENDRA HORN, Congresswoman MIKIE SHERRILL, Congressman TJ COX, Congressman MIKE LEVIN, Congressman HARLEY ROUDA, Congresswoman SUSIE LEE, Congresswoman XOCHITL TORRES SMALL, and Congresswoman LIZZIE FLETCHER.

That is a lot of people. And what is so exciting about that is that there has never been a freshman class with this many people with the gavel.

Mr. NEGUSE. Eighteen freshmen, quite an incredible feat. But I will also say that freshman Members of Congress have had much success legislating.

Congressman MAX ROSE from the great State of New York has had three amendments pass this House, including an amendment to expand childcare services for veterans seeking additional treatment.

Ms. HILL of California. Congressman ANDY LEVIN, who we just heard from, has introduced six pieces of original legislation. That is a lot.

Mr. NEGUSE. Representative HILL, I know that you know my great friend and colleague ABIGAIL SPANBERGER, who was able to include an amendment as part of H.R. 1 that would prevent foreign interference in U.S. elections.

Ms. HILL of California. Well, we really want that foreign interference not happening in any future elections, so I am glad to hear that.

Just this week, Congresswoman KIM SCHRIER introduced bipartisan, bicameral legislation to help prevent child abuse.

Mr. NEGUSE. Congresswoman CHRISSY HOULAHAN created a new bipartisan caucus to represent the interests of veterans.

Ms. HILL of California. Congresswoman ABBY FINKENAUER was the first freshman to have legislation pass the House, a bill to bring Federal investment to small businesses in rural America.

Mr. NEGUSE. I do know that Members of this House would be well familiar with Congressman CHRIS PAPPAS, who has introduced bipartisan legislation to increase protections for first responders on the front lines of our Nation's opioid epidemic.

Ms. HILL of California. My other friend, Congresswoman KATIE PORTER, a fellow member of the Katie Caucus, has introduced bipartisan legislation to make childcare more affordable.

Mr. NEGUSE. All of these accomplishments that Representative HILL and I have outlined that this freshman class has accomplished I think demonstrate that the freshman class is continuing to deliver for the people.

Nearly 100 days into our transformative majority, we have passed major legislation across issue areas.

Ms. HILL of California. A truly sweeping Democratic reform package.

Mr. NEGUSE. The first gun violence prevention legislation passed in nearly a decade.

Ms. HILL of California. The Paycheck Fairness Act and reauthorization of the Violence Against Women Act.

Mr. NEGUSE. So as we conclude and head into the next 100 days, I think it is important to stress that we are going to continue to work to lower the cost of healthcare.

Ms. HILL of California. End corruption in Washington.

Mr. NEGUSE. Raise workers' wages.

Ms. HILL of California. Invest in our Nation's infrastructure and public education system.

Mr. NEGUSE. And, of course, address the existential threat—climate change.

Ms. HILL of California. Above all, we are going to stand up for the people, again, with the full force of this freshman class; and I am so excited to do it with you, Mr. NEGUSE, and with all of my fellow freshman colleagues.

Mr. NEGUSE. As am I, Representative HILL.

Ms. STEVENS. Madam Speaker, I thank Congressman NEGUSE for sharing some of his time with Congresswoman HILL from California.

This Special Order hour has truly been special, and what a delight to reflect on these first 100 days with a historic freshman class in a new season here in the Nation's Capital.

Madam Speaker, I would like to conclude this Special Order hour of the freshman class of the 116th Congress, and I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to yield to each other in debate.

DISTRICT OF COLUMBIA STATEHOOD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Madam Speaker, a week from Tuesday will be what we call Emancipation Day in the District of Columbia. We use that occasion to point out the continued inequality of the residents who live in our Nation's Capital.

Emancipation Day was the day when Abraham Lincoln freed the slaves in the District of Columbia. Yes, there were slaves working in the District of Columbia. It was considered a Southern State. He freed them 9 months before the Emancipation Proclamation freed all slaves.

Yet the residents of the Nation's Capital remain less free than any other Americans. Even without statehood, however, the people of the Nation's Capital have, indeed, made progress.

Madam Speaker, I want to discuss the problems and the progress, especially as we come close to the point when we will bring our D.C. statehood bill to the floor and the House will vote whether to make the District the 51st State.

□ 1915

We recognize we were the last to be free because we are not free yet. We won't be free until the District of Columbia becomes the 51st State of the United States of America.

Now, I recognize, of course, there are no slaves living in the District of Columbia today. But there is not a single free and equal citizen resident of the District of Columbia.

I cannot help but think of the stories that were told me of my great-grandfather, a runaway slave from Virginia. I am a third-generation Washingtonian. He was in the District of Columbia when Lincoln freed the slaves in the District of Columbia, but he was a runaway slave, so he was not free from slavery until 9 months later.

His name was Richard Holmes. My family tells many stories about Richard Holmes. This runaway slave from the District of Columbia came here to work on the streets of the District of Columbia. Actually, he came to get away from slavery.

I don't tell any heroic stories of Richard Holmes. I tell it the way it was told me. When nobody was looking, Richard Holmes just walked off that plantation. He found his way to the District of Columbia. There were not enough workers to build the streets of the District of Columbia, so he was able to get work on the streets building this city.

I understand that slave owners went around the streets of the District of Columbia looking for their slaves. The man who owned Richard Holmes found him and went up to the straw boss and said: That is my slave. I have come to get him.

The straw boss said: You called out a name. That man never answered to that name. No, he is a good worker. He is not your slave.

That is how Richard Holmes, whose name was called out, by the slave

owner, ''Richard,'' remained in the District of Columbia so I could become Eleanor Katherine Holmes and ultimately the Member who represents the District.

''Richard,'' they called out. By not answering to his name, Richard Holmes must have practiced for the day when the slaveholder would come looking for him. That is the kind of discipline I am trying to bring to my work in the Congress because freedom from slavery did not give the residents of the District of Columbia freedom.

Yet we celebrate Emancipation Day. We are pleased that the slaves in the District of Columbia were freed earlier than the Emancipation Proclamation, but that is only because the Federal Government controlled the District of Columbia, and, therefore, Abraham Lincoln could say whether there would be slaves in the District of Columbia.

In a real sense, the Federal Government still has control over the District of Columbia as I speak because the District does not even have full home rule. Yes, in 1973, the District did obtain self government. That means that the District has a Mayor and a city council and governs itself, except when the Congress of the United States decides to intrude. And intrude, it does.

Until Democrats captured the majority this session, I have had to ward off bills to eliminate all the District's gun safety laws, for example. Intrusion can be very dangerous.

Of course, now that Democrats are in the majority, such a bill does not have any chance of getting through. But I have spent most of my time in the Congress in the minority, and whatever I have had to do for the District or get to the District, I have had to do from that perch.

Emancipation Day for the District is, yes, a day off for the District, a holiday. It is just that important to us. There are parades, and there are celebrations. But it is not like George Washington's birthday, and it is not like Abraham Lincoln's birthday. The reason that it is a celebration in the District of Columbia is to remind us, the 700,000 residents who live in the District of Columbia, of our continuing obligation to work until the District and its residents are entirely free.

In this country, even small matters take work. I know because I have small matters pending. But even without the vote, I have been able to get three bills passed in only 3 months of the Congress. What it takes is work. What it takes is an insistence to keep going until you secure what residents deserve.

If I have any frustration, it is not with the work I must do to make the District the 51st State. It is with the knowledge, according to the polls, that most Americans think that the residents of the District of Columbia, their Nation's Capital, have the very same rights that they do. Of course, I am on this floor this evening to make sure that they know we do not.

The new Members who just spoke on the floor must have been shocked because they would have been among the Americans who would have thought we had the same rights that everyone else does before they were elected.

Now, I don't want to say, look, I don't have any rights, and I can't do anything for the District.

You can't face your challenges that way, Madam Speaker. I do vote in committee as the representative of the District of Columbia. I even vote on the House floor.

When I first came to Congress, I reasoned that since I could vote in committee, I ought to be able to vote in the Committee of the Whole. Sometimes we meet in the Committee of the Whole, for example, to vote on amendments. So I went to the Democratic Speaker. It was a Democratic Speaker for the first 2 years I was in Congress, Tom Foley, and I asked to be able to vote on the floor of the House.

He said: Eleanor, nobody ever said the District should be able to vote on the floor of the House, so I will have to ask advice from outside counsel.

Tom Foley sent it to outside counsel. They came back, and they said: Yes, in the Committee of the Whole, if Congress votes to allow her to vote, she should be able to vote on the House floor.

Because there was a Democratic majority, I was given the right to vote on the House floor.

I will never forget what happened afterward. My Republican friends then sued the House for giving me the right to vote on the House floor. They lost in the district court. Then they took it to the court of appeals, and they lost in the court of appeals. They knew better than to take it to the Supreme Court of the United States. So I voted on the House floor then, and I am voting on the House floor again.

I only regret that I have spent most of my time in Congress in the minority, and I have not had that right as often as the Americans I represent deserve.

The District, of course, does not even have full local control. Madam Speaker, you would think that my Republican colleagues would be the first to give them that because the bywords for Republicans are ''federalism'' and ''local control.'' Instead, as I have indicated, they have spent years trying to interfere with the District's local control.

The one thing that ought to guarantee Americans freedom from Federal interference, including the Congress of the United States, is localism. Time and again, I have asked my Republican colleagues to grant me that privilege that they think all Americans should have.

The failure to give the District our full rights is not only a violation of every precept of the American creed, but a violation of treaties that the United States has signed. For example, in 1977, the United States signed the International Covenant on Civil and Political Rights. The Human Rights Committee, which has oversight over that treaty, has said that the United Nations ''remains concerned that residents of the District of Columbia do not enjoy full representation in Congress, a restriction that does not seem to be compatible with article 25 of the covenant,'' the covenant the United States has signed.

One of the reasons it galls the residents of the District of Columbia not to have full rights is that, as this chart shows, the residents pay more Federal taxes than any of the 50 States. Take a look. Mississippi pays the lowest Federal taxes, but it is the District of Columbia at $12,000-plus per person that pays the highest.

If you are from New York or California, Madam Speaker, if you are from Idaho or the other Washington, you pay fewer taxes per capita than the people I represent, but you have more rights than they do.

Nothing better illustrates, I think, in a country where ''taxes'' is often a dirty word, the inequity of paying more taxes than Mississippi while Mississippi has every right the District of Columbia has. I cite Mississippi only because its residednts pay the lowest taxes per capita.

Madam Speaker, there is a second and perhaps more important reason to claim our full citizenship. That, of course, is that the residents of your Nation's Capital have fought and died in every war, including the war that created the United States of America, the Revolutionary War.

On this chart, we show the sacrifices during the 20th century when the United States fought major world wars. World War I, 635 D.C. casualties, that was more than three States. Understand, we are a city. We are smaller than most States, though about the size of seven States, but we had more casualties than three States. The Korean war, 575 D.C. casualties, that was more casualties than eight States. Moving on to World War II, we find 3,575 casualties. Note the number is going up, but that is more casualties than four States. Finally, the Vietnam war, 243 D.C. casualties, that was more than 10 States.

□ 1930

It is one thing to have given your treasure; it is quite another to have given the lives of your citizens.

The District, for most of its existence, has had fewer African Americans than White people. That is not the case today. It is about equal White and Black citizens.

But, when I speak of war casualties, I am reminded of citizens who have especially distinguished themselves in time of war:

The first African American general was born and raised in the District of Columbia;

The first African American Air Force general was also born in the District of Columbia;

The first African American Naval Academy graduate, born here in the District of Columbia; and

The first African American Air Force Academy graduate, born in the District of Columbia.

I cite these African Americans because the District was a segregated city as well. With segregation and no vote, you see African Americans distinguishing themselves in the Armed Forces of the United States, fighting for their country.

So we move forward to today, and we see great progress on our statehood bill. Every Democratic Senator now backs the findings of H.R. 1.

H.R. 1 is a democracy bill. It calls for many kinds of improvements in democracy, and in that bill is included findings that lay out the case for D.C. statehood. That means that those who have voted for H.R. 1 here in the House have also voted to approve statehood.

The Senate has a similar bill, but with only three sections. It is Leader Chuck Schumer's bill. Their proposals are not as fulsome as H.R. 1, but has three major components: restoring the Voting Rights Act; establishing national automatic voter registration laws; and, yes, D.C. statehood.

D.C. statehood, for Democratic Senators, ranks just that high, along with the national voting rights bills cited. In both of our Chambers, Speaker NANCY PELOSI and Minority Leader CHUCK SCHUMER have been full-throated supporters of D.C. statehood.

We are taking two paths to statehood, however, because so much of home rule remains unfinished. Most of home rule is done, but I think most Americans would be amazed to find out how much is not done.

For example, the District's budget still has to come to the House of Representatives. We can get budget autonomy by vote of the House and the Senate without going all the way to statehood.

Or, take a life-and-death matter. We are now in the midst of climate change with all kinds of weather we had not seen. If there are floods in the District of Columbia or hurricanes, the District of Columbia cannot call out its own D.C. National Guard. It has got to go to the President of the United States to ask him to call out the D.C. National Guard.

For goodness' sake, by the time it goes up the chain of command, half of D.C. could be blown away. That is life and death. That is what every single State has, and D.C. can get that without statehood.

So, while we recognize that in order to get statehood we would have a tough time in the Senate, we also rely on making sure that we complete home rule with matters having to do with the District of Columbia as another way to move toward getting more of our rights.

Now, again, I don't want to leave the impression that because I don't have the final vote on the House floor I just can't get anything done. I have passed three laws—the third month of Congress, going into the fourth month—already, without being able to vote for those bills.

And, I must say, I am very humbled, but I also am proud at the same time, that the organization that ranks Members of Congress has ranked me as the most effective Democrat in the Congress, and that is without having a vote.

To quote them, they said: The Center defines legislative effectiveness as the ''proven ability to advance a Member's agenda items through the legislative process and into law.'' That means passing bills. And it went on to say that Norton's ranking is ''noteworthy because she is a nonvoting Member.''

I point that out because I don't want my residents, especially, to hear me here on the floor indicating how important statehood is to then say: Well, I don't guess ELEANOR HOLMES NORTON can do anything for us until she finally gets statehood.

I point out that I will be measured not by whether I got statehood. I may not get it. I will be measured by what I was able to get for the District of Columbia, whose residents voted for me to come to Congress.

Yes, only statehood can give the District the bucket of rights, the full bucket it is entitled to. Only statehood can make the District fully equal to the residents of the States. Only statehood can mean for the District what it means for the smallest States, that you can have two Senators as well as a Member of the House.

The District of Columbia has no Senators, so I have to do the work of both Houses. That is not how it is supposed to work.

So, instead of being disheartened, I am, indeed, elated that we already have 202 sponsors, or cosponsors, for D.C. statehood. It takes 218 to pass the bill.

People rushed onto the bill because of the knowledge that there is something wrong that there are people in our country who do not have the same rights that others have, and for no good reason.

If you were to ask people, ''Well, why not?'' today they would not be able to tell you. Without going into elaborate detail, I will tell you that it was a fluke that the District does not have full rights, a fluke having to do with a mishap or an incident when the Capitol was in Philadelphia and the troops from the Revolutionary War marched on the then-Capitol demanding their pensions.

The Framers were caught flat-footed and said: Oh, my goodness. We better make sure that the Capitol is not part of any State, and this is part of Pennsylvania.

Well, of course, we know that that was cured long ago. The District should not be part of any State, doesn't want to be part of any State, but there are plenty of armed troops to protect the District from people marching on the District or the Capitol for their pensions or any other rights.

I am grateful to represent the District of Columbia. I am grateful because I love a good fight. I loved it as a kid in the civil rights movement. I loved it when I grew up in the District of Columbia, going to segregated schools and recognizing that all I had to do was get a good education and I could get out of that too.

But I take it as an honor and a privilege to represent residents who, in each and every way, are fully equal to each and every American and to do all that I possibly can to make that feeling reality in the United States of America.

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

SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced her signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 7.—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.

ADJOURNMENT

Ms. NORTON. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 10, 2019, at 9 a.m.

NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,
OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS,
April 9, 2019, Washington, DC.

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

DEAR MADAM SPEAKER: Section 303(a) of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1383(a), provides that the Executive Director of the Office of Congressional Workplace Rights ''shall, subject to the approval of its Board of Directors, adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner.'' Section 303(b) of the Act, 2 U.S.C. 1383(b), further provides that the Executive Director ''shall publish a general notice of proposed rulemaking'' and ''shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day of which both Houses are in session following such transmittal.''

Having obtained the approval of the Board, I am transmitting the attached notice of proposed procedural rulemaking to the Speaker of the House. I request that this notice be published in the section of the Congressional Record for the House of Representatives on the first day on which both Houses are in session following the receipt of this transmittal. In compliance with section

303(b) of the CAA, a comment period of 30 days after the publication of this notice of proposed rulemaking is being provided before adoption of the rules.

Any inquiries regarding this notice should be addressed to Susan Tsui Grundmann, Executive Director of the Office of Congressional Workplace Rights, Room LA–200, 110 2nd Street SE, Washington, DC 20540; telephone: 202–724–9250.

Sincerely,

SUSAN TSUI GRUNDMANN,
Executive Director,
Office of Congressional Workplace Rights.

FROM THE EXECUTIVE DIRECTOR OF THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS: NOTICE OF PROPOSED RULEMAKING AND REQUEST FOR COMMENTS FROM INTERESTED PARTIES

PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE, NOTICE OF PROPOSED RULEMAKING, AS REQUIRED BY 2 U.S.C. §1383, THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED

Introductory Statement

Shortly after the enactment of the Congressional Accountability Act (CAA or the Act) in 1995, Procedural Rules were adopted to govern the processing of cases and controversies under the administrative procedures established in subchapter IV of the CAA. 2 U.S.C. 1401–07. Those Rules of Procedure were amended in 1998, 2004, and again in 2016. The existing Rules of Procedure are available in their entirety on the public website of the Office of Congressional Workplace Rights (OCWR): www.ocwr.gov.

Pursuant to section 303(a) of the CAA (2 U.S.C. 1383(a)), the Executive Director of the OCWR has obtained approval of its Board of Directors regarding certain amendments to the Rules of Procedure.

After obtaining the Board's approval, the OCWR Executive Director must then ''publish a general notice of proposed rulemaking . . . for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.'' (Section 303(b) of the CAA, 2 U.S.C. 1383(b)).

Notice

Comments regarding the proposed amendments to the OCWR Procedural Rules set forth in this NOTICE are invited for a period of thirty (30) days following the date of the appearance of this NOTICE in the Congressional Record. In addition to being posted on the OCWR's website (www.ocwr.gov), this NOTICE is also available in alternative formats. Requests for this NOTICE in an alternative format should be made to the Office of Congressional Workplace Rights, at 202–724–9272 (voice). Submission of comments must be made in writing to the Executive Director, Office of Congressional Workplace Rights, 110 Second Street, S.E., Room LA–200, Washington, D.C. 20540–1999. It is requested, but not required, that an electronic version of any comments be provided via e-mail to: Alexander Ruvinsky, Alexander.Ruvinsky@ocwr.gov. Comments may also be submitted by facsimile to the Executive Director at 202–426–1913 (a non toll-free number). Those wishing to receive confirmation of the receipt of their comments are requested to provide a self-addressed, stamped post card with their submission. Copies of submitted comments will be available for review on the OCWR's public website at www.ocwr.gov.

Supplementary Information

The Congressional Accountability Act of 1995, Pub. L. No. 104–1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 13 federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 301 of the CAA (2 U.S.C. 1381) establishes the OCWR as an independent office within that branch. Section 303 of the CAA (2 U.S.C. 1383) directs the Executive Director, as Chief Operating Officer, to adopt rules of procedure governing the OCWR, subject to approval by the Board of Directors of the Office. The OCWR Rules of Procedure establish the process by which alleged violations of the 13 laws made applicable to the legislative branch under the CAA are considered and resolved.

On December 21, 2018, the Congressional Accountability Act of 1995 Reform Act was signed into law. (Pub. L. No. 115–397). The new law reflects the first set of comprehensive reforms to the CAA since 1995. Among other reforms, the Act substantially modifies the administrative dispute resolution (ADR) process under the CAA, including: providing for preliminary hearing officer review of claims; requiring current and former Members of Congress to reimburse awards or settlement payments resulting from harassment or retaliation claims; requiring certain employing offices to reimburse payments resulting from specified claims of discrimination; and appointing advisers to provide confidential information to legislative branch employees about their rights under the CAA. Most changes to the ADR process will be effective 180 days from the date of enactment of the Reform Act, i.e., on June 19, 2019.

These proposed amendments to the OCWR's Procedural Rules are the result of the OCWR's comprehensive review of the OCWR's procedures in light of the changes in the Reform Act to the ADR program, and they reflect the OCWR's experience processing disputes under the CAA since the original adoption of these Rules in 1995.

Scope of Comments Requested

The OCWR asks commenters to provide their views on the changes to the Procedural Rules proposed by the OCWR.

Summary of the Changes

Subpart A. Subpart A of the Procedural Rules covers general provisions pertaining to scope and policy, definitions, and information on various filings and computation of time. The OCWR's proposed amendments to subpart A provide additional definitions, and also clarify pleading requirements and procedures concerning confidentiality.

Subpart B. Currently, subpart B of the Procedural Rules sets forth the pre-complaint procedures applicable to consideration of alleged violations of sections 201 through 207 of the CAA, which concern employment discrimination, family and medical leave, fair labor standards, employee polygraph protection, worker adjustment and retraining, employment and reemployment of veterans, and reprisal. Specifically, subpart B sets forth procedures for mandatory pre-complaint counseling and mediation, as well as the statutory election to file either an administrative complaint with the OCWR or a civil action in a U.S. district court. Under the CAA Reform Act, however, counseling and mediation are no longer mandatory jurisdictional prerequisites to adjudication of an alleged violation of sections 201–07 of the CAA. Therefore, the OCWR proposes to remove the procedures for mandatory counseling and mandatory mediation from subpart B. Under the proposed rules, the remaining provisions of subpart B—which concern mediation and the statutory election—appear in subpart D.

The OCWR proposes to reserve a new subpart B for proposed rules and procedures for enforcement of the inspection, investigation and complaint sections 210(d) and (f) of the CAA, which relate to Public Services and Accommodations under titles II and III of the Americans with Disabilities Act. (Subpart C had been reserved for these rules since 1995.)

Subpart C. The OCWR proposes to redesignate the contents of current subpart D as subpart C. Therefore, sections 3.01 through 3.15 of this subpart prescribe rules and procedures for enforcement of the inspection and citation provisions of section 215(c)(1) through (3) of the CAA, which concern the protections set forth in the Occupational Safety and Health Act of 1970 (OSHAct). Sections 3.20 through 3.31 contain rules of practice for administrative proceedings to grant variances and other relief under sections 6(b)(6)(A) and 6(d) of the OSHAct, as applied by section 215(c)(4) of the CAA. The proposed modifications to subpart C reflect nomenclature changes only. The modifications clarify that references to the ''Hearing Officer'' in this subpart are to the ''Merits Hearing Officer'' (defined in these proposed rules as the individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office's jurisdiction under section 405 of the Act), and not the ''Preliminary Hearing Officer'' (defined in these proposed rules as the individual appointed by the Executive Director to make a preliminary review of claims arising under sections 102(c) and 201 through 207 of the CAA).

Subparts D and E. The Procedural Rules currently set forth a single set of procedures for filing ''complaints'' under the CAA, whether the complaint is filed with the OCWR by an employee alleging violations of sections 201 through 207 of the Act, or by the OCWR General Counsel alleging violations of sections 210, 215 or 220 of the Act. The CAA Reform Act, however, uses the word ''claim'' to refer to an alleged violation of sections 201 through 207 of the Act (as well as an alleged violation of section 102(c) of the Act, which incorporates the protections of the Genetic Information Nondisclosure Act). As a result, the term ''complaint'' in the CAA refers only to violations alleged by the OCWR General Counsel.

Because the procedures in the Reform Act governing employee ''claims'' differ significantly from those governing General Counsel ''complaints,'' these proposed rules set forth separate procedures for each. Therefore, subpart D, which concerns employee ''claims,'' includes new procedures for informal employee requests for advice and information; confidential advising services; filing of claims; electing to file a civil action; initial processing and transmission of claims to parties; notification requirements; voluntary mediation; preliminary review of claims by a ''Preliminary Hearing Officer;'' requesting an administrative hearing before a ''Merits Hearing Officer;'' summary judgment and withdrawal of claims; confidentiality requirements; and automatic referral to congressional ethics committees.

Proposed subpart E, which concerns General Counsel complaints, sets forth procedures for filing complaints, appointment of the Merits Hearing Officer, dismissals, summary judgment, withdrawal of complaints, and confidentiality requirements. The new provisions in the Reform Act governing matters such as confidential advising services, preliminary review of claims, and automatic referral to congressional ethics committees, do not apply to OCWR General Counsel complaints alleging violations of sections 210, 215 or 220 of the Act. Therefore, they are not addressed in proposed subpart E.

Subparts F–H. Subparts F and G include the process for the conduct of administrative hearings held as the result of the filing of an administrative claim or an administrative complaint. Subpart H sets forth the procedures for appeals of decisions by Hearing Officers to the OCWR Board of Directors and for appeals of decisions by the Board of Directors to the United States Court of Appeals for the Federal Circuit.

Proposed amendments to subpart F concern such matters as depositions requests in cases in which a Member of Congress is an intervenor, rulings on motions to quash and motions to limit, and formal requirements for sworn statements. Proposed amendments to subpart G clarify the Merits Hearing Officer's authority concerning frivolous claims, defenses, and arguments. The proposed amendments also set forth the substantive requirements for the Merits Hearing Officer's written decision, including required findings when a final decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, which requires Members of the House of Representatives and the Senate to reimburse the ''compensatory damages'' portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 of the Act that the Member is found to have ''committed personally.'' Proposed Amendments to subpart H concern appellate proceedings before the Board. They clarify that a report on preliminary review pursuant to section 402(c) of the CAA is not appealable to the Board.

Subpart I. Subpart I concerns other matters of general applicability to the dispute resolution process and to the OCWR's operations. Proposed amendments to subpart I concern requests for attorney fees in arbitration proceedings; informal resolution of disputes; general requirements for formal settlement agreements—including settlement of cases making allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act.

The proposed amendments to subpart I also concern payments governed by section 415(a) of the CAA, which provides, in relevant part, that ''only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements under this chapter.'' Pursuant to section 415(a), the OCWR, through its Executive Director, prepares and processes requisitions for disbursements from the Treasury account established pursuant to section 415(a) when qualifying final decisions, awards, or approved settlements require the payment of funds. These proposed amendments provide further guidance for processing certifications of payments from the funds appropriated to the Section 415(a) Treasury Account. They are based on regulations issued by the Department of Treasury's Bureau of Fiscal Services at 31 C.F.R. part 256, which provide guidance to agencies in the executive branch for submitting requests for payments from the Judgment Fund, which is a permanent, indefinite appropriation that is available to pay many judicially and administratively ordered monetary awards against the United States. The proposed amendments also concern reimbursement to the Section 415(a) Treasury Account in cases when the Act requires: (1) Members of the House of Representatives and the Senate to reimburse the ''compensatory damages'' portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 that the Member is found to have ''committed personally;'' and (2) employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

The proposed amendments to subpart I also add a new section governing the requirement in the Reform Act that employing offices must post and keep posted in conspicuous places on their premises the notices provided by the OCWR, which contain information about employees' rights and the OCWR's ADR process, along with OCWR contact information. Finally, the proposed amendments set forth rules concerning the new requirement in the Reform Act that each employing office (other than any employing office of the House of Representatives or any employing office of the Senate) submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

Explanation Regarding the Text of the Proposed Amendments

Only subsections of the Procedural Rules that include proposed amendments are reproduced in this NOTICE. The insertion of a series of five asterisks (* * * * *) indicates that a whole section or paragraph, including its subordinate sections paragraphs, is unchanged, and has not been reproduced in this document. The insertion of a series of three asterisks (* * *) indicates that the unamended text of higher level sections or paragraphs remain unchanged when text is changed at a subordinate level, or that preceding or remaining sentences in a paragraph are unchanged. For the text of other portions of the Procedural Rules which are not proposed to be amended, please access the Office of Congressional Workplace Rights public website at www.ocwr.gov.

Proposed Amendments

For the reasons set forth in the preamble, the OCWR proposes to amend subparts A through I of its Procedural Rules as follows:

SUBPART A—[AMENDED]

[Table of contents omitted]

1. Revise section 1.01 to read as follows:

§ 1.01 Scope and Policy

These Rules of the Office of Congressional Workplace Rights (OCWR) govern the procedures for considering and resolving alleged violations of the laws made applicable under parts A, B, C, and D of title II of the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018. The Rules include definitions and procedures for seeking confidential advice, preliminary review, mediation, filing a claim or complaint, and electing between filing a claim with the OCWR and filing a civil action in a United States district court under part A of title II of the CAA. The Rules also address the procedures for compliance, investigation, and enforcement under part B of title II, and for compliance, investigation, enforcement, and variance under part C of title II. The Rules include procedures for the conduct of hearings held as a result of the filing of a claim or complaint and for appeals to the OCWR Board of Directors from Merits Hearing Officers' decisions; as well as other matters of general applicability to the dispute resolution process and to the OCWR's operations. It is the OCWR's policy that these Rules shall be applied with due regard to the rights of all parties and in a manner that expedites the resolution of disputes.

2. Revise section 1.02 to read as follows:

§ 1.02 Definitions.

Except as otherwise specifically provided, the following are the definitions of terms used in these Rules:

(a) *Act.*—The term ''Act'' means the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018.

(b) *Board.*—The term ''Board'' means the Board of Directors of the Office of Congressional Workplace Rights.

(c) *Chair.*—The term ''Chair'' means the Chair of the Board of Directors of the Office of Congressional Workplace Rights.

(d) *Claim.*—The term ''claim'' means the allegations of fact that the claimant contends constitute a violation of part A of title II of the Act, which includes sections 102(c) and 201–207 of the Act.

(e) *Claim Form.*—The term ''claim form'' means the written pleading an individual files to initiate proceedings with the Office of Congressional Workplace Rights that describes the facts and law supporting the alleged violation of part A of title II of the Act, which includes sections 102(c) and 201–207 of the Act. The ''claim form'' also may be referred to as the ''documented claim.''

(f) *Claimant.*—The term ''claimant'' means the individual filing a claim form with the Office of Congressional Workplace Rights.

(g) *Complaint.*—The term ''complaint'' means the written pleading filed by the Office by the General Counsel with the Office of Congressional Workplace Rights that describes the facts and law supporting the alleged violation of sections 210(d)(3), 215(c)(3) or 220(c)(2) of the Act.

(h) *Confidential Advisor.*—A ''Confidential Advisor'' means, pursuant to section 382 of the Act, a lawyer appointed or designated by the Executive Director to offer to provide covered employees certain services, on a privileged and confidential basis, which a covered employee may accept or decline. A Confidential Advisor is not the covered employee's designated representative.

Covered Employee.—see ''Employee, Covered,'' below.

(i) *Designated Representative.*—The term ''designated representative'' means an individual, firm, or other entity designated in writing by a party to represent the interests of that party in a matter filed with the Office.

(j) *Direct Act.*—The term ''direct act,'' with regard to a Library claimant, means a statute (other than the Act) that is specified in sections 201, 202, or 203 of the CAA.

(k) *Direct Provision.*—The term ''direct provision,'' with regard to a Library claimant, means a direct act provision (including a definitional provision) that applies the rights or protections of a direct act (including the rights and protections relating to nonretaliation or noncoercion).

(l) *Employee.*—The term ''employee'' includes an applicant for employment and a former employee.

(m) *Employee, Covered.*—The term ''covered employee'' means any employee of

(1) the House of Representatives;

(2) the Senate;

(3) the Office of Congressional Accessibility Services;

(4) the Capitol Police;

(5) the Congressional Budget Office;

(6) the Office of the Architect of the Capitol;

(7) the Office of the Attending Physician;

(8) the Library of Congress, except for section 220 of the Act;

(9) the Office of Congressional Workplace Rights;

(10) the Office of Technology Assessment;

(11) the John C. Stennis Center for Public Service Training and Development;

(12) the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission;

(13) to the extent provided by sections 204–207 and 215 of the Act, the Government Accountability Office; or

(14) unpaid staff, as defined below in subparagraph 1.02(r) of the Rules.

(n) *Employee of the Office of the Architect of the Capitol.*—The term ''employee of the Office of the Architect of the Capitol'' includes any employee of the Office of the Architect of the Capitol, or the Botanic Garden.

(o) *Employee of the Capitol Police.*—The term ''employee of the Capitol Police'' includes civilian employees and any member or officer of the Capitol Police.

(p) *Employee of the House of Representatives.*—The term ''employee of the House of Representatives'' includes an individual occupying a position the pay for which is disbursed by the Chief Administrative Officer of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(q) *Employee of the Senate.*—The term ''employee of the Senate'' includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(r) *Employee, Unpaid Staff.*—The term ''unpaid staff'' means:

(1) any staff member of an employing office who carries out official duties of the employing office but who is not paid by the employing office for carrying out such duties (also referred to as an ''unpaid staff member''), including an intern, an individual detailed to an employing office, and an individual participating in a fellowship program, in the same manner and to the same extent that section 201(a) and (b) of the Act applies to a covered employee; and

(2) a former unpaid staff member, if the act(s) that may be a violation of section 201(a) of the Act occurred during the service of the former unpaid staffer for the employing office.

(s) *Employing Office.*—The term ''employing office'' means:

(1) the personal office of a Member of the House of Representatives or a Senator;

(2) a committee of the House of Representatives or the Senate or a joint committee;

(3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate;

(4) the Office of Congressional Accessibility Services, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Congressional Workplace Rights;

(5) the Library of Congress, except for section 220 of the Act;

(6) the John C. Stennis Center for Public Service Training and Development, the Office of Technology Assessment, the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission; or

(7) to the extent provided by sections 204–207 and 215 of the Act, the Government Accountability Office.

(t) *Executive Director.*—The term ''Executive Director'' means the Executive Director of the Office of Congressional Workplace Rights.

(u) *Final Disposition.*—The term ''final disposition'' of a claim under section 416(d) of the Act means any of the following:

(1) An order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation under section 404 of the Act;

(2) A final decision of a hearing officer under section 405(g) of the Act that is no longer subject to review by the Board under section 406;

(3) A final decision of the Board under section 406(e) of the Act that is no longer subject to appeal to the United States Court of Appeals for the Federal Circuit under section 407;

(4) A final decision in a civil action under section 408 of the Act that is no longer subject to appeal; or

(5) A final decision of an appellate court, to include the United States Court of Appeals for the Federal Circuit, that is no longer subject to review.

(v) *General Counsel.*—The term ''General Counsel'' means the General Counsel of the Office of Congressional Workplace Rights.

(w) *Hearing.*—A ''hearing'' means an administrative hearing as provided in section 405 of the Act, subject to Board review as provided in section 406 of the Act and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407 of the Act.

(x) *Hearing Officer.*—The term ''Hearing Officer'' means any individual appointed by the Executive Director to preside over administrative proceedings within the Office of Congressional Workplace Rights.

(y) *Hearing Officer, Merits.*—The term ''Merits Hearing Officer'' means any individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office's jurisdiction under section 405 of the Act.

(z) *Hearing Officer, Preliminary.*—The term ''Preliminary Hearing Officer'' means an individual appointed by the Executive Director to make a preliminary review of the claim(s) and to issue a preliminary review report on such claim(s), as provided in section 403 of the Act.

(aa) *Intern.*—The term ''intern,'' for purposes of section 201(a) and (b) of the Act, means an individual who, for an employing office, performs service which is uncompensated by the United States to earn credit awarded by an educational institution or to learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.

(bb) *Library Claimant.*—A ''Library claimant'' is a covered employee of the Library of Congress who initially brings a claim, complaint, or charge under a direct provision for a proceeding before the Library of Congress and who may, prior to requesting a hearing under the Library of Congress' procedures, elect to—

(1) continue with the Library of Congress' procedures and preserve the option (if any) to bring any civil action relating to the claim, complaint, or charge, that is available to the Library claimant; or

(2) file a claim with the Office under section 402 of the Act and continue with the corresponding procedures of this Act available and applicable to a covered employee.

(cc) *Library Visitor.*—The term ''Library visitor'' means an individual who is eligible to allege a violation under title II or III of the Americans with Disabilities Act of 1990 (other than a violation for which the exclusive remedy is under section 201 of the Act) against the Library of Congress.

(dd) *Member or Member of Congress.*—The terms ''Member'' and ''Member of Congress'' mean a United States Senator, a Representative in the House of Representatives, a Delegate to Congress, or the Resident Commissioner from Puerto Rico.

Merits Hearing Officer.—see ''Hearing Officer, Merits,'' above.

(ee) *Office.*—The term ''Office'' means the Office of Congressional Workplace Rights.

(ff) *Party.*—The term ''party'' means:

(1) an employee or employing office in a proceeding under part A of title II of the Act;

(2) a charging individual, an entity alleged to be responsible for correcting a violation, or the General Counsel in a proceeding under part B of title II of the Act;

(3) an employee, employing office, or as appropriate, the General Counsel in a proceeding under part C of title II of the Act;

(4) a labor organization, individual employing office or employing activity, or as appropriate, the General Counsel in a proceeding under part D of title II of the Act; or

(5) any individual, office, Member of Congress, or organization that has intervened in a proceeding.

Preliminary Hearing Officer.—see ''Hearing Officer, Preliminary,'' above.

(gg) *Respondent.*—The term ''respondent'' means the party against which a claim, a complaint, or a petition is filed.

(hh) *Senior Staff.*—The term ''senior staff,'' for purposes of the reporting requirement of the House and Senate Ethics Committees under the Act, means any individual who is employed in the House of Representatives or the Senate who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 *et seq.*).

Unpaid Staff.—see ''Employee, Unpaid Staff,'' above.

3. Amend section 1.03 by:

(a) Revising paragraph (a)(1);

(b) Revising the first four sentences of paragraph (a)(3); and

(c) Revising the first five sentences of paragraph (a)(4).

The revisions read as follows:

§ 1.03 Filing and Computation of Time.

(a) * * *

(1) *In Person.* A document shall be deemed timely filed if it is hand delivered to the Office at: Adams Building, Room LA–200, 110 Second Street, S.E., Washington, D.C. 20540–1999, before 5:00 p.m. Eastern Time on the last day of the applicable time period.

(2) * * *

(3) *By Fax.* Documents transmitted by fax machine will be deemed filed on the date received at the Office at 202–426–1913, or on the date received at the Office of the General Counsel at 202–426–1663 if received by 11:59 p.m. Eastern Time. Faxed documents received after 11:59 p.m. Eastern Time will be deemed filed the following business day. A fax filing will be timely only if the document is received no later than 11:59 p.m. * * *

(4) *By Electronic Mail.* Documents transmitted electronically will be deemed filed on the date received at the Office at ocwrefile@ocwr.gov, or on the date received at the Office of the General Counsel at OSH@ocwr.gov if received by 11:59 p.m. Eastern Time. Documents received electronically after 11:59 p.m. Eastern Time will be deemed filed the following business day. An electronic filing will be timely only if the document is received no later than 11:59 p.m. Eastern Time on the last day of the applicable filing period. Any party filing a document electronically is responsible for ensuring both that the document is timely and accurately transmitted and for confirming that the Office has received the document. * * *

* * * * *

4. Amend section 1.04 by:

(a) Revising paragraph (a);

(b) Revising the first sentence of paragraph (b); and

(c) Revising paragraphs (c) through (d).

The revisions read as follows:

§ 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses, and Other Documents.

(a) *Filing with the Office; Number and Form.* One copy of claims, General Counsel complaints, requests for mediation, requests for inspection under OSH, unfair labor practice charges, charges under titles II and III of the Americans with Disabilities Act of 1990, all motions, briefs, responses, and other documents must be filed with the Office. A party

may file an electronic version of any submission in a format designated by the Board, the Executive Director, the General Counsel, or the Merits Hearing Officer, with receipt confirmed by electronic transmittal in the same format.

(b) *Service*. The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than the request for advising, the request for mediation, and the claim. * * *

(c) *Time Limitations for Response to Motions or Briefs and Reply*. Unless otherwise specified by the Merits Hearing Officer or these Rules, a party shall file a response to a motion or brief within 15 days of the service of the motion or brief upon the party. Any reply to such response shall be filed and served within 5 days of the service of the response. Only with the Merits Hearing Officer's advance approval may either party file additional responses or replies.

(d) *Size Limitations*. Except as otherwise specified no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 double-spaced pages, exclusive of the table of contents, table of authorities and attachments. The Board, the Executive Director, or the Merits Hearing Officer may modify this limitation upon motion and for good cause shown, or on their own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-½″ x 11″). If a filing exceeds 35 double-spaced pages, the Board, the Executive Director, or the Merits Hearing Officer may, in their discretion, reject the filing in whole or in part, and may provide the parties an opportunity to refile.

5. Amend section 1.05 by revising paragraph (a). The revisions read as follows:

§ 1.05 Signing of Pleadings, Motions, and Other Filings; Violation of Rules; Sanctions.

(a) *Signing*. Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. In the case of an electronic filing, an electronic signature is acceptable. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, each of the following is correct:

(1) It is not presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter;

(2) The claims, defenses, and other legal contentions the party advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further review or discovery; and

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

* * * * *

6. Amend section 1.06 by:

(a) Revising paragraph (a);

(b) Revising the first sentence of paragraph (b);

(c) Revising paragraphs (c) through (d); and

(d) Removing paragraph (f).

The revisions read as follows:

§ 1.06 Availability of Official Information.

(a) *Policy*. It is the policy of the Board, the Executive Director, and the General Counsel, except as otherwise ordered by the Board, to make available for public inspection and copying final decisions and orders of the Board and the Office, as specified and described in subparagraph (d) below.

(b) *Availability*. Any person may examine and copy items described in paragraph (a) above at the Office of Congressional Workplace Rights, Adams Building, Room LA–200, 110 Second Street SE, Washington, D.C. 20540–1999, under conditions prescribed by the Office, including requiring payment for copying costs, and at reasonable times during normal working hours so long as it does not interfere with the efficient operations of the Office. * * *

(c) *Copies of Forms*. Copies of blank forms prescribed by the Office for the filing of claims, complaints, and other actions or requests may be obtained from the Office or online at *www.ocwr.gov*.

* * * * *

(f) [Removed]

7. Amend section 1.07 by republishing the first two sentences of paragraph (c) and revising the third sentence of paragraph (c). The revisions read as follows:

§ 1.07 Designation of Representative.

* * * * *

(c) *Revocation of a Designation of Representative*. A revocation of a designation of representative, whether made by the party or by the representative with notice to the party, must be made in writing and filed with the Office. The revocation will be deemed effective the date of receipt by the Office. Consistent with any applicable statutory time limit, at the discretion of the Executive Director, General Counsel, mediator, hearing officer, or Board, additional time may be provided to allow the party to designate a new representative as consistent with the Act.

8. Amend section 1.08 by:

(a) Revising paragraphs (a) through (e); and

(b) Republishing paragraph (f).

The revisions read as follows:

§ 1.08 Confidentiality.

(a) *Policy*. Except as provided in sections 302(d) and 416(c), (d), and (e) of the Act, the Office shall maintain confidentiality in the confidential advising process, mediation, and the proceedings and deliberations of hearing officers and the Board in accordance with sections 302(d)(2)(B) and 416(a)–(b) of the Act.

(b) *Participant*. For the purposes of this rule, ''participant'' means an individual or entity who takes part as either a party, witness, or designated representative in confidential advising under section 302(d) of the Act, mediation under section 404, the claim and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(c) *Prohibition*. Unless specifically authorized by the provisions of the Act or by these rules, no participant in the confidential advising process, mediation, or other proceedings made confidential under section 416 of the Act may disclose a written or an oral communication that is prepared for the purpose of or that occurs during the confidential advising process, mediation, and the proceedings and deliberations of Hearing Officers and the Board.

(d) *Exceptions*. Nothing in these rules prohibits a party or its representative from disclosing information obtained in mediation or hearings when reasonably necessary to investigate claims, ensure compliance with the Act, or prepare its prosecution or defense. However, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information. These rules do not preclude a mediator from consulting with the Office, except that when the covered employee is an employee of the Office, a mediator shall not consult with any individual within the Office who is or who might be a party or witness. These rules do not preclude the Office from reporting information to the Senate and House of Representatives as required by the Act.

(e) *Contents or Records of Mediation or Hearings*. For the purpose of this rule, the contents or records of the confidential advising process, mediation or other proceeding includes the information disclosed by participants to the proceedings, and records disclosed by the opposing party, witnesses, or the Office. A participant is free to disclose facts and other information obtained from any source outside of the mediation or hearing. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, a claimant who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a claimant may be disclosed by that claimant, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(f) *Sanctions*. The Executive Director will advise all participants in the mediation and hearing at the time they became participants of the confidentiality requirements of section 416 of the Act and that sanctions may be imposed by a Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.

SUBPART B—[AMENDED]

[Table of contents omitted]

Amend subpart B by:

(1) Removing sections 2.01 through 2.07; and

(2) Reserving subpart B for rules concerning ''Compliance, Investigation, and Enforcement under Section 210 of the Act (ADA Public Services)—Inspections and Complaints''

SUBPART C—[REDESIGNATED AND AMENDED]

[Table of contents omitted]

1. Amend subpart C by:

(a) Redesignating subpart D as subpart C, and amending the references as indicated in the table below:

Old Section	New Section
4.01	3.01
4.02	3.02
4.03	3.03
4.04	3.04
4.05	3.05
4.06	3.06
4.07	3.07
4.08	3.08
4.09	3.09
4.10	3.10
4.11	3.11
4.12	3.12
4.13	3.13
4.14	3.14
4.15	3.15
4.20	3.20
4.21	3.21
4.22	3.22
4.23	3.23
4.24	3.24
4.25	3.25
4.26	3.26
4.27	3.27
4.28	3.28
4.29	3.29
4.30	3.30
4.31	3.31

(b) In subpart C, when referencing sections 4.01 through 4.15 or 4.20 through 4.31, writing the corresponding new section number as indicated in the table above.

2. Amend redesignated section 3.07 by revising the last sentence of paragraph (g)(1) as follows:

* * * * *

§ 3.07 Conduct of Inspections.

* * * * *

(g) *Trade Secrets.*

(1) * * * In any such proceeding the Merits Hearing Officer or the Board shall issue such orders as may be appropriate to protect the confidentiality of trade secrets.

4. Amend redesignated section 3.14 by revising the second sentence of paragraph (b) as follows:

§ 3.14 Failure to Correct a Violation for Which a Citation Has Been Issued; Notice of Failure to Correct Violation; Complaint.

* * * * *

(b) * * * The complaint shall be submitted to a Merits Hearing Officer for decision pursuant to subsections (b) through (h) of section 405 of the Act, subject to review by the Board pursuant to section 406. * * *

3. Amend redesignated section 3.22 by revising the second sentence as follows:

§ 3.22 Effect of Variances.

* * * In its discretion, the Board may decline to entertain an application for a variance on a subject or issue concerning which a citation has been issued to the employing office involved and a proceeding on the citation or a related issue concerning a proposed period of abatement is pending before the General Counsel, a Merits Hearing Officer, or the Board until the completion of such proceeding.

4. Amend redesignated section 3.25 by:

(a) Revising the second sentence of paragraph (a); and

(b) Revising the second sentence of paragraph (c)(1).

The revisions read as follows:

§ 3.25 Applications for Temporary Variances and Other Relief.

(a) *Application for Variance.* * * * Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406. * * *

* * * * *

(c) *Interim Order.*

(1) *Application.* * * * The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

* * * * *

5. Amend redesignated section 3.26 by:

(a) Revising the second sentence of paragraph (a); and

(b) Revising the second sentence of paragraph (c)(1).

The revisions read as follows:

§ 3.26 Applications for Permanent Variances and Other Relief.

(a) *Application for Variance.* * * * Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

* * * * *

(c) *Interim Order.*

(1) *Application.* * * * The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

* * * * *

6. Amend redesignated section 3.28 by revising paragraph (a)(1) as follows:

§ 3.28 Action on Applications.

(a) *Defective Applications.*

(1) If an application filed pursuant to sections 3.25(a), 3.26(a), or 3.27 of these Rules does not conform to the applicable section, the Merits Hearing Officer or the Board, as applicable, may deny the application.

* * * * *

7. Amend redesignated section 3.29 by revising it as follows:

§ 3.29 Consolidation of Proceedings.

On the motion of the Merits Hearing Officer or the Board or that of any party, the Merits Hearing Officer or the Board may consolidate or contemporaneously consider two or more proceedings which involve the same or closely related issues.

8. Amend redesignated section 3.30 by

(1) Revising the second sentence of paragraph (a)(1);

(2) Revising paragraph (b)(3);

(3) Revising paragraph (c); and

(4) Revising paragraph (d).

The revisions read as follows:

§ 3.30 Consent Findings and Rules or Orders.

(a) *General.* * * * The allowance of such opportunity and the duration thereof shall be in the discretion of the Merits Hearing Officer, after consideration of the nature of the proceeding, the requirements of the public interest, the representations of the parties, and the probability of an agreement which will result in a just disposition of the issues involved.

(b) *Contents.* Any agreement containing consent findings and rule or order disposing of a proceeding shall also provide:

* * * * *

(3) a waiver of any further procedural steps before the Merits Hearing Officer and the Board; and

* * * * *

(c) *Submission.* On or before the expiration of the time granted for negotiations, the parties or their counsel may:

(1) submit the proposed agreement to the Merits Hearing Officer for his or her consideration; or

(2) inform the Merits Hearing Officer that agreement cannot be reached.

(d) *Disposition.* In the event an agreement containing consent findings and rule or order is submitted within the time allowed therefor, the Merits Hearing Officer may accept such agreement by issuing his or her decision based upon the agreed findings.

9. Amend redesignated section 3.31 by revising paragraph (a) as follows:

§ 3.31 Order of Proceedings and Burden of Proof.

(a) *Order of Proceeding.* Except as may be ordered otherwise by the Merits Hearing Officer, the party applicant for relief shall proceed first at a hearing.

* * * * *

SUBPART D—[AMENDED]

Add a new subpart D as follows:

SUBPART D—CLAIMS PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF SECTIONS 102(c) AND 201–07 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED BY THE CAA REFORM ACT OF 2018.

[Table of Contents omitted]

§ 4.01 Matters Covered by this Subpart.

(a) These rules govern the processing of any allegation that sections 102(c) or 201 through 206 of the Act have been violated and any allegation of intimidation or reprisal prohibited under section 207 of the Act. Sections 102(c) and 201–06 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

(1) the Fair Labor Standards Act of 1938

(2) title VII of the Civil Rights Act of 1964

(3) title I of the Americans with Disabilities Act of 1990

(4) the Age Discrimination in Employment Act of 1967

(5) the Family and Medical Leave Act of 1993

(6) the Employee Polygraph Protection Act of 1988

(7) the Worker Adjustment and Retraining Notification Act

(8) the Rehabilitation Act of 1973

(9) chapter 43 (relating to veterans' employment and re-employment) of title 38, United States Code

(10) chapter 35 (relating to veterans' preference) of title 5, United States Code

(11) the Genetic Information Nondiscrimination Act of 2008

(b) This subpart applies to the covered employees and employing offices as defined in subparagraphs 1.02(m) and (s) of these Rules and any activities within the coverage of sections 102(c) and 201–07 of the Act and referenced above in subparagraph 4.01(a) of these Rules.

§ 4.02 Requests for Advice and Information.

At any time, an employee or an employing office may seek from the Office informal advice and information on the procedures of the Office and under the Act and information on the protections, rights and responsibilities under the Act and procedures available under the Act. The Office will maintain the confidentiality of requests for such advice or information.

§ 4.03 Confidential Advising Services.

(a) *Appointment or Designation of Confidential Advisors.* The Executive Director shall appoint or designate one or more Confidential Advisors to carry out the duties set forth in section 302(d)(2) of the Act.

(1) *Qualifications.* A Confidential Advisor appointed or designated by the Executive Director must be a lawyer who is admitted to practice before, and is in good standing with, the bar of a State or territory of the United States or the District of Columbia, and who has experience representing clients in cases involving the laws incorporated by section 102 of the Act. A Confidential Advisor may be an employee of the Office. A Confidential Advisor cannot serve as a mediator in any mediation conducted pursuant to section 404 of the Act.

(2) *Restrictions.* A Confidential Advisor may not act as the designated representative for any covered employee in connection with the covered employee's participation in any proceeding, including any proceeding under the Act, any judicial proceeding, or any proceeding before any committee of Congress. A Confidential Advisor may not offer or provide any of the services in section 302(d)(2) of the Act if the covered employee has designated an attorney representative in connection with the employee's participation in any proceeding under the Act, except that the Confidential Advisor may provide general assistance and information to the attorney representative regarding the Act and the role of the Office, as the Confidential Advisor deems appropriate.

(3) *Continuity of Service.* Once a covered employee has accepted and received any services offered under section 302(d)(2) of the Act from a Confidential Advisor, any other services requested under section 302(d)(2) by the covered employee shall be provided, to the extent practicable, by the same Confidential Advisor.

(b) *Who May Obtain the Services of a Confidential Advisor.* The services provided by a

Confidential Advisor are available to any covered employee, including any unpaid staff and any former covered employee, except that a former covered employee may only request such services if the alleged violation occurred during the employment or service of the employee; and a covered employee may only request such services before the end of the 180–day period described in section 402(d) of the Act.

(c) *Services Provided by a Confidential Advisor*. A Confidential Advisor shall offer to provide the following services to covered employees, on a privileged and confidential basis, which may be accepted or declined:

(1) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act about the employee's rights under the Act;

(2) consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act regarding—

(A) the roles, responsibilities, and authority of the Office; and

(B) the relative merits of securing private counsel, designating a nonattorney representative, or proceeding without representation for proceedings before the Office;

(3) advising and consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act regarding any claims the covered employee may have under title IV of the Act, the factual allegations that support each such claim, and the relative merits of the procedural options available to the employee for each such claim;

(4) assisting, on a privileged and confidential basis, a covered employee who seeks consideration under title IV of an allegation of a violation of sections 102(c) or 201–07 of the Act in understanding the procedures, and the significance of the procedures, described in title IV, including—

(A) assisting or consulting with the covered employee regarding the drafting of a claim form to be filed under section 402(a) of the Act; and

(B) consulting with the covered employee regarding the procedural options available to the covered employee after a claim form is filed, and the relative merits of each option; and

(5) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act about the option of pursuing, in appropriate circumstances, a complaint with the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate.

(d) *Privilege and Confidentiality*. Although the Confidential Advisor is not the employee's representative, the services provided under subparagraph (c) of this section, and any related communications between the Confidential Advisor and the employee before or after the filing of a claim, shall be strictly confidential and shall be privileged from discovery. All of the records maintained by a Confidential Advisor regarding communications between the employee and the Confidential Advisor are the property of the Confidential Advisor and not the Office, are not records of the Office within the meaning of section 301(m) of the Act, shall be maintained by the Confidential Advisor in a secure and confidential manner, and may be destroyed under appropriate circumstances. Upon request from the Office, the Confidential Advisor may provide the Office with statistical information about the number of contacts from covered employees and the general subject matter of the contacts from covered employees.

§ 4.04 Claims.

(a) *Who May File*. A covered employee alleging any violation of sections 102(c) or 201–07 of the Act may commence a proceeding by filing a timely claim pursuant to section 402 of the Act.

(b) *When to File*.

(1) A covered employee may not file a claim under this section alleging a violation of law after the expiration of the 180–day period that begins on the date of the alleged violation.

(2) *Special Rule for Library of Congress Claimants*. A claim filed by a Library claimant shall be deemed timely filed under section 402 of the Act:

(A) if the Library claimant files the claim within the time period specified in subparagraph (1); or

(B) the Library claimant:

(i) initially filed a claim under the Library of Congress's procedures set forth in the applicable direct provision under section 401(d)(1)(B) of the Act;

(ii) met any initial deadline under the Library of Congress's procedures for filing the claim; and

(iii) subsequently elected to file a claim with the Office under section 402 of the Act prior to requesting a hearing under the Library of Congress's procedures.

(c) *Form and Contents*. All claims shall be on the form provided by the Office either on paper or electronically, signed manually or electronically under oath or affirmation by the claimant or the claimant's representative, and contain the following information, if known:

(1) the name, mailing and e-mail addresses, and telephone number(s) of the claimant;

(2) the name of the employing office against which the claim is brought;

(3) the name(s) and title(s) of the individual(s) involved in the conduct that the employee alleges is a violation of the Act;

(4) a description of the conduct being challenged, including the date(s) of the conduct;

(5) a description of why the claimant believes the challenged conduct is a violation of the Act;

(6) a statement of the specific relief or remedy sought; and

(7) the name, mailing and e-mail addresses, and telephone number of the representative, if any, who will act on behalf of the claimant.

(d) *Election of Remedies for Library of Congress Employees*. A Library claimant who initially files a claim for an alleged violation as provided in section 402 of the Act may, at any time within 10 days after a Preliminary Hearing Officer submits the report on the preliminary review of the claim pursuant to section 403, elect instead to bring the claim before the Library of Congress under the corresponding direct provision.

§ 4.05 Right to File a Civil Action.

(a) A covered employee may file a civil action in Federal district court pursuant to section 401(b) of the Act if the covered employee:

(1) has timely filed a claim as provided in section 402 of the Act; and

(2) has not submitted a request for an administrative hearing on the claim pursuant to section 405(a) of the Act.

(b) *Period for Filing a Civil Action*. A civil action pursuant to section 401(b) of the Act must be filed within a 70–day period beginning on the date the claim form was filed.

(c) *Effect of Filing a Civil Action*. If a claimant files a civil action concerning a claim during a preliminary review of that claim pursuant to section 403 of the Act, the review terminates immediately upon the filing of the civil action, and the Preliminary Hearing Officer has no further involvement.

(d) *Notification of Filing a Civil Action*. A claimant filing a civil action in Federal district court pursuant to section 401(b) of the Act shall notify the Office within 10 days of the filing.

§ 4.06 Initial Processing and Transmission of Claim; Notification Requirements.

(a) After receiving a claim form, the Office shall record the pleading, transmit immediately a copy of the claim form to the head of the employing office and the designated representative of that office, and provide the parties with all relevant information regarding their rights under the Act. An employee filing an amended claim form pursuant to § 4.04 of these Rules shall serve a copy of the amended claim form upon all other parties in the manner provided by § 1.04(b). A copy of these Rules also may be provided to the parties upon request. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(b) *Notification of Availability of Mediation*.

(1) Upon receipt of a claim form, the Office shall notify the covered employee who filed the claim form about the mediation process under section 4.07 of these Rules below and the deadlines applicable to mediation.

(2) Upon transmission to the employing office of the claim, the Office shall notify the employing office about the mediation process under the Act and the deadlines applicable to mediation.

(c) *Special Notification Requirements for Claims Based on Acts by Members of Congress*. When a claim alleges a violation described in subparagraphs (A) and (B) of section 402(b)(2) of the Act that consists of a violation described in section 415(d)(1)(A) by a Member of Congress, the Office shall notify immediately such Member of the claim, the possibility that the Member may be required to reimburse the account described in section 415(a) of the Act for the reimbursable portion of any award or settlement in connection with the claim, and the right of the Member under section 415(d)(8) to intervene in any mediation, hearing, or civil action under the Act as to the claim.

(d) *Special Rule for Architect of the Capitol, Capitol Police and Library of Congress Employees*. The Executive Director, after receiving a claim filed under section 402 of the Act, may recommend that a claimant use, for a specific period of time, the grievance procedures referenced in any Memorandum of Understanding between the Office and the Architect of the Capitol, the Capitol Police, or the Library of Congress. Any pending deadline in the Act relating to a claim for which the claimant uses such grievance procedures shall be stayed during that specific period of time.

§ 4.07 Mediation.

(a) *Overview*. Mediation is a process in which employees, including unpaid staff for purposes of section 201 of the Act, employing offices, and their representatives, if any, meet with a mediator trained to assist them in resolving disputes. As participants in the mediation, employees, employing offices, and their representatives discuss alternatives to continuing their dispute, including the possibility of reaching a voluntary, mutually satisfactory resolution. The mediator cannot impose a specific resolution, and all information discussed or disclosed in the course of any mediation shall be strictly confidential, pursuant to section 416 of the Act. Notwithstanding the foregoing, section 416 expressly provides that a covered employee may disclose the ''factual allegations underlying the covered employee's claim'' and an employing office may disclose ''the

factual allegations underlying the employing office's defense to the claim[.]''

(b) *Availability of Optional Mediation*. Upon receipt of a claim filed pursuant to section 402 of the Act, the Office shall notify the covered employee and the employing office about the process for mediation and applicable deadlines. If the claim alleges a Member committed an act made unlawful under sections 201(a), 206(a) or 207 of the Act which consists of a violation of section 415(d)(1)(A), the Office shall permit the Member to intervene in the mediation. The request for mediation shall contain the claim number, the requesting party's name, office or personal address, e-mail address, telephone number, and the opposing party's name. Failure to request mediation does not adversely impact future proceedings.

(c) *Timing*. The covered employee or the employing office may file a written request for mediation beginning on the date that the covered employee or employing office, respectively, receives notice from the Office about the mediation process. The time to request mediation under these rules ends on the date on which a Merits Hearing Officer issues a written decision on the claim, or the covered employee files a civil action,

(d) *Notice of Commencement of the Mediation*. The Office shall promptly notify the opposing party or its designated representative of the request for mediation and the deadlines applicable to such mediation. When a claim alleges a violation described in subparagraphs (A) and (B) of section 402(b)(2) of the Act that consists of a violation described in section 415(d)(1)(A) by a Member of Congress, the Office shall notify immediately such Member of the right to intervene in any mediation concerning the claim.

(e) *Selection of Mediators; Disqualification*. Upon receipt of the second party's agreement to mediate, the Executive Director shall assign one or more mediators from a master list developed and maintained pursuant to section 404 of the Act, to commence the mediation process. Should the mediator consider himself or herself unable to perform in a neutral role in a given situation, he or she shall withdraw from the matter and immediately shall notify the Office of the withdrawal. Any party may ask the Office to disqualify a mediator by filing a written request, including the reasons for such request, with the Executive Director. This request shall be filed as soon as the party has reason to believe there is a basis for disqualification. The Executive Director's decision on this request shall be final and unreviewable.

(f) *Duration and Extension*.

(1) The mediation period shall be 30 days beginning on the first day after the second party agrees to mediate the matter.

(2) The Executive Director shall extend the mediation period an additional 30 days upon the joint written request of the parties, or of the appointed mediator on behalf of the parties. The request shall be written and filed with the Executive Director no later than the last day of the mediation period.

(g) *Effect of Mediation on Proceedings*.

Upon the parties' agreement to mediate a claim, any deadline relating to the processing of that claim that has not already passed by the first day of the mediation period, shall be stayed during the mediation period.

(h) *Procedures*.

(1) *The Mediator's Role*. After assignment of the case, the mediator will contact the parties. The mediator has the responsibility to conduct the mediation, including deciding how many meetings are necessary and who may participate in each meeting. The mediator may accept and may ask the parties to provide written submissions.

(2) *The Agreement to Mediate*. At the commencement of the mediation, the mediator will ask the participants and/or their representatives to sign an agreement prepared by the Office (''the Agreement to Mediate''). The Agreement to Mediate will define what is to be kept confidential during mediation and set out the conditions under which mediation will occur, including the requirement that the participants adhere to the confidentiality of the process and a notice that a breach of the mediation agreement could result in sanctions later in the proceedings.

(i) The parties, including an intervenor Member, may elect to participate in mediation proceedings through a designated representative, provided that the representative has actual authority to agree to a settlement agreement, or has immediate access to someone with actual settlement authority, and provided further that, should the mediator deem it appropriate at any time, the physical presence in mediation of any party may be required. The Office may participate in the mediation process through a representative and/or observer. The mediator may determine, as best serves the interests of mediation, whether the participants may meet jointly or separately with the mediator. At the request of any of the parties, the parties shall be separated during medation.

(j) *Informal Resolutions and Settlement Agreements*. At any time during mediation the parties may resolve or settle a dispute in accordance with subparagraph 9.03 of these Rules.

(k) *Conclusion of the Mediation Period and Notice*. If, at the end of the mediation period, the parties have not resolved the matter that forms the basis of the request for mediation, the Office shall provide the employee, Member, and the employing office, and their representatives, with written notice that the mediation period has concluded. The written notice will be e-filed, e†mailed, sent by first-class mail, faxed, or personally delivered.

(l) *Independence of the Mediation Process and the Mediator*. The Office will maintain the independence of the mediation process and the mediator. No individual appointed by the Executive Director to mediate may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

(m) *Violation of Confidentiality in Mediation*. An alleged violation of the confidentiality provisions may be made by a party in mediation to the mediator during the mediation period and, if not resolved by agreement in mediation, to a Merits Hearing Officer during proceedings brought under section 405 of the Act.

(n) *Exceptions to Confidentiality in Mediation*. It shall not be a violation of confidentiality to provide the information required by sections 301(l) and 416(d) of the Act.

§ 4.08 Preliminary Review of Claims.

(a) *Appointment of Preliminary Hearing Officer*. Not later than 7 days after transmission to the employing office of a claim or claims, the Executive Director shall appoint a hearing officer to conduct a preliminary review of the claim or claims filed by the claimant. The appointment of the Preliminary Hearing Officer shall be in accordance with the requirements of section 405(c) of the Act.

(b) *Disqualifying a Preliminary Hearing Officer*.

(1) In the event that a Preliminary Hearing Officer considers himself or herself disqualified, either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(2) Any party may file a motion requesting that a Preliminary Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(3) The Preliminary Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Preliminary Hearing Officer within 3 days. Any objection to the Preliminary Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the preliminary review process. Such objection will not stay the conduct of the preliminary review process.

(c) *Assessments Required*. In conducting a preliminary review of a claim or claims under this section, the Preliminary Hearing Officer shall assess each of the following:

(1) whether the claimant is a covered employee authorized to obtain relief relating to the claim(s) under the Act;

(2) whether the office which is the subject of the claim(s) is an employing office under the Act;

(3) whether the individual filing the claim(s) has met the applicable deadlines for filing the claim(s) under the Act;

(4) the identification of factual and legal issues in the claim(s);

(5) the specific relief sought by the claimant;

(6) whether, on the basis of the assessments made under paragraphs (1) through (5), the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act; and

(7) the potential for the settlement of the claim(s) without a formal hearing as provided under section 405 of the Act or a civil action as provided under section 408 of the Act.

(d) *Amendments to Claims*. Amendments to the claim(s) may be permitted in the Preliminary Hearing Officer's discretion, taking the following factors into consideration:

(1) whether the amendments relate to the cause of action set forth in the claim(s); and

(2) whether such amendments will unduly prejudice the rights of the employing office, or of other parties, unduly delay the preliminary review, or otherwise interfere with or impede the proceedings.

(e) *Report on Preliminary Review*.

(1) Except as provided in subparagraph (2), not later than 30 days after a claim form is filed, the Preliminary Hearing Officer shall submit to the claimant and the respondent(s) a report on the preliminary review. The report shall include a determination whether the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act. Submitting the report concludes the preliminary review.

(2) In determining whether a claimant has stated a claim for which relief may be granted under the Act, the Preliminary Hearing Officer shall:

(A) be guided by judicial and Board decisions under the laws made applicable by section 102 of the Act; and

(B) consider whether the legal contentions the claimant advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(3) *Extension of Deadline*. The Preliminary Hearing Officer may, upon notice to the individual filing the claim(s) and the respondent(s), use an additional period of not to exceed 30 days to conclude the preliminary review.

(f) *Effect of Determination of Failure to State a Claim for which Relief may be Granted.*

(1) If the Preliminary Hearing Officer's report under subparagraph (e) includes the determination that the claimant is not a covered employee or has not stated a claim for which relief may be granted under the Act:

(A) the claimant (including a Library claimant) may not obtain an administrative hearing as provided under section 405 of the Act as to the claim; and

(B) the Preliminary Hearing Officer shall provide the claimant and the Executive Director with written notice that the claimant may file a civil action as to the claim in accordance with section 408 of the Act.

(2) The claimant must file the civil action not later than 90 days after receiving the written notice referred to in subparagraph (1)(B).

(g) *Transmission of Report on Preliminary Review of Certain Claims to Congressional Ethics Committees.* When a Preliminary Hearing Officer issues a report on the preliminary review of a claim alleging a violation described in section 415(d)(1)(A) of the Act, the Preliminary Hearing Officer shall transmit the report to—

(1) the Committee on Ethics of the House of Representatives, in the case of such an alleged act by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress); or

(2) the Select Committee on Ethics of the Senate, in the case of such an alleged act by a Senator.

§ 4.09 Request for Administrative Hearing.

(a) Except as provided in subparagraph (b), a claimant may submit to the Executive Director a written request for an administrative hearing under section 405 of the Act not later than 10 days after the Preliminary Hearing Officer submits the report on the preliminary review of a claim under section 403(c).

(b) Subparagraph (a) does not apply to the claim if—

(1) the preliminary review report of the claim under section 403(c) of the Act includes the determination that the individual filing the claim is not a covered employee who has stated a claim for which relief may be granted, as described in section 403(d) of the Act; or

(2) the covered employee files a civil action as to the claim as provided in section 408 of the Act.

(c) *Appointment of the Merits Hearing Officer.*

(1) Upon the filing of a request for an administrative hearing under subparagraph (a) of this section, the Executive Director shall appoint an independent Merits Hearing Officer to consider the claim(s) and render a decision, who shall have the authority specified in sections 4.10 and 7.01 of these Rules below.

(2) The Preliminary Hearing Officer shall not serve as the Merits Hearing Officer in the same case.

(d) *Answer.*

(1) Within 10 days after the filing of a request for an administrative hearing under subparagraph (a), the respondent(s) shall file an answer with the Office and serve one copy on the claimant. Filing a motion to dismiss a claim does not stay the time period for filing the answer.

(2) In answering a claim form, the respondent(s) must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the claim form shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

§ 4.10 Summary Judgment and Withdrawal of Claims.

(a) If a claimant fails to proceed with a claim, the Merits Hearing Officer may dismiss the claim with prejudice.

(b) *Summary Judgment.* A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on the claim. A motion before the Merits Hearing Officer asserting that the covered employee has failed to state a claim upon which relief can be granted shall be construed as a motion for summary judgment on the ground that the moving party is entitled to judgment as to that claim as a matter of law.

(c) *Appeal.* A final decision by the Merits Hearing Officer made under section 4.10 or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01 of these Rules. A final decision under subparagraphs 4.10(a)–(d) of these Rules that does not resolve all of the issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(d) *Withdrawal of Claim.* At any time, a claimant may withdraw his or her own claim(s) by filing a notice with the Office for transmittal to the Preliminary or Merits Hearing Officer and by serving a copy on the respondent(s). Any such withdrawal must be approved by the relevant Hearing Officer and may be with or without prejudice to refile at that Hearing Officer's discretion.

(e) *Withdrawal from a Case by a Representative.* A representative must provide sufficient notice to the Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

§ 4.11 Confidentiality.

(a) Pursuant to section 416 of the Act, except as provided in subsections 416(c), (d) and (e), all proceedings and deliberations of Hearing Officers and the Board, including any related records, shall be confidential. A violation of the confidentiality requirements of the Act and these rules may result in the imposition of procedural or evidentiary sanctions. See also sections 1.08, 1.09 and 7.12 of these Rules.

(b) The fact that a request for an administrative hearing has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these Rules.

§ 4.12 Automatic Referral to Congressional Ethics Committees.

Pursuant to section 416(d) of the Act, upon the final disposition of a claim alleging a violation described in section 415(d)(1)(C) committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff of the House of Representatives or Senate, the Executive Director shall refer the claim to—

(a) the Committee on Ethics of the House of Representatives, in the case of a Member or senior staff of the House; or

(b) the Select Committee on Ethics of the Senate, in the case of a Senator or senior staff of the Senate.

SUBPART E—[AMENDED]

[Table of contents omitted]

Revise subpart E to read as follows:

Subpart E—General Counsel Complaints

[Table of contents omitted]

§ 5.01 Complaints.

(a) *Who May File.*

The General Counsel may timely file a complaint alleging a violation of sections 210, 215 or 220 of the Act.

(b) *When to File.*

A complaint may be filed by the General Counsel:

(1) after the investigation of a charge filed under section 210 or 220 of the Act, or

(2) after the issuance of a citation or notification under section 215 of the Act.

(c) *Form and Contents.*

A complaint filed by the General Counsel shall be in writing, signed by the General Counsel, or his designee, and shall contain the following information:

(1) the name, mail and e-mail addresses, if available, and telephone number of the employing office, as applicable:

(A) each entity responsible for correction of an alleged violation of section 210(b) of the Act;

(B) each employing office alleged to have violated section 215 of the Act; or

(C) each employing office and/or labor organization alleged to have violated section 220, against which the complaint is brought;

(2) notice of the charge filed alleging a violation of section 210 or 220 of the Act and/or issuance of a citation or notification under section 215;

(3) a description of the acts and conduct that are alleged to be violations of the Act, including all relevant dates and places, and the names and titles of the responsible individuals; and

(4) a statement of the relief or remedy sought.

(d) *Amendments.* Amendments to the complaint may be permitted by the Office or, after assignment, by a Hearing Officer, on the following conditions: that all parties to the proceeding have adequate notice to prepare to meet the new allegations; that the amendments, as appropriate, relate to the charge(s) investigated and/or the citation or notification issued by the General Counsel; and that permitting such amendments will not unduly prejudice the rights of the employing office, the labor organization, or other parties, unduly delay the completion of the hearing, or otherwise interfere with or impede the proceedings.

(e) *Service of Complaint.* Upon receipt of a complaint or an amended complaint, the Office shall serve the respondent, or its designated representative, by hand delivery or first-class mail, e-mail, or facsimile with a copy of the complaint or amended complaint and written notice of the availability of these Rules at www.ocwr.gov. A copy of these Rules may also be provided if requested by either party. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(f) *Answer.*

(1) Within 10 days after receipt of a copy of a complaint or an amended complaint, the respondent shall file an answer with the Office and serve one copy on the General Counsel. Filing a motion to dismiss a claim does not stay the time period for filing the answer.

(2) In answering a complaint, a respondent must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it by an opposing party.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a claim or defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the complaint shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) *Motion to Dismiss*. In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall comply with subparagraph 1.04(c) of these Rules. A motion asserting that the General Counsel has failed to state a claim upon which relief can be granted may, in the Merits Hearing Officer's discretion, be construed as a motion for summary judgment pursuant to subparagraph 5.03(d) of these Rules on the ground that the moving party is entitled to judgment as a matter of law.

§ 5.02 Appointment of the Merits Hearing Officer.

Upon the filing of a complaint, the Executive Director will appoint an independent Merits Hearing Officer, who shall have the authority specified in subparagraphs 5.03 and 7.01(b) of the Rules below.

§ 5.03 Dismissal, Summary Judgment and Withdrawal of Complaints.

(a) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss any claim that the Merits Hearing Officer finds to be frivolous or that fails to state a claim upon which relief may be granted.

(b) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss a complaint because it fails to comply with the applicable time limits or other requirements under the Act or these Rules.

(c) If the General Counsel fails to proceed with an action, the Merits Hearing Officer may dismiss the complaint with prejudice.

(d) *Summary Judgment*. A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on some or all of the complaint.

(e) *Appeal*. A final decision by the Merits Hearing Officer made under sections 5.03(a)–(d) or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01. A final decision under old subparagraph 5.03(a)–(d) that does not resolve all of the claims or issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(f) *Withdrawal of Complaint by the General Counsel*. At any time prior to the opening of the hearing, the General Counsel may withdraw his complaint by filing a notice with the Office for transmittal to the Merits Hearing Officer and by serving a copy on the respondent. After opening of the hearing, any such withdrawal must be approved by the Merits Hearing Officer and may be with or without prejudice to refile at the Merits Hearing Officer's discretion.

(g) *Withdrawal from a Case by a Representative*. A representative must provide sufficient notice to the Merits Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

§ 5.04 Confidentiality.

Pursuant to section 416(b) of the Act, except as provided in subsections 416(c) and (f), all proceedings and deliberations of Merits Hearing Officers and the Board, including any related records, shall be confidential. Section 416(b) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Merits Hearing Officers and the Board under section 215. A violation of the confidentiality requirements of the Act and these rules may result in the imposition of procedural or evidentiary sanctions. *See also* sections 1.08 and 7.12 of these Rules.

SUBPART F—[AMENDED]

[Table of Contents Omitted]

Revise subpart F to read as follows:

§ 6.01 Discovery.

(a) *Description*. Discovery is the process by which a party may obtain from another person, including a party, information that is not privileged and that is reasonably calculated to lead to the discovery of admissible evidence, to assist that party in developing, preparing and presenting its case at the hearing. No discovery, whether oral or written, by any party shall be taken of or from an employee of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a mediator, a hearing officer, or unpaid staff), including files, records, or notes produced during the confidential advising, mediation, and hearing phases of a case and maintained by the Office, the Confidential Advisor, the mediator, or the hearing officer.

(b) *Initial Disclosure*. Within 14 days after the prehearing conference in cases commenced by the filing of a claim pursuant to section 402(a) of the Act, and except as otherwise stipulated or ordered by the Merits Hearing Officer (the hearing officer appointed by the Executive Director to conduct the administrative hearing), a party must, without awaiting a discovery request, provide to the other parties: the name and, if known, mail and e-mail addresses, and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its causes of action or defenses; and a copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses.

(c) *Discovery Availability*. Pursuant to section 405(e) of the Act, reasonable prehearing discovery may be permitted at the Merits Hearing Officer's discretion.

(1) The parties may take discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property for inspection or other purposes; physical and mental examinations; and requests for admissions. Nothing in section 415(d) of the Act—dealing with reimbursements by Members of Congress of amounts paid as settlements and awards—may be construed to require the claimant to be deposed by counsel for the intervening member in a deposition that is separate from any other deposition taken from the claimant in connection with the hearing or civil action.

(2) The Merits Hearing Officer may adopt standing orders or make any order setting forth the forms and extent of discovery, including orders limiting the number of depositions, interrogatories, and requests for production of documents, and also may limit the length of depositions.

(3) The Merits Hearing Officer may issue any other order to prevent discovery or disclosure of confidential or privileged materials or information, as well as hearing or trial preparation materials and any other information deemed not discoverable, or to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.

(d) *Claims of Privilege*.

(1) *Information Withheld*. Whenever a party withholds information otherwise discoverable under these Rules by claiming that it is privileged or confidential or subject to protection as hearing or trial preparation materials, the party shall make the claim of privilege expressly in writing and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing whether the information itself is privileged or protected, will enable other parties to assess the applicability of the privilege or protection. A party must make a claim for privilege no later than the due date to produce the information.

(2) *Information Produced as Inadvertent Disclosure; Sealing All or Part of the Record*. If information produced in discovery is subject to a claim of privilege or of protection as hearing preparation material, the party making the claim of privilege may notify any party that received the information of the claim of privilege and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim of privilege is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the Merits Hearing Officer or the Board under seal for a determination of the claim of privilege. The producing party must preserve the information until the claim of privilege is resolved.

§ 6.02 Request for Subpoena.

(a) *Authority to Issue Subpoenas*. At the request of a party, the Merits Hearing Officer may issue subpoenas for the attendance and testimony of witnesses and for the production of correspondence, books, papers, documents, or other records. The attendance of witnesses and the production of records may be required from any place within the United States. However, no subpoena shall be issued for the attendance or testimony of an employee or agent of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a mediator, a hearing officer, or unpaid staff), or for the production of files, records, or notes produced during the confidential advising process, in mediation, or at the hearing. Employing offices shall make their employees available for discovery and hearing without requiring a subpoena.

* * * * *

(b) *Request*. A request to issue a subpoena requiring the attendance and testimony of witnesses or the production of documents or other evidence under paragraph (a) above shall be submitted to the Merits Hearing Officer at least 15 days before the scheduled hearing date. If the subpoena is sought as part of the discovery process, the request shall be submitted to the Merits Hearing Officer at least 10 days before the date that a witness must attend a deposition or the date for the production of documents. The Merits Hearing Officer may waive the time limits stated above for good cause.

(c) *Forms and Showing*. Requests for subpoenas shall be submitted in writing to the Merits Hearing Officer and shall specify with particularity the witness, correspondence,

books, papers, documents, or other records desired and shall be supported by a showing of general relevance and reasonable scope.

(d) *Rulings*. The Merits Hearing Officer shall promptly rule on subpoena requests.

§ 6.03 Service.

Subpoenas shall be served in the manner provided under Rule 45(b) of the Federal Rules of Civil Procedure. Service of a subpoena may be made by any person who is over 18 years of age and is not a party to the proceeding.

§ 6.04 Proof of Service.

When service of a subpoena is effected, the person serving the subpoena shall certify the date and the manner of service. The party on whose behalf the subpoena was issued shall file the server's certification with the Merits Hearing Officer.

§ 6.05 Motion to Quash or Limit.

Any person against whom a subpoena is directed may file a motion to quash or limit the subpoena setting forth the reasons why the subpoena should not be complied with or why it should be limited in scope. This motion shall be filed with the Merits Hearing Officer before the time specified in the subpoena for compliance and not later than 10 days after service of the subpoena. The Merits Hearing Officer should promptly rule on a motion to quash or limit and ensure that the person receiving the subpoena is made aware of the ruling.

§ 6.06 Enforcement.

(a) *Objections and Requests for Enforcement*. If a person has been served with a subpoena pursuant to section 6.03 of the Rules, but fails or refuses to comply with its terms or otherwise objects to it, the party or person objecting or the party seeking compliance may seek a ruling from the Merits Hearing Officer. The request for a ruling shall be submitted in writing to the Merits Hearing Officer. However, it may be made orally on the record at the hearing at the discretion of the Merits Hearing Officer. The party seeking compliance shall present the proof of service and, except when the witness was required to appear before the Merits Hearing Officer, shall submit evidence, by affidavit or declaration, of the failure or refusal to obey the subpoena.

(b) *Ruling by the Merits Hearing Officer*.

(1) The Merits Hearing Officer shall promptly rule on the request for enforcement and/or the objection(s).

(2) On request of the objecting witness or any party, the Merits Hearing Officer shall—or on the Hearing Officer's own initiative, the Hearing Officer may—refer the ruling to the Board for review.

(c) *Review by the Board*. The Board may overrule, modify, remand, or affirm the Merits Hearing Officer's ruling and, in its discretion, may direct the General Counsel to apply in the name of the Office for an order from a United States district court to enforce the subpoena.

(d) *Application to an Appropriate Court; Civil Contempt*. If a person fails to comply with a subpoena, the Board may direct the General Counsel to apply, in the name of the Office, to an appropriate United States district court for an order requiring that person to appear before the Merits Hearing Officer to give testimony or produce records. Any failure to obey a lawful order of the district court may be held by such court to be a civil contempt thereof.

§ 6.07 Requirements for Sworn Statements.

Any time that the Office and/or a Hearing Officer requires an affidavit or sworn statement from a party or a witness, he or she should refer the party or witness to a sample declaration under 28 U.S.C. § 1746, which substantially requires:

(a) If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

(b) If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

SUBPART G—[AMENDED]

[Table of Contents Omitted]

Revise subpart G to read as follows:

§ 7.01 The Merits Hearing Officer.

This subpart concerns the duties and responsibilities of Merits Hearing Officers, who are appointed by the Executive Director to preside over the administrative hearings under the Act. The duties and responsibilities of Preliminary Hearing Officers are contained in section 5.08 of these Rules.

(a) *Exercise of Authority*. The Merits Hearing Officer may exercise authority as provided in subparagraph (b) of this section upon his or her own initiative or upon a party's motion, as appropriate.

(b) *Authority*. Merits Hearing Officers shall conduct fair and impartial hearings and take all necessary action to avoid undue delay in disposing of all proceedings. They shall have all powers necessary to that end unless otherwise limited by law, including, but not limited to, the authority to:

(1) administer oaths and affirmations;

(2) rule on motions to disqualify designated representatives;

(3) issue subpoenas in accordance with section 6.02 of these Rules;

(4) rule upon offers of proof and receive relevant evidence;

(5) rule upon discovery issues as appropriate under sections 6.01 to 6.06 of these Rules;

(6) hold prehearing conferences for simplifying issues and settlement;

(7) convene a hearing, as appropriate, regulate the course of the hearing, and maintain decorum at and exclude from the hearing any person who disrupts, or threatens to disrupt, that decorum;

(8) exclude from the hearing any person, except any claimant, any party, the attorney or representative of any claimant or party, or any witness while testifying;

(9) rule on all motions, witness and exhibit lists, and proposed findings, including motions for summary judgment;

(10) require the filing of briefs, memoranda of law, and the presentation of oral argument as to any question of fact or law;

(11) order the production of evidence and the appearance of witnesses;

(12) impose sanctions as provided under section 7.02 of these Rules;

(13) file decisions on the issues presented at the hearing;

(14) dismiss any claim that is found to be frivolous or that fails to state a claim upon which relief may be granted;

(15) maintain and enforce the confidentiality of proceedings; and

(16) waive or modify any procedural requirements of subparts F and G of these Rules so long as permitted by the Act.

§ 7.02 Sanctions.

(a) When necessary to regulate the course of the proceedings (including the hearing), the Merits Hearing Officer may impose an appropriate sanction, which may include, but is not limited to, the sanctions specified in this section, on the parties and/or their representatives.

(b) The Merits Hearing Officer may impose sanctions upon the parties and/or their representatives based on, but not limited to, the circumstances set forth in this section.

(1) *Failure to Comply with an Order*. When a party fails to comply with an order (including an order to submit to a deposition, to produce evidence within the party's control, or to produce witnesses), the Merits Hearing Officer may:

(A) draw an inference in favor of the requesting party on the issue related to the information sought;

(B) stay further proceedings until the order is obeyed;

(C) prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, evidence relating to the information sought;

(D) permit the requesting party to introduce secondary evidence concerning the information sought;

(E) strike, in whole or in part, the claim, briefs, answer, or other submissions of the party failing to comply with the order, as appropriate; or

(F) direct judgment against the non-complying party in whole or in part.

(2) *Failure to Prosecute or Defend*. If a party fails to prosecute or defend a position, the Merits Hearing Officer may dismiss the action with prejudice or decide the matter, when appropriate.

(3) *Failure to Make Timely Filing*. The Merits Hearing Officer may refuse to consider any request, motion or other action that is not filed in a timely fashion in compliance with this subpart.

(4) *Frivolous Claims, Defenses, and Arguments*. If a party or a representative files a claim that fails to meet the requirements of section 401(f) of the Act, the Merits Hearing Officer may dismiss the claim, in whole or in part, with prejudice or decide the matter for the opposing party. If a party or a representative presents a pleading, written motion, or other paper containing claims, defenses, and other legal contentions for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter, the Merits Hearing Officer may reject the claims, defenses or legal contentions, in whole or in part. A claim, defense, or legal contention shall not be subject to sanctions if it constitutes a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(5) *Failure to Maintain Confidentiality*. An allegation regarding a violation of the confidentiality provisions may be made to a Merits Hearing Officer in proceedings under section 405 of the Act. If, after notice and hearing, the Merits Hearing Officer determines that a party has violated the confidentiality provisions, the Merits Hearing Officer may:

(A) direct that the matters related to the breach of confidentiality or other designated facts be taken as established for purposes of the action, as the prevailing party contends;

(B) prohibit the party breaching confidentiality from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;

(C) strike the pleadings in whole or in part;

(D) stay further proceedings until the breach of confidentiality is resolved to the extent possible;

(E) dismiss the action or proceeding in whole or in part; or

(F) render a default judgment against the party breaching confidentiality.

(c) No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order.

§ 7.03 Disqualifying a Merits Hearing Officer.

(a) In the event that a Merits Hearing Officer considers himself or herself disqualified,

either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(b) Any party may file a motion requesting that a Merits Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(c) The Merits Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Merits Hearing Officer within 5 days. Any objection to the Merits Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the hearing and may be the basis for an appeal to the Board from the Merits Hearing Officer's decision under section 8.01 of these Rules. Such objection will not stay the conduct of the hearing.

§ 7.04 Motions and Prehearing Conference.

(a) *Motions*. Motions shall be filed with the Merits Hearing Officer and shall be in writing except for oral motions made on the record during the hearing. All written motions and any responses to them shall include a proposed order, when applicable. Only with the Merits Hearing Officer's advance approval may either party file additional responses to the motion or to the response to the motion. Motions for extension of time will be granted only for good cause shown.

(b) *Scheduling the Prehearing Conference*. Within 7 days after a Merits Hearing Officer is assigned to adjudicate the claim(s), the Merits Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the prehearing conference, except that the Executive Director may, for good cause, extend up to an additional 7 days the time for serving notice of the prehearing conference.

(c) *Prehearing Conference Memoranda*. The Merits Hearing Officer may order each party to prepare a prehearing conference memorandum. The Merits Hearing Officer may direct that a memorandum be filed after discovery has concluded. The memorandum may include:

(1) the major factual contentions and legal issues that the party intends to raise at the hearing in short, successive, and numbered paragraphs, along with any proposed stipulations of fact or law;

(2) an estimate of the time necessary for presenting the party's case;

(3) the specific relief, including, when known, a calculation of any monetary relief or damages that is being or will be requested;

(4) the names of potential witnesses for the party's case, except for potential impeachment or rebuttal witnesses, and the purpose for which they will be called and a list of documents that the party is seeking from the opposing party, and, if discovery was permitted, the status of any pending request for discovery. (It is not necessary to list each document requested. Instead, the party may refer to the request for discovery.); and

(5) a brief description of any other unresolved issues.

(d) At the prehearing conference, the Merits Hearing Officer may discuss the subjects specified in paragraph (c) above and the manner in which the hearing will be conducted. In addition, the Merits Hearing Officer may explore settlement possibilities and consider how the factual and legal issues might be simplified and any other issues that might expedite resolving the dispute. The Merits Hearing Officer shall issue an order, which recites the actions taken at the conference and the parties' agreements as to any matters considered, and which limits the issues to those not disposed of by the parties' admissions, stipulations, or agreements. Such order, when entered, shall control the course of the proceeding, subject to later modification by the Merits Hearing Officer by his or her own motion or upon proper request of a party for good cause shown.

§ 7.05 Scheduling the Hearing.

(a) *Date, Time, and Place of Hearing*. The Office shall issue the notice of hearing, which shall fix the date, time, and place of hearing. Absent a postponement granted by the Office, a hearing must commence no later than 60 days after the filing of the claim(s).

(b) *Motions for Postponement or a Continuance*. Motions for postponement or for a continuance by either party shall be made in writing to the Merits Hearing Officer, shall set forth the reasons for the request, and shall state whether or not the opposing party consents to such postponement. A Merits Hearing Officer may grant such a motion upon a showing of good cause. In no event will a hearing commence later than 90 days after the filing of the claim form.

§ 7.06 Consolidation and Joinder of Cases.

(a) *Explanation*.

(1) Consolidation is when two or more parties have cases that might be treated as one because they contain identical or similar issues or in such other appropriate circumstances.

(2) Joinder is when one party has two or more cases pending and they are united for consideration. For example, joinder might be warranted when a single party has one case pending challenging a 30–day suspension and another case pending challenging a subsequent dismissal.

(b) *Authority*. The Executive Director (before assigning a Merits Hearing Officer to adjudicate a claim); a Merits Hearing Officer (during the hearing); or the Board (during an appeal) may consolidate or join cases on their own initiative or on the motion of a party if to do so would expedite case processing and not adversely affect the parties' interests, taking into account the confidentiality requirements of section 416 of the Act.

§ 7.07 Conduct of Hearing; Disqualifying a Representative.

(a) Pursuant to section 405(d)(1) of the Act, the Merits Hearing Officer shall conduct the hearing in closed session on the record. Only the Merits Hearing Officer, the parties and their representatives, and witnesses during the time they are testifying, shall be permitted to attend the hearing, except that the Office may not be precluded from observing the hearing. The Merits Hearing Officer, or a person designated by the Merits Hearing Officer or the Executive Director, shall record the proceedings.

(b) The hearing shall be conducted as an administrative proceeding. Witnesses shall testify under oath or affirmation. Except as specified in the Act and in these Rules, the Merits Hearing Officer shall conduct the hearing, to the greatest extent practicable, consistent with the principles and procedures in sections 554 through 557 of title 5 of the United States Code (the Administrative Procedure Act).

(c) No later than the opening of the hearing, or as otherwise ordered by the Merits Hearing Officer, each party shall submit to the Merits Hearing Officer and to the opposing party typed lists of the hearing exhibits and the witnesses expected to be called to testify, excluding impeachment or rebuttal witnesses.

(d) At the commencement of the hearing, or as otherwise ordered by the Merits Hearing Officer, the Merits Hearing Officer may consider any stipulations of facts and law pursuant to section 7.10 of the Rules, take official notice of certain facts pursuant to section 7.11 of the Rules, rule on the parties' objections and hear witness testimony. Each party must present his or her case in a concise manner, limiting the testimony of witnesses and submission of documents to relevant matters.

(e) Any evidentiary objection not timely made before a Merits Hearing Officer shall, absent clear error, be deemed waived on appeal to the Board.

(f) Failure of either party to appear at the hearing, to present witnesses, or to respond to an evidentiary order may result in an adverse finding or ruling by the Merits Hearing Officer. At the Merits Hearing Officer's discretion, the hearing also may be held without the claimant if the claimant's representative is present.

(g) If the Merits Hearing Officer concludes that an employee's representative, a witness, a charging party, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation has a conflict of interest, the Merits Hearing Officer may, after giving the representative an opportunity to respond, disqualify the representative. In that event, within the time limits for hearing and decision established by the Act, the affected party shall be afforded reasonable time to retain other representation.

§ 7.08 Transcript.

(a) *Preparation*. The Office shall keep an accurate electronic or stenographic hearing record, which shall be the sole official record of the proceeding. The Office shall be responsible for the cost of transcribing the hearing. Upon request, a copy of the hearing transcript shall be furnished to each party, provided, however, that such party has first agreed to maintain and respect the confidentiality of such transcript in accordance with the applicable rules prescribed by the Office or the Merits Hearing Officer to effectuate section 416(b) of the Act. Additional copies of transcripts shall be made available to a party at the party's expense. The Office may grant exceptions to the payment requirement for good cause shown. A motion for an exception shall be made in writing, accompanied by an affidavit or a declaration setting forth the reasons for the request, and submitted to the Office. Requests for copies of transcripts also shall be directed to the Office. The Office may, by agreement with the person making the request, arrange with the official hearing reporter for required services to be charged to the requester.

(b) *Corrections*. Corrections to the official transcript of the hearing will be permitted. Motions for correction must be submitted within 10 days of service of the transcript upon the parties. Corrections to the official transcript will be permitted only upon the approval of the Merits Hearing Officer. The Merits Hearing Officer may make corrections at any time with notice to the parties.

§ 7.09 Admissibility of Evidence.

The Merits Hearing Officer shall apply the Federal Rules of Evidence to the greatest extent practicable. These Rules provide, among other things, that the Merits Hearing Officer may exclude evidence if, among other things, it constitutes inadmissible hearsay or its probative value is substantially outweighed by the danger of unfair prejudice, by confusion of the issues, or by considerations of

undue delay, waste of time, or needless presentation of cumulative evidence.

§ 7.10 Stipulations.

The parties may stipulate as to any matter of fact. Such a stipulation will satisfy a party's burden of proving the fact alleged.

§ 7.11 Official Notice.

(a) The Merits Hearing Officer on his or her own motion or on motion of a party, may take official notice of a fact that is not subject to reasonable dispute because it is either:

(1) a matter of common knowledge; or

(2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. Official notice taken of any fact satisfies a party's burden of proving the fact noticed.

(b) When a decision, or part thereof, rests on the official notice of a material fact not appearing in the evidence in the record, the fact of official notice shall be so stated in the decision, and any party, upon timely request, shall be afforded an opportunity to show the contrary.

§ 7.12 Confidentiality.

(a) Pursuant to section 416 of the Act and section 1.08 of these Rules, all proceedings and deliberations of Merits Hearing Officers and the Board, including the hearing transcripts and any related records, shall be confidential, except as specified in sections 416(c), (d), (e), and (f) of the Act and subparagraph 1.08(d) of these Rules. All parties to the proceeding and their representatives, and witnesses who appear at the hearing, will be advised of the importance of confidentiality in this process and of their obligations, subject to sanctions, to maintain it. This provision shall not apply to proceedings under section 215 of the Act, but shall apply to the Merits Hearing Officers' and the Board's deliberations under that section.

(b) *Violation of Confidentiality*. A Merits Hearing Officer, under section 405 of the Act, may resolve an alleged violation of confidentiality that occurred during a hearing. After providing notice and an opportunity to the parties to be heard, the Merits Hearing Officer, under subparagraph 1.08(f) of these Rules, may find a violation of confidentiality and impose appropriate procedural or evidentiary sanctions, to include the sanctions listed in section 7.02 of these Rules.

§ 7.13 Immediate Board Review of a Hearing Officer's Ruling.

(a) *Review Strongly Disfavored*. Board review of a Merits Hearing Officer's ruling is strongly disfavored while a proceeding is ongoing (an ''interlocutory appeal''). In general, the Board may consider a request for interlocutory appeal only if the Merits Hearing Officer, on his or her own motion or by motion of the parties, determines that the issue presented is of such importance to the proceeding that it requires the Board's immediate attention.

(b) *Time for Filing*. A party must file a motion for interlocutory appeal of a Merits Hearing Officer's ruling with the Merits Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory appeal and the requested determination to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.

(c) *Standards for Review*. In determining whether to certify and forward a request for interlocutory appeal to the Board, the Merits Hearing Officer shall consider the following:

(1) whether the ruling involves a significant question of law or policy about which there is substantial ground for difference of opinion;

(2) whether an immediate Board review of the Merits Hearing Officer's ruling will materially advance completing the proceeding; and

(3) whether denial of immediate review will cause undue harm to a party or the public.

(d) *Merits Hearing Officer Action*. If all the conditions set forth in paragraph (c) above are met, the Merits Hearing Officer shall certify and forward a request for interlocutory appeal to the Board for its immediate consideration. Any such submission shall explain the basis on which the Merits Hearing Officer concluded that the standards in paragraph (c) have been met. The Merits Hearing Officer's decision to forward or decline to forward a request for review is not appealable.

(e) *Granting or Denying an Interlocutory Appeal is Within the Board's Sole Discretion*. The Board, in its sole discretion, may grant or deny an interlocutory appeal, upon the Merits Hearing Officer's certification and decision to forward a request for review. The Board's decision to grant or deny an interlocutory appeal is not appealable.

(f) *Stay Pending Interlocutory Appeal*. Unless otherwise directed by the Board, the stay of any proceedings during the pendency of either a request for interlocutory appeal or the appeal itself shall be within the Merits Hearing Officer's discretion, provided that no stay shall serve to toll the time limits set forth in section 405(d) of the Act. If the Merits Hearing Officer does not stay the proceedings, the Board may do so while an interlocutory appeal is pending with it.

(g) *Procedures before the Board*. Upon its decision to grant interlocutory appeal, the Board shall issue an order setting forth the procedures that will be followed in the conduct of that review.

(h) *Appeal of a Final Decision*. Denial of interlocutory appeal will not affect a party's right to challenge rulings, which are otherwise appealable, as part of an appeal to the Board under section 8.01 of the Rules from the Merits Hearing Officer's decision issued under section 7.16 of these Rules.

§ 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs.

May be Required. The Merits Hearing Officer may require the parties to file proposed findings of fact and conclusions of law and/or posthearing briefs on the factual and the legal issues presented in the case.

§ 7.15 Closing the Record.

(a) Except as provided in section 7.14 of the Rules, the record shall close when the hearing ends. However, the Hearing Officer may hold the record open as necessary to allow the parties to submit arguments, briefs, documents or additional evidence previously identified for introduction.

(b) Once the record is closed, no additional evidence or argument shall be accepted into the hearing record except upon a showing that new and material evidence has become available that was not available despite due diligence before the record closed or that the additional evidence or argument is being provided in rebuttal to new evidence or argument that the other party submitted just before the record closed. The Merits Hearing Officer also shall make part of the record an approved correction to the transcript.

§ 7.16 Merits Hearing Officer Decisions; Entry in Office Records; Corrections to the Record; Motions to Alter, Amend, or Vacate the Decision.

(a) The Merits Hearing Officer shall issue a written decision no later than 90 days after the hearing ends, pursuant to section 405(g) of the Act.

(b) The Merits Hearing Officer's written decision shall:

(1) state the issues raised in the claim(s), form, or complaint;

(2) describe the evidence in the record;

(3) contain findings of fact and conclusions of law, and the reasons or bases therefore, on all the material issues of fact, law, or discretion presented on the record;

(4) determine whether a violation has occurred; and

(5) order such remedies as are appropriate under the Act.

(c) If a final decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, the written decision shall include the following findings:

(1) whether the alleged violation or violations occurred;

(2) whether any violation or violations found to have occurred were committed personally by an individual who, at the time of committing the violation, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator;

(3) the amount of compensatory damages, if any, awarded pursuant to section 415(d)(1)(B) of the Act; and

(4) the amount, if any, of compensatory damages that is the ''reimbursable portion'' as defined by section 415(d) of the Act.

(d) Upon issuance, the Merits Hearing Officer's decision and order shall be entered into the Office's records.

(e) The Office shall promptly provide a copy of the Merits Hearing Officer's decision and order to the parties.

(f) If there is no appeal of a Merits Hearing Officer's decision and order, that decision becomes a final decision of the Office, which is subject to enforcement under section 8.03 of these Rules.

(g) *Corrections to the Record*. After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, the Merits Hearing Officer may issue an erratum notice to correct simple errors or easily correctible mistakes. The Merits Hearing Officer may do so on the parties' motion or on his or her own motion with or without advance notice.

(h) After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, a party to the proceeding before the Merits Hearing Officer may move to alter, amend, or vacate the decision. The moving party must establish that relief from the decision is warranted because: (1) of mistake, inadvertence, surprise, or excusable neglect; (2) there is newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new hearing; (3) there has been fraud (misrepresentation, or misconduct by an opposing party); (4) the decision is void; or (5) the decision has been satisfied, released, or discharged; it is based on an earlier decision that has been reversed or vacated; or applying it prospectively is no longer equitable. The motion shall be filed within 15 days after service of the Merits Hearing Officer's decision. No response shall be filed unless the Merits Hearing Officer so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the Merits Hearing Officer's action unless the Merits Hearing Officer so orders.

Subpart H—[AMENDED]

[Table of Contents Omitted]

Amend section 8.01 by:

(a) Revising the second sentence of paragraph (a);

(b) Adding a new paragraph (b) and redesignating paragraphs (b) through (j) as paragraphs (c) through (k), respectively;

(c) Revising redesignated paragraph (c)(2); and

(d) Revising redesignated paragraphs (i) through (k).

The revisions read as follows:

§ 8.01 Appeal to the Board.

(a) * * * The appeal must be served on all opposing parties or their representatives.

(b) A Report on Preliminary Review pursuant to section 402(c) of the Act is not appealable to the Board.

(c)

* * * * *

(2) Unless otherwise ordered by the Board, within 21 days following the service of the appellant's brief, any opposing party may file and serve a responsive brief. Unless otherwise ordered by the Board, within 10 days following the service of the responsive brief(s), the appellant may file and serve a reply brief.

* * * * *

(i) *Record*. The docket sheet, claim form or complaint and any amendments, preliminary review report, request for hearing, notice of hearing, answer and any amendments, motions, rulings, orders, stipulations, exhibits, documentary evidence, any portions of depositions admitted into evidence, docketed Memoranda for the Record, or correspondence between the Office and the parties, and the transcript of the hearing (together with any electronic recording of the hearing if the original reporting was performed electronically) together with the Merits Hearing Officer's decision and the petition for review, any response thereto, any reply to the response and any other pleadings shall constitute the record in the case.

(j) The Board may invite amicus participation, in appropriate circumstances, in a manner consistent with the requirements of section 416 of the Act.

(k) An appellant may move to withdraw a petition for review at any time before the Board renders a decision. The motion must be in writing and submitted to the Board. The Board, at its discretion, may grant or deny such a motion and take whatever action is required.

* * * * *

SUBPART I—[AMENDED]

[Table of Contents Omitted]

1. Amend section 9.01 by:

(a) Revising paragraph (a); and

(b) Adding a new paragraph (c).

The revisions read as follows:

§ 9.01 Attorney's Fees and Costs.

(a) *Request*. No later than 30 days after the entry of a final decision of the Office, the prevailing party may submit to the Merits Hearing Officer who decided the case a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. The Merits Hearing Officer, after giving the respondent an opportunity to reply, shall rule on the motion. Decisions regarding attorney's fees and costs are collateral and do not affect the finality or appealability of a final decision issued by the Office.

* * * * *

(c) *Arbitration Awards*. In arbitration proceedings, the prevailing party must submit any request for attorney's fees and costs to the arbitrator in accordance with the established arbitration procedures.

2. Amend section 9.02 by revising paragraph (b) as follows:

§ 9.02 Ex Parte Communications.

* * * * *

(b) *Exception to Coverage*. The Rules set forth in this section do not apply during periods that the Board designates as periods of negotiated rulemaking in accordance with the procedures set forth in the Administrative Procedure Act, 5 U.S.C. § 500 *et seq*.

* * * * *

3. Revise section 9.03 as follows:

§ 9.03 Informal Resolutions and Settlement Agreements.

(a) *Informal Resolution*. At any time before a covered employee files a claim form under section 402 of the Act, a covered employee and the employing office, on their own, may agree voluntarily and informally to resolve a dispute. Any informal resolution shall be ineffective to the extent that it purports to:

(1) constitute a waiver of a covered employee's rights under the Act; or

(2) create an obligation that is payable from the account established by section 415(a) of the Act (''Section 415(a) Treasury Account'') or enforceable by the Office.

(b) * * * * *

(c) *General Requirements for Formal Settlement Agreements*. A formal settlement agreement must contain the signatures of all parties or their designated representatives on the agreement document. A formal settlement agreement cannot be approved by the Executive Director until the appropriate revocation periods have expired and the employing office has fully completed and submitted the Office's Section 415(a) Account Requisition Form. A formal settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise permitted by law. All formal settlement agreements must also:

(1) specify the amount of each payment to be made from the Section 415(a) Treasury Account;

(2) identify the portion of any payment that is subject to the reimbursement provisions of section 415(e) of the Act because it is being used to settle an alleged violation of section 201(a) or 206(a) of the Act;

(3) identify each payment that is back pay and indicate the net amount that will be paid to the employee after tax withholding and authorized deductions; and

(4) certify that, except for funds to correct alleged violations of sections 201(a)(3), 210, or 215 of the Act, only funds from the Section 415(a) Treasury Account will be used for the payment of any amount specified in the settlement agreement.

(d) *Requirements for Formal Settlement Agreements Involving Claims against Members of Congress*. If a formal settlement agreement concerns allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act, the settlement agreement must comply with subparagraphs 9.03(c)(1), (3) and (4) of these Rules, and:

(1) specify the amount, if any, that is the ''reimbursable portion'' as defined by section 415(d) of the Act; and

(2) contain the signature of any individual (or the representative of any individual) who has exercised his or her right to intervene pursuant to section 414(d)(8) of the Act.

(e) * * * * *

3. Revise section 9.04 as follows:

§ 9.04 Payments Required Pursuant to Decisions, Awards, or Settlements under Section 415(a) of the Act.

(a) *In General*. Whenever an award or settlement requires the payment of funds pursuant to section 415(a) of the Act, the award or settlement must be submitted to the Executive Director together with a fully completed Section 415(a) Account Requisition Form for processing by the Office.

(b) *Requesting Payments*.

(1) Only an employing office under section 101 of the Act may submit a payment request from the Section 415(a) Treasury Account.

(2) Employing offices must submit requests for payments from the Section 415(a) Treasury Account on the Office's Section 415(a) Account Requisition Forms.

(c) *Duty to Cooperate*. Each employment office has a duty to cooperate with the Executive Director or his or her designee by promptly responding to any requests for information and to otherwise assist the Executive Director in providing prompt payments from the Section 415(a) Treasury Account. Failure to cooperate may be grounds for disapproval of the settlement agreement.

(d) *Back Pay*. When the award or settlement specifies a payment as back pay, the gross amount of the back pay will be paid to the employing office and the employing office will then promptly issue amounts representing back pay (and interest if authorized) to the employee and retain amounts representing withholding and deductions.

(e) *Attorney's fees*. When the award or settlement specifies a payment as attorney's fees, the attorney's fees are paid directly to the attorney from the Section 415(a) Treasury Account.

(f) *Tax Reporting and Withholding Obligations*. The Office does not report Section 415(a) Treasury Account payments as potential taxable income to the Internal Revenue Service (IRS) and is not responsible for tax withholding or reporting. To the extent that W–2 or 1099 forms need to be issued, it is the responsibility of the employing office submitting the payment request to do so. The employing office should also consult IRS regulations for guidance in reporting the amount of any back pay award as wages on a W–2 Form.

(g) *Method of Payment*. Section 415(a) Treasury Account payments are made by electronic funds transfer. The Office will issue an electronic payment to the payee's account as specified on the appropriate Section 415(a) Treasury Account form.

(h) *Reimbursement of the Section 415(a) Treasury Account*.

(1) *Members of Congress*. Section 415(d) of the Act requires Members of the House of Representatives and the Senate to reimburse the ''compensatory damages'' portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 that the Member is found to have ''committed personally.'' Reimbursement shall be in accordance with the timetable and procedures established by the applicable congressional committee for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

(2) *Other Employing Offices*. Section 415(e) of the Act requires employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

(A) As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this Act has been made from the Section 415(a) Treasury Account in connection with a claim alleging a violation of section 201(a) or 206(a) of the Act by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director will notify the head of the employing office that the payment has been made. The notice will include a statement of the payment amount.

(B) Reimbursement must be made within 180 days after receipt of notice from the Executive Director, and is to be transferred to

the Section 415(a) Treasury Account out of funds available for the employing office's operating expenses.

(C) The Office will notify employing offices of any outstanding receivables on a quarterly basis. Employing offices have 30 days from the date of the notification of an outstanding receivable to respond to the Office regarding the accuracy of the amounts in the notice.

(D) Receivables outstanding for more than 30 days from the date of the notification will be noted as such on the Office's public website and in the Office's annual report to Congress on awards and settlements requiring payments from the Section 415(a) Treasury Account.

(3) [reserved]

4. Amend section 9.05 by revising paragraph (b) as follows:

§ 9.05 Revocation, Amendment or Waiver of Rules.

* * * * *

(b) The Board or a Hearing Officer may waive a procedural rule in an individual case for good cause shown if application of the rule is not required by law.

5. Add a new section 9.06 as follows:

§ 9.06 Notices.

(a) All employing offices are required to post and keep posted the notice provided by the Office that:

(1) describes the rights, protections, and procedures applicable to covered employees of the employing office under this Act, concerning violations described in 2 U.S.C. § 1362(b); and

(2) includes contact information for the Office.

(b) The notice must be displayed in all premises of the covered employer in conspicuous places where notices to applicants and employees are customarily posted.

6. Add a new section 9.07 as follows:

§ 9.07 Training and Education Programs.

(a) Not later than 180 days after the date of the enactment of the Reform Act, June 19, 2019, and not later than 45 days after the beginning of each Congress (beginning with the 117th Congress), each employing office shall submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

(b) *Exception for Offices of Congress.*—This section does not apply to any employing office of the House of Representatives or any employing office of the Senate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. Yarmuth hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 1957, the Taxpayer First Act of 2019, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 1957

	By fiscal year, in millions of dollars—												
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2019–2024	2019–2029
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	−5	−17	−6	2	3	3	4	4	4	4	−23	−3

Components may not sum to totals because of rounding.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

659. A letter from the Director, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule — Elimination of the Requirement That Livestock Carcasses Be Marked ''U.S. Inspected and Passed'' at the Time of Inspection Within a Slaughter Establishment for Carcasses To Be Further Processed Within the Same Establishment [Docket No.: FSIS 2018-0019] (RIN: 0583-AD69) received April 8, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

660. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Loans in Areas Having Special Flood Hazards [Docket ID: OCC-2014-0016] (RIN: 1557-AD84) received April 8, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0575; FRL-9991-19] (RIN: 2070-AB27) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerances [EPA-HQ-OPP-2018-0273; FRL-9990-52] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Data Determination; Provo, Utah 2006 Fine Particulate Matter Standards Nonattainment Area [EPA-R08-OAR-2018-0353; FRL-9991-76-Region 8] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

664. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation Air Quality Implementation Plans; Wyoming; Interstate Transport for the 2008 Ozone National Ambient Air Quality Standards [EPA-R08-OAR-2018-0723; FRL-9991-74-Region8; FRL-9991-74-Region 8] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Update to Materials Incorporated by Reference [EPA-R10-OAR-2018-0023; FRL-9990-80-Region 10] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

666. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Miscellaneous Rules [EPA-R04-OAR-2018-0078; FRL-9991-94-Region 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

667. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Regional Haze Plan and Prong 4 (Visibility) for the 1997 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 NAAQS [EPA-R04-OAR-2018-0799; FRL-9991-82-Region 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

668. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky: Jefferson County Prevention of Significant Deterioration [EPA-R04-OAR-2018-0018; FRL-9991-95-Reigon 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

669. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Florida; 2008 8-Hour Ozone Interstate Transport [EPA-R04-OAR-2018-0542; FRL-9991-96-Region 4] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Hydroxypropyl Starch; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0613; FRl-9991-13] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

671. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i) Post-Transition Table of DTV Allotments (Gadsden and Hoover, Alabama) [MB Docket No.:

19-18] (RM-11823) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

672. A letter from the Chief of Staff, Competition and Infrastructure Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — 1998 Biennial Regulatory Review —— Review of Accounts Settlement in the Maritime Mobile and Maritime Mobile-Satellite Radio Services and Withdrawal of the Commission as an Accounting Authority in the Maritime Mobile and Maritime Mobile-Satellite Radio Services [IB Docket No.: 98-96] received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

673. A letter from the Secretary, Department of Labor, transmitting the Department's FY 2018 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

674. A letter from the Acting Chief Executive and Administrative Officer, U.S. Merit Systems Protection Board, transmitting the Board's FY 2018 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

675. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Commercial Aggregated Large Coastal Shark and Hammerhead Shark Management Group Retention Limit Adjustment [Docket No.: 150413357-5999-02] (RIN: 0648-XG325) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

676. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2018 Recreational Fishing Seasons for Red Snapper in the Gulf of Mexico [Docket No.: 140818679-5356-02] (RIN: 0648-XG060) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

677. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Other Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG316) received April 5, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

678. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled, ''Annual Report to Congress on the Medicare and Medicaid Integrity Programs for Fiscal Year 2017'', pursuant to 42 U.S.C. 1395ddd(i)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1893(i)(2) (as amended by Public Law 111-148, Sec. 6402(j)(1)(B)); (124 Stat. 762) and 42 U.S.C. 1396u-6(e)(5); Aug. 14, 1935, ch. 531, Sec.1936(e)(5) (as added by Public Law 109-171, Sec. 6034(a)(2)); (120 Stat. 76); jointly to the Committees on Energy and Commerce and Ways and Means.

679. A letter from the Executive Director, Office of Congressional Workplace Rights, transmitting notifying the Congress of proposed procedural rulemaking, pursuant to 2 U.S.C. 1383(b); Public Law 104-1, Sec. 303(b); (109 Stat. 28); jointly to the Committees on House Administration and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEAL: Committee on Ways and Means. H.R. 1759. A bill to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes; with amendments (Rept. 116–38). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEAL: Committee on Ways and Means. H.R. 1957. A bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; with an amendment (Rept. 116–39, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 1957 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DELGADO (for himself and Mr. JOYCE of Pennsylvania):

H.R. 2142. A bill to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to create a centralized website for compliance guides, and for other purposes; to the Committee on Small Business.

By Ms. SPEIER (for herself and Ms. TITUS):

H.R. 2143. A bill to prevent wasteful and abusive billing of ancillary services to the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON of Ohio (for himself, Mr. SOTO, Mr. GOTTHEIMER, Mr. BUDD, Ms. GABBARD, and Mr. PERRY):

H.R. 2144. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to exclude digital tokens from the definition of a security, to direct the Securities and Exchange Commission to enact certain regulatory changes regarding digital units secured through public key cryptography, to adjust taxation of virtual currencies held in individual retirement accounts, to create a tax exemption for exchanges of one virtual currency for another, to create a de minimis exemption from taxation for gains realized from the sale or exchange of virtual currency for other than cash, and for other purposes; to the Committee on Financial Services, 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. RICE of South Carolina (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. DUNN, and Mr. ROUZER):

H.R. 2145. A bill to provide disaster relief; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself, Mr. NEGUSE, Mr. NADLER, Mr. ENGEL, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. MCGOVERN, Mr. MEEKS, Ms. NORTON, Mr. RASKIN, and Ms. SHALALA):

H.R. 2146. A bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes; to the Committee on the Judiciary.

By Ms. SEWELL of Alabama (for herself and Mr. SMITH of Nebraska):

H.R. 2147. A bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain mutual or cooperative telephone or electric companies; to the Committee on Ways and Means.

By Ms. CLARK of Massachusetts (for herself, Ms. PRESSLEY, Ms. SLOTKIN, and Ms. MUCARSEL-POWELL):

H.R. 2148. A bill to prevent discrimination and harassment in employment; to the Committee on Education and Labor, and in addition to the Committees on the Judiciary, House Administration, Oversight and Reform, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEIL (for himself and Ms. DEAN):

H.R. 2149. A bill to amend the Trafficking Victims Protection Act of 2000 to include financial criminal activities associated with the facilitation of severe forms of trafficking in persons within the factors considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons, and for other purposes; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. CARTER of Georgia, Mr. KIND, Mr. KELLY of Pennsylvania, Ms. WILD, and Mr. JOYCE of Ohio):

H.R. 2150. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELGADO (for himself, Ms. STEFANIK, Mr. MORELLE, Miss RICE of New York, and Mr. BRINDISI):

H.R. 2151. A bill to designate the facility of the United States Postal Service located at 7722 South Main Street in Pine Plains, New York, as the ''Senior Chief Petty Officer Shannon M. Kent Post Office''; to the Committee on Oversight and Reform.

By Mr. LYNCH:

H.R. 2152. A bill to require the Federal Energy Regulatory Commission to revoke a certificate of public convenience and necessity issued under section 7 of the Natural Gas as such certificate applies to the Weymouth Compressor Station, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FRANKEL (for herself, Mrs. BROOKS of Indiana, Mrs. LOWEY, Mr. FITZPATRICK, Mr. BERA, Ms.

STEFANIK, Mr. WEBER of Texas, Ms. KELLY of Illinois, Mr. RUTHERFORD, and Ms. HOULAHAN):

H.R. 2153. A bill to support empowerment, economic security, and educational opportunities for adolescent girls around the world, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SOTO (for himself and Mr. DAVIDSON of Ohio):

H.R. 2154. A bill to authorize additional appropriations to the Federal Trade Commission to prevent unfair or deceptive acts or practices relating to digital tokens and transactions relating to digital tokens, and to require a report to Congress on the Commission's actions related to digital tokens; to the Committee on Energy and Commerce.

By Mr. RUSH:

H.R. 2155. A bill to provide for certain requirements with respect to the treatment of personally identifiable information by genetic testing services; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. ROGERS of Kentucky, Mr. BEYER, and Mr. THOMPSON of Pennsylvania):

H.R. 2156. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY:

H.R. 2157. A bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURCHETT:

H.R. 2158. A bill to amend title 39, United States Code, to establish rules and procedures for the United States Postal Service regarding the use of centralized delivery of the mail with respect to residential housing units, and for other purposes; to the Committee on Oversight and Reform.

By Mr. WATKINS:

H.R. 2159. A bill to modernize and streamline the public diplomacy capabilities of the Department of State, increase evaluation of public diplomacy programming, enhance strategic planning for the Department's public diplomacy physical presence abroad, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PAYNE (for himself and Mr. GREEN of Texas):

H.R. 2160. A bill to amend the Homeland Security Act of 2002 to authorize expenditures to combat emerging terrorist threats, including vehicular attacks, and for other purposes; to the Committee on Homeland Security.

By Mr. BANKS (for himself, Mr. GIBBS, and Mr. KEVIN HERN of Oklahoma):

H.R. 2161. A bill to amend the Higher Education Act of 1965 to establish a Job Training Federal Pell Grants demonstration program, and for other purposes; to the Committee on Education and Labor.

By Mrs. BEATTY (for herself and Mr. STIVERS):

H.R. 2162. A bill to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program; to the Committee on Financial Services.

By Mr. BIGGS (for himself, Mr. MEADOWS, Mr. GAETZ, Mr. GOHMERT, Mr. GOSAR, Mr. WRIGHT, Mrs. LESKO, Mr. NORMAN, Mr. HICE of Georgia, Mr. JOYCE of Pennsylvania, Mr. WALKER, Mr. COLE, Mr. BUCK, and Mr. GROTHMAN):

H.R. 2163. A bill to amend the Internal Revenue Code of 1986 to allow for tax-advantaged distributions from health savings accounts during family or medical leave, and for other purposes; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 2164. A bill to require any bus purchased for use in public transportation with funds provided by the Federal Transit Administration to be a zero emission bus, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COLLINS of New York (for himself, Ms. ESHOO, and Ms. PINGREE):

H.R. 2165. A bill to amend the Wireless Communications and Public Safety Act of 1999, to clarify acceptable 9-1-1 obligations or expenditures, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONNOLLY (for himself, Mr. CHABOT, Mr. BERA, Mr. FITZPATRICK, Mr. LARSEN of Washington, and Mrs. WAGNER):

H.R. 2166. A bill to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), 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. CURTIS (for himself and Mr. MCCAUL):

H.R. 2167. A bill to authorize the President to impose sanctions with respect to any foreign person the President determines, based on credible evidence, engages in public or private sector corruption activities that adversely affect a United States foreign investor, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. BANKS, Ms. LEE of California, Mr. HILL of Arkansas, and Mr. RICHMOND):

H.R. 2168. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Education and Labor.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. GOMEZ, and Mr. PETERS):

H.R. 2169. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer; to the Committee on Ways and Means.

By Mrs. DINGELL (for herself and Ms. STEVENS):

H.R. 2170. A bill to support research, development, and other activities to develop innovative vehicle technologies, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2171. A bill to amend title 10, United States Code, to ensure that certain TRICARE beneficiaries who reside in Puerto Rico may enroll in TRICARE Prime, and for other purposes; to the Committee on Armed Services.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mrs. RADEWAGEN, and Mr. SOTO):

H.R. 2172. A bill to amend title XIX of the Social Security Act to remove the matching requirement for a territory to use specially allocated Federal funds for Medicare covered part D drugs for low-income individuals; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself and Mr. LAMALFA):

H.R. 2173. A bill to amend the Immigration and Nationality Act to reserve EB-5 visas each fiscal year for investors in new commercial enterprises in areas with respect to which a major disaster has been declared by the President; to the Committee on the Judiciary.

By Mr. GRAVES of Missouri:

H.R. 2174. A bill to remove fish and wildlife as an authorized purpose of the Missouri River Mainstem Reservoir System and to make flood control the highest priority of authorized purposes of such system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER:

H.R. 2175. A bill to amend the Immigration and Nationality Act to provide that a spouse must be at least 18 years of age, and for other purposes; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself, Mr. LYNCH, Mr. KHANNA, Ms. SPEIER, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Mr. DEFAZIO, Ms. NORTON, Mr. MCGOVERN, Ms. GABBARD, Mr. COHEN, Ms. JAYAPAL, Ms. PINGREE, Mr. CICILLINE, Ms. ESHOO, Mr. TONKO, Ms. DELAURO, Mr. WELCH, Ms. LEE of California, Mrs. NAPOLITANO, Mr. POCAN, Mr. GRIJALVA, Mr. YARMUTH, Ms. ROYBAL-ALLARD, Ms. OMAR, and Ms. WILD):

H.R. 2176. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called ''Glass-Steagall Act'', and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself, Mr. PETERSON, Mr. BIGGS, Mr. MOONEY of West Virginia, Mr. SMUCKER, Mr. HUDSON, Mr. WALKER, Mr. PALMER, Mr. KING of Iowa, Mr. MEADOWS, Mr. BABIN, Mr. SMITH of New Jersey, Mr. RODNEY DAVIS of Illinois, Mr. ALLEN, Mrs. HARTZLER, Mr. LAMBORN, Mrs. WALORSKI, Mr. KINZINGER, Mr. MASSIE, Mr. HIGGINS of Louisiana, Mrs. RODGERS of Washington, and Mr. SMITH of Nebraska):

H.R. 2177. A bill to amend the Internal Revenue Code of 1986 to make members of health care sharing ministries eligible to establish health savings accounts; to the Committee on Ways and Means.

By Mr. KING of New York (for himself and Ms. CASTOR of Florida):

H.R. 2178. A bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes; to the Committee on Ways and Means.

By Mr. LAMB (for himself, Mr. RUTHERFORD, Mr. VAN DREW, and Mr. CRENSHAW):

H.R. 2179. A bill to amend chapter 44 of title 18, United States Code, to enhance penalties for certain thefts of a firearm from certain Federal firearms licensees, and to criminalize the theft of a firearm from a gun range that rents firearms or a shooting club; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 2180. A bill to provide for the discharge of parent borrower liability if a student on whose behalf a parent has received certain student loans becomes disabled; to the Committee on Education and Labor.

By Mr. LUJÁN (for himself, Ms. TORRES SMALL of New Mexico, Ms. HAALAND, and Mr. GRIJALVA):

H.R. 2181. A bill to provide for the withdrawal and protection of certain Federal land in the State of New Mexico; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. NORTON, Ms. SPEIER, Mr. GRIJALVA, Ms. MOORE, Mr. CONNOLLY, Mr. DEFAZIO, and Ms. BONAMICI):

H.R. 2182. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARSHALL:

H.R. 2183. A bill to amend the Patient Protection and Affordable Care Act to streamline the State innovation waiver process, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORELLE:

H.R. 2184. A bill to improve oversight and evaluation of the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 2185. A bill to amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes; to the Committee on Natural Resources.

By Mr. POCAN (for himself, Mr. GROTHMAN, Mr. PAYNE, Ms. JAYAPAL, Ms. LEE of California, Mr. THOMPSON of Mississippi, Mr. BEYER, Mr. SCHIFF, Mr. KHANNA, Mr. COHEN, Mr. RUSH, Ms. BROWNLEY of California, Mr. SCHRADER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MENG, Mr. WELCH, Mr. LOEBSACK, Mr. PETERS, Mr. LOWENTHAL, Ms. MOORE, Mr. RASKIN, Mr. MALINOWSKI, and Ms. WASSERMAN SCHULTZ):

H.R. 2186. A bill to authorize borrowers of loans under the William D. Ford Federal Direct Loan Program to modify the interest rate of such loans to be equal to the interest rate for such loans at the time of modification; to the Committee on Education and Labor.

By Mr. QUIGLEY (for himself and Mr. RICE of South Carolina):

H.R. 2187. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Florida (for himself and Mr. SMUCKER):

H.R. 2188. A bill to provide accountability and protect whistleblowers in the Department of Education; to the Committee on Education and Labor, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. YOUNG):

H.R. 2189. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes; to the Committee on Natural Resources.

By Mr. SMUCKER (for himself and Mr. ROONEY of Florida):

H.R. 2190. A bill to improve accountability of senior officials and other supervisory employees of the Department of Labor; to the Committee on Education and Labor, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEUBE (for himself and Mr. CISNEROS):

H.R. 2191. A bill to prohibit the Secretary of Veterans Affairs from denying a veteran benefits administered by the Secretary by reason of the veteran participating in a State-approved marijuana program, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. TORRES SMALL of New Mexico (for herself, Mr. LUJÁN, and Ms. HAALAND):

H.R. 2192. A bill to grant the Congressional Gold Medal to the troops from the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILD (for herself, Ms. HILL of California, Ms. NORTON, Mr. ROUDA, Mr. VARGAS, Ms. HAALAND, and Mr. RASKIN):

H.R. 2193. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mr. ZELDIN (for himself, Ms. WASSERMAN SCHULTZ, and Mr. MCCAUL):

H.R. 2194. A bill to amend chapter 3123 of title 54, United States Code, to protect United States Heritage Abroad; to the Committee on Foreign Affairs.

By Mr. MCADAMS (for himself, Mrs. MURPHY, Mr. CASE, Mr. COOPER, Mr. CORREA, Mr. CRIST, Mr. CUNNINGHAM, Mr. GOTTHEIMER, Mr. LIPINSKI, Mr. SCHRADER, Ms. SPANBERGER, and Mr. O'HALLERAN):

H.J. Res. 55. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HASTINGS (for himself, Mr. COOPER, Mr. COHEN, Mr. THOMPSON of Mississippi, Mrs. MCBATH, and Mrs. BEATTY):

H. Res. 297. A resolution supporting the goals and ideals of Jubilee Day; to the Committee on Education and Labor.

By Mr. LOEBSACK (for himself, Mr. BYRNE, Mr. GRIJALVA, Ms. TITUS, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. SCHIFF, and Mrs. BEATTY):

H. Res. 298. A resolution expressing support for the designation of the week of April 8, 2019, through April 12, 2019, as National Specialized Instructional Support Personnel Appreciation Week; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MALINOWSKI (for himself, Ms. SCHRIER, Mr. MORELLE, Ms. ESCOBAR, Mr. TRONE, Mr. CISNEROS, Ms. PORTER, Ms. OMAR, Mr. PHILLIPS, Ms. MUCARSEL-POWELL, Mr. KRISHNAMOORTHI, Mr. HECK, Mr. CARBAJAL, Ms. SHERRILL, Mr. PALLONE, Mr. ALLRED, Mr. KIND, Mrs. TRAHAN, Mr. RASKIN, Mr. NORCROSS, Mr. CASTEN of Illinois, Ms. NORTON, Mr. COX of California, Mrs. FLETCHER, Ms. OCASIO-CORTEZ, Ms. HILL of California, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. ESPAILLAT, Mr. MCGOVERN, Ms. DEAN, Ms. PRESSLEY, Mr. COHEN, Ms. BROWNLEY of California, Ms. GARCIA of Texas, Ms. LOFGREN, Mr. NADLER, Mr. BLUMENAUER, Mr. CROW, Mr. JOHNSON of Georgia, Ms. WASSERMAN SCHULTZ, Ms. VELÁZQUEZ, Mr. VAN DREW, Ms. SPANBERGER, Ms. LEE of California, Mrs. LOWEY, Ms. MCCOLLUM, Ms. KUSTER of New Hampshire, Ms. CLARKE of New York, Mr. MEEKS, Mr. CARSON of Indiana, Mr. ROUDA, Ms. TITUS, Mr. CUMMINGS, Mr. ENGEL, Mr. COOPER, Ms. HAALAND, Mr. DANNY K. DAVIS of Illinois, Mr. CASE, Ms. ADAMS, Ms. ESHOO, Mr. DEUTCH, Mr. MOULTON, Mr. SOTO, Mr. CORREA, Mrs. WATSON COLEMAN, Mrs. CRAIG, Mrs. CAROLYN B. MALONEY of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. TORRES of California, Mr. TAKANO, Mr. PANETTA, Mr. GARAMENDI, Ms. MOORE, Mr. LOWENTHAL, Mr. FOSTER, Mr. SMITH of Washington, Mr. PAYNE, Mr. GARCÍA of Illinois, Ms. MENG, Mr. CLEAVER, Mr. SIRES, Mr. HIMES, Mr. LEVIN of Michigan, Mr. KHANNA, Mr. HASTINGS, Mr. HUFFMAN, Ms. JACKSON LEE, and Mr. CARTWRIGHT):

H. Res. 299. A resolution expressing the sense of the House of Representatives that immigration makes the United States stronger; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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. SHIMKUS (for himself and Mr. SCHIFF):

H. Res. 300. A resolution expressing support for the designation of August 23, 2019, as Black Ribbon Day to recognize the victims of Soviet and Nazi regimes; to the Committee on Oversight and Reform.

By Mr. SUOZZI (for himself, Ms. MENG, Mr. MEEKS, Mr. KING of New York, and Mr. WILSON of South Carolina):

H. Res. 301. A resolution expressing the importance of the United States alliance with the Republic of Korea and the contributions of Korean Americans in the United States; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DELGADO:

H.R. 2142.

Congress has the power to enact this legislation pursuant to the following:

By Ms. SPEIER:

H.R. 2143.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. DAVIDSON of Ohio:

H.R. 2144.

Congress has the power to enact this legislation pursuant to the following:

Section 8, subsection 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. RICE of South Carolina:

H.R. 2145.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Ms. LOFGREN:

H.R. 2146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 provides Congress with the power to establish a ''uniform rule of Naturalization.''

By Ms. SEWELL of Alabama:

H.R. 2147.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution.

By Ms. CLARK of Massachusetts:

H.R. 2148.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. STEIL:

H.R. 2149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. SCHAKOWSKY:

H.R. 2150.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DELGADO:

H.R. 2151.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8, Clause 1 of the Constitution of the United States.

By Mr. LYNCH:

H.R. 2152.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof''.

By Ms. FRANKEL:

H.R. 2153.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. SOTO:

H.R. 2154.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Consitution.

By Mr. RUSH:

H.R. 2155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have power to . . . provide for the . . . general welfare of the United States. . .'';

Article I, Section 8, Clause 3: The Congress shall have power ''To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;'' and

Article I, Section 8, Clause 18: The Congress shall have power ''To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.''

By Mr. CARTWRIGHT:

H.R. 2156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mrs. LOWEY:

H.R. 2157.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BURCHETT:

H.R. 2158.

Congress has the power to enact this legislation pursuant to the following:

Article IV,

Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. WATKINS:

H.R. 2159.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the Constitution of the United States.

By Mr. PAYNE:

H.R. 2160.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. BANKS:

H.R. 2161.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mrs. BEATTY:

H.R. 2162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BIGGS:

H.R. 2163.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. BROWNLEY of California:

H.R. 2164.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. COLLINS of New York:

H.R. 2165.

Congress has the power to enact this legislation pursuant to the following :

ARTICLE I SECTION 8

By Mr. CONNOLLY:

H.R. 2166.

Congress has the power to enact this legislation pursuant to the following:

Article 1, 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. CURTIS:

H.R. 2167.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 2168.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 2169.

Congress has the power to enact this legislation pursuant to the following :

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. DINGELL:

H.R. 2170.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2171.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 1, U.S. Constitution, which provide as follows:

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 Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2172.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [. . .]—And

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Moreover, the Congress has the power to enact this legislation pursuant to Article IV, Section 3, which provides, in relevant part, as follows:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall. be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2173.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1, 4, and 18 of the U.S. Constitution, which provide as follows:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [. . .]

To establish a uniform rule of naturalization [. . .] throughout the United States; [. . .]—And

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GRAVES of Missouri:

H.R. 2174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which states ''Congress shall have the power to regulate commerce with foreign nations, and among the several States, and with the Indian Tribes.''

The management of the Missouri River by the Army Corps of Engineers directly impacts commerce. The river is a source of barge traffic carrying a variety of goods.

By Mr. HUNTER:

H.R. 2175.

Congress has the power to enact this legislation pursuant to the following:

Article 1, 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 Ms. KAPTUR:

H.R. 2176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

clause 1

clause 5

By Mr. KELLY of Pennsylvania:

H.R. 2177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. KING of New York:

H.R. 2178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1

The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises to pay the Debts and provide for the common Defence and general Welfare of the United States

By Mr. LAMB:

H.R. 2179.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Article 1, Section 8

Powers of Congress. 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. LANGEVIN:

H.R. 2180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LUJÁN:

H.R. 2181.

Congress has the power to enact this legislation pursuant to the following:

Article 1; Section 7

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2182.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARSHALL:

H.R. 2183.

Congress has the power to enact this legislation pursuant to the following:

Article 1 , Section 8

By Mr. MORELLE:

H.R. 2184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. NORTON:

H.R. 2185.

Congress has the power to enact this legislation pursuant to the following:

clause18 of section 8 of article I of the Constitution.

By Mr. POCAN:

H.R. 2186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. QUIGLEY:

H.R. 2187.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. ROONEY of Florida:

H.R. 2188.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RUPPERSBERGER:

H.R. 2189.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SMUCKER:

H.R. 2190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. STEUBE:

H.R. 2191.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2: To borrow Money on the credit of the United States;

3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

4: To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

7: To establish Post Offices and post Roads;

8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

9: To constitute Tribunals inferior to the supreme Court;

10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

13: To provide and maintain a Navy;

14: To make Rules for the Government and Regulation of the land and naval Forces;

15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

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 Ms. TORRES SMALL of New Mexico:

H.R. 2192.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Ms. WILD:

H.R. 2193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause I

By Mr. ZELDIN:

H.R. 2194.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. MCADAMS:

H.J. Res. 55.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 41: Ms. OMAR.

H.R. 97: Mr. FITZPATRICK and Mr. SHERMAN.

H.R. 132: Mr. WILLIAMS.

H.R. 141: Mr. TED LIEU of California and Ms. WEXTON.

H.R. 299: Ms. BLUNT ROCHESTER, Mr. JORDAN, Mr. ARRINGTON, and Mr. SHIMKUS.

H.R. 307: Mr. CLAY.

H.R. 309: Ms. SCHAKOWSKY, Ms. NORTON, Ms. BROWNLEY of California, Mr. ESPAILLAT, and Mr. TED LIEU of California.

H.R. 375: Ms. SCHAKOWSKY and Ms. HAALAND.

H.R. 448: Mr. KIM.

H.R. 497: Mr. GROTHMAN, Mr. PAPPAS, Mr. COURTNEY, and Mr. LAMALFA.

H.R. 513: Mr. WATKINS.

H.R. 553: Mr. KENNEDY, Mr. HUDSON, Mr. AMODEI, Mr. MCKINLEY, Mr. NEGUSE, Mr. FLORES, and Mr. CRENSHAW.

H.R. 555: Mr. CISNEROS, Ms. FUDGE, Mr. CICILLINE, Ms. DELBENE, and Mr. COURTNEY.

H.R. 594: Ms. KUSTER of New Hampshire.

H.R. 598: Mr. CRENSHAW.

H.R. 647: Mr. MCCAUL and Mr. CISNEROS.

H.R. 649: Mr. CRENSHAW.

H.R. 663: Mr. BARR, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. CRAIG, Mr. GROTHMAN, Mr. LAMALFA, Mrs. MURPHY, Mr. SCHNEIDER, Mrs. WATSON COLEMAN, and Mr. STIVERS.

H.R. 689: Ms. DEAN.

H.R. 732: Mr. LEVIN of Michigan and Mrs. BEATTY.

H.R. 748: Ms. SLOTKIN, Mr. CLINE, and Mr. PANETTA.

H.R. 801: Mr. FITZPATRICK, Mr. RUPPERSBERGER, Mr. HARDER of California, and Mrs. KIRKPATRICK.

H.R. 808: Mr. MAST.

H.R. 838: Ms. MOORE, Mrs. LESKO, Mr. COHEN, Mr. DUNN, Mr. BRINDISI, and Mr. AUSTIN SCOTT of Georgia.

H.R. 864: Mr. WATKINS and Mr. HASTINGS.

H.R. 919: Ms. LEE of California.

H.R. 925: Mr. PAPPAS.

H.R. 943: Mr. STIVERS, Mr. KUSTOFF of Tennessee, and Mr. BRINDISI.

H.R. 946: Mr. HIGGINS of New York, Mr. RASKIN, and Mr. YARMUTH.

H.R. 961: Mr. MALINOWSKI, Mr. LAMB, Ms. FRANKEL, Mr. LEVIN of California, Ms. ROYBAL-ALLARD, Mr. FITZPATRICK, Mr. BARR, Ms. DELBENE, and Ms. WEXTON.

H.R. 965: Mr. LARSON of Connecticut.

H.R. 976: Mr. PETERS.

H.R. 988: Mr. CRIST.

H.R. 1006: Mr. RODNEY DAVIS of Illinois, Mr. OLSON, and Mr. WENSTRUP.

H.R. 1007: Mrs. AXNE.

H.R. 1025: Ms. SPEIER.

H.R. 1034: Mr. VELA.

H.R. 1042: Mr. WATKINS.

H.R. 1043: Mr. COX of California and Ms. MENG.

H.R. 1044: Mr. CLINE.

H.R. 1058: Mr. STAUBER, Mr. SIRES, and Ms. SPANBERGER.

H.R. 1095: Mr. FORTENBERRY.

H.R. 1096: Mr. JOYCE of Ohio, Mr. RODNEY DAVIS of Illinois, Mr. OLSON, Mrs. HARTZLER, and Mr. REED.

H.R. 1101: Mr. THOMPSON of Pennsylvania, Mr. RODNEY DAVIS of Illinois, and Mr. HILL of Arkansas.

H.R. 1133: Mrs. LEE of Nevada.

H.R. 1139: Mr. CONNOLLY.

H.R. 1155: Mr. BISHOP of Georgia.

H.R. 1163: Mr. GALLAGHER.

H.R. 1175: Mr. MAST, Mr. MARCHANT, Ms. STEFANIK, Mr. BIGGS, Mr. COLLINS of New York, Mr. COLE, and Mr. PETERS.

H.R. 1219: Mr. HICE of Georgia.

H.R. 1225: Ms. KUSTER of New Hampshire, Mr. HECK, Mr. COX of California, Mr. CÁRDENAS, and Mr. JOHNSON of South Dakota.

H.R. 1229: Mr. MALINOWSKI.

H.R. 1237: Mr. BEYER and Mr. HASTINGS.

H.R. 1309: Mr. CRIST and Ms. SLOTKIN.

H.R. 1315: Mr. BUTTERFIELD.

H.R. 1339: Mr. RIGGLEMAN.

H.R. 1342: Mr. CISNEROS.

H.R. 1359: Mr. SHERMAN.

H.R. 1380: Ms. DEAN.

H.R. 1383: Mr. GROTHMAN.

H.R. 1399: Mr. GOODEN.

H.R. 1411: Mr. HASTINGS.

H.R. 1442: Mr. QUIGLEY, Mr. SCOTT of Virginia, Mr. GARAMENDI, Ms. LEE of California, and Ms. OCASIO-CORTEZ.

H.R. 1446: Mr. SERRANO.

H.R. 1452: Mrs. MURPHY.

H.R. 1458: Mr. PALLONE, Mr. KHANNA, Mr. PAPPAS, and Mr. LUJÁN.

H.R. 1499: Mr. LARSON of Connecticut and Mr. HASTINGS.

H.R. 1517: Mr. HIMES.

H.R. 1530: Mr. YOUNG, Mr. RYAN, and Ms. FUDGE.

H.R. 1534: Ms. MENG and Mr. PALLONE.

H.R. 1549: Ms. PRESSLEY.

H.R. 1550: Mr. STAUBER.

H.R. 1572: Mr. HECK.

H.R. 1575: Ms. MCCOLLUM.

H.R. 1588: Mr. MOULTON.

H.R. 1591: Mr. RASKIN, Mr. TRONE, and Ms. WEXTON.

H.R. 1596: Mr. RUSH.

H.R. 1597: Mr. SIRES, Mr. HIGGINS of New York, Mr. LANGEVIN, Mr. HASTINGS, Mr. LARSEN of Washington, Mr. SABLAN, and Mr. MCGOVERN.

H.R. 1605: Mr. SCHWEIKERT.

H.R. 1606: Mr. BLUMENAUER.

H.R. 1641: Mr. BRINDISI.

H.R. 1646: Mr. CARBAJAL, Mr. RUIZ, and Mr. VISCLOSKY.

H.R. 1679: Mr. FOSTER, Mr. MARSHALL, and Mr. STAUBER.

H.R. 1690: Mr. NEGUSE, Mr. THOMPSON of Mississippi, and Mr. DANNY K. DAVIS of Illinois.

H.R. 1695: Mr. RESCHENTHALER, Mr. HORSFORD, and Mrs. TRAHAN.

H.R. 1717: Mr. HASTINGS and Ms. DELAURO.

H.R. 1730: Mr. WALBERG and Mr. GRIJALVA.

H.R. 1740: Mr. ALLEN.

H.R. 1748: Mr. DAVID SCOTT of Georgia, Ms. DAVIDS of Kansas, and Mr. LOEBSACK.

H.R. 1753: Mr. WATKINS, Mr. WILSON of South Carolina, and Mr. LOUDERMILK.

H.R. 1766: Ms. KUSTER of New Hampshire.

H.R. 1767: Mrs. CRAIG.

H.R. 1785: Ms. KUSTER of New Hampshire.

H.R. 1789: Mr. BLUMENAUER, Mr. RASKIN, Mr. GRIJALVA, and Mr. KHANNA.

H.R. 1791: Mr. RESCHENTHALER.

H.R. 1799: Mr. MCGOVERN.

H.R. 1819: Mr. SMITH of New Jersey and Mr. SIRES.

H.R. 1828: Mr. KHANNA.

H.R. 1830: Mr. CROW and Ms. ESCOBAR.

H.R. 1837: Mrs. MILLER, Mr. KIND, Mr. QUIGLEY, Mrs. CAROLYN B. MALONEY of New York, Mrs. HARTZLER, Mr. JOYCE of Ohio, Mr. MCHENRY, Mr. HIMES, Mr. COX of California, Mr. BOST, and Mr. KUSTOFF of Tennessee.

H.R. 1840: Mr. PETERS.

H.R. 1854: Mrs. DEMINGS, Mrs. LESKO, and Mr. TIPTON.

H.R. 1864: Mr. CRIST, Mrs. WATSON COLEMAN, and Mr. COHEN.

H.R. 1896: Mrs. RODGERS of Washington.

H.R. 1903: Mr. COLE.

H.R. 1904: Mrs. CRAIG, Ms. VELÁZQUEZ, and Mr. HORSFORD.

H.R. 1911: Mr. MITCHELL.

H.R. 1921: Mr. CRIST.

H.R. 1934: Mr. GRIJALVA.

H.R. 1944: Mr. STEIL.

H.R. 1948: Mr. CONNOLLY, Mr. YOHO, Mr. GOODEN, Mr. GUEST, Mr. MALINOWSKI, Ms. BROWNLEY of California, and Ms. FRANKEL.

H.R. 1952: Mr. SMITH of New Jersey.

H.R. 1956: Mr. RYAN, Mr. RODNEY DAVIS of Illinois, and Mr. RUPPERSBERGER.

H.R. 1959: Mr. CARTER of Georgia.

H.R. 1980: Ms. MOORE and Mr. COOPER.

H.R. 1992: Ms. KUSTER of New Hampshire.

H.R. 1997: Mr. FITZPATRICK, Ms. HILL of California, Mrs. LESKO, Mr. MAST, and Mr. STIVERS.

H.R. 2000: Mr. ROUDA.

H.R. 2009: Mr. RASKIN, Mr. PETERS, and Mr. MOULTON.

H.R. 2010: Mr. GIBBS and Mr. STEUBE.

H.R. 2014: Mr. CLINE.

H.R. 2039: Mr. HASTINGS.

H.R. 2062: Mr. COX of California.

H.R. 2074: Ms. MCCOLLUM, Mr. KHANNA, and Mr. MCGOVERN.

H.R. 2085: Mr. KRISHNAMOORTHI, Mr. GARCÍA of Illinois, and Mr. SARBANES.

H.R. 2091: Ms. KUSTER of New Hampshire.

H.R. 2108: Mrs. LESKO.

H.R. 2111: Ms. SLOTKIN and Ms. JOHNSON of Texas.

H.R. 2116: Mr. SHERMAN and Ms. OMAR.

H.R. 2134: Mr. SOTO and Mr. COHEN.

H.J. Res. 35: Mr. PAYNE.

H. Con. Res. 20: Mr. GOTTHEIMER and Mrs. LEE of Nevada.

H. Con. Res. 27: Mr. NUNES, Mr. STAUBER, and Mr. PASCRELL.

H. Res. 23: Mr. CARTWRIGHT, Mr. PANETTA, Mr. CRIST, and Mr. COSTA.

H. Res. 91: Ms. MENG.

H. Res. 106: Mr. SHERMAN.

H. Res. 129: Mr. GRIJALVA and Mr. MALINOWSKI.

H. Res. 191: Mrs. LESKO.

H. Res. 222: Mr. COLE and Ms. GARCIA of Texas.

H. Res. 224: Mr. MCGOVERN.

H. Res. 230: Ms. NORTON and Ms. ESHOO.

H. Res. 231: Mrs. TRAHAN, Ms. UNDERWOOD, Ms. VELÁZQUEZ, and Ms. WILD.

H. Res. 250: Mrs. KIRKPATRICK, Mr. BEYER, Mr. COOK, Mr. HURD of Texas, Mr. LAWSON of Florida, Ms. JUDY CHU of California, Mr. MALINOWSKI, and Ms. KUSTER of New Hampshire.

H. Res. 267: Mr. RUSH.

H. Res. 273: Mr. PAYNE and Mr. FITZPATRICK.

H. Res. 279: Mr. CARSON of Indiana.

H. Res. 291: Mr. ALLRED and Ms. TITUS.

H. Res. 296: Ms. TLAIB, Mr. ROUDA, Mr. DANNY K. DAVIS of Illinois, and Mr. BRINDISI.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MRS. LOWEY

H.R. 2157, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165 WASHINGTON, TUESDAY, APRIL 9, 2019 No. 61

Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, You know all about us. You know when we sit down and when we rise up. Forgive us when we fail to acknowledge Your sovereignty over our lives or to trust the unfolding of Your loving providence. Thank you for the gift of freedom to choose. Help us to use Your admonition as a lamp for our feet and a light for our path.

Guide our lawmakers. Bring their hearts under Your control as You infuse them with a deeper love for You and humanity. May they seek to cause justice to roll down like waters and righteousness like a mighty stream.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 9, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Daniel Desmond Domenico, of Colorado, to be United States District Judge for the District of Colorado.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Later today, the Senate will vote to advance the nomination of Daniel Domenico to serve as U.S. District Judge for the District of Colorado.

After we vote on his confirmation, we will do the same for Patrick Wyrick, nominated to a vacancy in the Western District of Oklahoma.

Mr. Wyrick is a two-time graduate of the University of Oklahoma and held a clerkship in the Eastern District of Oklahoma at the outset of his legal career. That career included time in private practice, as the State's Solicitor General and, most recently, as Associate Justice of the Oklahoma Supreme Court.

I am sorry to say that this week will mark 1 year since Mr. Wyrick's nomination was first received in the Senate. I hope each of my colleagues will join me in long-overdue support for its prompt consideration on the floor.

Over the course of the week, as I have outlined, we will consider four other well-qualified nominees who have been waiting on the Executive Calendar for far too long. We will build on the action taken last week to restore some reason and sanity to the nominations process, which has suffered in recent years under the burden of partisan obstruction.

Before the week is through, we will also turn to the nomination of David Bernhardt to lead the Department of the Interior. The Senate has confirmed Mr. Bernhardt twice before to serve that Department as Deputy Secretary and as Solicitor. When you hear the nominee and review his credentials, it is easy to see why. Mr. Bernhardt has significant private practice experience, as well as a past record of service at the Department.

Along the way he has earned the respect of those who rely on the public lands the Department of the Interior is charged to oversee, from Native American leaders to sportsmen's groups. He has been praised as a ''proven leader'' who ''act[s] with integrity'' and has ''the right approach and skill set.''

I hope each of my colleagues will join me in voting to confirm him later this week.

MEDICARE

Madam President, on a completely different matter, we are continuing to watch as our friends across the aisle take big steps in their party's continued march toward the far, far left. As I

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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understand, they will soon introduce the Senate version of the radical healthcare proposal that I have come to call Medicare for None.

It is only the latest installment in the steady drumbeat of calls for socialist central planning that we have been hearing from our Democratic colleagues as of late.

Earlier this year, we saw the Speaker of the House declare her top priority as the Democrat politician protection act, an effort to literally rewrite the rules of free speech in American elections and give political campaigns a big dose of taxpayer dollars, all so the outcome of the political process could be more to the Democrats' liking.

We have seen all but a tiny handful of our Democratic colleagues unable to reject an absurdly intrusive and mind-bogglingly expensive plan to forcibly remodel the U.S. economy and American families' lives until they are sufficiently ''green.''

Now, perhaps as soon as this week, the latest new scheme will make landfall in the Senate. I am sure it will grab a new round of headlines, but under the Cadillac hood, it will offer only the same old push mower engine, the same tired, debunked logic that Washington knows best and the American people can't be trusted to decide what is best for themselves and their families.

That tired, old engine cannot power the kind of healthcare that Americans deserve. The legislation my colleagues want to brand as Medicare for All hollows out the actual Medicare Program that our seniors rely on until the only thing left is the label. Then it takes that label and slaps it on a brandnew, untested, government-run plan that every single American would be forced into—forced into—whether they like it or not. In fact, competing private insurance policies, such as the ones that 180 million Americans currently use, would be banned outright—gone.

For the privilege of having their existing Medicare or existing employer-provided plans ripped away from them by the same old Washington experts who brought us ObamaCare with sky-high premiums and deductibles, out-of-pocket costs, and dysfunction—for that privilege the American people would have to pick up a historic $32 trillion tab. That is just the rough estimate for the first 10 years—$32 trillion over 10 years. That is more than the Federal Government has spent on everything—everything—over the past 8 years combined. It is so much that even senior Democrats aren't claiming to know how it will be paid for. That price is so steep that even left-leaning analysts are admitting that the tax burden is virtually certain to land on the shoulders of the middle class.

Here is the Washington Post, verbatim: ''Medicare-for-all in particular would require tax hikes on middle class families.''

To give you a sense of scale for this nightmare, one think tank has calculated that ''doubling all Federal individual and corporate income taxes''—doubling them—''would be insufficient to fully finance the plan.''

Doubling all of the corporate and individual income taxes would be insufficient to fully finance the plan. Doubling what Americans send to the IRS in income taxes would take away all of the competition and choice in the health insurance market. The failures and foibles of ObamaCare, as painful as they are for so many families, would likely be just the warmup act to this socialist bonanza.

Apparently this is what my Democratic colleagues believe will pass for a political winner. We are looking forward to that debate.

I will give them this: With Republicans standing for preserving what works and fixing what doesn't, for reducing tax rates instead of shooting them sky-high, and for strengthening the employer-sponsored and Medicare Advantage plans that American families actually rely on instead of snatching those plans away, my Democratic friends are certainly working hard to paint a contrast—and we welcome it.

S. 1057

Madam President, on one final matter, even as the Senate grapples with these kinds of major disagreements, I want to highlight that there were still bipartisan accomplishments constantly coming out of this Chamber. They don't always make national front-page news, but they often represent hugely significant progress for the American people.

Just yesterday afternoon, the Senate passed legislation from Senator MARTHA MCSALLY to formalize a landmark drought contingency plan for the Colorado River Basin. Our Senate colleagues from the West have been working with State and local leaders literally for years to develop this bipartisan, bicameral solution. Seven States, countless local and Tribal authorities, and both the United States and Mexico have skin in this game, so hammering out this coordinated plan was no small feat.

Now that this agreement will be codified in Federal law, tens of millions of Americans will be able to rest easier, knowing that their supply of drinking water and irrigation will be better protected from water shortages.

I want to congratulate all of our colleagues who worked hard to make this happen, particularly Senator MCSALLY and Senator GARDNER, who have been strong voices for this agreement and the people of Arizona and Colorado. I look forward to the President signing this into law in the very near future.

COLORADO RIVER DROUGHT CONTINGENCY PLAN AUTHORIZATION ACT

The ACTING PRESIDENT pro tempore. Under the order of April 8, 2019, the Senate, having received from the House H.R. 2030 and the text being identical to S. 1057, the bill is considered read three times and passed, and the motion to reconsider is considered made and laid upon the table.

The bill (H.R. 2030) was ordered to a third reading, was read the third time, and passed.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

H.R. 1602

Mr. THUNE. Madam President, there is one thing pretty much every American can agree on. It is that illegal robocalls are a major nuisance. Who hasn't been annoyed after answering the phone and discovering it is an automated message asking you to purchase some product or provide sensitive personal information?

But, of course, these calls aren't merely a nuisance. Scammers use these calls to successfully prey on vulnerable populations, like the elderly, who may be less technologically savvy. It is no surprise that people are deceived. I think most of us have received robocalls that sounded pretty credible, and the practice of spoofing numbers adds another layer of deception. Scammers can disguise the actual number they are calling from so the call looks like it is coming from a legitimate number. You may recognize the number calling you as a trustworthy local number, but the actual call may be from a scam artist.

I remember an article from my home State a couple of years ago that reported that scammers had successfully spoofed the number of the Watertown Police Department. So to anyone who received that call, it looked as if it was really the Watertown Police Department calling.

If the source looks credible and the call sounds credible, it can be difficult not to believe it, which is why people fall prey to robocall scam artists every single day, sometimes with devastating consequences.

Scammers' goal is to steal the kind of personal information that can be used to steal your money and your identity. When scammers are successful, they can destroy people's lives.

There are laws and fines in place right now to prevent scam artists from preying on people through the telephone, but unfortunately, these measures have been insufficient. Almost a year ago today, when I was chairman of the Commerce Committee, I subpoenaed Adrian Abramovich, a notorious mass robocaller, to testify before the committee. His testimony made it clear that current fines are insufficient to discourage robocallers. Robocallers just figure that those fines are part of the cost of doing business.

In addition, the Federal Communications Commission's anti-robocall enforcement efforts are currently hampered by a tight time window for pursuing violations. To address these problems, at the end of last year I introduced the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, or the TRACED Act.

Last week, my bipartisan legislation passed the Commerce Committee by unanimous vote. The TRACED Act provides tools to discourage illegal robocalls, protect consumers, and crack down on offenders. It expands the window in which the FCC can pursue intentional scammers from 1 year to 3 years, and in years 2 and 3, it increases the financial penalty for those individuals making robocalls from zero dollars to $10,000 per call to make it more difficult for robocallers to figure fines into their cost of doing business.

It also requires telephone service providers to adopt new call verification technologies that would help to prevent illegal robocalls from reaching consumers. Importantly, it convenes a working group with representatives from the Department of Justice, the FCC, the Federal Trade Commission, the Consumer Financial Protection Bureau, State attorneys general, and others to identify ways to criminally prosecute illegal robocalling.

Criminal prosecution of illegal robocalling can be challenging. Scammers are frequently based abroad and can quickly shut down shop before authorities can get to them, but I believe we need to find ways to hold scammers criminally accountable. There are few things more despicable than preying on and exploiting the vulnerable, and scammers should face criminal prosecution for the damage that they do.

I am very pleased that the TRACED Act has now moved to the full Senate for consideration. I am grateful to Senator MARKEY for partnering with me on this legislation, and I am pleased that this bipartisan bill has been embraced by all 50 attorneys general, by the Commissioners at the Federal Trade Commission and the Federal Communications Commission, and by major industry associations and leading consumer groups.

Later this week, I will hold a hearing on the Commerce Committee Subcommittee on Communications, Technology, Innovation, and the Internet, which I chair, to further examine the problem of illegal robocalling. I will work to get the TRACED Act to the President's desk as soon as possible.

This legislation will not prevent all illegal robocalling, but it is a big step in the right direction. I look forward to helping consumers by enacting the TRACED Act's protections as soon as possible.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

TRUMP ADMINISTRATION

Mr. SCHUMER. Madam President, the watchword in the executive branch today is ''chaos.'' This chaos stems from one source and one source only—President Donald Trump and his extreme agenda—and America is paying the price.

Everyone agrees there are issues at the border, but if you are the President and if you are in charge of our national security, you don't tweet your way into a strategy; you don't keep changing policies; and you don't keep switching personnel if you want to make progress on the most challenging issue that is facing our country.

Every day, we hear this is the President's new policy, and 2 days later, we hear it is not happening. People are being fired because they tell the President, according to news reports, that he can't break the law when he wants to do something. You cannot keep changing personnel, changing strategy, and tweeting your way through a problem as serious as this. That is why there is chaos when it comes to border issues—all created by the President and his whimsical, erratic, and oftentimes nasty pursuit of policy.

Even the Republicans are worried sick about the chaos President Trump has created over the week. My friend JOHN CORNYN says this is all a giant ''mess''—his words. Well, my friend from Texas is correct. Yet this dysfunction is not confined to a few Agencies; this chaos is throughout the executive branch because Donald Trump has the same kind of switching of personnel, changing of policies, and trying to tweet his way through a problem in other areas as he does with regard to the border.

Let me remind my colleagues that the Secretary of Health and Human Services, the Interior Secretary, and the EPA Administrator each resigned amid scandal. The Trump administration has not yet nominated anyone for probably the most important Cabinet position, the Secretary of Defense, since Secretary Mattis's departure, and when he departed, Secretary Mattis had a scathing rebuke of President Trump's policies.

Look at the chaos at the State Department, where the damage extends way beyond America's borders. Because of incompetence and inaction, there are no nominees to more than 30 vacant key positions at State, including Under Secretary of State for Public Diplomacy and Special Envoy for North Korean Human Rights. There are no nominees to be our Ambassador to Pakistan or Egypt and none for Qatar or Thailand.

This is not the Senate blocking nominees as much as the President likes to blame somebody else for his problems; this is the President's own administration that has failed to nominate people for such important positions, and many of these positions have been long vacant. The areas we mentioned are ever important in our changing world, and this administration is simply failing to nominate anyone.

We should be projecting stability and continuity through our State Department. Instead, it has been battered and belittled by its own administration to the point at which both sides in Congress have spoken out. Just yesterday, we learned the administration is pushing out the head of the Secret Service amid a new scandal surrounding a security breach at Mar-a-Lago, the so-called winter White House. Now joining the others who are gone—fired by Twitter or whatever—is the head of the Secret Service. All of this chaos has one source and one source only—the President of the United States and his erratic, vacillating attitudes toward policy and personnel.

Across a broad spectrum of issues, his policies are so extreme that even good-faith nominees eventually face a choice—leave the administration or be consumed by the quicksand of the Trump swamp.

I hope the President or some of the people around him will realize that his administration is far from a fine-tuned machine; it is a slow-motion disaster that the American people see in action every day.

WOMEN'S HEALTH

Madam President, on women's health, the Senate Judiciary Committee will hold a hearing today on a sham bill that would further restrict women's access to care.

Every woman and every family in America should shudder at the Republicans' campaign to take away the rights of women to make decisions about their own health just to satisfy a hard-right, radical agenda that the vast majority of Americans completely disagrees with.

This bill would unduly restrict women's rights to make their own health decisions. Dr. Jennifer Conti, who is a clinical assistant professor of OB/GYN at Stanford, described the 20-week mark set by the bill as ''just an arbitrary limit set in place by politicians that has no medical or scientific backing.'' Let me repeat—''an arbitrary limit set in place by politicians''—politicians making decisions about women's health. That is what is wrong here.

What is more, a 20-week ban is, arguably, unconstitutional. Just 2 weeks ago, a Federal judge in North Carolina ruled it was. We know the 20-week ban is just a start among those who want to take away women's rights. They will try to go for a 10-week ban, then a 6-week ban. It is all part of a radical, relentless effort to completely and unequivocally strip women of their right

to make their own healthcare decisions.

The rhetoric we will hear from the Republicans in this hearing will be much the same we have heard for years. Whether it is a vote we took in the Senate or a new law protecting one's rights in my home State of New York, the Republicans have repeatedly used scare tactics and falsehoods to mislead the public. Yes, these are nothing but scare tactics, but don't take my word for it. Time and time again, fact checkers have ruled the Republicans' rhetoric on these issues to be outright false.

Let's be clear. Across the country, the reproductive rights of women are under attack. In statehouses across the country, the Republicans are forcing through radical proposals that would dramatically limit women's rights to make their own choices—in Mississippi, in Georgia, in Kentucky. This is a threat to women in all 50 States, not just in those 3. It is dangerously out of step with the American people.

The Trump administration is even imposing a gag rule on healthcare providers to stop them from discussing the full range of options with women who consider having abortions. They are literally preventing doctors from doing their jobs. It is illogical, intrusive, and hypocritical that the Republicans in Washington would tell a doctor what he or she can or cannot say to a patient in a private medical conversation.

I have been around here long enough to remember when the Republicans were preaching that government should never come between a patient and his or her doctor. Why the change? Since taking office, President Trump and his Republican colleagues have repeatedly prioritized restricting women's reproductive freedoms and have strategically placed obstacles in the way of their accessing the healthcare they deserve. Donald Trump and our Republican friends believe they know better than American women. That is wrong, and American women totally disagree with them.

Yet, while the Republicans across the country push these proposals, they look the other way when President Trump proposes cutting programs that help newborns and young children.

The President wants to cut Medicaid by more than $1 trillion. That provides healthcare coverage for 37 million children. He wants to eliminate programs that support emergency medical health services for children and that address autism and developmental disorders.

I hope my Republican colleagues will join us instead of slipping down this radical, ideological, and deeply misguided path to strip away the rights of women.

H.R. 268

Now on disaster relief, as I said yesterday, the question of providing funding for our fellow Americans hurt by natural disasters is not an either-or proposition, but Republicans have treated it like one. They argue that we can either have funding for our neighbors in the Midwest, or we can pursue aid for Puerto Rico that the President opposes. For the President of the United States to pit American citizens against each other is simply un-American, and for Republicans in the Senate to go along with him is exhibit A of their refusal to stand up.

Some of my colleagues have said: Well, we are giving Puerto Rico just food stamp money. OK. Let's give all the other States just food stamp money. See if they think that is going to help them rebuild their homes and deal with the roads and all the other things that natural disasters have brought. Of course not.

That is the double standard, and it is not going to happen. We know the House, to their credit, is standing firm.

Let's come up with a compromise that funds both. As Americans have always done when American citizens in one part of the country are in trouble because of disaster, we come together and help them all—not just the ones the President likes or finds politically advantageous but all. We don't say: We will give just food stamps to some but complete disaster relief to the others. That is wrong, and that hurts American citizens in Puerto Rico and elsewhere.

Last week, Senator LEAHY and I presented a solution that solves all the problems—$16.7 billion in relief for all Americans affected by natural disasters, including $2.5 billion in new funding that could help communities with the new disasters in the Midwest. It had support for Puerto Rico and the people in the other territories.

It is about time we stop this standoff, pass disaster relief, and help our fellow Americans before the next storms make their unwelcome arrival.

NOMINATIONS

Finally, on judges, today, the Republican leader will follow through on his plan to remake the judiciary in the image of President Trump. Irony of ironies, the first nominee we will consider is a gentleman who supported the Republican leader's decision to not consider even a committee hearing or a vote on Merrick Garland. That is galling.

Mr. Domenico and the other nominees we will consider today are outside the mainstream—way outside the mainstream—and should not be rushed through this body. Two hours of debate on a lifetime appointment? Shame on our Republican friends who went along with that.

By participating in this sham process, every Republican will fully own each and every radical decision each of these nominees makes. We see what is happening now. A very conservative justice in Texas is taking healthcare away from millions of Americans. He is taking away their protection for preexisting conditions.

My fellow Republicans, you are on warning: If you keep voting for these judges, you are going to carry the burden of their awful decisions that will hurt so many Americans. They are so far out of the mainstream.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 3 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

WOMEN'S HEALTH

Mrs. MURRAY. Mr. President, as the minority leader explained, we unfortunately expect that today Senate Republicans will again make an effort to spread lies and misinformation about why some women decide to have abortions later in pregnancy, and they will do so instead of listening to women like Judy, from my home State of Washington, who learned that her son's organs were not developing properly—one lung was just 20 percent formed, and the other was missing entirely; women like Darla, from Texas, who learned that the complications one of her twins was facing could endanger the other's life as well; women like Alyson, a mother of six, who learned that one of her twins had died in the womb and the other was facing severe complications and that her own health was in severe risk from the pregnancy; or countless patients in States that have so severely undermined access to safe, legal abortion that women struggle to exercise their rights protected under our Constitution.

It is worth asking, with so much else going on, why are Republicans spending time doubling down on lies to undermine women's reproductive health? The unfortunate truth is that my Republican colleagues are not repeating these falsehoods because they are concerned about children or families; instead, they are doing whatever they think will help them reach their goal of taking away access to safe abortion in the United States of America.

Republicans may not be listening to women or doctors or families like the ones I just mentioned who had to make extremely difficult decisions, but Democrats are listening. We know women need to be able to make the healthcare choices that are right for them and their families, and healthcare providers need to be able to let medical standards, not politics, drive patients' care.

None of this should be controversial, and for the vast majority of people across the country, it is not. But as long as Republicans are holding partisan hearings to spread misinformation and lies or pushing anti-doctor, anti-women, and anti-family legislation or putting up new barriers to make it harder for women to access reproductive healthcare or trying to defund trusted healthcare providers like Planned Parenthood through harmful gag rules or jamming through far-right, ideological judges to chip

away at Roe v. Wade, Democrats are not going to stop fighting back on behalf of women, men, and families in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I have two unanimous consent requests.

I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. And I ask unanimous consent that I be allowed to complete my remarks before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DANIEL DESMOND DOMENICO

Mr. GARDNER. Mr. President, I come to the floor to speak in support of Dan Domenico, the district judge we will be voting on shortly.

I strongly support Dan Domenico for the district court position in the District of Colorado. Dan has impeccable academic and legal credentials. A native Coloradan, he is well known and well respected throughout the entire Colorado legal community. These characteristics make him very well suited to be on the bench.

A native of Boulder, CO, Dan received his undergraduate degree from Georgetown University and his juris doctorate from the University of Virginia—it has been a good week for the University of Virginia: a new Federal judge and a national championship—where he graduated order of the coif and was the editor of the law review.

After law school, Dan joined the respected firm of Hogan & Hartson and then clerked for Judge Tim Tymkovich, who is now the chief judge on the Tenth Circuit Court of Appeals.

Following his clerkship, Dan continued his public service as a Special Assistant to the Solicitor in the U.S. Department of the Interior. There, he advised the Secretary and the Department on matters related to national parks, fish and wildlife, Bureau of Land Management issues, and Indian affairs. These are all areas that matter a great deal to Colorado and the West.

Dan was then appointed to be the solicitor general for the State of Colorado. While he was the youngest person tapped for the position, he then became the longest serving solicitor general in our State's history, holding the position for 9 years. As solicitor general, Dan represented the State in both State and Federal courts, including the U.S. Supreme Court. He oversaw all major litigation for the State, and he provided legal advice to the Governor and State agencies.

Dan is currently the founding and managing partner at the Kittredge LLC, where he represents clients in high-stakes, complex litigation and appeals. He is an adjunct professor at the University of Denver's College of Law, where he teaches courses in natural resources law and constitutional law.

As impressive as this background is, it is also an insight into the type of judge Dan would be. I am particularly struck by Dan's service as the Colorado solicitor general.

While the Democratic leader may object to Dan Domenico, two Democratic Governors in Colorado did not. In fact, they kept his service. In fact, Dan served as solicitor general for the State of Colorado during one Republican Governor and two Democratic Governors. He served, regardless of party, with competence and zeal. That is what the Colorado legal community would tell anyone who wishes to listen. His approach to the legal issues he confronted was the same regardless of the party in power. He looked to the law. And that is what we expect in every judge. That is what Colorado wants. That is what our country needs. We need experienced practitioners who are respected by their peers and who will faithfully apply the law regardless of politics or place in life. That is what I believe Dan will do, and that is why I enthusiastically support his nomination and hope my colleagues will follow suit as well.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Daniel Desmond Domenico, of Colorado, to be United States District Judge for the District of Colorado.

Mitch McConnell, Johnny Isakson, Roger F. Wicker, John Boozman, John Cornyn, Mike Crapo, Shelley Moore Capito, Pat Roberts, Roy Blunt, Deb Fischer, David Perdue, Todd Young, John Thune, Mike Rounds, Steve Daines, John Hoeven, Thom Tillis.

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 Daniel Desmond Domenico, of Colorado, to be United States District Judge for the District of Colorado, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wisconsin (Mr. JOHNSON).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would haved voted ''yea.''

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The yeas and nays resulted—yeas 55, nays 42, as follows:

[Rollcall Vote No. 65 Ex.]

YEAS—55

Alexander	Gardner	Portman
Barrasso	Graham	Risch
Bennet	Grassley	Roberts
Blackburn	Hawley	Romney
Blunt	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Burr	Isakson	Scott (FL)
Capito	Jones	Scott (SC)
Cassidy	Kennedy	Shelby
Collins	Lankford	Sinema
Cornyn	Lee	Sullivan
Cotton	Manchin	Thune
Cramer	McConnell	Tillis
Crapo	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	
Fischer	Perdue	

NAYS—42

Baldwin	Hassan	Rosen
Blumenthal	Heinrich	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Markey	Tester
Coons	Menendez	Udall
Cortez Masto	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Peters	Whitehouse
Harris	Reed	Wyden

NOT VOTING—3

Cruz	Duckworth	Johnson

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 42.

The motion is agreed to.

The Senator from Texas.

ORDER OF BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that all postcloture time on the Domenico nomination expire at 2:15 p.m.; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING VETERANS

Mr. CORNYN. Mr. President, I was fortunate to grow up in a military family. My dad served for 31 years in the U.S. Air Force. He actually started out at a very young age as a B–17 pilot in the Army Air Corps before the Air Force was even created.

He was stationed at Molesworth Air Force Base in England and flew missions across the English Channel into Germany during World War II. He flew 26 of those missions, and he was successful in completing each one of them except for the last one. On the 26th mission, he was shot down and captured as a POW for the last 4 months of the war.

Growing up in a military family obviously means a lot to me. I grew up with a father who demonstrated every day what it means to be a patriot. Of course, like most military brats—that is what we called ourselves—I spent a lot of time traveling around the country. Of course, I was born in Texas and consider San Antonio home, but we

lived in Mississippi and in Kensington, MD, right outside the District of Columbia. I graduated from high school in Japan. This is pretty typical of a lot of military families because they tend to move around quite a bit. One of the biggest challenges, being a student growing up in a military family, is frequently having to change schools. That requires a little bit of resilience on the part of the student because they have to learn how to make friends, even in new settings.

Despite the challenges of moving around as a kid, there was one thing I was always grateful for. I had the privilege of witnessing not only my dad but so many others of our U.S. military servicemembers in action. Seeing their courage and sacrifice showed me early on that there is nothing we can do to adequately repay these men and women for their service to their country, but you better believe we have to try, and we are going to keep trying—not just to repay them but to recognize them and to honor them.

In Congress we accomplished a lot for our military over the last few years. We restored America's defense with the greatest investment in the military in decades, including the largest troop pay raise in nearly 10 years. That is after we tried unsuccessfully to do what we have done from time to time, which is to cash in the ''peace dividend.'' Unfortunately, we can't cash in the peace dividend because there never seems to be peace, as much as we would hope and pray for that.

But supporting our heroes on the battlefield is only part of our responsibility toward the military. We are also focused on ensuring that they get the care, support, and opportunities they need once they come home and take the uniform off as a veteran.

I have heard from many of my veterans in Texas who are frustrated with the services provided by VA facilities. They shared stories about having to travel hours upon hours to receive care, sometimes forcing them to accept lower quality care or sometimes to forego it entirely.

Both in Texas and across the country, VA facilities have notably been plagued by inefficiency, lack of accountability, and quality of care issues. Making matters more challenging, the VA has been hindered by unnecessary bureaucratic hurdles. The Veterans' Administration has more than 300,000 people working for them. So bureaucracy should be its middle name. It is not designed to be efficient, but it is incredibly frustrating and costly for our veterans as they seek to get the care we promised them and that we are dutybound to provide.

Sadly, in some cases veterans turn to alternative coping mechanisms that can lead to destructive addictions. We know that self-medication is a real problem, particularly for mental health issues, and veterans, unless they are diagnosed properly and receive the correct medical care, can spiral down as a result of an alcohol or drug addiction, which is a coping or self-medication mechanism that does not work out well. Those stories do not end well at all. Those are some of the challenges we have facing our veterans and trying to provide them with the services they are entitled to and have earned.

But there is a good news part to this story. Last summer we took a major step to provide veterans with the healthcare they deserve when we passed the VA MISSION Act. This legislation will make significant reforms in the Department of Veterans Affairs and provide veterans with more flexibility to make decisions themselves regarding their healthcare. In other words, they don't have to adapt to the system. The system can adapt to them and be flexible to their needs.

One of the most common frustrations I hear from my Texas veterans is that it is sometimes impractical to travel to the next VA hospital when they need care. This legislation, the VA MISSION Act, consolidates and improves VA community programs. In other words, you can get the care in your community. It allows veterans to receive care from private hospitals and doctors.

It also provides funding for the Veterans Choice Program to continue until the approved Veterans Community Care Program matures and is fully in effect.

The VA MISSION Act included some of the most substantial reforms to the veterans healthcare system in years, lowering the barriers to care for veterans and giving them more treatment options. It has also provided the largest funding increase in recent history for veterans' care and services and modernized the VA's electronic health record system.

My hope is it will provide some needed relief to veterans and their families who aren't happy with the status quo, and we will continue to work with them until we get this right, to build on these reforms until we are able to provide the sort of care all of our veterans need and deserve. We don't want to just provide for these men and women's physical needs, we also need to ensure that they have adequate mental health resources as well.

Last Congress, I was an original cosponsor of the Veteran Urgent Access to Mental Healthcare Act. Enacted as part of the 2018 Consolidated Appropriations Act, this law now allows those discharged under certain other-than-honorable conditions access to critical mental health care facilities. Veterans who are struggling deserve to be carefully evaluated at the onset of their mental illness and supported with the VA medical treatment necessary for their recovery.

I was proud to introduce the Mental Health and Safe Communities Act, which established peer-to-peer services that connect qualified veterans with other veterans to provide support and mentorship. One of the things I hear from our servicemembers, when they take the uniform off, is that what they miss most about the military is the camaraderie and sense of teamwork and mutual support. This legislation is designed to try to provide some transitional support for peer-to-peer services, to connect qualified veterans with other veterans during that period of time. It will also allow qualified veterans to obtain treatment, recovery, stabilization, and rehabilitation services.

While providing physical and mental healthcare for veterans is a top priority, it is only part of providing a smooth transition for those who leave military life to return to civilian life. We want to ensure that they have ample employment opportunities as well.

Last month, the veterans unemployment rate was 2.9 percent—down from 4.1 percent in March of last year and lower than the national unemployment rate. I would like to think that is, in part, a result of the concerted effort we have made to provide more opportunity to our veterans to transition into a meaningful career after life in the military. I am encouraged by those positive numbers. We will continue to follow them and make sure it is not just a blip on the radar screen.

Last Congress, I introduced the American Law Enforcement Heroes Act, which is now law. It amended a 1968 law to allow grant funds to be used to hire and train veterans as career law enforcement officers. Everywhere I go across the State of Texas, I talk to police departments that were really having huge challenges trying to fill the vacancies in their ranks. This will allow more of our veterans who are trained to serve as career law enforcement officers and use grant funds to hire and train them further to make sure they have the skills needed in a specific police department or law enforcement position. This bill makes sure veterans can get hired by local law enforcement agencies when they come out of the military with the very skills that are needed by those police agencies working to keep our communities safe.

I also introduced the Jobs for Our Heroes Act, which was signed into law last January. This streamlines the process by which Active-Duty military reservists and veterans receive commercial driver's licenses.

Finally, another bill I will mention was the Harry W. Colmery Veterans Educational Assistance Act, which made much needed updates for veterans facing school closures while enrolled. It also increased the resources and opportunities for educational assistance for veterans pursuing STEM careers—science, technology, engineering, and math—something we need more of.

Every piece of legislation I mentioned was signed into law by President Trump and represents our commitment in the Senate to supporting America's veterans. I am proud of the

work we have been able to do together on a bipartisan basis—big and small—to provide America's veterans with the support and resources they need as they transition to civilian life.

There is more I would like to accomplish this Congress to provide greater care and open more doors to veterans. I look forward to working with all of my colleagues to do exactly that.

TRIBUTE TO LIEUTENANT GENERAL PAUL E. FUNK II

Madam President, finally, I want to take just a moment to congratulate one outstanding servicemember from Texas who just received a big promotion. The Senate recently confirmed LTG Paul E. Funk II for his fourth star and for the position of commanding general of the U.S. Army Training and Doctrine Command.

Since 2017, General Funk has served as commanding general of the Third Armored Corps at Ford Hood, where he commands about 100,000 soldiers on five installations across five States. As excited as we were for him to take the helm at Fort Hood, it felt more like a homecoming for General Funk.

As a matter of fact, he was born at Fort Hood and is the son of a previous commander of the Third Corps at Fort Hood. They were the first father-son duo to command the unit and joined a small but impressive group of other fathers and sons who have commanded the same corps.

Throughout his career, General Funk has been deployed five times and led soldiers during Operations Desert Shield, Desert Storm, twice in Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Inherent Resolve. General Funk is highly decorated and has received multiple Distinguished Service Medals, the Defense Superior Service Medal, multiple Legion of Merit awards, and numerous Bronze Stars, among other medals.

I wanted to say a few words to congratulate soon-to-be General Funk and his wife, Dr. Beth Funk, on this incredible accomplishment. He is an outstanding soldier, leader, and patriot, and will do great work at TRADOC. The State of Texas is sad to say farewell, but we wish him the very best as he heads to Virginia for this incredible opportunity and his continued service to our country.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Louisiana.

STOP SILENCING VICTIMS ACT

Mr. KENNEDY. Madam President, I want to talk briefly about two subjects. The first is sexual harassment. More specifically, I want to talk about a bill I am going to be introducing. It is about the abuse of nondisclosure agreements across government.

There are victims of sexual harassment who are prohibited from talking about their experiences because of a nondisclosure agreement that is attached to a settlement and has been paid for by taxpayers or, in some cases, with private funds. Victims are silenced. Victims are silenced so voters can't find out about this disgusting behavior.

I have always believed that sunlight is the best antiseptic and the best disinfectant, and it is long past time, in my opinion, that we stop revictimizing people who wanted nothing more than to come to work every day and be treated with basic human dignity.

The title of my proposed law is the Stop Silencing Victims Act. It is really very simple. It would say that if you are a State or Federal employee or if you are a public official or a public employee and you are accused of sexual harassment and you settle that lawsuit—whether you settle it with taxpayer funds or private funds—then a nondisclosure agreement is prohibited in that settlement unless the victim wants to have a nondisclosure agreement. In other words, if you are accused of sexual harassment and you settle the case, the taxpayers are entitled to know about the settlement unless the victim decides otherwise.

I am going to be careful here. We believe passionately, as we should, in due process in America; that just because you are accused of something doesn't mean you are guilty of it. Some of my colleagues have suggested in the past that you are morally tainted if you don't automatically believe all accusers. I don't agree with that. I think you are morally tainted if you don't treat both the accuser and accused with respect and dignity and due process. So the purpose of my bill is not to take away anybody's due process. Just because you are accused of something doesn't mean you are guilty of it.

Having said that, I think we have to face the facts in America. We have had far too many instances of sexual harassment. We have seen it in Hollywood repeatedly. I don't know how the actors in Hollywood have time to make movies; they are too busy molesting each other.

It is not just in Hollywood. It is all across society. It is in the Halls of Congress. It is in the halls of State government. It is in the boardroom. It is all across America. For the first time in a long time, women who are usually—not always but usually—the victims of sexual harassment have started to speak up. I thank them for that.

My bill will further enhance their voice. If they make an accusation of sexual harassment and the alleged perpetrator is a State employee or Federal employee and the lawsuit is settled, no longer will you be able to have an agreement that says nobody can talk about it unless the victim wants to. Once again, I think this kind of transparency will help us fight a very serious problem in America because this is no country for creepy old men or for creepy young men or for creepy middle-aged men or for anybody—man or woman—who would use his or her power to obtain sexual favors from somebody in fear of them in power in the workplace or otherwise.

IMMIGRATION

Madam President, I believe any President is entitled to surround himself with the advisers of his choice. I firmly believe that.

As you know, our recent Secretary of Homeland Security has been replaced. She and the President met on Sunday, and they mutually decided there would be a change at the top in Homeland Security. Secretary Nielsen decided to resign.

Shortly thereafter, her White House colleagues, her friends—the people she has worked with day in and day out to try to solve this crisis of illegal immigration into America—immediately became anonymous sources and proceeded to cut her to pieces off the record. Of course, our press, as it is entitled to do under the First Amendment, feasted on it. These were Secretary Nielsen's colleagues; the people she worked with on a daily basis.

This is America. Within reason, you can say what you want, but you ought to put your name to it. You shouldn't hide behind the label of an anonymous source. I believe, and I suspect the Presiding Officer does, too, that we should treat people with dignity and respect. I felt and still feel Secretary Nielsen's former colleagues did not show her dignity and respect. In fact, their behavior was classless.

I think Secretary Nielsen did the very best she could under difficult circumstances, for we do have a problem at the border. ''Problem'' is an understatement. In March, we had 100,000 people come into our country illegally. That is the most in 10 years. If that continues, we are going to set a record this year of the number of people entering our country illegally.

We are a nation of immigrants, and I am proud of that. Americans cannot be called anti-immigrant. Every year, we welcome a million people across the world to come into our country and become Americans. They do it legally. They follow the law—they are properly vetted; they get in line; they wait patiently. Then we welcome them in. We are a nation of immigrants, and I am very proud of that.

Unfortunately, we have another 500,000 to 600,000 people who don't follow the rules. They come into our country illegally. Illegal immigration is illegal. Even if you think it is a good idea—and I don't—if you care about the rule of law, which is one of the bedrock principles in America, then you would want to stop illegal immigration. It is just that simple.

I don't care who the President puts in charge of Homeland Security. I don't want to leave that statement in isolation or allow it to be taken out of context. Obviously, the Secretary of the Department of Homeland Security is a very important post, but I don't care which man or woman the President chooses, for we are not going to solve this problem until we do three things. Some brandnew, shiny, magical wonder pony is not going to gallop in and save

us here. We have to solve this problem ourselves.

The first thing we have to do is to build a wall. I am not talking about a wall from sea to shining sea. We have 1,900 miles of border. I am talking about barriers that are strategically placed. You cannot seal a 1,900-mile piece of real estate without having a barrier. It can't be done. If you don't believe me, ask Israel. That is why it has a 400-plus-mile border wall with the West Bank. That is why Saudi Arabia has a border wall with Yemen. That is why India has a border wall as do Bulgaria and Malaysia. I could keep going. Border walls work. All border walls say is: If you come into our country, come in legally because we believe in the rule of law.

The second thing we need to do, as the Presiding Officer well knows, is to pass asylum laws that look like somebody designed the things on purpose because what we have now doesn't fit that description. If you are coming from Central America—from El Salvador, from Nicaragua, from Guatemala—all you have to do is make it to American soil, say the magic words, and you will be allowed into our country. You will be told: We are going to give you a court date. Yet we are so far behind in our immigration court that the court date will likely come in a year and a half or 2 years. You will be released into the country, and you will be told to come back for the court date. Some do. Many don't.

No other country that I am aware of has an asylum law as upside down as ours. You could drive all across Washington, DC, and pick the first person you find who is living under the interstate and say: You draft an asylum law for us. It would be better than the asylum law we have right now.

The U.S. Senate ought to be debating America's asylum laws right this second. I am not saying the other things we are doing—we are in the personnel business—aren't important, but there is not a single issue right now that is more important. Congress needs to do its job, and the Senate ought to be debating this issue right now. I don't know how it will turn out. How about we just surprise ourselves for a change and do something intelligent by putting the issue on the floor of the Senate and by letting us debate it and offer amendments. We might be surprised at what we can achieve.

The third thing we are going to have to do to solve our problem is to convince our friends in Mexico and our friends in Central America—El Salvador, Guatemala, Nicaragua—to work with us in terms of solving this problem. What I would like to see the President do is to call an immigration summit. He has declined to do it, but I am going to keep talking about it until I persuade him to call an immigration summit. Invite the President of Mexico and the President of the Northern Triangle Central American countries. Let's come together, and let's talk about the problem.

There are some bad people coming across the border. Some of them are from Central America. The President is right about that. We have gang members, drug dealers, criminals, child sex traffickers, and adult sex traffickers. Yet all of the people coming across are not bad people. They are coming because they are scared. I read an analysis the other day of a poll conducted by Vanderbilt University. It was the most expensive, thorough poll that one could do. They didn't call people on the telephones; they talked to people in person. It was a representative sample.

This poll found that between one-third and one-half of the people with whom they talked who lived in Central American countries—the so-called Northern Triangle countries—had been victims of crime within the past year, usually of extortion. That is the problem in these Central American countries—the gangs are running the countries. In many cases, the police and elected leadership are complicit. I mean, imagine how bad things would have to be for you to take your child and your spouse and decide ''I am going to leave where I am and walk, with the clothes on my back, 500 to 1,000 miles to another country because that is how bad things are where I am right now.'' That is the case with many of the people in Central America.

I don't know the answer. I think we should start with a Presidential summit—not representatives of the President's but a Presidential summit of the President of the United States, President of Mexico Lopez Obrador, and the Presidents of the Northern Triangle countries. Let's see what we can do to try to solve this problem.

There is precedent for this. Back in the late 1990s and well into the next decade, we had a terrible problem with drug cartels and cocaine coming into this country from Colombia. We didn't solve that problem overnight. We solved it by working with Colombia to develop what we called then Plan Colombia. We sat down with the President of Colombia and said: We will work with you. We will even provide some of the funding in return for specific commitments—one being to stop growing cocoa leaves, for example. It has taken a decade, but we have not completely solved the problem. Yet, if you visit Colombia today, it is a different country.

Let me say again—and I will end on this note—that I am not anti-immigration, and I don't think most Americans are. We are a nation of immigrants, but illegal immigration undermines legal immigration. Some of my colleagues don't agree with that. They don't make the distinction between legal and illegal immigration. Some of my colleagues, I am convinced—and it is their right, for this is America; believe what you want—believe that illegal immigration is a moral good. I don't. I think illegal immigration is illegal, and I think it hurts our country. We are not going to solve this problem until we control the flow of people from Central America, until we revise our asylum laws, and until we build a barrier.

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. HAWLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAWLEY. Madam President, I ask unanimous consent that I be permitted to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS INTOLERANCE

Mr. HAWLEY. Madam President, I rise to discuss a new and growing fundamentalism—a fundamentalism of intolerance and bigotry that is spreading on our college campuses, in our university systems, and in the media. It is a fundamentalism that wraps itself in the language of tolerance but that is, in fact, a cloak for discrimination against people of faith. This new fundamentalism would undermine the most important constitutional guarantees and traditions of our Nation that have allowed us to live in civil peace and civil friendship for over 200 years, and that is the subject of my remarks this afternoon.

The latest example of this new fundamentalism of intolerance comes from Yale University—in particular, from Yale Law School—where we learned last week that Yale Law School had imposed a new policy that would block students who work for certain faith-based organizations from accessing resources that are available to all other students. Specifically, that policy would prohibit students from receiving school resources if they decided to work for an organization that takes religious faith into account when hiring. Unlike Federal law, Yale's policy, as announced, failed to include an exemption for religious organizations even though Federal law recognizes the rights of religious organizations to hire based on their faiths.

What we are talking about here is something very simple. Yale said to a group of students that if those in the group wanted to work for faith-based organizations, they would not be able to access the same funds or the same loan repayment programs that are offered to all other students who work for all other organizations. As to what Yale held out to students as being a neutral and generally available program for folks who chose to work in the public's interest either during the summer or after law school, Yale Law School, last week, said: Oh, no. It is not going to be available if you are a student of faith and choose to go to work for an organization that is faith-based and want to pursue its faith-based mission.

Ironically, this was done in the name of tolerance. Yale said it was trying to

foster a more tolerant environment. In fact, this is the most rank intolerance. It is flatout discrimination. It is discrimination against religious organizations and nonprofit organizations that are pursuing their good work and that are, in many instances, doing so without asking their clients to pay a single cent. It is discrimination on the basis of faith, pure and simple. It is discrimination against students of faith who want to go to public interest organizations that share their faith missions and who want to do good in the world by pursuing those beliefs while helping those who are in need. It is discrimination, at the end of the day and at the root of the matter, that rejects this country's commitment and our First Amendment's commitment to pluralism.

You know, our First Amendment is an extraordinary text. When enacted, it was the first of its kind in the world, and it makes an extraordinary commitment. It says that the people of this country have the right to pursue and to observe their religious beliefs, whatever they may be, so long as they do so in peace with one another. It is, as an old friend of mine once said, the right to be wrong. The First Amendment guarantees that every single American can pursue his or her most fundamentally held, deeply held religious beliefs so long as they don't harm other people. That doesn't mean we all have to agree on what our religious beliefs are. It doesn't mean we have to agree on the outcomes our religious creeds lead us to.

Our First Amendment recognizes the right to be wrong, but this new fundamentalism, this new intolerance and bigotry does not recognize the right to be wrong. In fact, it wants to eliminate the right to be wrong. It wants to say that, no, we all have to agree. We all have to now share Yale's view of what an appropriate religious mission is. We now have to share Yale's view of what students should be doing with their time. We have to share Yale's view of what our deeply held beliefs, religious or otherwise, should be.

This sort of fundamentalism insists on a monochromatic view of the world that we all believe the same thing, that we all act in the same way, that we all behave the way our elites want us to behave. Well, I submit to you that is not the First Amendment to the U.S. Constitution. That is not our great tradition of pluralism. That is not what has allowed us to live in civil peace and civil friendship for these many years.

The question is, Why do Yale Law School and other institutions pursue policies like this? Well, it is not because of the law. Let's be clear about that. In fact, Federal law and, indeed, our Constitution prohibit precisely this kind of targeting of people of faith for disfavor. Just in 2017, the U.S. Supreme Court ruled in a case called Trinity Lutheran that policies that target the religious for special disabilities based on their religious status are unconstitutional. Indeed, as I said earlier, Federal law explicitly prohibits the targeting of individuals for their religious faith.

No, Yale Law School is not enacting this policy because the law requires it; they are enacting this policy because they no longer believe in the right to be wrong. They no longer believe that our religious faith is so fundamental, is so significant, and is so meaningful that we ought to be allowed to pursue it peacefully, in harmony with one another.

You know, Yale said of their policy that ''the law school cannot prohibit a student from working for an employer who discriminates''—that is their understanding of what religious organizations do when they ask that the members of the organization share the same faith; they call that discrimination—''the law school cannot prohibit a student from working for an employer who discriminates, but that is not a reason why Yale Law School should bear any obligation to fund that work.''

Well, Yale Law School can certainly pursue its own beliefs, its own objectives, and its own values, but why should they be doing it with Federal taxpayer money? That is my question.

Yale University receives millions of dollars in Federal taxpayer subsidies every year, which they use to pad their multibillion-dollar endowment. Yale Law School, this seat of privilege, does not have to accept this money from the Federal Government—I submit to you, is not entitled to this money from the Federal Government if they are going to engage in patterns of discrimination targeted at religious students and religious organizations for special disfavor.

So I propose this: If Yale Law School and Yale University want to pursue a policy of discrimination towards religious believers, they may certainly do so, but they may not do it with Federal taxpayer money.

You know, Yale said at the end of last week that they would add an exemption now. They said they would add an exemption for religious organizations and religious believers. We haven't seen that exemption yet. I notice that it took days of pressure and outcry for them to come forward with this. I hope they will add an exemption. I hope they will stop targeting religious students for special disfavor. But what I hope above all is this: I hope that Yale Law School and Yale University will recommit themselves to our proud tradition of pluralism, of diversity, of the right to be wrong, which has been the basis for our civic friendship, for our civic peace, for the extraordinary diversity of thought and belief we so cherish in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Madam President, I ask unanimous consent to complete my remarks before the lunch recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEXUAL ASSAULT AWARENESS MONTH

Ms. ERNST. Madam President, I rise today to focus on a serious issue that has plagued our society and impacted the lives of so many people across our great Nation: sexual assault.

During my time at Iowa State University, I served as a volunteer counselor at a crisis center that provided shelter and support to survivors of abuse and sexual assault. I heard so many gut-wrenching stories of women and of men fleeing domestic abusers, suffering not just physically but emotionally and spiritually. Taking calls on our hotline from people who had been raped and sexually abused was absolutely heartbreaking.

Abuse is not something you can just simply forget; it stays with you forever. And I know this personally. As a survivor and as a Senator, I feel it is important to be a voice for the thousands of victims across Iowa and so many more across our Nation who have fallen prey to sexual assault, to rape, to harassment, and other forms of abuse. Our country is facing a mental health crisis, and one cannot help but feel that these issues are all too often interwoven into the stories of so many Americans.

April is Sexual Assault Awareness Month. As lawmakers, it is a stark reminder that we must take a long, hard look at how we combat this problem and take real steps to confront sexual assault in our society.

Just last week, with my colleagues Senator GRASSLEY, Senator GILLIBRAND, and others, we reintroduced a bipartisan bill to combat sexual assault on our college and university campuses. Our bipartisan measure will make campuses in Iowa safer and ensure victims are fairly heard by changing the way our universities handle sexual assault cases.

But it is not just these young men and women at these institutions who have been victimized. Like so many of you, I was horrified—absolutely horrified—to hear of the crimes committed by Larry Nassar, the USA Gymnastics doctor who abused hundreds of young athletes. The actions of Nassar and the individuals and institutions that facilitated and then protected his behavior are inexcusable.

The cases were also symptomatic of broader problems our society faces on sexual assault, rape, harassment, and abuse, leaving women and men, young and old, vulnerable. These types of failures are the reasons I have worked with my colleagues in Congress on reforms to ensure sexual misconduct is reported, responded to, taken seriously, and ideally prevented. For instance, we introduced a bill to require the governing bodies of U.S. amateur athletic organizations to immediately report sex abuse allegations to local or Federal law enforcement or a child welfare agency.

But the work doesn't end with our educational and athletic institutions; we must challenge people to do better

to protect people from these horrendous actions. In the case of the military, the Department of Defense should take a stronger posture in terms of preventing sexual assault within its ranks. I say this as a former company commander and a retired lieutenant colonel. While there have been concrete steps taken to improve the safety of our servicemembers, there is more that we can and should do to protect our men and women in uniform and change the overall culture.

The message I hear all too often is that victims in our armed services have a fear of retaliation. Folks, this is absolutely unacceptable. Those who report sexual assault should not fear coming forward, and those who retaliate against individuals should be punished to the full extent of the law. I helped author a bill to make retaliation its own unique offense under the Uniform Code of Military Justice, and fortunately for our servicemembers, this bill is now law.

It is my hope that Congress can continue to work on legislation that addresses these issues.

While my personal story certainly does play a role in my passion for change, so also do the stories and faces of men and women back home in Iowa, every single one of them, with that face, with that name, with that heart, and with that soul. It is their stories that push me to want to make real and lasting change. Whether it is working with Senator DIANNE FEINSTEIN, ranking member of the Judiciary Committee, to reauthorize the Violence Against Women Act or fighting to reduce the abuse of females in custody through legislation with Senators BOOKER and BLUMENTHAL, combating sexual assault should be bipartisan and something we all can agree on.

I look forward to continuing to work with my colleagues toward ending sexual assault once and for all. This issue will continue to plague us until we come together and take concrete steps to address it. We all can and must do better.

This month, as we raise awareness of sexual assault, I hope to see this body taking real and lasting action.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m., and was reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Domenico nomination?

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 66 Ex.]

YEAS—57

Alexander	Fischer	Paul
Barrasso	Gardner	Perdue
Bennet	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Capito	Isakson	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Jones	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sinema
Cramer	Lee	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—42

Baldwin	Hassan	Rosen
Blumenthal	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Peters	Whitehouse
Harris	Reed	Wyden

NOT VOTING—1

Booker

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

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 assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Patrick R. Wyrick, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Mitch McConnell, Johnny Isakson, Roger F. Wicker, John Boozman, John Cornyn, Mike Crapo, Shelley Moore Capito, Pat Roberts, Roy Blunt, Deb Fischer, David Perdue, Todd Young, John Thune, Mike Rounds, Steve Daines, John Hoeven, Thom Tillis.

Mr. CORNYN. Madam President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 Patrick R. Wyrick, of Oklahoma, to be United States District Judge for the Western District of Oklahoma, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 46, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—46

Baldwin	Heinrich	Sanders
Bennet	Hirono	Schatz
Blumenthal	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	
Hassan	Rosen	

NOT VOTING—1

Booker

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Patrick R. Wyrick, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

The PRESIDING OFFICER. The Senator from Tennessee.

MAIDEN SPEECH

Mrs. BLACKBURN. Madam President, it is an honor to speak on the

floor of the Senate today for the first time. I really want to say a thank you to my colleagues here in the Senate for the warm welcome, especially Senator ALEXANDER, for the friendship, advice, and counsel he supplies to each and every one of us, especially to me.

I am really humbled to be here as the first female elected from Tennessee to serve in the Senate. I just have to note that a few decades ago, neither the Presiding Officer, who is the first woman from West Virginia, nor I could have been here in this Chamber speaking because women would not have been allowed. Yet our suffragists took care of that with women getting the right to vote.

I love this quote by Susan B. Anthony. I think it is so good and appropriate for us: ''I declare to you that woman must not depend upon the protection of man, but must be taught to protect herself, and there I take my stand.''

Women have always been fierce defenders of freedom and freedom's cause. Many times people will say to me: Why do you choose to serve? For me, it really is more or less a calling to public service. In that calling, I find it important to defeat the narrative that still exists to this day that conservative women should be seen but not heard. Here in this Chamber and in my role, I will continue to fight against a media that chooses to empower women on one side of the political aisle and denigrate those of us on the other side of the aisle. I am going to make certain that conservative women do have a strong voice in the Senate.

I am here because, throughout my history—my family's history, as I have researched our history—there were so many who chose to serve in the military. There are others, like my family, who have chosen to serve our communities and our neighbors in our schools, in our churches, and in community activities. I regard my public service as a civic duty and a way to give back to the country that has given me so many blessings.

What I have found from Tennesseans is that many of them are just like me. They have grown up in a rural area. They have worked hard, and they have built their version of the American dream. I am very typical of that. I grew up on a farm, attended college, married, had children, two grandchildren, and really appreciate the opportunities I have been given to work hard, to build a business, and to share in the benefits of hard work.

Politically, I fought the establishment of both parties in Tennessee when I was in the State senate. There, thousands of Tennesseans joined me in opposing a massive, job-killing State income tax. We won that fight.

Ever since, I have been focused on fighting high taxes and fighting wasteful spending because I know the money we appropriate and that gets spent is not Washington's money; it is the taxpayers' hard-earned money. Government ought not have the first right of refusal on your paycheck, but it does. It is part of our duty as public servants to be responsible stewards of the taxpayers' money and to be aggressive in rooting out waste, fraud, and abuse.

I think we should heed the 2010 warning of the then-Chairman of the Joint Chiefs, Admiral Mullen, when he said: ''The most significant threat to our national security is our debt.''

Our debt today is a staggering $22 trillion. Now, think about this. When George Bush left office, that debt was at $10.7 trillion. It is $22 trillion today. For our children and for our grandchildren, I think it is immoral to pass on this kind of debt.

I am also here because I am pro-life, and I will protect those who cannot protect themselves. I will tell you it is astounding to me that this body could not pass legislation that would protect babies who are born alive as a result of botched abortions. It is a disgrace. Big Abortion must be held accountable because its actions are a stain on the moral fabric of our country.

Just as I promised Tennesseans, I promise my colleagues that I am going to work hard and will stand strong for what I believe in because I know I am working for freedom, free people, and free markets. As Frederick Douglass said, ''I would unite with anybody to do right and with nobody to do wrong.'' I invite all of my colleagues to join me in protecting what I term to be the ''big five''—faith, family, freedom, hope, and opportunity, especially freedom.

Washington needs to be reminded of just how precious the core value of freedom is, not only for Tennesseans but for all Americans. Every community and every church in Tennessee is filled with veterans and families who have sacrificed and who cherish that hard-won gift of freedom. They talk about it regularly. They have parades. When the troops come home, they celebrate our freedom. In Tennessee, we have 470,000 veterans who call Tennessee home, and it is such an honor to come to this body and stand with them because of the work they have done for us.

I serve on the Armed Services and Veterans' Affairs Committees. We know our military has to have the resources it needs to fight our 21st century adversaries. Our veterans deserve not only our thanks but the benefits that have been offered to them. So, last month, I introduced the Gold Star Family Fellowship Program Act. This will establish a fellowship for those Gold Star families in our Senate offices. I have also joined Senator TESTER in the Hello Girls Congressional Gold Medal Act to honor our women soldiers from World War I.

I am here to make certain our Nation is a nation of legal immigrants, not of illegal immigrants. The chaos at the border should embarrass each and every one of us as it has been decades in the making. This crisis is something we ought to work together on solving—drug trafficking, sex trafficking, human trafficking, and gangs. We must solve it rather than allow it to be a political issue for a campaign.

I am here to work to protect your right to privacy—the physical and the virtual space. Yesterday Senator KLOBUCHAR and I sent a letter to the FTC that focuses on how we protect Americans from what I call the data pirates at Google and Facebook. Your privacy is important, and I believe you and I have the right to send notes to our friends without having the entire stories of our lives sold to the highest online bidder.

We are finishing our work on the BROWSER Act. I introduced this when I was in the House, and we are going to introduce it here because I believe it is imperative to give you the tools to protect yourselves online. I believe we need one set of privacy rules for the entire internet ecosystem. This is what you call fairness.

Our family has always believed we have a responsibility to leave a place in better shape than we found it. It is, more or less, our family mantra.

I will say that changing the rules of the Senate to allow for the confirmations of judges and to proceed on the Executive Calendar are exactly the right moves. You can call it the nuclear option or whatever you want to call it. In the press, I have heard it called many things in the last few days, but obstruction tactics do absolutely nothing to leave this Chamber or the country in better shape. Maybe it makes for good political rhetoric, but our country deserves better.

I agree with Leader MCCONNELL. This is a key way to help our Nation and our Chamber function fully and better. As a member of the Judiciary Committee, I am going to work to confirm those qualified judges who will respect and uphold the Constitution.

In January, it was an honor to be sworn in by Justice Brett Kavanaugh and to join Senator ERNST as being the first Republican women on the Judiciary Committee. Being the first woman ever elected to the Senate from Tennessee and being a conservative woman are things that are not lost on me. Indeed, conservative women have quite a track record in leading the fight for freedom in our Nation's history.

At the top of that record is fighting and winning the right for women to vote. Next year, we are going to celebrate the 100th anniversary of the ratification of the 19th Amendment, granting women the right to vote. You may not be aware, but Tennessee was the 36th and the decisive State to ratify this amendment. It was the suffragists who fought and led that charge, and I am honored to join so many of our female colleagues in this Chamber in drafting legislation to honor that anniversary. Indeed, I am going to provide all of our colleagues the opportunity to cosponsor and participate in one of those bills that will have a commemorative coin for the event.

Howard Baker—a great Tennessean and the former majority leader of this body—once remarked about the nature of the Senate: ''[And] if we cannot be civil to one another, and if we stop dealing with those with whom we disagree, or that we don't like, we would soon stop functioning altogether.''

With that in mind, my time in the Senate is going to be focused on action and accomplishment—things that will lead to positive change.

Many times, people have asked me: What is one of your strengths? What do you think helps you in the political process?

I have repeatedly said: I am a pretty good change agent.

That is something we need to do to fully function and to serve our Nation.

Tennessee has constituencies across every sector of our Nation's economy, and they are wanting change. They want fair and free markets, less regulation, less taxation, and less litigation. Our industries are in agriculture, energy production, financial services, national security installations, veterans hospitals, world-class universities, healthcare, manufacturing, technology, entertainment, and communications.

In Tennessee, we are a logistics hub, with great networks and intermodal facilities. As a member of the Senate Commerce, Science, and Transportation Committee, I am going to work with them to make certain that when the Federal Government shows up, it is there to be a help and not a hindrance.

Tennessee is a cultural leader and is the Nation's center for music, songwriting, and religion. The people want protection of the works they create and of the sermons they preach.

Tennesseans also tell me that as their Senator, they want me to be aware they are concerned about the future of the Nation. It is unimaginable to Tennesseans that nearly three decades after the end of the Cold War, there is a debate in Washington about, are you for socialism or are you for freedom? They cannot believe this is happening. They want to make certain we are going to continue to push forward and protect this Nation and protect our freedoms that we have. We will continue to do that and to push back.

We have a lot of challenges we are going to face. Tennesseans want to make certain that we are going to be there to focus on prosperity and leadership for future generations. This is going to require our paying attention to technology. My colleagues will find that I am going to work to push for 5G and next-generation technologies for both our commercial and military space.

Senator BALDWIN and I are introducing bipartisan legislation to advance rural broadband, and I have joined Senators GARDNER and CORTEZ MASTO on the ACCESS BROADBAND Act to make resources available to rural communities. Technology is not only enabled by freedom, it enhances freedom.

Make no mistake, our technology and our power are being challenged by all of our adversaries. Primary among them is Communist China, which is a threat to our country because it steals our technology, our innovations, and in its unfair trading practices and monetary policy. We should all be united in taking on the Chinese. Our Tennesseans talk to me regularly about their concerns about some of the theft that takes place by China. We have other enemies as well—from Maduro in Venezuela to the Ayatollahs in Iran, to Kim Jong Un in North Korea. We must stand together as Americans if we are to advance the cause of freedom.

Tennesseans have been clear in what they want and in what they expect from their U.S. Senator. They want somebody who is going to listen to them and be concerned about the stories of their lives, not the DC story of the day. Tennesseans are ready for bold ideas on how the Federal Government should spend their taxpayer dollars.

They don't want tweaks around the edges of bills; they want something bold. They are concerned about how we are going to fund the military. They are concerned about what we are going to do to further our presence in this land.

Tennesseans want a Senator who will respect freedom and the rule of law. It is a beautiful and diverse State. It represents the best of what this Nation has to offer. Our history reflects a common set of values that are based on faith, family freedom, hope, and opportunity, and I look forward to working with my colleagues to preserve these values and to fight back against those who would attempt to undermine them.

I yield the floor.

The PRESIDING OFFICER (Mrs. BLACKBURN). The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that all postcloture time on the Wyrick nomination expire at 5:30, Tuesday, April 9; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask unanimous consent that the mandatory quorum call with respect to the Stanton nomination be waived; finally, that notwithstanding the provisions of rule XXII, the cloture motion on the Abizaid nomination be withdrawn and the Senate vote on his confirmation at a time to be determined by the majority leader, in consultation with the Democratic leader, on April 10, 2019.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JONES. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DR. MARTIN LUTHER KING JR.'S LETTER FROM BIRMINGHAM JAIL

Mr. JONES. Madam President, I rise today to honor a great American, an American whose words lit a flame of hope in the hearts of those souls who had become weary with the weight of injustice, an American whose struggles, ideals—and, yes, his dreams—are etched in the foundation of our Nation.

On April 12, 1963, Dr. Martin Luther King, Jr., was arrested in my hometown of Birmingham, AL. His crime? Leading a peaceful march to protest the indignity suffered by the Black community in the Jim Crow era. He had violated Birmingham public safety commissioner ''Bull'' Connor's ban on public demonstrations, which targeted the growing resistance of African Americans to the injustices they were suffering.

While in solitary confinement in Birmingham, Dr. King wrote what became known as the ''Letter from Birmingham Jail''—a stinging response to a group of White clergy in Alabama who had denounced his tactics and questioned the wisdom and timing of his arrival in Birmingham.

They insisted that he was an outside agitator coming to Alabama to instigate trouble. Dr. King responded famously: ''Injustice anywhere is a threat to justice everywhere.''

In his letter, he rejected the idea that African Americans should be more patient for change in the face of the daily indignities inflicted by segregation and in the face of violence and threats and intimidation. He wrote: ''There comes a time when the cup of endurance runs over.''

While I did not experience this struggle as a young child—a young White child growing up in the nearby Birmingham suburb—I spent much of my adult life and career as a lawyer and former U.S. attorney examining the history and absorbing its lessons. I have often returned to Dr. King's letter to understand the forces at play at the height of the civil rights struggle. Each time I read his words, I am in awe of his courage and resolve in the face of such incredible personal risk.

While we have come so far and while we have made great progress in loosening the binds of racial injustice that have constrained and suffocated our Nation for so many years, we have not yet fully relieved the weight of our country's abominable history of slavery, segregation, and racial discrimination.

That is why I rise today. It is our civic duty and I believe our moral obligation to remember Dr. King's words and his deeds, to tell his story, to appreciate that 1963 was not all that long ago, and to reflect on how many things have changed and how many have not. Our obligation is to honor Dr. King's

legacy by joining him in envisioning the mountaintop and working to make real his famous dream that our Nation will rise up and live out the true meaning of the creed: ''We hold these truths to be self-evident, that all men are created equal.'' That is why we rise today.

Dr. King saw an America that had the potential to live up to its lofty ideals, where every man, woman, and child had an equal opportunity to succeed and to live a life free from discrimination. He saw the good in our country when it would have been easier for him to see the bad. It is that positive spirit and clarity of vision that made his legacy so enduring.

Today, we will honor that legacy by reading the letter from the Birmingham jail in its entirety in the Senate Chamber.

I am honored to be joined today by Martin Luther King III, who is in the Gallery—the oldest son of Dr. King and Coretta Scott King—as well as my old friend Charles Steele, the president of the Southern Christian Leadership Conference and a reverend. Together, they are at the forefront of the modern civil rights movement and personally carry on the legacy that Dr. King bequeathed us.

I am also very grateful that several of my colleagues on both sides of the political aisle will stand with me to read portions of the letter today. I want to thank Senators LAMAR ALEXANDER of Tennessee, TED CRUZ of Texas, KAMALA HARRIS of California, TIM KAINE of Virginia, and LISA MURKOWSKI of Alaska for participating in this historic reading today.

I urge the rest of our colleagues, anyone in the Gallery, and anyone watching at home on television to consider what we might still learn today from this powerful message about justice and freedom from oppression and the indifference of people who stand idly by when their fellow Americans are persecuted.

To begin the reading of the letter, I would like to yield to my colleague from Tennessee, my friend Senator ALEXANDER.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Alabama for including me today in the reading of Dr. King's letter from the Birmingham jail.

Senator JONES has standing to do this not just because he is from Alabama but because of his work as a U.S. attorney prosecuting Klansmen who blew up a church on 16th Street in Birmingham, killing children.

Senator JONES said that all of this was not too long ago. It was not too long ago for me. I remember a day—on August 28, 1963. I was a student at that time at New York University School of Law with an internship in the U.S. Department of Justice. It was a hot summer day, and the streets were filled with the March on Washington. It was about lunchtime, I believe, that I went outside into that crowd, and I heard a booming voice from a man who was standing on the steps of the Lincoln Memorial. I heard the words that he hoped his four little children one day would ''live in a nation where they will not be judged by the color of their skin.'' I am not sure, at that time and at that age, that I understood fully what I was seeing and hearing, but I was hearing Dr. King's ''I Have a Dream'' speech.

In 1962, a year earlier, I was a senior at Vanderbilt University in Nashville. It was not that long ago, but a lot has changed since then. Vanderbilt, a prestigious institution, just in that year was desegregating its undergraduate school. I was a part of that effort. But even then, Black Americans couldn't go to the same restaurants, stay at the same motels, or go to the same bathrooms—even then, and it was not that long ago.

Four months before I heard Dr. King speak in August of 1963, he wrote a letter from the Birmingham jail on the 16th of April, 1963. This was Dr. King's letter:

My Dear Fellow Clergymen:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities ''unwise and untimely.''

Dr. King's letter went on to say:

I think I should indicate why I am here in Birmingham, since you have been influenced by the view which argues against ''outsiders coming in.'' I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked us to be on call to engage in a nonviolent direct action program if such were deemed necessary. We readily consented, and when the hour came we lived up to our promise. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their ''thus saith the Lord'' far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial ''outside agitator'' idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.

You deplore the demonstrations taking place in Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: collection of the facts to determine whether injustices exist; negotiation; self purification; and direct action. We have gone through all these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good faith negotiation.

Dr. King's letter continues:

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants—for example, to remove the stores' humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves: ''Are you able to accept blows without retaliating?'' ''Are you able to endure the ordeal of jail?''

Dr. King's letter continues:

We decided to schedule our direct action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic-withdrawal program would be the by product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoral election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene ''Bull'' Connor, had piled up enough votes to be in the run off, we decided again to postpone action until the day after the run off so that the demonstrations could not be used to cloud the issues.

Dr. King continued:

Like many others, we waited to see Mr. Connor defeated, and to this end we endured postponement after postponement. Having

aided in this community need, we felt that our direct action program could be delayed no longer.

Madam President, I yield the floor to the Senator from California, Ms. HARRIS.

Ms. HARRIS. I thank the Senator from Tennessee.

Dr. King continues:

You may well ask: ''Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?'' You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word ''tension.'' I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half truths to the unfettered realm of creative analysis and objective appraisal, so must we see the need for nonviolent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in a tragic effort to live in monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is untimely. Some have asked: ''Why didn't you give the new city administration time to act?'' The only answer that I can give to this query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to maintenance of the status quo. I have hope that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from devotees of civil rights. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but, as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was ''well timed'' in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word ''Wait!'' It rings in the ear of every Negro with piercing familiarity. This ''Wait'' has almost always meant ''Never.'' We must come to see, with one of our distinguished jurists, that ''justice too long delayed is justice denied.''

We have waited for more than 340 years for our constitutional and God given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, ''Wait.'' But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six year old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her eyes when she is told that Funtown is closed to colored children, and see ominous clouds of inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white people; when you have to concoct an answer for a five year old son who is asking: ''Daddy, why do white people treat colored people so mean?''; when you take a cross county drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading ''white'' and ''colored''; when your first name becomes ''nigger,'' your middle name becomes ''boy'' (however old you are) and your last name becomes ''John,'' and your wife and mother are never given the respected title ''Mrs.''; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of ''nobodiness''—then you will understand why [I] find it difficult to wait.

I would now like to yield to my colleague Senator CRUZ from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, Dr. King's profoundly just and moral letter from the Birmingham jail continued:

There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair. I hope, sirs, you can understand our legitimate and unavoidable impatience. You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: ''How can you advocate breaking some laws and obeying others?'' The answer lies in the fact that there are two types of laws: Just and unjust. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that ''an unjust law is no law at all.''

Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an ''I it'' relationship for an ''I thou'' relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a [law] that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal. Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks the law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach, and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany was ''legal'' and

everything that the Hungarian freedom fighters did in Hungary was ''illegal.'' It was ''illegal'' to aid and comfort a Jew in Hitler's Germany. Even so, I am sure that, had I lived in Germany at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's antireligious laws.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past few years I have been gravely disappointed with the white moderate. I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Counciler or the Ku Klux Klanner, but the white moderate, who is more devoted to ''order'' than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: ''I agree with you in the goal you seek, but I cannot agree with your methods of direct action''; who paternalistically believes he can set the timetable for another man's freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for a ''more convenient season.'' Shallow understanding from people of goodwill is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.

I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the dangerously structured dams that block the flow of social progress. I had hoped that the white moderate would understand that the present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness for the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

Madam President, I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. I thank the Senator from Texas.

Continuing:

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God consciousness and never ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: ''All Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth.'' Such an attitude stems from a tragic misconception of time, from the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be coworkers with God, and without this hard work, time itself becomes an ally of the forces of social stagnation. We must use time creatively, in the knowledge that the time is always ripe to do right. Now is the time to make real the promise of democracy and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

You speak of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of an extremist. I began thinking about the fact that I stand in the middle of two opposing forces in the Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so drained of self respect in the sense of ''somebodiness'' that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the continued existence of racial discrimination, this movement is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incorrigible ''devil.''

I have tried to stand between these two forces, saying that we need emulate neither the ''do nothingism'' of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle. If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as ''rabble rousers'' and ''outside agitators'' those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies—a development that would inevitably lead to a frightening racial nightmare.

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been caught up by the Zeitgeist, and with his black brothers of Africa and his brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides—and try to understand why he must do so. If his repressed emotions are not released in nonviolent ways, they will seek expression through violence; this is not a threat but a fact of history.

So I have not said to my people, ''Get rid of your discontent.'' Rather, I have tried to say that this normal and healthy discontent can be channeled through into the creative outlet of nonviolent direct action. And now this approach is being termed extremist. But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: ''Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you.'' Was not Amos an extremist for justice: ''Let justice roll down like waters and righteousness like an ever flowing stream.'' Was not Paul an extremist for the Christian gospel: ''I bear in my body the marks of the Lord Jesus.'' Was not Martin Luther an extremist: ''Here I stand; I cannot do otherwise, so help me God.'' And John Bunyan: ''I will stay in jail to the end of my days before I make a butchery of my conscience.'' And Abraham Lincoln: ''This nation cannot survive half slave and half free.'' And Thomas Jefferson: ''We hold these truths to be self evident, that all men are created equal . . .'' So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice? In that dramatic scene on Calvary's hill three men were crucified. We must never forget that all three were crucified for the same crime—the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment. Perhaps the South, the nation and the world are in dire need of creative extremists.

I yield to the Senator from Alaska.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Alaska.

Ms. MURKOWSKI. He continues:

I had hoped that the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our

white brothers in the South have grasped the meaning of this social revolution and committed themselves to it. They are still all too few in quantity, but they are big in quality. Some—such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle—have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach infested jails, suffering the abuse and brutality of policemen who view them as ''dirty nigger-lovers.'' Unlike so many of their moderate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful ''action'' antidotes to combat the disease of segregation. Let me take note of my other major disappointment. I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say this as one of those negative critics who can always find something wrong with the church. I say this as a minister of the gospel, who loves the church; who was nurtured in its bosom; who has been sustained by its spiritual blessings and who will remain true to it as long as the cord of life shall lengthen.

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained glass windows. In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: ''Follow this decree because integration is morally right and because the Negro is your brother.'' In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: ''Those are social issues, with which the gospel has no real concern.'' And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, un-Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious education buildings. Over and over I have found myself asking: ''What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of interposition and nullification? Where were they when Governor Wallace gave a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?''

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church. How could I do otherwise? I am in the rather unique position of being the son, the grandson and the great grandson of preachers. Yes, I see the church as the body of Christ. But, oh! How we have blemished and scarred that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful—in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being ''disturbers of the peace'' and ''outside agitators.'' But the Christians pressed on, in the conviction that they were ''a colony of heaven,'' called to obey God rather than man. Small in number, they were big in commitment. They were too God-intoxicated to be ''astronomically intimidated.'' By their effort and example they brought an end to such ancient evils as infanticide and gladiatorial contests. Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an archdefender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent—and often even vocal—sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust.

Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true ekklesia and the hope of the world. But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom.

Mr. President, I yield to my friend from Alabama and thank him for his leadership.

Mr. JONES. Mr. President, Dr. King continues:

Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times.

They have carved a tunnel of hope through the dark mountain of disappointment. I hope the church as a whole will meet the challenge of this decisive hour. But even if the church does not come to the aid of justice, I have no despair about the future. I have no fear about the outcome of our struggle in Birmingham, even if our motives are at present misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom. Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we were here. For more than two centuries our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation—and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands. Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping ''order'' and ''preventing violence.'' I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, nonviolent Negroes. I doubt that you would so quickly commend the policemen if you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department.

It is true that the police have exercised a degree of discipline in handling the demonstrators. In this sense they have conducted themselves rather ''nonviolently'' in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or perhaps even more so, to use moral means to preserve immoral ends. Perhaps Mr. Connor and his policemen have been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia, but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: ''The last temptation is the greatest treason: To do the right deed for the wrong reason.''

I wish you had commended the Negro sit inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer and their amazing discipline in the midst of great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life

of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy two year old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride the segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: ''My feets is tired, but my soul is at rest.'' They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience' sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judeo Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence.

Never before have I written so long a letter. I'm afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts, and pray long prayers?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil-rights leader but as a fellow clergymen and a Christian brother. Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood,

MARTIN LUTHER KING, JR.

Mr. President, I am struck by a fortuitous phrase in the closing of this remarkable letter: ''One day the South will recognize its real heroes.''

The South will recognize its real heroes indeed—heroes like Dr. King, like Rosa Parks, like my old friend Fred Shuttlesworth; heroes like Congressman JOHN LEWIS, like Fannie Lou Hamer, like Ida B. Wells; heroes like the countless others who stood alongside them in the fight for civil rights and like the innocent victims swept up in the brutal crackdowns during this hopeful movement toward universal human dignity.

We carry on their legacy in our daily lives—in our schools, in our houses of worship, in our workplaces, and throughout our society. That includes in the institution of the U.S. Senate. It is also carried on in the work of Dr. King's family members, like Martin Luther King III.

Dr. King wrote his letter in the midst of this struggle and knew that much work still lay ahead. Less than 6 months after his arrest, the Klan in Birmingham planted a bomb outside the ladies' lounge of the 16th Street Baptist Church, and it killed four innocent young African-American girls.

A year later, though, Congress passed the Civil Rights Act of 1964. The year after that, it passed the Voting Rights Act of 1965. Historic changes were afoot. Yet, despite this incredible historic progress—or perhaps because of it—in April 1968, Dr. Martin Luther King, Jr., was assassinated in Memphis, TN. He was just 39 years old. He gave his life for this cause. He gave his life in a struggle during which so many gave their lives.

We have to remember this is not ancient history. We know that we still have our challenges albeit in a world that has, no doubt, benefited tremendously from the progress he achieved, but it is still a work in progress. It will always be a work in progress.

If we truly believe in carrying on his legacy, we must recognize that we cannot stand idly by when we see injustice and that we cannot stand idly by when we see a reemergence of hateful rhetoric in our public discourse. We have seen it before. We have seen it before in Birmingham and elsewhere. We have seen before the devastating violence that can follow, and it lives with us today. It lives with us today in tragedies like those of Charleston, Charlottesville, Pittsburgh, and now New Zealand.

We need to strive not just for civility but to make sure we live in a country that does not hold each other in contempt. That bears repeating. We talk a lot in this Chamber about civility and respect and dignity, but the fact is, when we leave this Chamber and go out into the world, people will hold each other in contempt more so than is just public discourse. That has to change, ladies and gentlemen. It has to change. Importantly, we—each of us—should continue to do our part to ensure that the art of the moral universe continues to bend toward justice.

I thank my colleagues who joined me this evening for this historic event. It has been an honor and a privilege.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Ohio.

REMEMBERING LIEUTENANT COLONEL RICHARD COLE

Mr. BROWN. Madam President, we lost an American hero today—the last in the line of heroes that will I explain in a moment. He was Ohio native Lt. Col. Richard Cole, and he was the last of the fabled Doolittle Raiders.

In the spring of 1942, the Nation was reeling from Pearl Harbor, and 80 Americans embarked on a mission that many thought to be impossible. They knew the dangers. They knew many of them would not come home. The Raiders showed America and the world that the United States and the Allied Forces could win the war. It was considered a turning point in the news coverage and in people's minds.

Like my dad, the Doolittle Raiders came from a generation that spoke proudly of their service to their country. They rarely drew attention or talked much about their own courage. They sought no recognition but, oh, how they earned it.

It was an honor to help award the Congressional Gold Medal to the Doolittle Raiders in Washington 4 years ago—a long time in coming and so deserved. I believe, at that time, there were five Doolittle Raiders left, and after the death of Mr. COLE, there are none today.

I am so glad that Dick Cole was able to live to receive that medal, as were a handful of others. These men are no longer with us, so it is all the more important that we continue to tell their story. My heart goes out to the families and friends of Lieutenant Colonel Cole and to those of all the Raiders. I thank the Doolittle Tokyo Raiders Association for keeping that memory alive.

NOMINATION OF CHERYL MARIE STANTON

Madam President, President Trump has made big promises to workers in Alaska and Ohio and across the country. He has promised workers everywhere that he will put American workers first. Yet we know in Lordstown and from his court appointments, which have put a thumb on the scale of justice as they have chosen corporations over workers, that he has betrayed those workers. The people he has put in charge haven't looked out for workers. Over and over again, they have put their thumbs on the scale for corporations. His Cabinet, frankly, looks like a retreat for Wall Street.

His latest nominee for the Department of Labor is more of the same, another nominee who puts corporations over workers. Cheryl Stanton is nominated to be Administrator of the Wage and Hour Division.

This is not an especially well-known Agency to most Americans, but it is a critical job for all American workers. The Administrator is the person in charge of enforcing overtime rules, the minimum wage, child labor, and the Family Medical Leave Act. These are all Federal laws. The minimum wage is a Federal law. The overtime rule is a Federal law. The Family Medical Leave Act is a Federal law, as is the law regarding child labor. These are all Federal laws, but they don't mean much if they are not enforced.

You don't want a fox in a chicken coop. You want to make sure that these laws are enforced by somebody who is not on the side of corporate interests, as too many in this Senate are and as too many in this administration are; you want somebody who is on the side of the workers. The job of Administrator of the Wage and Hour Division should be to look out for American workers when companies try to cheat them out of the pay that they have earned.

But Ms. Stanton spent a decade defending corporations—that is right, defending the corporations against American workers when they stole workers'

wages. So she has been on the side of these companies when workers tried to make sure they got fair wages and fair overtime and that child labor laws were protected and the Family Medical Leave Act. She has taken the other side, that of the corporations. Now the President has put her in a job where she is supposed to look out for workers, but who knows if she will really do that.

Let's look at some of her history: a decade defending corporations and then she headed South Carolina's workforce agency that manages State unemployment insurance. When accounting errors resulted in overpayments of unemployment insurance—these weren't errors made by workers; these were accounting errors made that the workers didn't have anything to do with. When accounting errors resulted in overpayments of unemployment insurance to workers looking for jobs, she went after the workers, garnishing their wages.

Maybe worst of all, interestingly, she failed to pay her own house cleaners until they took her to court. Think about that. The person who is supposed to be in charge of making sure corporations pay their workers, whether it is minimum wage, whether it is overtime, whether it is enforcing child labor laws, whether it is enforcing the Family Medical Leave Act—she is the person who is supposed to be in charge of making sure corporations pay their workers, and she didn't pay workers at her own house.

If you want to get a measure of a person, look at how they treat people whom they are allowed to mistreat, say it that way. Look at how they treat people who have less power than they do; how they treat the waitstaff at a restaurant, how they treat the entry-level staff in their office, how they treat the person who cleans their hotel room or cleans their office.

My favorite quote from the Bible—one of my favorite quotes—is from Matthew 25, when Jesus said as follows:

> When I was hungry, you fed me; when I was thirsty, you gave me drink; when I was a stranger, you welcomed me. What you did for the least of these, you did for me.

I thought about that, and I know there is no way Jesus or Muhammad or Buddha or any of the great religious leaders would say somebody is worth less than somebody else, that a page is worth less than a Parliamentarian, for instance, or that the Presiding Officer is worth less than the person who is sitting at the desk.

So Matthew 25 is exactly right. No worker is worth less than Ms. Stanton. No Senator is worth more or less than anybody else. I mean, Matthew 25 speaks to equality, speaks to the sort of way we should be treating people who may have lesser titles than we have.

I think of that when I think about Ms. Stanton and the job she has been nominated for. The workers whom she will be in a position to help or hurt—her career so far, she has been in positions where she has hurt workers, but the position she is in that she can help or hurt workers, these workers shouldn't be treated with less respect. Their work has dignity. Whether they swipe a badge or punch a clock, whether they work for tips, whether they work on a salary, whether they raise children, whether they take care of an aging parent, their work has dignity.

If you love your country, you fight for the people who make it work, regardless of their kind of work. Whether they are working construction, whether they are a nurse, whether they are a housekeeper, whether they are a salesperson, whether they work at a counter in a fast-food restaurant, whether they are a page, whether they are a Senator, all work has dignity.

I think it is important, when you think about Ms. Stanton and the job she has, that these workers have earned this pay, whether it is minimum wage, whether it is overtime, whether it is child labor laws, whether it is the Family Medical Leave Act.

When work has dignity, people are paid the wages they earn; they are paid a living wage; they have power over their schedules. It is about wages; it is about benefits; it is about the dignity of work; and it is about a safe workplace; it is about childcare. It is about all of those things.

Workers should not be intimidated into accepting less just because they can't afford a fancy law firm. We need people in government who understand that. We need people who understand that, when you love this country, you fight for those people who make it work.

The last thing we need is an administration with more people serving in Washington who don't value work or respect the Americans who do.

This is another nominee from the President of the United States who will put her thumb or who has put his thumb on the scale to support corporations over workers, to support Wall Street over consumers, to support big insurance companies over sick people. We don't need another one of those in this administration, whether at EPA, whether at the Department of Labor, whether at the Federal Reserve, or whether at the White House.

I urge my colleagues, as this nomination comes forward, as Ms. Stanton comes forward to be Chief of the Wage and Hour Division—Cheryl Stanton—to be Administrator for the Wage and Hour Division, I urge my colleagues to listen a little more to the Americans whom we serve and a little less to big corporations that always have their way in this body—always have their way in this body. I urge my colleagues to listen a little less to those corporations trying to squeeze every last penny out of their workers and reject this nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING OFFUTT AIR FORCE BASE

Mrs. FISCHER. Mr. President, I rise to commend the incredible work done by the men and women of Offutt Air Force Base during the historic flooding that has affected the State of Nebraska.

Offutt Air Force Base is home to some of our Nation's most essential missions. The men and women of STRATCOM stand constant vigil. They provide command and control for the U.S. nuclear deterrent and maintain watch over space operations, missile defense, and global strike.

Airmen of the 55th Wing execute some of the most sensitive and complex missions, ensuring that battlefield commanders and the Nation's decision makers have the most up-to-date intelligence, surveillance, and reconnaissance information available.

The Air Force's only weather wing, the 557th Weather Wing, provides timely, accurate, and relevant weather information at any time and for any place around the globe.

Throughout Offutt, many other tenant units work in tandem with base leadership to fulfill vital missions that support our national security. These men and women pride themselves on being ready for every threat, but the arrival of a once-in-50-year weather event provided a test unlike any other they have previously faced.

In 2019, Nebraska has seen severe flooding—the worst and most widespread natural disaster in the history of our State. When the waters began to rise, the lives of those at Offutt and the base's critical equipment were put at risk, and the response was immediate. With less than 48 hours to prepare, highly essential aircraft such as the RC–135 were quickly routed to safe locations. The planes that could not be relocated were moved to higher ground. Contingency plans were put in place to ensure continuity of operations.

Across the installation, scores of airmen turned out to answer the call and move sensitive electronics and valuable equipment away from the reach of damage, fighting as a team against the oncoming flood.

Personnel worked around the clock to fortify facilities with more than 235,000 sandbags and 460 flood barriers to minimize damage as much as possible. These men and women mounted a Herculean effort to defend their base and do everything possible to protect their fellow airmen.

Across Offutt, we have seen a remarkable demonstration of what makes this base so very special: everyday airmen offering to do all they could to protect the base, personnel working tirelessly to ensure the highly critical operations of STRATCOM and

the 55th Wing were not negatively impacted, and, above all, a unifying spirit of dedication and purpose that showed the world that, when disaster strikes, there is nothing that can keep the men and women of Offutt Air Force Base from answering the call of duty.

I am extremely proud to have the privilege of representing everyone who makes this base such a key part of our national security. There is no finer representation of what it means to serve than the selfless work of the personnel at Offutt who responded to this emergency.

Despite the outstanding efforts made in preparation for this natural disaster, Mother Nature took a toll on the base. At the flood's peak, one-third of Offutt Air Force Base was underwater. Eighty facilities at the base have been impacted, and waters crested at a depth of 16 feet. More than 3,000 personnel were displaced from their work centers, and 1.2 million square feet of office space was underwater.

The damage across the installation is extensive, and it will take a concerted effort to ensure that the impacts from the flooding are resolved and that the base is fully restored.

I urge my colleagues to work together with the Nebraska delegation to ensure that when the full accounting of the impacts from the flood are assessed, we provide the Air Force with the full resourcing it needs to repair that damage.

The good news is, our service men and women at Offutt are already hard at work on the process of putting Offutt back on its feet.

As the water recedes, personnel have been working hard to account for the damage and take action to resume the operations that were suspended as a result of this disaster.

One of the signature sounds of the Bellevue, NE, community is the distant rumble of the engines of the aircraft that depart from and land at Offutt every day. During the flooding, that unmistakable sound was absent. Now that sound is back at Offutt.

Last week, the runway was certified for operation, and the first of our relocated planes came home.

We should not operate under any misperceived notions that repairing Offutt will happen overnight. This is going to be a step-by-step process. But with the hard work of the Air Force, Congress, and the local community, we can rebuild Offutt Air Force Base even better than it was before.

I wish to offer my thanks to everyone at Offutt Air Force Base who dedicated their time and energy to responding to this disaster. I also want to thank the heroic men and women of the Nebraska National Guard who provided aerial damage assessment during the flooding. Thank you to the countless members of the Bellevue and Omaha communities who donated food, equipment, and offered to volunteer during the flooding.

As we look to the days ahead, I am confident that both Offutt and Nebraska will emerge from this disaster stronger.

Now is a time when we must focus on the future. We will rebuild and ensure that Offutt remains Nebraska Strong.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. 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 CHERYL MARIE STANTON

Mr. LEE. Mr. President, I come to the floor this afternoon to speak in support of my friend Cheryl Marie Stanton, who is well qualified to be the Administrator of the Wage and Hour Division within the U.S. Department of Labor. In her previous role as executive director for the South Carolina Department of Employment and Workforce, she gained valuable experience that will prepare her well for the role she is about to take on within the U.S. Department of Labor. She is also someone who has vast experience in labor and employment law, both in public life and in the private sector. She also served as Associate White House Counsel, as liaison to the Department of Labor.

Cheryl currently works at the Social Security Administration as associate to the Chief of Staff. She previously served as the executive director for the South Carolina Department of Employment and Workforce, to which she was appointed by then-Governor Nikki Haley in 2013.

Cheryl is someone I have known for more than 20 years. Like me, Cheryl served as a law clerk to then-Judge Samuel Alito on the U.S. Court of Appeals for the Third Circuit. Although we never clerked at the same time—she clerked the year before, and I got to know her through mutual friends initially and then got to know her independently through that clerkship experience—she is someone who is well regarded within the Alito chambers as being a hard-working law clerk and someone who everyone enjoyed working with and getting to know.

I still remember many years ago, when she was serving at the White House Counsel's Office as Associate Counsel, she took my family and me on a tour of the White House and showed genuine interest in them. This is the kind of person who comes with a lot of academic and professional qualifications. When you add to that this X factor, this intangible factor of being someone who is genuinely interested in people, genuinely interested in their well-being, their welfare, and making sure they are informed and happy, this is exactly the kind of person we would want in a position like this one.

Her academic credentials are, of course, impeccable. She received her law degree from the University of Chicago Law School and her undergraduate degree from Williams College.

In short, Cheryl Stanton is someone I look forward to voting for and confirming to this position within the Department of Labor. I urge my colleagues to support her nomination.

Thank you.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

HEALTHCARE

Ms. STABENOW. Mr. President, it seems that every week now, I come to the floor to say the same thing, which is that healthcare is not political; it is personal. There is no part of healthcare that is more personal than the decision regarding if, when, and under what circumstances to have a child. And that certainly is the case when things go terribly wrong, which they sometimes do. These reproductive health decisions need to be made by women in consultation with their doctors, their families, and their faith. That is what the Supreme Court has ruled. They should not be made by politicians—mainly men—looking to score political points from women's personal tragedies. Yet, once again, that is what the Republicans are doing right now.

I have a question. How dare you pretend to care about the health of women and babies when all of your actions suggest otherwise?

Unfortunately, Republicans haven't noticed, but we have a real healthcare crisis involving women and babies in this country. In most of the world, fewer and fewer women are dying from childbirth—not here in the United States. Our maternal mortality rate is climbing. More women are dying. Our infant mortality rate ranks a shameful 32 among the world's 35 wealthiest nations. That means we have more babies who aren't surviving through the first year of their life because of lack of healthcare, nutrition, and other issues.

The Republican majority should be working with us and taking action to improve health outcomes for moms and babies. Instead, they are busy trying to take away their healthcare.

Between 2010 and 2018, the Republican majority in Congress voted to repeal or weaken the Affordable Care Act more than 70 times—7–0. Now the Trump administration has stepped in to help. Last June and August, they expanded access to association health plans and short-term plans. We just call them junk plans because they don't cover so many basics, like prescription drugs, mental health care, and—you guessed it—maternity care.

Let me remind everyone that before the Affordable Care Act, most insurance companies did not cover prenatal care and maternity care as a basic part of healthcare. Women had to go out

and pay extra, get a rider to cover something that is a basic part of our healthcare.

Thanks to these junk plans that don't cover maternity care, and other sabotage, it is estimated that right now comprehensive health insurance costs 16.6 percent more than it otherwise would because of these efforts to undermine, sabotage, and take away healthcare. Does that sound like the Republican majority cares about moms and babies?

Now the Department of Justice has announced that it agrees with the Federal judge in Texas who said the entire Affordable Care Act must be struck down. This is something the President has enthusiastically embraced.

The entire Affordable Care Act is at stake, including Medicaid expansion for low-income workers who want to work but now have to choose between working and having healthcare coverage, children staying on their parents' plans until age 26, and protections for people with preexisting conditions.

In other words, if a baby is born with spina bifida, a heart defect, a genetic condition, or any other health problem, insurance companies would once again, under these plans, be able to deny them coverage or subject them to lifetime limits like we used to have. Does that sound like policies that care about moms and babies?

By the way, to emphasize that they support President Trump 100 percent, 2 weeks ago Senate Republicans passed a budget resolution out of committee on a party-line vote that once again has language to repeal the Affordable Care Act with no replacement. Sorry, moms and babies, you are on your own. And don't go looking to Medicaid for health coverage either. The Trump budget would cut $1.5 trillion from Medicaid over 10 years—trillion. That is the same Medicaid that covers half of all babies born in America. When you gut Medicaid, you are keeping moms and babies from getting the healthcare they need. Does that sound as though Republicans care about moms and babies?

If our Republican colleagues really care about the health of moms and babies, here is what they should be doing and joining us to do: They would pass a bill to guarantee that every insurance plan covers prenatal and maternity care, like what is available under the Affordable Care Act. They would reaffirm the Affordable Care Act's protections for people with preexisting conditions, not just saying the words but actually making sure people with preexisting conditions are covered. And they would strengthen healthcare for moms and babies through the Children's Health Insurance Program and Medicaid.

A few years ago, the Finance Committee reported out a bill that I led with Senator GRASSLEY called the Quality Care for Moms and Babies Act. This bill would create a set of maternal and infant quality care measures under CHIP and Medicaid—the Children's Health Insurance Program and Medicaid. The goal is simple: improving maternal and infant health outcomes. We need quality standards across the country.

Right now, half the births are through Medicaid. There are not consistent quality standards across the country to make sure there are healthy opportunities for prenatal care and maternity care.

The Quality Care for Moms and Babies Act would help make sure that every mom gets the best pregnancy care possible and every baby gets a healthy start. If our Republican colleagues care so much about the health of moms and babies, instead of politicizing issues around reproductive health and women's ability to make their own choices—instead of politicizing what is happening around reproductive health, they would join us in making the Quality Care for Moms and Baby Act a reality.

It is time to stop the cynical, political stunts. It is time to trust women to make the best reproductive healthcare decisions for themselves, their families, and their futures. It is time to take action to resolve the maternal and infant health crisis in this country. It is also time to ensure that every mom and every baby has the healthcare they need for a healthy life.

This is the United States of America; we can do better for our moms and babies than is currently being done. Democrats are ready to take real action to join with our Republican colleagues. It is time they join us in protecting the health of moms and babies.

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Wyrick nomination?

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 68 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—47

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, Department of Labor.

John Thune, Thom Tillis, Steve Daines, James Lankford, John Boozman, John Cornyn, Mike Crapo, Roy Blunt, Mike Rounds, John Hoeven, Pat Roberts, Richard Burr, David Perdue, Roger F. Wicker, Lindsey Graham, James E. Risch, Mitch McConnell.

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 Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, Department of Labor, be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 53, nays 47, as follows:

[Rollcall Vote No. 69 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—47

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 47.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

EXECUTIVE CALENDAR

THE PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, Department of Labor.

The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF CHERYL MARIE STANTON

Mrs. MURRAY. Madam President, I come to the floor tonight to oppose the nomination of Cheryl Stanton to serve as Administrator of the Department of Labor's Wage and Hour Division.

The Wage and Hour Division enforces some of our Nation's most important workplace laws, including the Federal minimum wage, overtime pay, child labor laws, and family and medical leave. Yet, Ms. Stanton has a very long history of siding with employers when they have violated workers' rights. So I will be voting against this nomination, and I urge my colleagues to do the same.

I also want to object to the Senate moving on Republican labor nominees without approving nominations for the Equal Employment Opportunity Commission and the National Labor Relations Board.

Last Congress, in an unprecedented display of obstruction, my colleagues across the aisle blocked the confirmation of Chai Feldblum and Mark Pearce for terms on the EEOC and NLRB, respectively.

Even though both of these nominees were highly qualified, respected by their peers, Senate Republicans refused to give them a vote.

These are critical Agencies that are responsible for protecting workers' rights. Yet my colleagues across the aisle were more interested in tilting the playing field even more in favor of corporations than providing the Commission and the Board with balanced voices.

Despite longstanding practice to confirm majority and minority members to independent Agencies, my colleagues across the aisle jammed through Republican nominees only to the Board without Mr. Pearce, the Democratic nominee.

Republican leaders allowed one Senator to block the nomination of Ms. Feldblum to the EEOC, meaning that important civil rights agency is unable to do some of its most critical work.

In this moment, as our Nation is grappling with how to address the epidemic of sexual assault and harassment in the workplace, hamstringing the Agency that is responsible for protecting women's rights and safety is absolutely the wrong message to send to women, to workers, and to businesses.

So I am going to keep fighting to make sure the nominees to the National Labor Relations Board and the Equal Employment Opportunity Commission represent all voices, as they are supposed to, not just corporations.

I urge every man, woman, and worker who believes workers should have a voice to join me in that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CHINA

Mr. PORTMAN. Madam President, I am on the Senate floor to talk about the importance of trade and specifically our country's economic relationship with China.

As a trade lawyer, as a former U.S. Trade Representative, as a member of the Finance Committee now that handles trade issues, I have been involved in these issues over the years.

Most importantly, I am from Ohio, which is a huge trade State. We are concerned about trade because we have a lot of manufacturing and a lot of agriculture, where jobs depend on trade back and forth. In fact, in Ohio, about 25 percent of our manufacturing workers make products that get exported, and one out of every three acres planted by Ohio farmers is now being exported.

These are good jobs. These are jobs that pay, on average, about 16 percent more than other jobs and have better benefits. We want more of them.

With only 5 percent of the world's population and about 25 percent of the world's economy, America wants access to the 95 percent of the consumers living outside of our borders. It is always in our interest to open up overseas markets for our workers, our farmers, and our service providers.

While promoting exports, we also have to be sure we protect American jobs from unfair trade, from imports that would unfairly undercut our farmers and our workers, our service providers. Simply put, we want a level playing field, where there is fair and reciprocal treatment. If it is fair, if we have a level playing field, I believe American workers and businesses can compete and win.

The sweet spot for America is this balanced approach: opening up new markets for U.S. products, while being tougher on trade enforcement so American workers have the opportunity to compete.

In that context, I want to talk a little about the inequities in our relationship with China. We don't have a level playing field with China, and it is one of the most important policy issues that faces our country today.

It is certainly really important to Ohio. Ohio sells a lot of products—auto parts, aerospace parts, and other things—to China. We also sell a lot of oilseeds and grains, particularly soybeans—about $700 million worth every year. China is actually our third biggest trading partner in Ohio after Canada and Mexico.

Yet, despite these exports, we have a trade deficit with China because they send a lot more to us than we send to them, and it is not always fair trade.

As an example, Ohio has been ground zero for steel imports coming in because of government-directed overcapacity in China. Our steel mills have been hit hard because, to put it bluntly, China has not been playing by the rules.

In 2000, China produced about 15 percent of the world's steel. Today, thanks to massive subsidies and other forms of state intervention, they now produce about 50 percent. So, again, about 19 years ago, they produced 15 percent of the world's steel; now they produce 50 percent of the world's steel, and they do it, again, through the government subsidizing them.

They often sell that steel at below its cost. They don't need it in China so they are trying to push it out to other countries. They transship it to try to avoid our anti-dumping duties or our countervailing duties, which were put in place because China wasn't playing by the rules. So we find out they are selling below their cost, which is dumping, or we find out they are subsidizing, we win a trade case, but then China sends that product to a third country that then sends it to us, therefore, evading the tariffs we put in place to deal with the unfairness.

It hits our plants hard in Ohio, but it also reduces the cost of steel around the world.

When it comes to our bilateral economic relationship, there is little or no transparency from China when it comes to their regulations, their approvals for inbound foreign direct investment into China, and the required notification of subsidies that is required by the World Trade Organization.

This lack of transparency, of course, frustrates American businesses, and it violates China's international obligations.

China also exhibits a lack of reciprocity. Its market is substantially more closed to American companies than our market is to their companies. We have Chinese companies in Ohio. They don't have to be in a joint venture with a 51-percent Ohio partner, American partner; they can own the whole thing. They don't have to go through this process of approvals that American companies have to go through, where often their intellectual property is taken.

China, as we all know, has relatively higher tariffs than the United States—on average, about a 10-percent tariff in China versus our 3.4 percent tariff, but that is not the biggest problem.

The biggest problem is a host of what are called nontariff barriers. Some keep out our ''Made in America'' products and others coerce the production of those products to be in China. So if you want to sell in China, you have to produce in China, and that is in order to transfer this valuable intellectual property from U.S. companies to Chinese companies.

Investment is not reciprocal either. According to the U.S. Trade Representative in its section 301 report on China, in 2016, the OECD—Organization for Economic Cooperation and Development—ranked China the fourth most restrictive investment climate in the world, despite their being the second largest economy in the world.

So of all the countries in the world, OECD ranked them the fourth most restrictive in terms of accepting foreign investment.

Based on this report, China's investment climate, then, is nearly four times more restrictive than that of the United States.

So the confluence of these two factors—the lack of transparency and reciprocity—stem from China's Communist Party-led nonmarket economy. While China made an effort after joining the World Trade Organization to become more market oriented, in recent years, they have actually moved away from more market-based reforms and instead doubled down on the kind of mercantilism you would expect in the last century but revamped for the 21st century.

In doing so, China has placed enormous strain on the world's trading system and, in turn, has undermined American jobs, American workers, and America's overall competitiveness.

When I served as U.S. Trade Representative, I said that the United States-China trade relationship lacked equity, durability, and balance. Sadly, that is still the case today. We didn't have a level playing field then.

Since that time, the conduct has even worsened. China has invested large sums of money in industrial capacity, subsidizing production that impacted industries in places like the United States but also Japan, the European Union, and many developing countries.

China has embarked on a so-called indigenous innovation campaign backed by hundreds of billions of dollars and the full weight of its nontransparent regulatory apparatus. This intent of the indigenous innovation campaign seems to be directed primarily at us but also other countries around the world that are innovating.

The United States has been the leader in many innovative technologies, and now China is attempting to be the leader. Think of artificial intelligence or 5G.

China's embrace of techno-nationalism has undercut critical commitments it has made to open up its markets, protect intellectual property rights, adhere to internationally recognized labor rights, and meet its WTO commitments on unfair trade practices, such as illegal subsidies.

Without changes to these practices, as long as the inequities and imbalances persist, the durability of our economic relationship remains in question.

I understand China is not going to become a free market economy anytime soon, and while I hope we can have a more market-oriented economy someday and we can move toward that in China, as they were moving that way after joining the WTO, I think it is vital that we at least demand a level playing field in the meantime.

That is why I have supported the Trump administration's efforts to demand structural changes as part of its ongoing negotiations with Beijing. This takes the form of a few different things. One is addressing our huge trade deficit—that is part of the negotiations—so China would buy more soybeans and might buy more LNG, liquefied natural gas. That is all good, but this agreement must also deal with these other issues, like forced technology transfers and dealing with nonmarket practices, like state-owned enterprises and other subsidies.

Addressing the first issue by selling additional soybeans and liquefied natural gas to China is a positive step forward, but a short-term reduction of our trade deficit, which is out of balance, isn't enough. We have to seek progress on these sustainable structural changes so we can count on a fair trading relationship between two now mature trading partners.

Ambassador Lighthizer, who is the current U.S. Trade Representative, is a tough negotiator. I feel confident that he understands this, and he is going to ensure that we not only improve the imbalance in our trade deficit but also—if we get these structural changes we need—bring home a strong and sustainable agreement.

That leads me to my next point. Any agreement must not just address these important structural problems, but it also has to be enforceable. Without enforceability, it is going to be impossible to make any real, meaningful progress in our economic relationship based on the past. We also have to do more than merely enforce by negotiation. I support consultations and consistent engagement; that is also good. But there also has to be some enforcement mechanisms with some consequences.

While I look forward to seeing the agreement that we come up with China—and I hope it happens soon—I would like to offer a few suggestions related to enforceability.

First, I favor reviving a China-specific safeguard to provide both due process and an effective response to surges with Chinese imports that injure U.S. domestic industry, such as the high-tech products or those derived from nonmarket practices we talked about earlier.

One model to consider is section 421 of the Trade Act of 1974. Now expired, section 421 was a China-specific safeguard that was created, pursuant to China's WTO Accession Protocol, to guard against increased imports from China—surges—with less demanding requirements than that afforded market economies. I think it would be good to get back to that.

Second, strong trade laws have been successful in addressing some of the externalities caused by China's nonmarket practices. We have to continue to enforce those laws. Consider the 266-percent tariff that is currently in place with regard to imports of cold-rolled steel from China. That was because we brought a trade case, and we won the trade case using internationally accepted criteria as to what constitutes dumping and subsidies. Nonmarket economy methodologies give our trade remedy tools extra heft when deployed against these unfair imports from countries like China, which lack the market-driven system found everywhere else in the world.

China knows the effectiveness of our trade laws, especially the nonmarket economy methodologies we use to get that 266-percent tariff in place, and has therefore challenged the use of these methodologies. China has challenged this at the World Trade Organization. I hope that as part of any commitments made pursuant to the current talks, China will drop its challenge to the use of nonmarket methodologies until such time as China has actually become a market economy under established and accepted statutory criteria set out in U.S. law.

Third, increased transparency requirements can help make enforcement more effective. As long as key elements of the ways that China intervenes in the economy—such as the provision of illegal subsidies; currency manipulation, for that matter; the participation in the market in state-owned enterprises; and the application of laws—remain without transparency, it is going to be difficult to effectively monitor compliance with commitments that are made. We have to know. We have the right to know. I thus urge the administration to secure enforceable transparency commitments to ensure we have enough visibility on China's nonmarket practices to make enforcement as effective as possible.

I hope the administration takes some of these enforcement suggestions into account.

Today, pursuant to our section 301 investigation, the United States has levied tariffs of 25 percent on $50 billion and 10 percent on $200 billion of exports from China to the United States. These tariffs are in place now, and they are affecting a lot of our companies here in the United States because China has,

in turn, retaliated against us, putting tariffs ranging from 5 to 25 percent on $100 billion of U.S. exports to China. So there has been an escalation of tariffs as we have been in these negotiations.

There has been discussion about the United States keeping our 25 percent and 10 percent tariffs in place as a backstop even after an agreement is reached. I think that is unlikely because I think it is a recipe for no agreement or an inadequate agreement.

Instead, I believe it is important for both countries to reduce or eliminate altogether the new tariffs under 301 and the retaliatory tariffs when the agreement is reached. Of course, the United States would be able to quickly reimpose tariffs if China doesn't live up to the commitments it makes, and that would be appropriate. But I think we ought to make a commitment now to China that we are willing to get rid of these tariffs, or substantially all of them, if a good agreement is reached.

Over the next few weeks, I hope the President remains focused on reaching this agreement that addresses the structural inequities in our trade relationship. Buying more soybeans is important, but this is a chance to resolve deeper issues, especially when there is such compelling evidence of commitments not met in the past and continued inequities in the U.S.-China trade relationship.

As part of reaching an enforceable structural agreement, I urge the administration to give China certainty about what we actually want and exactly what we want. From what I have heard, I believe giving Beijing the security of an unwavering negotiating position will help unlock China's last best offer. My sense is that is not yet on the table because perhaps they think we have shifted in terms of our objectives and priorities. The agreement would then allow the United States to take a step forward toward a more balanced, equitable, and durable U.S.-China relationship.

Again, I commend the administration and President Trump and Ambassador Lighthizer for engaging in these negotiations. I think we are headed in the right direction, but let's bring it to a close.

I want to note that the current negotiations are only part of what must be a holistic and long-term strategy toward China. A good agreement and strong enforcement is essential, but to keep the United States competitive over the long term, we have to invest more here at home.

As an example, if you are going to be in a sports competition, it helps to go to the gym once in a while. Until recently, we hadn't been hitting the gym too much.

Tax reform and lifting burdensome regulations recently have given our economy a shot in the arm. It is really important because it has created jobs and increased wages, but it has also made our country more competitive, particularly by investing in technology and investing in new equipment.

Unfortunately, we still have some challenges we need to address to be truly competitive. We have a workforce that too often lacks the skills necessary for the 21st century. We have an opioid epidemic that is undermining our economy as well as our communities. We have a crumbling infrastructure that is holding back economic growth.

Instead of people being awed at how quickly China can build a bridge, I want people to be awed at how effectively and how fast we can build a bridge here in this country. To do that, we need to build on the permitting reforms we have enacted in the last few years to make it easier to start and quicker to finish projects that keep our economy moving and growing. Reinvesting in America with world-class career and technical education, infrastructure investment, pro-growth and pro-innovation economic policies, as we started with tax reform and regulatory relief—these are the things that would send signals to China and to the rest of the world that we are a vibrant nation, we are in the game, we are focused on the future, we are constantly innovating, and we are not a nation in decline.

I believe the best days of our country can be before us. We need to show the world that America remains, in fact, the world's preeminent power because of our free markets, because of our innovations, and because of our work ethic. If we do that, we will be able to compete with China. If we don't, even without these trade negotiations, it will be difficult.

By the way, unlike some, I don't propose to compete with China by adopting policies and processes that mimic their system. As an example, nationalizing our 5G deployment or adopting 5-year industrial plans, as China does, is not the path to success. It gives in to the critiques that we make of Beijing. Instead, we need to double down on the American way: big ideas and bold visions grounded in principles unique to our origins. After all, we believe in freedom and free markets because they work.

With regard to China, we should want to have a successful and mutually beneficial relationship on trade and other issues. China and the United States must be strategic competitors going forward, not enemies.

I commend the Trump administration for entering into these difficult and very important negotiations with China, and I encourage the administration to stay strong in the pursuit of long-term, meaningful structural changes in that relationship. I want our country to do the hard work here at home, to ensure that American competitiveness is second to none. That combination—a successful resolution of longstanding issues with China and staying on the cutting edge here at home—will ensure the continued prosperity and global leadership of the United States of America.

Thank you.

I yield back my time.

The PRESIDING OFFICER. The Senator from Ohio.

ORDER OF PROCEDURE

Mr. PORTMAN. Madam President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time on the Stanton nomination expire at 11:45 a.m. on Wednesday, April 10; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. Additionally, I ask that following the disposition of the Stanton nomination, the Senate vote on the confirmation of the Abizaid nomination as under the previous order and that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; finally, that the mandatory quorum call with respect to the Brady nomination be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 65 on the motion to invoke cloture on Executive Calendar No. 21, nomination of Daniel Desmond Domenico, of Colorado, to be United States District Judge for the District of Colorado. On vote No. 65, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 21.

ARMS SALES NOTIFICATION

Mr. RISCH. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD at this point the notifications which have been received. If

the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19–13 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost $1.150 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 19–13

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Japan.

(ii) Total Estimated Value:

Major Defense Equipment* $1,054 billion.

Other $.096 billion.

Total $1.150 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to fifty-six (56) Standard Missile–3 (SM–3) Block IB Missiles.

Non-MDE: Also included are missile canisters, U.S. Government and contractor representatives' technical assistance, engineering and logistical support services, and other related elements of logistics and program support.

(iv) Military Department: Navy (JA-P-ATY).

(v) Prior Related Cases, if any: JA-P-AUA.

(vi) Sales Commission, Fee, etc., Paid. Offered. or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: April 9, 2019.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Japan—Standard Missile (SM)–3 Block IB

The Government of Japan has requested to buy up to fifty-six (56) Standard Missile–3 (SM–3) Block IB missiles. Also included are missile canisters, U.S. Government and contractor representatives' technical assistance, engineering and logistical support services, and other related elements of logistics and program support. The estimated cost is $1.150 billion.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a major ally that is a force for political stability and economic progress in the Asia-Pacific region. It is vital to U.S. national interests to assist Japan in developing and maintaining a strong and effective self-defense capability.

The proposed sale will provide Japan with increased ballistic missile defense capability to assist in defending the Japanese homeland and U.S. personnel stationed there. Japan will have no difficulty absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor for the SM–3 Block IB All Up Rounds will be Raytheon Missile Systems, Tucson, Arizona. The prime contractor for the canisters will be BAE Systems, Minneapolis, Minnesota. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require annual trips to Japan involving U.S. Government and contractor representatives for technical reviews, support, and oversight for approximately five years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 19–13

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The proposed sale will involve the release of sensitive technology to the Government of Japan related to the Standard Missile–3 (SM–3):

The Block IB is an iteration of the SM–3 family. It has distinct features over the older Block IA variant previously sold to Japan including an enhanced warhead which improves the search, discrimination, acquisition and tracking functions in order to address emerging threats. Once enclosed in the canister, the SM–3 Block IB missile is classified CONFIDENTIAL.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that Japan can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Japan.

DEPARTMENT OF ENERGY FISCAL YEAR 2020 BUDGET REQUEST

Mr. ALEXANDER. Madam President, I ask unanimous consent that a copy of my opening statement at the Subcommittee on Energy and Water Development's budget hearing for the Department of Energy's fiscal year 2020 budget request be printed in the RECORD.

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

DEPARTMENT OF ENERGY FISCAL YEAR 2020 BUDGET REQUEST

Mr. ALEXANDER. The Subcommittee on Energy and Water Development will please come to order.

Today's hearing will review the administration's fiscal year 2020 budget request for the Department of Energy.

This is the Subcommittee's first budget hearing this year.

We will have three additional hearings with the National Nuclear Security Administration, the Corps of Engineers and Bureau of Reclamation, and the Nuclear Regulatory Commission over the next five weeks. Senator Feinstein and I will each have an opening statement.

I will then recognize each Senator for up to five minutes for an opening statement, alternating between the majority and minority, in the order in which they arrived.

We will then turn to Secretary Perry for his testimony on behalf of the Department of Energy.

At the conclusion of Secretary Perry's testimony, I will then recognize Senators for five minutes of questions each, alternating between the majority and minority in the order in which they arrived. Earlier this week I proposed a New Manhattan Project for Clean Energy, a five year project with Ten Grand Challenges that will use American research and technology to put our country and the world firmly on a path toward clean, cheaper energy.

Meeting these Grand Challenges would create breakthroughs in advanced nuclear reactors, natural gas, carbon capture, better batteries, greener buildings, electric vehicles, cheaper solar and fusion. To provide the tools to create these breakthroughs, the federal government should double its funding for energy research and keep the United States number one in the world in advanced computing. This strategy takes advantage of the United States' secret weapon, our extraordinary capacity for basic research especially at our 17 national laboratories. It will strengthen our economy and raise our family incomes.

As we review the Department of Energy's fiscal year 2020 budget request today and work on drafting the Energy and Water Development Appropriations bill, I will be keeping these Ten Grand Challenges in mind.

I would like to thank Secretary Perry for being here today. This is Secretary Perry's third year to testify before the subcommittee.

I also want to thank Senator Feinstein, with whom I have the pleasure to work with again this year to draft the Energy and Water Development Appropriations bill. Our subcommittee has a good record of being the first of appropriations bills to be considered by the Committee and by the Senate each year. For each of the past four years, Senator Feinstein and I have been able to have our bill signed into law.

Last year, we worked together in a bipartisan way on the fiscal year 2019 Energy and Water Development Appropriations bill that was signed into law before the start of the fiscal year—the first time that happened since 2000.

We provided $6.585 billion for the Department's Office of Science, the fourth consecutive year of record level funding, which supports basic science and energy research at our 17 national laboratories and is the nation's largest supporter of research in the physical sciences.

The bill also provided $366 million for ARPA–E, to continue the important research and development investments into high-impact energy technologies—another record funding level in a regular appropriations bill.

We also provided $1.3 billion for Department's Office of Nuclear Energy, which is responsible for research and development of advanced reactors and small modular reactors. Finally, the bill we passed last year provided $15.2 billion for the National Nuclear Security Administration, including record funding levels for our Weapons Program and Naval Reactors.

This year, the Department of Energy's budget request is about $3.9 billion below what Congress provided last year.

I'm pleased that the Department's budget request prioritizes supercomputing, and includes approximately $809 million to deploy exascale systems in the early 2020's.

Unfortunately, the budget request this year again proposes to decrease spending on federally funded research and development, terminates ARPA–E and the loan guarantee programs, and cuts other funding, specifically:

The Office of Science by $1 billion;

Energy Efficiency and Renewable Energy by $2 billion;

Nuclear Energy by $502 million; and

Fossil Energy by $178 million.

And that is why we are holding this hearing: to give Secretary Perry an opportunity to discuss the Department's priorities, so Senator Feinstein and I can make informed decisions as we begin to write the fiscal year 2020 Energy and Water Development Appropriations bill over the next few weeks. Governing is about setting priorities, and we always have to make some hard decisions to ensure the highest priorities are funded.

Today, I'd like to focus my questions on five main areas, all with an eye toward setting priorities: Prioritizing federal support for science and energy research; Maintaining a safe and effective nuclear weapons stockpile; Demonstrating that we can build safe, affordable advanced reactors; Keeping America first in supercomputing; and Solving the nuclear waste stalemate. The Department of Energy's research programs have made the United States a world leader in science and technology, and these programs will help the United States maintain its brainpower advantage to remain competitive at a time when other countries are investing heavily in research.

DEMONSTRATING THAT WE CAN BUILD SAFE, AFFORDABLE ADVANCED REACTORS

Today, nuclear power accounts for 60% of our carbon-free electricity and, if we are going to slow the effects of climate change, nuclear power will be necessary into the future. However, the cost to build and operate today's large nuclear reactors is too high. If we don't do something soon, nuclear power will not have a future in the United States. Advanced reactors have the potential to be smaller, cheaper, less wasteful, and safer than today's reactors.

To demonstrate their potential, we need to build some of these advanced reactors, enable them to get licensed, and make sure they are available to replace the existing reactors when they come offline. Secretary Perry, I'd like to hear your views on this, including whether you think it would be helpful for the Department of Energy, working with the private sector and the National Laboratories, to manage a program that would build and demonstrate current advanced reactor technologies.

MAINTAINING A SAFE AND EFFECTIVE NUCLEAR WEAPONS STOCKPILE

A key pillar of our national defense is a strong nuclear deterrent. Last February, the administration issued an updated nuclear policy, called the Nuclear Posture Review. The updated Nuclear Posture Review recommends continuing many of the things Congress has been working on for the last several years—things that I support, including: continuing Life Extension Programs to make sure our current nuclear weapons remain safe and effective; and continuing to invest in the facilities we need to maintain our nuclear weapons stockpile. This includes the Uranium Processing Facility, the Plutonium Facility, and the facilities to process lithium and tritium.

I'm pleased to know the Department continues to make progress on construction of the nuclear buildings for the Uranium Processing Facility, and I'll be asking some questions about that project today. The Nuclear Posture Review also calls for two low yield warheads to be added to the stockpile, largely in response to capabilities being developed by Russia and other countries, and I know the Department is working on this important issue.

I'd like to hear more about that today, and look forward to hearing about the progress being made on the Uranium Processing Facility.

China, Japan, the U.S. and the European Union all want to be first in supercomputing. The stakes are high because the winner has an advantage in advanced manufacturing, simulating advanced reactors and weapons before they are built, finding terrorists and saving billions of Medicaid waste, and simulating the electric grid in a natural disaster, and other progress.

The U.S. regained the number one spot last year, thanks to sustained funding by Congress during both the Obama and Trump administrations. I am pleased that this budget request proposes to continue development of exascale supercomputers—the next generation of supercomputers that will develop a system a thousand times faster than the first supercomputer the U.S. built in 2008.

To ensure that nuclear power has a strong future in this country, we must solve the decades' long stalemate over what to do with used fuel from our nuclear reactors. Senator Feinstein and I have been working on this problem for years, and I'd like to take the opportunity to compliment Senator Feinstein on her leadership and her insistence that we find a solution to this problem. To solve the stalemate, we need to find places to build geologic repositories and temporary storage facilities so the federal government can finally meet its legal obligation to dispose of nuclear waste safely and permanently.

This year's budget request for the Department of Energy includes $110 million to restart work for Yucca Mountain repository and $6.5 million to study ways to open an interim storage site or use a private interim storage site. I strongly believe that Yucca Mountain can and should be part of the solution to the nuclear waste stalemate. Federal law designates Yucca Mountain as the nation's repository for used nuclear fuel, and the Commission's own scientists have told us that we can safely store nuclear waste there for up to one million years.

But even if we had Yucca Mountain open today, we would still need to look for another permanent repository. We have more than enough used fuel to fill Yucca Mountain to its legal capacity. So Senator Feinstein and I, working with the leaders of the Committee on Energy and Natural Resources, Senator Murkowski and then Senators Bingaman, Wyden, Cantwell, and now Senator Manchin, have a bill to implement the recommendations of the President's Blue Ribbon Commission on America's Nuclear Future, which we're working to reintroduce this year.

The legislation complements Yucca Mountain, and would create a new federal agency to find additional permanent repositories and temporary facilities for used nuclear fuel. But the quickest, and probably the least expensive, way for the federal government to start to meet its used nuclear fuel obligations is for the Department of Energy to contract with a private storage facility for used nuclear fuel.

Two years ago, you told this subcommittee that the Department of Energy has the authority to take title to used nuclear fuel, but you were hesitant to agree that it has the authority to store the used fuel at a private facility without more direction from Congress. I understand that two private companies have submitted license applications to the NRC for private consolidated storage facilities, one in Texas and one in New Mexico, and that the NRC's review is well underway.

I look forward to working with Secretary Perry as we begin putting together our Energy and Water Development Appropriations bill for fiscal year 2020 and hearing what Secretary Perry's priorities are. I also expect that the Department will continue to fund projects consistent with Congressional intent in the fiscal year 2019 Consolidated Appropriations Act.

I will now recognize Senator Feinstein for her opening statement.

TRIBUTE TO DR. SCOTT GOTTLIEB

Mr. ALEXANDER. Madam President, nearly two years ago, just before the Senate voted to confirm Dr. Gottlieb to lead the Food and Drug Administration, FDA, I said that he was ''the right person to lead the FDA in [its] vital mission and move the agency forward so that America's patients can benefit from the remarkable discoveries . . . that our nation's researchers are working on.''

Since then, Dr. Gottlieb's leadership at FDA has proved that prediction correct.

Dr. Gottlieb has been one of the President's best appointments.

Two years ago, I also said that ''there's never been a more important time to capitalize on the significant funding Congress has given to medical research.''

Congress has given the National Institutes of Health, NIH, a $9 billion increase from 2015–2019, almost $40 billion dollars in 2019, and FDA plays a key role in bringing new treatments and cures to American patients.

In 2016, Congress passed what Leader MCCONNELL called the most important legislation of the Congress, the 21st Century Cures Act, to help speed the development of new drugs and devices.

This exciting time in medicine also brings great promise to patients to lower the cost of medicine, as more promising treatments come to market, we see increased competition, which helps to drive down how much patients pay for medicines they need.

Dr. Gottlieb's successful tenure at the agency includes helping to bring more competition to the market. In 2018, FDA approved or tentatively approved over 1,000 generic drugs, approved 34 novel orphan drugs, which are drugs to treat rare diseases, and designated 18 regenerative medicines as regenerative medicine advanced therapies, so they can be reviewed faster.

Here are just a few other important things Dr. Gottlieb has accomplished:

When Dr. Gottlieb took over at FDA, Congress was working to reauthorize the four medical product user fee agreements that make up about a third of FDA's funding.

In addition to reauthorizing the four user fee agreements, Congress worked with Dr. Gottlieb and authorized an expedited approval process for generic

drugs where there is little or no market competition, called the Competitive Generic Therapies pathway, as part of the FDA Reauthorization Act of 2017.

Since August 2018, FDA has approved five new generic drugs under this pathway and has designated over 140 generic drug applications as qualifying for this pathway.

Dr. Gottlieb also announced a new plan, called the Biosimilar Action Plan, to bring generic versions of biologic drugs, called biosimilars, to help improve competition for biologics by increasing market entry of biosimilars and providing more treatment options for patients.

FDA has approved a total of 18 biosimilar products since 2010, when the biosimilar pathway was created, 13 of which were approved under Dr. Gottlieb's watch.

At his confirmation hearing, Dr. Gottlieb described the opioid crisis as ''having staggering human consequences. I think it's the biggest crisis facing the agency. . . . I think it's going to require an all-of-the-above approach . . .''

Last year, 72 senators worked on legislation to combat the opioid crisis.

Dr. Gottlieb provided us with crucial advice as we worked on this legislation and has begun to take advantage of the new law.

He has taken steps to help prevent illicit fentanyl, which is 100 times more powerful than heroin, from coming across the border.

He worked with Congress to clarify his authority to require opioids to be packaged in blister packs, such as a 3 or 7-day supply, to encourage doctors to prescribe responsibly; and clarified FDA's authority to require safe disposal options to accompany opioid packaging.

Dr. Collins, who leads the NIH, has predicted a nonaddictive opioid in the next decade, which really is the Holy Grail for fighting the opioid crisis and for helping the 50–100 million Americans living with pain.

I believe Dr. Gottlieb has laid groundwork to encourage the development of nonaddictive and nonopioid medicines and therapies to treat pain.

Dr. Gottlieb was integral to Congress's ability to reauthorize the animal drug user fees, which authorize the FDA to collect user fees to speed the review and approval of new drugs that farmers, families, and veterinarians rely on to keep their animals healthy and the food supply safe.

The 21st Century Cures Act created the Regenerative Medicine Advanced Therapy Designation, which is similar to the very successful breakthrough drug pathway that safely shortened the development and review time for certain drugs, to get them to patients who need them more quickly.

While we worked on that law, I heard the story of Nashville resident Doug Oliver.

In 2007, Doug began to have trouble seeing and, after a near accident, had his driver's license taken away and was declared legally blind.

The culprit was a rare form of macular degeneration.

His doctor at the Vanderbilt Eye Institute told him that while there were no cures, Doug could search online for a clinical trial.

Doug found a regenerative medicine clinical trial in Florida, where doctors took cells out of the bone marrow in his hip, spun them in a centrifuge, and then injected those into his eye.

Three days later, he began to see.

His eyesight eventually improved enough to get his driver's license back, and he became an effective advocate for more support for regenerative medicine, which we included in the 21st Century Cures Act.

So, with his improved vision, he began writing letters and visiting me to advocate for more support for regenerative medicine, which we did in the 21st Century Cures Act.

Two years ago, Doug gave me the cane he had used while he was blind. He said: ''I don't need it anymore.''

In Cures, we included a pathway to bring new regenerative medicine treatments, similar to the treatment Doug received, to patients more quickly.

Dr. Gottlieb has worked to implement that new pathway to help develop safe treatments to ensure more patients are able to take advantage of this cutting-edge, personalized medical technology.

Additionally, Dr. Gottlieb has helped the agency develop and advance guidances for gene therapies that will help new innovative companies developing these promising therapies, some of which may be for specific diseases and conditions that provide roadmaps for biotechnology companies who are leading the way in precision medicine.

During this exciting time in biomedical research, we are fortunate that Dr. Gottlieb was willing to serve.

The FDA and the biomedical community is in better shape today to advance medical innovation and develop the treatments and cures of the future because of his leadership.

CELEBRATING ROMANI AMERICAN HERITAGE

Mr. CARDIN. Madam President, today I rise to celebrate International Roma Day, which occurred yesterday, April 8, 2019. Last week, Senator WICKER, the Helsinki Commission's Senate cochairman, and I introduced a resolution that celebrates Romani American heritage.

As a member of the U.S. Helsinki Commission and the Organization for Security and Cooperation in Europe (OSCE) Parliamentary Assembly Special Representative on Anti-Semitism, Racism & Intolerance, I have long worked to improve the situation of Roma throughout the OSCE region.

The resolution we introduced on April 4 does four things.

First, it recognizes and celebrates Romani American heritage. Roma have come to the United States with every wave of European migration since the colonial period. In the United States,there may be as many as 1 million Americans with some Romani ancestry, whether distant or more recent. Romani people have made distinct and important contributions in many fields, including agriculture, art, crafts, literature, medicine, military service, music, sports, and science.

Second, it supports International Roma Day and the Department of State's robust engagement in activities to honor that occasion. On April 8, 1971, the First World Romani Congress met in London, bringing together Roma from across Europe and the United States with the goal of promoting transnational cooperation among Roma, combating social marginalization, and building a positive future for Roma everywhere. April 8 is now celebrated as International Roma Day around the world. U.S. Ambassadors and our Embassies across Europe are frequently asked to participate in April 8 celebrations across the region. I commend the important work they are doing as they demonstrate U.S. commitment to inclusive societies not only on April 8 but throughout the entire year.

Third, this resolution commemorates the 75th anniversary of the destruction of the so-called Gypsy Family Camp at Auschwitz. Experts estimate that 200,000 to 500,000 Romani people were killed in death camps and elsewhere throughout Europe. On August 2 to 3, 1944, Nazis murdered between 4,200 and 4,300 Romani men, women, and children in gas chambers when the Nazis decided to liquidate this camp. A number of governments have taken important steps in recent years to commemorate the genocide of Roma, to remember the victims, and educate future generations. Germany took an important step when it opened a memorial in Berlin for Sinti and Roma victims of national socialism. I also commend the Czech Government for its decision to remove the pig farm at the site of the Lety concentration camp and address remaining issues regarding the proper memorialization of that sensitive site.

Finally, this resolution commends the U.S. Holocaust Memorial Museum for its critically important role in promoting remembrance of the Holocaust and educating audiences about the genocide of Roma. The U.S. Holocaust Memorial Museum is the preeminent Federal institution dedicated to serving as a living memorial to the Holocaust. I am honored to serve as a member of the U.S. Holocaust Memorial Museum Council and I welcome the initiatives of the museum to ensure that Romani victims are remembered and support related scholarship.

I am pleased that Senator WICKER has joined me in introducing this resolution and urge other colleagues to join us in celebrating Romani-American heritage.

TRIBUTE TO LIEUTENANT COMMANDER STEVEN DAVIES

Mrs. HYDE-SMITH. Madam President, I am pleased to commend LCDR Steven Davies for his dedication to duty and service as a U.S. Coast Guard congressional fellow on my staff. Steve was recently selected to serve as executive officer of USCGC *Thetis* and will soon depart to fulfill that important responsibility.

A native of Lebanon, PA, Steve was commissioned after his graduation from the U.S. Coast Guard Academy, where he earned a bachelor of science degree in management, served as vice president of his class, and captained the men's soccer team. He is in the process of earning a master's degree.

Steve has served in a broad range of assignments during his Coast Guard career. He has served overseas in Kuwait and deployed with Patrol Forces Southwest Asia in support of Operations Iraqi and Enduring Freedom, conducted national security missions on five ships in the Arabian Gulf. In addition to deployments overseas, he has served in vital roles in support of U.S. security interests. As commanding officer of USCGC *Sailfish*, he led search and rescue operations and various law enforcement missions in the Port of New York and New Jersey. As Commanding Officer of USCGC *Kathleen Moore*, Steve led a 26-person crew that interdicted $18 million of cocaine and nearly 700 undocumented migrants attempting to reach the United States.

Most recently, Steve served as the congressional fellow on my staff and, prior to that, for the Honorable Senator Thad Cochran of Mississippi. Steve's operational experience in the Gulf of Mexico, Southwest Asia, and the Arabian Gulf, in addition to his technical expertise in counterdrug and migrant interdictions, search and rescue operations, and law enforcement missions, have been pivotal in helping to shape Department of Homeland Security and U.S. Coast Guard appropriations for fiscal years 2018 and 2019.

As a congressional fellow, he has served the State of Mississippi, the Coast Guard, and our Nation admirably. My staff and I have enjoyed the benefit of Steve's counsel and have truly enjoyed working with him. Steve's leadership has brought great credit to the Coast Guard, and I appreciate and commend his commitment to continue to serve our nation.

It is a pleasure to recognize and thank LCDR Steve Davies for his service to this country. My staff and I extend our gratitude to Steve and wish him ''Fair winds and following seas'' as he continues his journey in the U.S. Coast Guard.

NATIONAL NUCLEAR SECURITY ADMINISTRATION FISCAL YEAR 2020 BUDGET REQUEST

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my opening statement at the Subcommittee on Energy and Water Development's budget hearing for the National Nuclear Security Administration's fiscal year 2020 budget request be printed in the RECORD.

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

NATIONAL NUCLEAR SECURITY ADMINISTRATION FISCAL YEAR 2020 BUDGET REQUEST

Mr. ALEXANDER. The Subcommittee on Energy and Water Development will please come to order.

Today's hearing will review the administration's fiscal year 2020 budget request for the National Nuclear Security Administration.

This is the second of the Subcommittee's four budget hearings this year.

We heard from Secretary Perry last week, and we'll have two more hearings in the coming weeks to review the Nuclear Regulatory Commission and the Army Corps of Engineers and the Bureau of Reclamation budget requests.

Senator Feinstein and I will each have an opening statement.

I will then recognize each Senator for up to five minutes for an opening statement, alternating between the majority and minority, in the order in which they arrived.

We will then turn to Administrator Lisa Gordon-Hagerty to present testimony on behalf of the National Nuclear Security Administration and then give Admiral Frank Caldwell an opportunity to give a brief statement.

At the conclusion of the witnesses' testimony, I will then recognize Senators for five minutes of questions each, alternating between the majority and minority in the order in which they arrived.

First, I would like to thank our witnesses for being here today, and also Senator Feinstein, with whom I have the pleasure to work with again this year to draft the Energy and Water Appropriations bill.

Our witnesses today include: Ms. Lisa Gordon-Hagerty, the Administrator of the National Nuclear Security Administration (NNSA); Dr. Charles Verdon, Deputy Administrator for Defense Programs; Dr. Brent Park, Deputy Administrator for Defense Nuclear Nonproliferation (Dr. Park is a former Associate Laboratory Director from Oak Ridge National Laboratory); and Admiral Frank Caldwell, Deputy Administrator for Naval Reactors.

Our subcommittee has a good record of being the first of the appropriations bills to be considered by the Committee and by the Senate each year. For each of the past four years, Senator Feinstein and I have been able to have our bill signed into law.

Last year, we worked together in a bipartisan way on the fiscal year 2019 Energy and Water Development Appropriations bill that was signed into law before the start of the fiscal year—the first time that happened since 2000.

In last year's appropriations bill we provided $15.2 billion for the National Nuclear Security Administration, including $1.9 billion for the six life extension programs, which fix or replace components in weapons systems to make sure they're safe and reliable.

We also funded the Uranium Processing Facility at the Y–12 National Security Complex at $703 million, which will continue to keep this project on time and on budget, with a completion year of 2025 at a cost no greater than $6.5 billion.

I look forward to working with Senator Feinstein on another strong bill this year.

We're here today to review the administration's fiscal year 2020 budget request for the National Nuclear Security Administration (NNSA), the semi-autonomous agency within the Department of Energy that is responsible for a vital mission—maintaining our nuclear weapons stockpile, reducing the global dangers posed by weapons of mass destruction, and providing the Navy with safe and effective nuclear power.

The president's fiscal year 2020 budget request for the NNSA is $16.5 billion, an increase of $1.3 billion (or 8 percent) over last year (the fiscal year 2019 enacted level).

Today, I'd like to focus my remarks and questions on three main areas:

1. Effectively maintaining our nuclear weapons stockpile;
2. Keeping critical projects on time and on budget; and
3. Supporting our nuclear Navy.

When the Senate agreed to ratify the New Start Treaty in December 2010, we also agreed to support funding to modernize and maintain our nuclear weapons stockpile, plus the facilities to do the work. A vital part of NNSA's mission is completion of the five ongoing life extension programs, which fix or replace components in weapons systems to make sure they're safe and reliable. The budget request includes $2.1 billion to continue the life extension programs. I want to make sure we are spending taxpayer dollars effectively.

Completing all of the work that needs to be done for these weapons systems will result in a higher workload than the weapons program has had in any time since the height of the Cold War, and it will require a large number of highly-trained experts at the production sites, like Y–12 in Oak Ridge Tennessee, the weapons laboratories, and the federal employees that work for NNSA. I'd like to hear more today about whether NNSA has enough qualified people to do this work. I would also like to discuss today whether NNSA will be able to keep the life extension programs on time and on budget.

The NNSA is responsible for some of the largest construction projects in the federal government. Senator Feinstein and I have worked hard to keep costs from skyrocketing. We want to make sure hard-earned taxpayer dollars are spent wisely and that these projects are on time and on budget.

First we focused on our oversight on the Uranium Processing Facility in Tennessee. We held routine meetings with the Department's leadership to discuss the project—particularly how the Department implemented the recommendations of a Red Team review, completed in 2014, to get the project on track.

After completing more than 90% of the design for the nuclear facilities, NNSA began construction of the Uranium Processing Facility last year. I'd like to hear more about the progress on construction from the witnesses today.

Senator Feinstein and I also worked with the Department on ways to get excess plutonium out of South Carolina more quickly and for less cost. Last year, Secretary Perry canceled the MOX project in favor of the Dilute and Disposal alternative, which the Department of Energy estimated will save taxpayers more than $20 billion. I'd like to hear more today on the progress NNSA is making at removing the plutonium from South Carolina.

Lastly, the NNSA is restarting our ability to make plutonium pits for the stockpile. The budget request includes $712 million for plutonium sustainment, which is 97% more than the current funding level. This difficult, but important work, will be done in New Mexico and South Carolina. The NNSA has

decided to use existing facilities and expertise in New Mexico to make some pits, and repurpose the MOX facility in South Carolina to make the remainder. That's a good plan and I support it. I want to hear from Administrator Gordon-Hagerty today how NNSA is applying the lessons we learned from UPF and MOX to make sure we get the pit production restart done on time and on budget.

Naval Reactors is responsible for all aspects of nuclear power for our submarines and aircraft carriers. Naval Reactors has a lot on their plate right now—they are designing a new reactor core for the next class of submarines, refueling a prototype reactor, and building a new spent fuel processing facility for nuclear waste from defense activities.

Admiral Caldwell and I had an opportunity talk about the new spent fuel processing facility earlier this week. It is a part of the Navy's consolidated interim storage for its used nuclear fuel.

The Navy's program shows that it can be done safely and effectively, but that does not replace the need for a permanent repository at Yucca Mountain. That used nuclear fuel will still need to go to Yucca Mountain once it is built. I look forward to Admiral Caldwell's comments today on the progress he's making on his important work, and particularly how Naval Reactors stores used nuclear fuel. I'd also like to hear what is being done to keep the new Columbia-Class submarine design on track.

The NNSA needs to complete a lot of important work, and this work is going to require good planning and effective oversight. I look forward to working with Administrator Gordon-Hagerty as we begin putting together our Energy and Water Appropriations bill for fiscal year 2020, and also with Senator Feinstein, who I will now recognize for her opening statement.

ADDITIONAL STATEMENTS

RECOGNIZING THE BIG CHEESE OF MIAMI

• Mr. RUBIO. Madam President, as chairman of the Senate Committee on Small Business and Entrepreneurship, it is my privilege to recognize a small business that exemplifies creativity, hard work, and dedication to improving their community. This week, it is my honor to name The Big Cheese of Miami, FL, as the Senate Small Business of the Week.

Having just celebrated their 35 year anniversary, The Big Cheese has grown from a 12-seat and 2-person operation to a landmark Miami Italian restaurant. Lifelong friends Bill Archer and Garry Duell founded The Big Cheese in 1984 and due to their rapid success, expanded to a larger location across the street. Bill is the culinary expert of the duo and has developed original recipes for all 120 items on the menu, while Garry focuses on the day-to-day operations. Along the way, they have shared in the restaurant's success.

Today, The Big Cheese remains family-oriented and affordable and uses only the finest ingredients. They have an extensive menu that includes everything from Italian favorites to Miami classics. Many of their employees have been there since inception, and others are second-generation employees, with an average employee tenure of 16 years. Bill, Gary, and longtime manager Salvatore Aiello strive to create a welcoming and friendly atmosphere and they have certainly succeeded.

Their dedication to fair prices and made-from-scratch dishes has not gone unnoticed. They were voted The Best Inexpensive Italian Restaurant in Miami and received the 5 Kids Crown Award from South Florida Parenting Magazine for their pizza. They are proud to feed people from diverse socioeconomic and cultural backgrounds and remain focused on serving their community.

One example of their efforts to help community members in need was during Hurricane Irma recovery, when they donated food to the emergency operations center in Monroe County. They are also the official sponsor of the University of Miami Athletics Department, providing both the Hurricanes and their competitors with pregame meals. Since their founding, they have served thousands of University of Miami students and collected more than 200 pieces of original memorabilia. Their dedication to the school was recently honored when they were chosen to represent the University of Miami during the Taste of the NFL, a charity aimed at bringing awareness to the millions of Americans who struggle with hunger.

The Big Cheese is an exemplary community-focused small business. They have remained true to their original values and serve their community in times of need. Like many Main Street restaurants throughout our country, The Big Cheese is a place where community members have gathered and enjoyed meals together for decades. By focusing on quality food and superior customer service, The Big Cheese has stayed in high demand. It is with great pleasure that I extend my congratulations to Bill, Gary and all of the employees at The Big Cheese. I wish you well as you continue serving the people of South Florida, and I look forward to watching your continued growth and success.•

MESSAGES FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2030. An act to direct the Secretary of the Interior to execute and carry out agreements concerning Colorado River Drought Contingency Management and Operations, and for other purposes.

At 11:52 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 639. An act 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.

H.R. 1331. An act to amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes.

The message also announced the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 16. Concurrent resolution 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. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

ENROLLED JOINT RESOLUTION SIGNED

At 6:34 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that Speaker has signed the following enrolled joint resolution:

S.J. Res. 7. 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.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 639. An act 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; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1331. An act to amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes; to the Committee on Environment and Public Works.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Commerce, Science, and Transportation and referred as indicated:

S. 846. A bill to amend title 49, United States Code, to limit certain rolling stock procurements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1585. An act to reauthorize the Violence Against Women Act of 1994, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–855. A communication from the Vice President, Government Relations, Tennessee Valley Authority, transmitting, pursuant to

law, the Authority's Statistical Summary for fiscal year 2018; to the Committee on Environment and Public Works.

EC–856. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on the Open Payments Program''; to the Committee on Finance.

EC–857. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on the Medicare and Medicaid Integrity Programs Report for Fiscal Year 2017''; to the Committee on Finance.

EC–858. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–859. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Corpus Christi Ship Channel, Corpus Christi, TX'' ((RIN1625–AA87) (Docket No. USCG–2019–0149)) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–860. 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; Patuxent River, Patuxent River, MD'' ((RIN1625–AA00) (Docket No. USCG–2019–0167)) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–861. 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; Cape Fear River, Wilmington, NC'' ((RIN1625–AA00) (Docket No. USCG–2018–1067)) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–862. 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; Missouri River, Miles 226–360, Glasgow, MO to Kansas City, MO'' ((RIN1625–AA00) (Docket No. USCG–2019–0202)) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–863. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Monongahela, Allegheny, and Ohio Rivers, Pittsburgh, Pennsylvania'' ((RIN1625–AA08) (Docket No. USCG–2019–0168)) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–864. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Chesapeake Bay, Between Sandy Point and Kent Island, MD'' ((RIN1625–AA08) (Docket No. USCG–2018–1102)) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–865. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2018 Recreational Fishing Seasons for Red Snapper in the Gulf of Mexico'' (RIN0648–XG060) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–866. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2018 Commercial Accountability Measure and Closure for the Other Jacks Complex'' (RIN0648–XG420) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–867. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Gulf of Maine Haddock Trimester Total Allowable Catch Area Closure for the Common Pool Fishery'' (RIN0648–XG318) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–868. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Aggregated Large Costal Shark and Hammerhead Shark Management Group Retention Limit Adjustment'' (RIN0648–XG325) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–869. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XG534) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–870. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XG366) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–871. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measures and Closure for Atlantic Migratory Group Cobia'' (RIN0648–XG435) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–872. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2018 Recreational Accountability Measure and Closure for South Atlantic Golden Tilefish'' (RIN0648–XG440) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–873. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XG317) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–874. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea Subarea'' (RIN0648–XG444) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–875. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Other Flatfish in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XG316) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–876. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XG429) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–877. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 50 Feet in Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XG394) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–878. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XG396) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–879. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2018 Gulf of Alaska Pollock Seasonal Apportionments'' (RIN0648–XG378) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–880. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XG428) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–881. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XG426) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–882. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XG192) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–883. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-methyl-2-[(1-oxo-2-propenyl)amino]-1-propanesulfonic acid monosodium salt polymer with 2-propenoic acid, 2-methyl-, C12–16 alkyl esters; Tolerance Exemption'' (FRL No. 9988–62–OCSPP) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–884. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metrafenone; Pesticide Tolerances'' (FRL No. 9987–14–OCSPP) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–885. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Zoxamide; Pesticide Tolerances'' (FRL No. 9987–27–OCSPP) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–886. A communication from the Director of the Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Elimination of the Requirement That Livestock Carcases Be Marked 'U.S. Inspected and Passed' at the Time of Inspection Within a Slaughter Establishment for Carcasses To Be Further Processed Within the Same Establishment'' (RIN0583–AD68) received in the Office of the President of the Senate on April 4, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–887. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants'' (RIN3038–AE85) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–888. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''De Minimis Exception to the Swap Dealer Definition—Swaps Entered into by Insured Depository Institutions in Connection with Loans to Customers'' (RIN3038–AE68) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–889. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''Report to Congress on Progress Toward the Strategic Plan to Improve Capabilities of Department of Defense Training Ranges and Installations''; to the Committee on Armed Services.

EC–890. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777, this will not cause the Department to exceed the number of frocked officers authorized; to the Committee on Armed Services.

EC–891. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Margin and Capital Requirements for Covered Swap Entities'' (RIN3064–AF00) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–892. A communication from the Executive Director, Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2018 Office of Minority and Women Inclusion Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–893. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, five (5) reports relative to vacancies in the Department of the Treasury, received in the Office of the President of the Senate on April 3, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–894. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Delay of Effective Date; Regulatory Capital Rule: Implementation and Transition of the Current Expected Credit Losses Methodology for Allowances and Related Adjustments to the Regulatory Capital Rule and Conforming Amendments to Other Regulations'' (RIN3064–AE74) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–895. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ID, Kraft Pulp Mill Rule Revisions'' (FRL No. 9991–71–Region 10) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Environment and Public Works.

EC–896. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; North Carolina: Readoption of Air Quality Rules and Non-Interference Demonstration for Removal of Oxygenated Gasoline Rule'' (FRL No. 9991–63–Region 4) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Environment and Public Works.

EC–897. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality State Implementation Plans; Arizona: Approval and Conditional Approval of State Implementation Plan Revisions; Maricopa County Air Quality Department; Stationary Source Permits'' (FRL No. 9991–53–Region 9) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Environment and Public Works.

EC–898. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delaware: Outer Continental Shelf Regulations; Consistency Update for Delaware'' (FRL No. 9990–18–Region 3) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Environment and Public Works.

EC–899. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''PA SSI Federal Plan Delegation'' (FRL No. 9991–56–Region 3) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Environment and Public Works.

EC–900. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, six (6) reports relative to vacancies in the Department of the Treasury, received in the Office of the President of the Senate on April 3, 2019; to the Committee on Finance.

EC–901. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement and Report Concerning Advance Pricing Agreements'' (Announcement 2019–03) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Finance.

EC–902. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treasury Decision (TD): Chapter 4 Regulations Relating to Verification and Certification Requirements for Certain Entities and Reporting by Foreign Financial Institutions'' (RIN1545–BL96) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Finance.

EC–903. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Reportable Transactions Penalties Under Section 6707A'' (RIN1545–BK62) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Finance.

EC–904. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Offering a Lump-Sum Payment Option to Retirees Currently Receiving Annuity Payments Under a Defined Benefit Plan'' (Notice 2019–18) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Finance.

EC–905. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Permitted Disparity In Employer-Provided Contributions or Benefits'' (Rev. Rul. 2019–06) received in the Office of the President of the Senate on April 2, 2019; to the Committee on Finance.

EC–906. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure 2019–15'' (Rev. Proc. 2019–15) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2019; to the Committee on Finance.

EC–907. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tax Benefit Rule and Section 164(b) (6)'' (Rev. Rul. 2019–11) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2019; to the Committee on Finance.

EC–908. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Annual Report of Interdiction of Aircraft Engaged in Illicit Drug Trafficking; to the Committee on Foreign Relations.

EC–909. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to Denmark, Italy, Japan, and the Netherlands to support the design, development, and manufacture of composite components and subassemblies for the F–35 Aircraft Center Fuselage in the amount of $100,000,000 or more (Transmittal No. DDTC 18–001); to the Committee on Foreign Relations.

EC–910. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to Australia, Italy, Japan, and the Netherlands to support the manufacture of composite components and subassemblies for the F–35 Lightning II Aircraft in the amount of $100,000,000 or more (Transmittal No. DDTC 17–078); to the Committee on Foreign Relations.

EC–911. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, Secretary of Labor's response to the Office of the Ombudsman's 2017 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–912. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the Bureau's fiscal year 2017 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–913. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to the District of Columbia Family Court Act; to the Committee on Homeland Security and Governmental Affairs.

EC–914. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of Labor's 2017 FAIR Act Inventory of Inherently Governmental Activities and Inventory of Commercial Activities; to the Committee on Homeland Security and Governmental Affairs.

EC–915. A communication from the Attorney-Advisor, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalty Adjustments for Inflation'' (RIN1601–AA80) received in the Office of the President of the Senate on April 3, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–916. A communication from the Chief of the Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Separation Distances of Ammonium Nitrate and Blasting Agents From Explosives or Blasting Agents'' (RIN1140–AA27) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2019; to the Committee on the Judiciary.

EC–917. A communication from the Deputy Chief, Mobility Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 1 and 22 of the Commission's Rules with Regard to the Cellular Service, Including Changes in Licensing of Unserved Area, et al.'' ((WT Docket No. 12–40) (FCC 19–26)) received in the Office of the President of the Senate on April 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC–918. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received in the Office of the President of the Senate on April 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–919. A communication from the Executive Director, Office of Congressional Workplace Rights, transmitting, pursuant to Section 303(a) of the Congressional Accountability Act, a report relative to adoption of rules governing the procedures of the Office of Congressional Workplace Rights, received in the office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–28. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the United States Congress to support temporary protective status for the Venezuelan community and to support the efforts of Venezuelan interim President Juan Guaido to bring humanitarian relief to the people of Venezuela and diplomatic efforts to promote democracy in Venezuela; to the Committee on Foreign Relations.

POM–29. A petition from a citizen of the State of Texas relative to constitutional conventions; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 226. A bill to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act (Rept. No. 116–30).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for the Committee on Armed Services.

Marine Corps nominations beginning with Brig. Gen. Julian D. Alford and ending with Brig. Gen. Stephen D. Sklenka, which nominations were received by the Senate and appeared in the Congressional Record on January 15, 2019. (minus 1 nominee: Brig. Gen. Austin E. Renforth)

*Army nomination of Gen. Stephen J. Townsend, to be General.

Army nomination of Lt. Gen. Timothy J. Kadavy, to be Lieutenant General.

Navy nomination of Rear Adm. James W. Kilby, to be Vice Admiral.

Air Force nomination of Lt. Gen. Jeffrey L. Harrigian, to be General.

*Air Force nomination of Gen. Tod D. Wolters, to be General.

Air Force nominations beginning with Brig. Gen. Christopher P. Azzano and ending with Brig. Gen. Craig D. Wills, which nominations were received by the Senate and appeared in the Congressional Record on April 1, 2019.

Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists 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 Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Jeremiah L. Blackburn and ending with Thomas A. Webb, which nominations were received by the Senate and appeared in the Congressional Record on February 25, 2019.

Air Force nominations beginning with La Tanya D. Austin and ending with Luis E. Millan, which nominations were received by the Senate and appeared in the Congressional Record on March 26, 2019.

Air Force nominations beginning with Michael T. Charlton and ending with Robert T. Ungerman III, which nominations were received by the Senate and appeared in the Congressional Record on March 26, 2019.

Air Force nominations beginning with Elissa R. Ballas and ending with Matthew W. Booth, which nominations were received by the Senate and appeared in the Congressional Record on March 26, 2019.

Air Force nomination of Brian C. Bane, to be Major.

Air Force nomination of Benjamin D. Ramos, to be Major.

Air Force nomination of Christopher D. Black, to be Major.

Army nomination of Jason A. Anthes, to be Major.

Army nomination of Robin N. Scott, to be Lieutenant Colonel.

Army nomination of Matthew R. Thom, to be Lieutenant Colonel.

Army nomination of David M. Powell, to be Major.

Army nomination of Ford M. Lannan, to be Major.

Army nomination of Luke A. Randall, to be Major.

Army nomination of Mark M. Kuba, to be Colonel.

Army nomination of Rhana S. Kurdi, to be Lieutenant Colonel.

Army nomination of Michael D. Norton, to be Lieutenant Colonel.

Army nomination of Jason A. Byers, to be Major.

Army nomination of Nathaniel C. Curley, to be Major.

Army nomination of Sewhan Kim, to be Lieutenant Colonel.

Army nomination of Early Howard, Jr., to be Lieutenant Colonel.

Army nomination of Isaac L. Henderson, to be Lieutenant Colonel.

Army nomination of James A. Broadie, to be Major.

Army nomination of Brandon E. Resor, to be Major.

Navy nominations beginning with Shawn D. Trulove and ending with Dena R. Boyd, which nominations were received by the Senate and appeared in the Congressional Record on March 26, 2019.

Navy nomination of Charles E. Jenkins IV, to be Commander.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Gordon Hartogensis, of Connecticut, to be Director of the Pension Benefit Guaranty Corporation for a term of five years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself, Ms. HARRIS, Mr. BOOKER, Mr. LEAHY, Mr. BLUMENTHAL, Mr. REED, Ms. WARREN, Mr. VAN HOLLEN, Mr. SANDERS, Mrs. MURRAY, Ms. SMITH, Ms. HIRONO, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. COONS, Mr. CASEY, Mr. BROWN, and Mr. WYDEN):

S. 1068. A bill to secure the Federal voting rights of persons when released from incarceration; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Ms. MURKOWSKI, Ms. CANTWELL, and Mr. SULLIVAN):

S. 1069. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE:

S. 1070. A bill to require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. MURKOWSKI):

S. 1071. A bill to support empowerment, economic security, and educational opportunities for adolescent girls around the world, and for other purposes; to the Committee on Foreign Relations.

By Mr. BRAUN:

S. 1072. A bill to amend the Higher Education Act of 1965 to establish a Job Training Federal Pell Grants demonstration program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE (for himself and Ms. BALDWIN):

S. 1073. A bill to amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mr. LEE, and Mr. DURBIN):

S. 1074. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Mr. CARDIN, Mr. RUBIO, Mr. TILLIS, Mr. DURBIN, and Mr. VAN HOLLEN):

S. 1075. A bill to advocate for the release of United States citizens and locally employed diplomatic staff unlawfully detained in Turkey, and for other purposes; to the Committee on Foreign Relations.

By Mr. SULLIVAN (for himself and Mrs. GILLIBRAND):

S. 1076. A bill to amend title 36, United States Code, to designate October 1 as Choose Respect Day, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN:

S. 1077. A bill to establish a pilot program awarding competitive grants to organizations administering entrepreneurial development programming to formerly incarcerated individuals, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. PERDUE (for himself and Mr. WHITEHOUSE):

S. 1078. A bill to amend title 44, United States Code, to modernize the Federal Register, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 1079. A bill to provide for the withdrawal and protection of certain Federal land in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mr. BOOKER:

S. 1080. A bill to amend the Second Chance Act of 2007 to require identification for returning citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. MANCHIN (for himself, Mr. GARDNER, Ms. CANTWELL, Mr. BURR, Mr. BENNET, Ms. COLLINS, Mr. TESTER, Mr. DAINES, Mr. UDALL, Mr. ALEXANDER, Mr. HEINRICH, Mr. GRAHAM, Mr. KING, and Mrs. SHAHEEN):

S. 1081. A bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Ms. HARRIS, Mr. MERKLEY, Ms. WARREN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. CASEY, Mr. SANDERS, Mr. KAINE, Mr. BROWN, Mr. MARKEY, Ms. ROSEN, Ms. KLOBUCHAR, Mr. CARDIN, Mr. VAN HOLLEN, Mr. BOOKER, Mr. DURBIN, and Ms. DUCKWORTH):

S. 1082. A bill to prevent discrimination and harassment in employment; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER:

S. 1083. A bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent d jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself and Mrs. FISCHER):

S. 1084. A bill to prohibit the usage of exploitative and deceptive practices by large online operators and to promote consumer welfare in the use of behavioral research by such providers; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself, Mr. ALEXANDER, and Ms. STABENOW):

S. 1085. A bill to support research, development, and other activities to develop innovative vehicle technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOKER (for himself, Ms. BALDWIN, Mr. MURPHY, Mr. BLUMENTHAL, Ms. WARREN, Ms. ROSEN, Mr. WHITEHOUSE, Ms. SMITH, Mrs. SHAHEEN, Mr. SANDERS, Mr. KAINE, Ms. HARRIS, Mr. WYDEN, Mr. MERKLEY, Mrs. MURRAY, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. BROWN, and Ms. HIRONO):

S. 1086. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. DAINES, Mr. INHOFE, Mrs. CAPITO, Mr. ENZI, and Mr. CRAMER):

S. 1087. A bill to amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Ms. HIRONO, Ms. HARRIS, Mr. LEAHY, Ms. KLOBUCHAR, Ms. SMITH, Mr. BOOKER, Mrs. SHAHEEN, Mr. MURPHY, Mr. WYDEN, Mr. MERKLEY, and Mr. DURBIN):

S. 1088. A bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. KING, Mr. ISAKSON, and Mr. MANCHIN):

S. 1089. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Finance.

By Mr. ENZI:

S. 1090. A bill to require the Internal Revenue Service to provide Congress with sufficient notice prior to the closing of any Taxpayer Assistance Center; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. WHITEHOUSE, Mr. TILLIS, Ms. KLOBUCHAR, Ms. ERNST, and Mr. BLUMENTHAL):

S. 1091. A bill to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses, and for other purposes; to the Committee on the Judiciary.

By Mr. CRUZ:

S. 1092. A bill to impose sanctions with respect to the theft of United States intellectual property by Chinese persons, and for other purposes; to the Committee on Foreign Relations.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 1093. A bill to award a Congressional Gold Medal to the troops from the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World

War II; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. STABENOW (for herself, Mr. ALEXANDER, Mr. PETERS, and Ms. COLLINS):

S. 1094. A bill to amend the Internal Revenue Code of 1986 to modify limitations on the credit for plug-in electric drive motor vehicles, and for other purposes; to the Committee on Finance.

By Ms. HARRIS (for herself, Ms. CORTEZ MASTO, Mr. DURBIN, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARPER, Mr. CASEY, Mrs. GILLIBRAND, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Ms. ROSEN, Mr. SANDERS, Ms. SMITH, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. 1095. A bill to enable the payment of certain officers and employees of the United States whose employment is authorized under the Deferred Action for Childhood Arrivals program, and for other purposes; to the Committee on Appropriations.

By Mr. ROUNDS (for himself and Mrs. SHAHEEN):

S. 1096. A bill to amend title 10, United States Code, to modify semiannual briefings on the consolidated corrective action plan of the Department of Defense for financial management information; to the Committee on Armed Services.

By Mr. MARKEY (for himself, Ms. WARREN, and Mr. BLUMENTHAL):

S. 1097. A bill to amend title 49, United States Code, to improve pipeline safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself and Mr. WICKER):

S. 1098. A bill to amend title 23, United States Code, to improve the transportation alternatives program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCOTT of South Carolina (for himself, Mr. BROWN, and Mr. ISAKSON):

S. 1099. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Ms. HASSAN, and Mr. YOUNG):

S. 1100. A bill to institute a program for the disclosure of taxpayer information for third-party income verification through the Internet; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. BLUNT):

S. Res. 148. A resolution supporting efforts by the Government of Colombia to pursue peace and regional stability; to the Committee on Foreign Relations.

By Mr. CARPER (for himself, Ms. SINEMA, and Mr. SANDERS):

S. Res. 149. A resolution expressing support for the designation of the week of April 8 through April 12, 2019, as ''National Assistant Principals Week''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. CRUZ, Mr. VAN HOLLEN, Ms. STABENOW, Mr. MARKEY, Ms. WARREN, Mr. PETERS, Mrs. FEINSTEIN, Mr. WYDEN, Ms. DUCKWORTH, Mr. RUBIO, Mr. REED, Mr. SCHUMER, Mr. GARDNER, Mr. UDALL, and Ms. HARRIS):

S. Res. 150. A resolution expressing the sense of the Senate that it is the policy of the United States to commemorate the Armenian Genocide through official recognition and remembrance; to the Committee on Foreign Relations.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 151. A resolution to authorize testimony, documents, and representation in United States v. Pratersch; considered and agreed to.

By Mr. LANKFORD (for himself, Mr. MENENDEZ, Mr. GARDNER, and Mr. MARKEY):

S. Res. 152. A resolution expressing the importance of the United States alliance with the Republic of Korea and the contributions of Korean Americans in the United States; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. GARDNER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 91, a bill to amend title 38, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes.

S. 151

At the request of Mr. THUNE, the names of the Senator from Arizona (Ms. MCSALLY), the Senator from Rhode Island (Mr. REED), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Minnesota (Ms. SMITH), the Senator from Maryland (Mr. CARDIN), and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 151, a bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

S. 164

At the request of Mr. DAINES, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 164, a bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code.

S. 250

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 250, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 267

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 267, a bill to provide for a general capital increase for the North American Development Bank, and for other purposes.

S. 296

At the request of Ms. COLLINS, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 513

At the request of Ms. HARRIS, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 513, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

S. 521

At the request of Mr. BROWN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 521, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 586

At the request of Mr. ROBERTS, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 586, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 593

At the request of Ms. HARRIS, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 593, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 613

At the request of Mrs. HYDE-SMITH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 613, a bill to amend the Animal Health Protection Act to provide chronic wasting disease support for States and coordinated response efforts, and for other purposes.

S. 622

At the request of Mr. JONES, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 622, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 679

At the request of Ms. BALDWIN, the names of the Senator from Maine (Mr.

KING) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 679, a bill to exempt from the calculation of monthly income certain benefit paid by the Department of Veterans Affairs and the Department of Defense.

S. 768

At the request of Ms. WARREN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 768, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 817

At the request of Mr. CRAPO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 817, a bill to amend the Internal Revenue Code of 1986 to remove silencers from the definition of firearms, and for other purposes.

S. 828

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 828, a bill to amend the Outer Continental Shelf Lands Act to prohibit oil-, gas-, and methane hydrate-related seismic activities in the North Atlantic, Mid-Atlantic, South Atlantic, and Straits of Florida planning areas of the outer Continental Shelf, and for other purposes.

S. 830

At the request of Mrs. GILLIBRAND, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 830, a bill to amend the Federal Work-Study program to permit institutions of higher education to use their Federal work-study allocations for full-time, off-campus cooperative education and work-based learning.

S. 846

At the request of Mr. CORNYN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Louisiana (Mr. CASSIDY) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 846, a bill to amend title 49, United States Code, to limit certain rolling stock procurements, and for other purposes.

S. 867

At the request of Ms. HASSAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 867, a bill to protect students of institutions of higher education and the taxpayer investment in institutions of higher education by improving oversight and accountability of institutions of higher education, particularly for-profit colleges, improving protections for students and borrowers, and ensuring the integrity of postsecondary education programs, and for other purposes.

S. 880

At the request of Ms. STABENOW, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 880, a bill to provide outreach and reporting on comprehensive Alzheimer's disease care planning services furnished under the Medicare program.

S. 904

At the request of Mr. ENZI, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 904, a bill to authorize the Department of Labor's voluntary protection program.

S. 907

At the request of Mr. YOUNG, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 907, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes.

S. 909

At the request of Mr. SASSE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 909, a bill to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions.

S. 916

At the request of Mr. DURBIN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 916, a bill to improve Federal efforts with respect to the prevention of maternal mortality, and for other purposes.

S. 952

At the request of Mr. COTTON, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 952, a bill to provide that the Federal Communications Commission may not prevent a State or Federal correctional facility from utilizing jamming equipment, and for other purposes.

S. 998

At the request of Mr. HAWLEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 998, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand support for police officer family services, stress reduction, and suicide prevention, and for other purposes.

S. 1003

At the request of Mr. RUBIO, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1003, a bill to amend title 38, United States Code, to establish the Veterans Economic Opportunity and Transition Administration and the Under Secretary for Veterans Economic Opportunity and Transition of the Department of Veterans Affairs, and for other purposes.

S. 1004

At the request of Mr. PETERS, the names of the Senator from Montana (Mr. TESTER) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1004, a bill to increase the number of U.S. Customs and Border Protection Office of Field Operations officers and support staff and to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry.

S. 1007

At the request of Mr. CRAPO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1007, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1035

At the request of Mr. ROUNDS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1035, a bill to amend title 18, United States Code, to prohibit dismemberment abortions, and for other purposes.

S. 1043

At the request of Mr. LEE, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1043, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 1046

At the request of Ms. CORTEZ MASTO, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 1046, a bill to establish the Office of Internet Connectivity and Growth, and for other purposes.

S. 1066

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1066, a bill to provide an increased allocation of funding under certain programs for assistance in persistent poverty counties, and for other purposes.

S. CON. RES. 13

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Con. Res. 13, a concurrent resolution reaffirming the United States commitment to Taiwan and to the implementation of the Taiwan Relations Act.

S. RES. 85

At the request of Mr. BROWN, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Michigan (Mr. PETERS), the Senator from California (Mrs. FEINSTEIN), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. Res. 85, a resolution recognizing the 100th anniversary of the founding of Easterseals, a leading advocate and service provider for children and adults with disabilities, including veterans and older adults, and their caregivers and families.

S. RES. 120

At the request of Mr. CARDIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from

Alaska (Mr. SULLIVAN) were added as cosponsors of S. Res. 120, a resolution opposing efforts to delegitimize the State of Israel and the Global Boycott, Divestment, and Sanctions Movement targeting Israel.

S. RES. 135

At the request of Mr. BOOZMAN, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Kansas (Mr. MORAN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Alaska (Mr. SULLIVAN), the Senator from New Hampshire (Ms. HASSAN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. Res. 135, a resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and valor by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending those individuals for leadership and bravery in an operation that helped bring an end to World War II.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE:

S. 1070. A bill to require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, investing in the development of a robust, well-trained, and stable child welfare workforce is central to improving outcomes for children and families across the United States. The existence of such a workforce is essential to a child welfare agency's ability to carry out the responsibilities with which they have been entrusted. Child welfare work has been shown to be physically and emotionally challenging, as demonstrated by recent studies into the impact of secondary traumatic stress (STS) on child welfare professionals. The multitude of challenges inherent in child welfare work, combined with relatively low compensation and work benefits, make these careers difficult to sustain, resulting in high rates of turnover.

Studies conducted over the last 15 years estimate the national rate of turnover of child welfare workers to be 20–40 percent annually. In 2017, Virginia reported a turnover rate of 30%, while Washington State reported a turnover rate of 20% and Georgia reported a turnover rate of 32%. These high rates of turnover detract from the quality of services delivered to children and families and result in an estimated cost of $54,000 per worker leaving an agency.

Greater action is needed to ensure that individuals pursuing child welfare careers receive appropriate training and support to improve the sustainability of their important, yet demanding work. Higher rates of retention for child welfare workers translates to greater stability for families and improved services for vulnerable youth. Existing research provides a number of evidenced-based and promising practices for improving recruitment and retention in the child welfare workforce.

This is why I am pleased to introduce today the Child Welfare Workforce Support Act. This bill directs the Secretary to conduct a five-year demonstration program for child welfare service providers to implement targeted interventions to recruit, select, and retain child welfare workers. This demonstration program will focus on building an evidence base of best practices for reducing barriers to the recruitment, development, and retention of individuals providing direct services to children and families. Funds will also be used to provide ongoing professional development to assist child welfare workers in meeting the diverse needs of families with infants and children with the goal of improving both the quality of services provided and the sustainability of such careers. Investing resources in determining what practices have the greatest impact on the successful recruitment and retention of child welfare workers will assist in developing an evidence-base for future federal investment in this space.

I hope that as the Senate begins to discuss reauthorizing the Child Abuse Prevention and Treatment Act that we consider the Child Welfare Workforce Support Act and recognize the important role that child welfare workers make to improve outcomes for vulnerable infants and children.

By Mr. KAINE (for himself and Ms. BALDWIN):

S. 1073. A bill to amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, according to the Department of Health and Human Services (HHS), lesbian, gay, and bisexual (LGB) youth are at an increased risk for experiencing maltreatment compared to non-LGB youth. A 2011 meta-analysis of 37 school-based studies found that LGB adolescents were 3.8 times more likely to experience childhood sexual abuse and 1.2 times more likely to experience physical abuse by a parent or guardian when compared to their heterosexual peers. Additional studies have demonstrated that gender nonconformity during childhood may increase the risk for child maltreatment. Unfortunately, there is not enough research and data available to identify the risk of child maltreatment for individuals who identify as transgender.

These risks for maltreatment often times result in LGBTQ youth entering the child welfare system. Studies have found that, ''LGBT young people are overrepresented in child welfare systems, despite the fact that they are likely to be underreported because they risk harassment and abuse if their LGBT identity is disclosed.'' This overrepresentation of LGBTQ youth in the foster care system raises concerns about issues in the child abuse and prevention space. Additional research is needed to understand the risk of maltreatment among LGBTQ youth, particularly those identifying as transgender. These studies will yield invaluable information to be used in developing targeted prevention strategies to reduce the rates of adverse childhood experiences of LGBTQ individuals.

This is why I am pleased to introduce the Protecting LGBTQ Youth Act, which calls for HHS and other federal agencies to carry out an interdisciplinary research program to protect LGBTQ youth from child abuse and neglect and improve the well-being of victims of child abuse or neglect. This legislation also expands current practices around demographic information collection and reporting on incidences and prevalence of child maltreatment to include sexual orientation and gender identity. Additionally, the bill opens existing grant funding opportunities to invest in the training of personnel in best practices to meet the unique needs of LGBTQ youth and calls for the inclusion of individuals experienced in working with LGBTQ youth and families in state task forces. Improving data collection and disaggregation will provide greater insight into the circumstances LGBTQ youth face in the home that, when left unaddressed, lead to entry into the child welfare system. This improved data-driven understanding can then be used to develop appropriate and effective primary prevention practices to decrease the risks faced by LGTBQ youth.

I hope that as the Senate begins to discuss the reauthorization of the Child Abuse Prevention and Treatment Act we consider the Protecting LGBTQ Youth Act to better inform our collective understanding of the risks faced by LGBTQ youth and the best ways to address them.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 148—SUPPORTING EFFORTS BY THE GOVERNMENT OF COLOMBIA TO PURSUE PEACE AND REGIONAL STABILITY

Mr. CARDIN (for himself and Mr. BLUNT) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 148

Whereas, in 2016, the Government of Colombia concluded a historic peace accord with the Revolutionary Armed Forces of Colombia (FARC), aimed at addressing the root causes of the half-a-century conflict, including stark economic inequalities, the rural-urban divide, and the historical exclusion of Afro-Colombians, indigenous people, women,

and poor farmers, and is currently working to implement these accords;

Whereas the Governments and people of the United States and Colombia have forged a resolute bond through a shared commitment to support peace, human rights, democracy, the rule of law, and security throughout the hemisphere and the world, which has been bolstered by the support of hundreds of thousands of Colombian-Americans and their contributions to American life;

Whereas, in 2000, the Government of Colombia achieved an impressive national consensus to build state capacity, and the United States committed to combat organized crime, drugs, and violence through its foreign assistance package in support of Plan Colombia;

Whereas Plan Colombia and its successor, Peace Colombia, have received steadfast commitments from the administrations of Presidents William Clinton, George W. Bush, Barack Obama, and Donald Trump, and continuously has been strengthened by broad bipartisan support in the United States Congress;

Whereas, while the Government of Colombia contributed more than 95 percent of funds over the life of Plan Colombia, the political leadership, technical advice, military assistance, and intelligence-sharing role of the United States, along with the $11,000,000,000 appropriated by the United States Congress through Plan Colombia and Peace Colombia to combat the illicit narcotics trade and transnational organized crime, advance democratic governance, promote economic growth, and defend human rights, played a key role in transforming a nation on the brink to an increasingly peaceful and prosperous democracy, while also safeguarding vital United States interests;

Whereas the Government of Colombia, throughout the administrations of Presidents Andres Pastrana, Alvaro Uribe, Juan Manuel Santos, and Ivan Duque, has made investments and shown remarkable courageous leadership, often at great cost and sacrifice, to consolidate domestic security, socioeconomic development, and the rule of law that far exceed those contributions made by the United States in Colombia;

Whereas, over the past 20 years, levels of crime and violence have subsided sharply in Colombia, with annual per capita homicide rates declining from 62 per 100,000 people in 1999 to a record low of 23 per 100,000 people in 2017;

Whereas the alignment of improved security and sound economic policies has translated into steady growth in Colombia's Gross Domestic Product, which increased from $86,000,000,000 in 1999 to more than $309,000,000,000 in 2017, and led to greater Foreign Direct Investment, which grew from $1,500,000,000 in 1999 to one of the highest in Latin America at an estimated $14,000,000,000 in 2017;

Whereas the United States and Colombia enjoy a robust economic relationship with United States goods and services trade with Colombia totaling an estimated $36,100,000,000 in 2016, supporting over 100,000 jobs in the United States;

Whereas the Government of Colombia has made impressive strides in reducing poverty during the last 15 years, with the poverty rate decreasing from 64 percent in 1999 to 27 percent in 2017, according to the World Bank;

Whereas, since 1999, the Government of Colombia has expanded the presence of the state across all 32 territorial departments, has contributed to the professionalism of the Colombian judiciary, and has improved the capacity of the Colombian Army, Navy, Air Force, and National Police;

Whereas Colombia is one of the United States' most consistent and strategic partners through its support of United States diplomatic objectives at the United Nations and critical efforts made in the fight against transnational organized crime and increased security and rule of law overseas, including in Central America's Northern Triangle, Afghanistan, and several countries in Africa;

Whereas Colombia signed a Memorandum of Understanding with NATO in 2017 and is the first NATO partner nation in Latin America;

Whereas these gains are challenged by an escalating crisis in Venezuela, which has seen an influx of more than 1,200,000 Venezuelans into Colombia and the need for continued financial support to implement the peace accord over the next 8 years;

Whereas the internal armed conflict has victimized all Colombians, including women, children, and Afro-descendant and indigenous peoples, and has led to the repeated targeting of leading representatives of civil society, including trade unionists, journalists, human rights defenders, and other community activists who remain at grave risk from guerrilla groups, paramilitary successor organizations, organized criminal groups, and corrupt local officials;

Whereas efforts to achieve lasting peace in Colombia must address the hardships faced by victims of the armed conflict, as exemplified by the Government of Colombia's Law on Victims and Restitution of Land of 2011;

Whereas the prospects for national reconciliation and sustainable peace in Colombia rely on the effective delivery of justice for victims of the conflict and the ability to hold accountable and appropriately punish perpetrators of serious violations of human rights and international humanitarian law; and

Whereas the work of Special Jurisdiction for Peace—the transitional justice mechanism created with the purpose of ensuring accountability in the context of Colombia's internal armed conflict—is fundamental to the implementation of the accords and the consolidation of peace in the country: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the unwavering support of the Government and people of the United States for the people of Colombia in their pursuit of peace and stabilization of territories previously in conflict so they can achieve their aspiration to live in a country free of violence and organized crime;

(2) lauds efforts to bring an end to Colombia's enduring internal armed conflict;

(3) commends the work of the United Nations Verification Mission in overseeing the implementation of the 2016 peace accord and the disarmament and reintegration of combatants;

(4) maintains its commitment to the more than 7,000,000 victims of Colombia's armed conflict and urges the government and FARC to hold accountable perpetrators of serious violations of human rights and international humanitarian law and ensure that they are appropriately punished;

(5) encourages the Government of Colombia to protect vulnerable populations who remain at risk in that country, including defenders of human rights, those facing threats due to crop substitution from the illicit crop market, and Afro-descendant and indigenous communities;

(6) encourages the Secretary of State to develop a comprehensive strategy to assist the Government of Colombia in managing the effects of the Venezuela crisis without endangering or detracting from the successful implementation and sustainability of the peace accord and stabilization of territories previously in conflict in Colombia, and to further strengthen the close bilateral partnership shared by the Governments of the United States and Colombia;

(7) reaffirms its commitment to continued partnership between the Governments of the United States and Colombia on issues of mutual interest, including security, counternarcotics cooperation, combating transnational organized crime, ensuring justice for those who have caused indelible harm to our populations, reintegration of FARC members, economic growth and investment with a focus on disadvantaged communities, and educational and cultural exchanges that strengthen diplomatic relations;

(8) supports the Special Jurisdiction for Peace as an important transitional justice mechanism and encourages the continuation of its work as an important institution in charge of guaranteeing truth, justice, and victim's reparations in the aftermath of the country's internal armed conflict; and

(9) commits to furthering the bilateral relationship between the United States and Colombia by working with leaders in the public and private sectors, as well as civil society from both countries, to ensure that the United States-Colombia relationship remains at the forefront of United States foreign policy.

SENATE RESOLUTION 149—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF APRIL 8 THROUGH APRIL 12, 2019, AS ''NATIONAL ASSISTANT PRINCIPALS WEEK''

Mr. CARPER (for himself, Ms. SINEMA, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 149

Whereas the National Association of Secondary School Principals (referred to in this preamble as ''NASSP''), the National Association of Elementary School Principals, and the American Federation of School Administrators have designated the week of April 8 through April 12, 2019, as ''National Assistant Principals Week'';

Whereas an assistant principal, as a member of the school administration, interacts with many sectors of the school community, including support staff, instructional staff, students, and parents;

Whereas assistant principals are responsible for establishing a positive learning environment and building strong relationships between school and community;

Whereas assistant principals play a pivotal role in the instructional leadership of their schools by supervising student instruction, mentoring teachers, recognizing the achievements of staff, encouraging collaboration among staff, ensuring the implementation of best practices, monitoring student achievement and progress, facilitating and modeling data-driven decisionmaking to inform instruction, and guiding the direction of targeted intervention and school improvement;

Whereas the day-to-day logistical operations of schools require assistant principals to monitor and address facility needs, attendance, transportation issues, and scheduling challenges, as well as to supervise extra- and co-curricular events;

Whereas assistant principals are entrusted with maintaining an inviting, safe, and orderly school environment that supports the growth and achievement of each and every

student by nurturing positive peer relationships, recognizing student achievement, mediating conflicts, analyzing behavior patterns, providing interventions, and, when necessary, taking disciplinary actions;

Whereas, since its establishment in 2004, the NASSP National Assistant Principal of the Year Program has recognized outstanding middle and high school assistant principals who demonstrate success in leadership, curriculum, and personalization; and

Whereas the week of April 8 through April 12, 2019, is an appropriate week to designate as National Assistant Principals Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of April 8 through April 12, 2019, as ''National Assistant Principals Week'';

(2) honors the contributions of assistant principals to the success of students in the United States; and

(3) encourages the people of the United States to observe National Assistant Principals Week with appropriate ceremonies and activities that promote awareness of the role played by assistant principals in school leadership and ensuring that every child has access to a high-quality education.

SENATE RESOLUTION 150—EXPRESSING THE SENSE OF THE SENATE THAT IT IS THE POLICY OF THE UNITED STATES TO COMMEMORATE THE ARMENIAN GENOCIDE THROUGH OFFICIAL RECOGNITION AND REMEMBRANCE

Mr. MENENDEZ (for himself, Mr. CRUZ, Mr. VAN HOLLEN, Ms. STABENOW, Mr. MARKEY, Ms. WARREN, Mr. PETERS, Mrs. FEINSTEIN, Mr. WYDEN, Ms. DUCKWORTH, Mr. RUBIO, Mr. REED, Mr. SCHUMER, Mr. GARDNER, Mr. UDALL, and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 150

Whereas the United States has a proud history of recognizing and condemning the Armenian Genocide, the killing of an estimated 1,500,000 Armenians by the Ottoman Empire from 1915 to 1923, and providing relief to the survivors of the campaign of genocide against Armenians, Greeks, Assyrians, Chaldeans, Syriacs, Arameans, Maronites, and other Christians;

Whereas the Honorable Henry Morgenthau, Sr., United States Ambassador to the Ottoman Empire from 1913 to 1916, organized and led protests by officials of many countries against what he described as ''a campaign of race extermination,'' and, on July 16, 1915, was instructed by United States Secretary of State Robert Lansing that the ''Department approves your procedure . . . to stop Armenian persecution'';

Whereas President Woodrow Wilson encouraged the formation of Near East Relief, chartered by an Act of Congress, which raised approximately $116,000,000 (more than $2,500,000,000 in 2019 dollars) between 1915 and 1930, and the Senate adopted resolutions condemning the massacres;

Whereas Raphael Lemkin, who coined the term ''genocide'' in 1944 and who was the earliest proponent of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, invoked the Armenian case as a definitive example of genocide in the 20th century;

Whereas, as displayed in the United States Holocaust Memorial Museum, Adolf Hitler, on ordering his military commanders to attack Poland without provocation in 1939, dismissed objections by saying, ''Who, after all, speaks today of the annihilation of the Armenians?,'' setting the stage for the Holocaust;

Whereas the United States has officially recognized the Armenian Genocide—

(1) through the May 28, 1951, written statement of the United States Government to the International Court of Justice regarding the Convention on the Prevention and Punishment of the Crime of Genocide and Proclamation No. 4838 issued by President Ronald Reagan on April 22, 1981; and

(2) by House Joint Resolution 148, 94th Congress, agreed to April 8, 1975, and House Joint Resolution 247, 98th Congress, agreed to September 10, 1984; and

Whereas the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441) establishes that the prevention of atrocities is a national interest of the United States and affirms that it is the policy of the United States to pursue a United States Government-wide strategy to identify, prevent, and respond to the risk of atrocities by ''strengthening diplomatic response and the effective use of foreign assistance to support appropriate transitional justice measures, including criminal accountability, for past atrocities'': Now, therefore, be it

Resolved, That it is the sense of the Senate that it is the policy of the United States—

(1) to commemorate the Armenian Genocide through official recognition and remembrance;

(2) to reject efforts to enlist, engage, or otherwise associate the United States Government with denial of the Armenian Genocide or any other genocide; and

(3) to encourage education and public understanding of the facts of the Armenian Genocide, including the role of the United States in humanitarian relief efforts, and the relevance of the Armenian Genocide to modern-day crimes against humanity.

SENATE RESOLUTION 151—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATION IN UNITED STATES V. PRATERSCH

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 151

Whereas, in the case of *United States v. Pratersch*, Cr. No. 19–26, pending in the United States District Court for the Middle District of Florida, the prosecution has requested the production of testimony from Greta Hasler, an employee of the office of Senator Bernard Sanders;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former Members and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Greta Hasler, an employee of the Office of Senator Bernard Sanders, and any other current or former employee of the Senator's office from whom relevant evidence may be necessary, are authorized to testify and produce documents in the case of *United States v. Pratersch*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator Sanders and any current or former employees of his office in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution authorizing the production of testimony, documents, and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. President, this resolution concerns a request for evidence in a criminal action pending in Florida Federal district court. In this action the defendant is charged with threatening to assault and murder Senator SANDERS in voicemails he left with the Senator's Burlington, Vermont office. A trial is scheduled for April 29, 2019.

The prosecution is seeking testimony from one of the Senator's staff assistants who listened to the voicemails at issue. Senator SANDERS would like to cooperate with this request by providing relevant employee testimony and documents from his office.

The enclosed resolution would authorize that staffer, and any other current or former employee of the Senator's office from whom relevant evidence may be necessary, to testify and produce documents in this action, with representation by the Senate Legal Counsel of such staffers and Senator SANDERS.

SENATE RESOLUTION 152—EXPRESSING THE IMPORTANCE OF THE UNITED STATES ALLIANCE WITH THE REPUBLIC OF KOREA AND THE CONTRIBUTIONS OF KOREAN AMERICANS IN THE UNITED STATES

Mr. LANKFORD (for himself, Mr. MENENDEZ, Mr. GARDNER, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 152

Whereas the United States and the Republic of Korea enjoy a comprehensive alliance partnership, founded in shared strategic interests and cemented by a commitment to democratic values;

Whereas the United States and the Republic of Korea work closely together to promote international peace and security, economic prosperity, human rights, and the rule of law;

Whereas the relationship between the United States and the Republic of Korea goes as far back as Korea's Chosun Dynasty, when the United States and Korea established diplomatic relations under the 1882 Treaty of Peace, Amity, Commerce, and Navigation;

Whereas, on August 15, 1948, the Provisional Government of the Republic of Korea, established on April 11, 1919, was dissolved and transitioned to the First Republic of Korea, their first independent government;

Whereas United States military personnel have maintained a continuous presence on the Korean Peninsula since the Mutual Defense Treaty Between the United States and the Republic of Korea (5 UST 2368) was signed at Washington on October 1, 1953;

Whereas, on May 7, 2013, the United States and the Republic of Korea signed a Joint Declaration in Commemoration of the 60th Anniversary of the Alliance Between the Republic of Korea and the United States;

Whereas 63 years ago the Treaty of Friendship, Commerce, and Navigation between the United States and the Republic of Korea, with Protocol (8 UST 2217) was signed at Seoul on November 28 1956;

Whereas the economic relationship between the United States and the Republic of Korea is deep and mutually beneficial to both countries;

Whereas the Republic of Korea is the United States' seventh-largest trading partner;

Whereas the Republic of Korea is the 5th fastest growing source of foreign direct investment in the United States;

Whereas the United States is the largest source of foreign direct investment in the Republic of Korea;

Whereas, on January 13, 1903, 102 pioneer Korean immigrants arrived in the United States, initiating the first chapter of Korean immigration to America;

Whereas the over 2,000,000 Korean Americans living in the United States contribute to the diversity and prosperity of our nation, participate in all facets of American life, and have made significant contributions to the economic vitality of the United States;

Whereas members of the Korean American community serve with distinction in the United States Armed Forces;

Whereas Korean Americans continue to build and strengthen the alliance between the United States and the Republic of Korea; and

Whereas the Asia Reassurance Initiative Act (Public Law 115–409), signed into law on December 31, 2018, states that the United States Government—

(1) is committed to the Mutual Defense Treaty Between the United States and the Republic of Korea and all related and subsequent bilateral security agreements and arrangements concluded on or before the date of the enactment of that Act;

(2) recognizes the vital role of the alliance between the United States and South Korea in promoting peace and security in the Indo-Pacific region; and

(3) calls for the strengthening and broadening of diplomatic, economic, and security ties between the United States and the Republic of Korea: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the vital role the alliance of the United States and the Republic of Korea plays in promoting peace and security in the Indo-Pacific region;

(2) calls for the strengthening and broadening of diplomatic, economic, and security ties between the United States and the Republic of Korea; and

(3) reaffirms the United States' alliance with the Republic of Korea is central to advancing United States interests and engagement in the region, based on shared commitments democracy, free-market economics, human rights, and the rule of law.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, 1 have 12 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 9:30 a.m., to conduct a hearing.

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, April 9, 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, April 9, 2019, at 10:15 a.m., to conduct a hearing on drug pricing and prescription cost.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 3 p.m., to conduct a hearing on the following nominations: Jeffrey L. Eberhardt, of Wisconsin, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador, and James S. Gilmore, of Virginia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, both of the Department of State; and Alan R. Swendiman, of North Carolina, to be Deputy Director of the Peace Corps.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 2:30 p.m., to conduct a hearing on the pending nominations and Gordon Hartogensis, of Connecticut, to be Director of the Pension Benefit Guaranty Corporation.

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, April 9, 2019, at 10 a.m., to conduct a hearing on immigration.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 10 a.m., to conduct a hearing on abortion policy.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 9:30 a.m., to conduct a closed hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 2:30 p.m., to conduct a closed 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, April 9, 2019, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

The Subcommittee on East Asia, The Pacific, and International Cybersecurity Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, April 9, 2019, at 10 a.m., to conduct a hearing.

NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,
OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS,
April 9, 2019, Washington, DC.

Hon. CHARLES GRASSLEY,
President Pro Tempore, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Section 303(a) of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1383(a), provides that the Executive Director of the Office of Congressional Workplace Rights ''shall, subject to the approval of its Board of Directors, adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner.'' Section 303(b) of the Act, 2 U.S.C. 1383(b), further provides that the Executive Director ''shall publish a general notice of proposed rulemaking'' and ''shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day of which both Houses are in session following such transmittal.''

Having obtained the approval of the Board as required by section 303(b) of the CAA, 2 U.S.C. 1383(b), I am transmitting the attached notice of proposed procedural rulemaking to the President Pro Tempore of the Senate. I request that this notice be published in the Senate section of the Congressional Record on the first day on which both Houses are in session following the receipt of this transmittal. In compliance with section 303(b) of the CAA, a comment period of 30 days after the publication of this notice of proposed rulemaking is being provided before adoption of the rules.

Any inquiries regarding this notice should be addressed to Susan Tsui Grundmann, Executive Director of the Office of Congressional Workplace Rights, Room LA–200, 110

2nd Street SE, Washington, DC 20540; telephone: 202–724–9250.

Sincerely,

SUSAN TSUI GRUNDMANN,
Executive Director,
Office of Congressional Workplace Rights.

FROM THE EXECUTIVE DIRECTOR OF THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS: NOTICE OF PROPOSED RULEMAKING AND REQUEST FOR COMMENTS FROM INTERESTED PARTIES

PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE, NOTICE OF PROPOSED RULEMAKING, AS REQUIRED BY 2 U.S.C. §1383, THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED

Introductory Statement

Shortly after the enactment of the Congressional Accountability Act (CAA or the Act) in 1995, Procedural Rules were adopted to govern the processing of cases and controversies under the administrative procedures established in subchapter IV of the CAA. 2 U.S.C. 1401–07. Those Rules of Procedure were amended in 1998, 2004, and again in 2016. The existing Rules of Procedure are available in their entirety on the public website of the Office of Congressional Workplace Rights (OCWR): www.ocwr.gov.

Pursuant to section 303(a) of the CAA (2 U.S.C. 1383(a)), the Executive Director of the OCWR has obtained approval of its Board of Directors regarding certain amendments to the Rules of Procedure.

After obtaining the Board's approval, the OCWR Executive Director must then ''publish a general notice of proposed rulemaking . . . for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.'' (Section 303(b) of the CAA, 2 U.S.C. 1383(b)).

Notice

Comments regarding the proposed amendments to the OCWR Procedural Rules set forth in this NOTICE are invited for a period of thirty (30) days following the date of the appearance of this NOTICE in the Congressional Record. In addition to being posted on the OCWR's website (www.ocwr.gov), this NOTICE is also available in alternative formats. Requests for this NOTICE in an alternative format should be made to the Office of Congressional Workplace Rights, at 202–724–9272 (voice). Submission of comments must be made in writing to the Executive Director, Office of Congressional Workplace Rights, 110 Second Street, S.E., Room LA–200, Washington, D.C. 20540–1999. It is requested, but not required, that an electronic version of any comments be provided via e-mail to: Alexander Ruvinsky, Alexander.Ruvinsky@ocwr.gov. Comments may also be submitted by facsimile to the Executive Director at 202–426–1913 (a non toll-free number). Those wishing to receive confirmation of the receipt of their comments are requested to provide a self-addressed, stamped post card with their submission. Copies of submitted comments will be available for review on the OCWR's public website at www.ocwr.gov.

Supplementary Information

The Congressional Accountability Act of 1995, Pub. L. No. 104–1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 13 federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 301 of the CAA (2 U.S.C. 1381) establishes the OCWR as an independent office within that branch. Section 303 of the CAA (2 U.S.C. 1383) directs the Executive Director, as Chief Operating Officer, to adopt rules of procedure governing the OCWR, subject to approval by the Board of Directors of the Office. The OCWR Rules of Procedure establish the process by which alleged violations of the 13 laws made applicable to the legislative branch under the CAA are considered and resolved.

On December 21, 2018, the Congressional Accountability Act of 1995 Reform Act was signed into law. (Pub. L. No. 115–397). The new law reflects the first set of comprehensive reforms to the CAA since 1995. Among other reforms, the Act substantially modifies the administrative dispute resolution (ADR) process under the CAA, including: providing for preliminary hearing officer review of claims; requiring current and former Members of Congress to reimburse awards or settlement payments resulting from harassment or retaliation claims; requiring certain employing offices to reimburse payments resulting from specified claims of discrimination; and appointing advisers to provide confidential information to legislative branch employees about their rights under the CAA. Most changes to the ADR process will be effective 180 days from the date of enactment of the Reform Act, i.e., on June 19, 2019.

These proposed amendments to the OCWR's Procedural Rules are the result of the OCWR's comprehensive review of the OCWR's procedures in light of the changes in the Reform Act to the ADR program, and they reflect the OCWR's experience processing disputes under the CAA since the original adoption of these Rules in 1995.

Scope of Comments Requested

The OCWR asks commenters to provide their views on the changes to the Procedural Rules proposed by the OCWR.

Summary of the Changes

Subpart A. Subpart A of the Procedural Rules covers general provisions pertaining to scope and policy, definitions, and information on various filings and computation of time. The OCWR's proposed amendments to subpart A provide additional definitions, and also clarify pleading requirements and procedures concerning confidentiality.

Subpart B. Currently, subpart B of the Procedural Rules sets forth the pre-complaint procedures applicable to consideration of alleged violations of sections 201 through 207 of the CAA, which concern employment discrimination, family and medical leave, fair labor standards, employee polygraph protection, worker adjustment and retraining, employment and reemployment of veterans, and reprisal. Specifically, subpart B sets forth procedures for mandatory pre-complaint counseling and mediation, as well as the statutory election to file either an administrative complaint with the OCWR or a civil action in a U.S. district court. Under the CAA Reform Act, however, counseling and mediation are no longer mandatory jurisdictional prerequisites to adjudication of an alleged violation of sections 201–07 of the CAA. Therefore, the OCWR proposes to remove the procedures for mandatory counseling and mandatory mediation from subpart B. Under the proposed rules, the remaining provisions of subpart B—which concern mediation and the statutory election—appear in subpart D.

The OCWR proposes to reserve a new subpart B for proposed rules and procedures for enforcement of the inspection, investigation and complaint sections 210(d) and (f) of the CAA, which relate to Public Services and Accommodations under titles II and III of the Americans with Disabilities Act. (Subpart C had been reserved for these rules since 1995.)

Subpart C. The OCWR proposes to redesignate the contents of current subpart D as subpart C. Therefore, sections 3.01 through 3.15 of this subpart prescribe rules and procedures for enforcement of the inspection and citation provisions of section 215(c)(1) through (3) of the CAA, which concern the protections set forth in the Occupational Safety and Health Act of 1970 (OSHAct). Sections 3.20 through 3.31 contain rules of practice for administrative proceedings to grant variances and other relief under sections 6(b)(6)(A) and 6(d) of the OSHAct, as applied by section 215(c)(4) of the CAA. The proposed modifications to subpart C reflect nomenclature changes only. The modifications clarify that references to the ''Hearing Officer'' in this subpart are to the ''Merits Hearing Officer'' (defined in these proposed rules as the individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office's jurisdiction under section 405 of the Act), and not the ''Preliminary Hearing Officer'' (defined in these proposed rules as the individual appointed by the Executive Director to make a preliminary review of claims arising under sections 102(c) and 201 through 207 of the CAA).

Subparts D and E. The Procedural Rules currently set forth a single set of procedures for filing ''complaints'' under the CAA, whether the complaint is filed with the OCWR by an employee alleging violations of sections 201 through 207 of the Act, or by the OCWR General Counsel alleging violations of sections 210, 215 or 220 of the Act. The CAA Reform Act, however, uses the word ''claim'' to refer to an alleged violation of sections 201 through 207 of the Act (as well as an alleged violation of section 102(c) of the Act, which incorporates the protections of the Genetic Information Nondisclosure Act). As a result, the term ''complaint'' in the CAA refers only to violations alleged by the OCWR General Counsel.

Because the procedures in the Reform Act governing employee ''claims'' differ significantly from those governing General Counsel ''complaints,'' these proposed rules set forth separate procedures for each. Therefore, subpart D, which concerns employee ''claims,'' includes new procedures for informal employee requests for advice and information; confidential advising services; filing of claims; electing to file a civil action; initial processing and transmission of claims to parties; notification requirements; voluntary mediation; preliminary review of claims by a ''Preliminary Hearing Officer;'' requesting an administrative hearing before a ''Merits Hearing Officer;'' summary judgment and withdrawal of claims; confidentiality requirements; and automatic referral to congressional ethics committees.

Proposed subpart E, which concerns General Counsel complaints, sets forth procedures for filing complaints, appointment of the Merits Hearing Officer, dismissals, summary judgment, withdrawal of complaints, and confidentiality requirements. The new provisions in the Reform Act governing matters such as confidential advising services, preliminary review of claims, and automatic referral to congressional ethics committees, do not apply to OCWR General Counsel complaints alleging violations of sections 210, 215 or 220 of the Act. Therefore, they are not addressed in proposed subpart E.

Subparts F–H. Subparts F and G include the process for the conduct of administrative hearings held as the result of the filing of an administrative claim or an administrative complaint. Subpart H sets forth the procedures for appeals of decisions by Hearing Officers to the OCWR Board of Directors and for appeals of decisions by the Board of Directors to the United States Court of Appeals for the Federal Circuit.

Proposed amendments to subpart F concern such matters as depositions requests in cases in which a Member of Congress is an intervenor, rulings on motions to quash and motions to limit, and formal requirements for sworn statements. Proposed amendments to subpart G clarify the Merits Hearing Officer's authority concerning frivolous claims,

defenses, and arguments. The proposed amendments also set forth the substantive requirements for the Merits Hearing Officer's written decision, including required findings when a final decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, which requires Members of the House of Representatives and the Senate to reimburse the ''compensatory damages'' portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 of the Act that the Member is found to have ''committed personally.'' Proposed Amendments to subpart H concern appellate proceedings before the Board. They clarify that a report on preliminary review pursuant to section 402(c) of the CAA is not appealable to the Board.

Subpart I. Subpart I concerns other matters of general applicability to the dispute resolution process and to the OCWR's operations. Proposed amendments to subpart I concern requests for attorney fees in arbitration proceedings; informal resolution of disputes; general requirements for formal settlement agreements—including settlement of cases making allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act.

The proposed amendments to subpart I also concern payments governed by section 415(a) of the CAA, which provides, in relevant part, that ''only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements under this chapter.'' Pursuant to section 415(a), the OCWR, through its Executive Director, prepares and processes requisitions for disbursements from the Treasury account established pursuant to section 415(a) when qualifying final decisions, awards, or approved settlements require the payment of funds. These proposed amendments provide further guidance for processing certifications of payments from the funds appropriated to the Section 415(a) Treasury Account. They are based on regulations issued by the Department of Treasury's Bureau of Fiscal Services at 31 C.F.R. part 256, which provide guidance to agencies in the executive branch for submitting requests for payments from the Judgment Fund, which is a permanent, indefinite appropriation that is available to pay many judicially and administratively ordered monetary awards against the United States. The proposed amendments also concern reimbursement to the Section 415(a) Treasury Account in cases when the Act requires: (1) Members of the House of Representatives and the Senate to reimburse the ''compensatory damages'' portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 that the Member is found to have ''committed personally;'' and (2) employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

The proposed amendments to subpart I also add a new section governing the requirement in the Reform Act that employing offices must post and keep posted in conspicuous places on their premises the notices provided by the OCWR, which contain information about employees' rights and the OCWR's ADR process, along with OCWR contact information. Finally, the proposed amendments set forth rules concerning the new requirement in the Reform Act that each employing office (other than any employing office of the House of Representatives or any employing office of the Senate) submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

Explanation Regarding the Text of the Proposed Amendments

Only subsections of the Procedural Rules that include proposed amendments are reproduced in this NOTICE. The insertion of a series of five asterisks (* * * * *) indicates that a whole section or paragraph, including its subordinate sections paragraphs, is unchanged, and has not been reproduced in this document. The insertion of a series of three asterisks (* * *) indicates that the unamended text of higher level sections or paragraphs remain unchanged when text is changed at a subordinate level, or that preceding or remaining sentences in a paragraph are unchanged. For the text of other portions of the Procedural Rules which are not proposed to be amended, please access the Office of Congressional Workplace Rights public website at www.ocwr.gov.

Proposed Amendments

For the reasons set forth in the preamble, the OCWR proposes to amend subparts A through I of its Procedural Rules as follows:

SUBPART A—[AMENDED]

[Table of contents omitted]

1. Revise section 1.01 to read as follows:

§ 1.01 Scope and Policy

These Rules of the Office of Congressional Workplace Rights (OCWR) govern the procedures for considering and resolving alleged violations of the laws made applicable under parts A, B, C, and D of title II of the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018. The Rules include definitions and procedures for seeking confidential advice, preliminary review, mediation, filing a claim or complaint, and electing between filing a claim with the OCWR and filing a civil action in a United States district court under part A of title II of the CAA. The Rules also address the procedures for compliance, investigation, and enforcement under part B of title II, and for compliance, investigation, enforcement, and variance under part C of title II. The Rules include procedures for the conduct of hearings held as a result of the filing of a claim or complaint and for appeals to the OCWR Board of Directors from Merits Hearing Officers' decisions; as well as other matters of general applicability to the dispute resolution process and to the OCWR's operations. It is the OCWR's policy that these Rules shall be applied with due regard to the rights of all parties and in a manner that expedites the resolution of disputes.

2. Revise section 1.02 to read as follows:

§ 1.02 Definitions.

Except as otherwise specifically provided, the following are the definitions of terms used in these Rules:

(a) *Act.*—The term ''Act'' means the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018.

(b) *Board.*—The term ''Board'' means the Board of Directors of the Office of Congressional Workplace Rights.

(c) *Chair.*—The term ''Chair'' means the Chair of the Board of Directors of the Office of Congressional Workplace Rights.

(d) *Claim.*—The term ''claim'' means the allegations of fact that the claimant contends constitute a violation of part A of title II of the Act, which includes sections 102(c) and 201–207 of the Act.

(e) *Claim Form.*—The term ''claim form'' means the written pleading an individual files to initiate proceedings with the Office of Congressional Workplace Rights that describes the facts and law supporting the alleged violation of part A of title II of the Act, which includes sections 102(c) and 201–207 of the Act. The ''claim form'' also may be referred to as the ''documented claim.''

(f) *Claimant.*—The term ''claimant'' means the individual filing a claim form with the Office of Congressional Workplace Rights.

(g) *Complaint.*—The term ''complaint'' means the written pleading filed by the Office by the General Counsel with the Office of Congressional Workplace Rights that describes the facts and law supporting the alleged violation of sections 210(d)(3), 215(c)(3) or 220(c)(2) of the Act.

(h) *Confidential Advisor.*—A ''Confidential Advisor'' means, pursuant to section 382 of the Act, a lawyer appointed or designated by the Executive Director to offer to provide covered employees certain services, on a privileged and confidential basis, which a covered employee may accept or decline. A Confidential Advisor is not the covered employee's designated representative.

Covered Employee.—see ''Employee, Covered,'' below.

(i) *Designated Representative.*—The term ''designated representative'' means an individual, firm, or other entity designated in writing by a party to represent the interests of that party in a matter filed with the Office.

(j) *Direct Act.*—The term ''direct act,'' with regard to a Library claimant, means a statute (other than the Act) that is specified in sections 201, 202, or 203 of the CAA.

(k) *Direct Provision.*—The term ''direct provision,'' with regard to a Library claimant, means a direct act provision (including a definitional provision) that applies the rights or protections of a direct act (including the rights and protections relating to nonretaliation or noncoercion).

(l) *Employee.*—The term ''employee'' includes an applicant for employment and a former employee.

(m) *Employee, Covered.*—The term ''covered employee'' means any employee of

(1) the House of Representatives;

(2) the Senate;

(3) the Office of Congressional Accessibility Services;

(4) the Capitol Police;

(5) the Congressional Budget Office;

(6) the Office of the Architect of the Capitol;

(7) the Office of the Attending Physician;

(8) the Library of Congress, except for section 220 of the Act;

(9) the Office of Congressional Workplace Rights;

(10) the Office of Technology Assessment;

(11) the John C. Stennis Center for Public Service Training and Development;

(12) the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission;

(13) to the extent provided by sections 204–207 and 215 of the Act, the Government Accountability Office; or

(14) unpaid staff, as defined below in subparagraph 1.02(r) of the Rules.

(n) *Employee of the Office of the Architect of the Capitol.*—The term ''employee of the Office of the Architect of the Capitol'' includes any employee of the Office of the Architect of the Capitol, or the Botanic Garden.

(o) *Employee of the Capitol Police.*—The term ''employee of the Capitol Police'' includes civilian employees and any member or officer of the Capitol Police.

(p) *Employee of the House of Representatives.*—The term ''employee of the House of Representatives'' includes an individual occupying a position the pay for which is disbursed by the Chief Administrative Officer of

the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(q) *Employee of the Senate*.—The term ''employee of the Senate'' includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(r) *Employee, Unpaid Staff*.—The term ''unpaid staff'' means:

(1) any staff member of an employing office who carries out official duties of the employing office but who is not paid by the employing office for carrying out such duties (also referred to as an ''unpaid staff member''), including an intern, an individual detailed to an employing office, and an individual participating in a fellowship program, in the same manner and to the same extent that section 201(a) and (b) of the Act applies to a covered employee; and

(2) a former unpaid staff member, if the act(s) that may be a violation of section 201(a) of the Act occurred during the service of the former unpaid staffer for the employing office.

(s) *Employing Office*.—The term ''employing office'' means:

(1) the personal office of a Member of the House of Representatives or a Senator;

(2) a committee of the House of Representatives or the Senate or a joint committee;

(3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate;

(4) the Office of Congressional Accessibility Services, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Congressional Workplace Rights;

(5) the Library of Congress, except for section 220 of the Act;

(6) the John C. Stennis Center for Public Service Training and Development, the Office of Technology Assessment, the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission; or

(7) to the extent provided by sections 204–207 and 215 of the Act, the Government Accountability Office.

(t) *Executive Director*.—The term ''Executive Director'' means the Executive Director of the Office of Congressional Workplace Rights.

(u) *Final Disposition*.—The term ''final disposition'' of a claim under section 416(d) of the Act means any of the following:

(1) An order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation under section 404 of the Act;

(2) A final decision of a hearing officer under section 405(g) of the Act that is no longer subject to review by the Board under section 406;

(3) A final decision of the Board under section 406(e) of the Act that is no longer subject to appeal to the United States Court of Appeals for the Federal Circuit under section 407;

(4) A final decision in a civil action under section 408 of the Act that is no longer subject to appeal; or

(5) A final decision of an appellate court, to include the United States Court of Appeals for the Federal Circuit, that is no longer subject to review.

(v) *General Counsel*.—The term ''General Counsel'' means the General Counsel of the Office of Congressional Workplace Rights.

(w) *Hearing*.—A ''hearing'' means an administrative hearing as provided in section 405 of the Act, subject to Board review as provided in section 406 of the Act and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407 of the Act.

(x) *Hearing Officer*.—The term ''Hearing Officer'' means any individual appointed by the Executive Director to preside over administrative proceedings within the Office of Congressional Workplace Rights.

(y) *Hearing Officer, Merits*.—The term ''Merits Hearing Officer'' means any individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office's jurisdiction under section 405 of the Act.

(z) *Hearing Officer, Preliminary*.—The term ''Preliminary Hearing Officer'' means an individual appointed by the Executive Director to make a preliminary review of the claim(s) and to issue a preliminary review report on such claim(s), as provided in section 403 of the Act.

(aa) *Intern*.—The term ''intern,'' for purposes of section 201(a) and (b) of the Act, means an individual who, for an employing office, performs service which is uncompensated by the United States to earn credit awarded by an educational institution or to learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.

(bb) *Library Claimant*.—A ''Library claimant'' is a covered employee of the Library of Congress who initially brings a claim, complaint, or charge under a direct provision for a proceeding before the Library of Congress and who may, prior to requesting a hearing under the Library of Congress' procedures, elect to—

(1) continue with the Library of Congress' procedures and preserve the option (if any) to bring any civil action relating to the claim, complaint, or charge, that is available to the Library claimant; or

(2) file a claim with the Office under section 402 of the Act and continue with the corresponding procedures of this Act available and applicable to a covered employee.

(cc) *Library Visitor*.—The term ''Library visitor'' means an individual who is eligible to allege a violation under title II or III of the Americans with Disabilities Act of 1990 (other than a violation for which the exclusive remedy is under section 201 of the Act) against the Library of Congress.

(dd) *Member or Member of Congress*.—The terms ''Member'' and ''Member of Congress'' mean a United States Senator, a Representative in the House of Representatives, a Delegate to Congress, or the Resident Commissioner from Puerto Rico.

Merits Hearing Officer.—see ''Hearing Officer, Merits,'' above.

(ee) *Office*.—The term ''Office'' means the Office of Congressional Workplace Rights.

(ff) *Party*.—The term ''party'' means:

(1) an employee or employing office in a proceeding under part A of title II of the Act;

(2) a charging individual, an entity alleged to be responsible for correcting a violation, or the General Counsel in a proceeding under part B of title II of the Act;

(3) an employee, employing office, or as appropriate, the General Counsel in a proceeding under part C of title II of the Act;

(4) a labor organization, individual employing office or employing activity, or as appropriate, the General Counsel in a proceeding under part D of title II of the Act; or

(5) any individual, office, Member of Congress, or organization that has intervened in a proceeding.

Preliminary Hearing Officer.—see ''Hearing Officer, Preliminary,'' above.

(gg) *Respondent*.—The term ''respondent'' means the party against which a claim, a complaint, or a petition is filed.

(hh) *Senior Staff*.—The term ''senior staff,'' for purposes of the reporting requirement of the House and Senate Ethics Committees under the Act, means any individual who is employed in the House of Representatives or the Senate who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 *et seq.*).

Unpaid Staff.—see ''Employee, Unpaid Staff,'' above.

3. Amend section 1.03 by:

(a) Revising paragraph (a)(1);

(b) Revising the first four sentences of paragraph (a)(3); and

(c) Revising the first five sentences of paragraph (a)(4).

The revisions read as follows:

§ 1.03 Filing and Computation of Time.

(a) * * *

(1) *In Person*. A document shall be deemed timely filed if it is hand delivered to the Office at: Adams Building, Room LA–200, 110 Second Street, S.E., Washington, D.C. 20540–1999, before 5:00 p.m. Eastern Time on the last day of the applicable time period.

(2) * * *

(3) *By Fax*. Documents transmitted by fax machine will be deemed filed on the date received at the Office at 202–426–1913, or on the date received at the Office of the General Counsel at 202–426–1663 if received by 11:59 p.m. Eastern Time. Faxed documents received after 11:59 p.m. Eastern Time will be deemed filed the following business day. A fax filing will be timely only if the document is received no later than 11:59 p.m. * * *

(4) *By Electronic Mail*. Documents transmitted electronically will be deemed filed on the date received at the Office at ocwrefile@ocwr.gov, or on the date received at the Office of the General Counsel at OSH@ocwr.gov if received by 11:59 p.m. Eastern Time. Documents received electronically after 11:59 p.m. Eastern Time will be deemed filed the following business day. An electronic filing will be timely only if the document is received no later than 11:59 p.m. Eastern Time on the last day of the applicable filing period. Any party filing a document electronically is responsible for ensuring both that the document is timely and accurately transmitted and for confirming that the Office has received the document. * * *

* * * * *

4. Amend section 1.04 by:

(a) Revising paragraph (a);

(b) Revising the first sentence of paragraph (b); and

(c) Revising paragraphs (c) through (d).

The revisions read as follows:

§ 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses, and Other Documents.

(a) *Filing with the Office; Number and Form*. One copy of claims, General Counsel complaints, requests for mediation, requests for inspection under OSH, unfair labor practice charges, charges under titles II and III of the Americans with Disabilities Act of 1990, all motions, briefs, responses, and other documents must be filed with the Office. A party may file an electronic version of any submission in a format designated by the Board, the Executive Director, the General Counsel, or the Merits Hearing Officer, with receipt confirmed by electronic transmittal in the same format.

(b) *Service*. The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the

Office, other than the request for advising, the request for mediation, and the claim. * * *

(c) *Time Limitations for Response to Motions or Briefs and Reply*. Unless otherwise specified by the Merits Hearing Officer or these Rules, a party shall file a response to a motion or brief within 15 days of the service of the motion or brief upon the party. Any reply to such response shall be filed and served within 5 days of the service of the response. Only with the Merits Hearing Officer's advance approval may either party file additional responses or replies.

(d) *Size Limitations*. Except as otherwise specified no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 double-spaced pages, exclusive of the table of contents, table of authorities and attachments. The Board, the Executive Director, or the Merits Hearing Officer may modify this limitation upon motion and for good cause shown, or on their own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-½″ x 11″). If a filing exceeds 35 double-spaced pages, the Board, the Executive Director, or the Merits Hearing Officer may, in their discretion, reject the filing in whole or in part, and may provide the parties an opportunity to refile.

5. Amend section 1.05 by revising paragraph (a). The revisions read as follows:

§ 1.05 Signing of Pleadings, Motions, and Other Filings; Violation of Rules; Sanctions.

(a) *Signing*. Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. In the case of an electronic filing, an electronic signature is acceptable. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, each of the following is correct:

(1) It is not presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter;

(2) The claims, defenses, and other legal contentions the party advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further review or discovery; and

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

* * * * *

6. Amend section 1.06 by:

(a) Revising paragraph (a);

(b) Revising the first sentence of paragraph (b);

(c) Revising paragraphs (c) through (d); and

(d) Removing paragraph (f).

The revisions read as follows:

§ 1.06 Availability of Official Information.

(a) *Policy*. It is the policy of the Board, the Executive Director, and the General Counsel, except as otherwise ordered by the Board, to make available for public inspection and copying final decisions and orders of the Board and the Office, as specified and described in subparagraph (d) below.

(b) *Availability*. Any person may examine and copy items described in paragraph (a) above at the Office of Congressional Workplace Rights, Adams Building, Room LA–200, 110 Second Street SE, Washington, D.C. 20540–1999, under conditions prescribed by the Office, including requiring payment for copying costs, and at reasonable times during normal working hours so long as it does not interfere with the efficient operations of the Office. * * *

(c) *Copies of Forms*. Copies of blank forms prescribed by the Office for the filing of claims, complaints, and other actions or requests may be obtained from the Office or online at *www.ocwr.gov*.

* * * * *

(f) [Removed]

7. Amend section 1.07 by republishing the first two sentences of paragraph (c) and revising the third sentence of paragraph (c). The revisions read as follows:

§ 1.07 Designation of Representative.

* * * * *

(c) *Revocation of a Designation of Representative*. A revocation of a designation of representative, whether made by the party or by the representative with notice to the party, must be made in writing and filed with the Office. The revocation will be deemed effective the date of receipt by the Office. Consistent with any applicable statutory time limit, at the discretion of the Executive Director, General Counsel, mediator, hearing officer, or Board, additional time may be provided to allow the party to designate a new representative as consistent with the Act.

8. Amend section 1.08 by:

(a) Revising paragraphs (a) through (e); and

(b) Republishing paragraph (f).

The revisions read as follows:

§ 1.08 Confidentiality.

(a) *Policy*. Except as provided in sections 302(d) and 416(c), (d), and (e) of the Act, the Office shall maintain confidentiality in the confidential advising process, mediation, and the proceedings and deliberations of hearing officers and the Board in accordance with sections 302(d)(2)(B) and 416(a)–(b) of the Act.

(b) *Participant*. For the purposes of this rule, ''participant'' means an individual or entity who takes part as either a party, witness, or designated representative in confidential advising under section 302(d) of the Act, mediation under section 404, the claim and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(c) *Prohibition*. Unless specifically authorized by the provisions of the Act or by these rules, no participant in the confidential advising process, mediation, or other proceedings made confidential under section 416 of the Act may disclose a written or an oral communication that is prepared for the purpose of or that occurs during the confidential advising process, mediation, and the proceedings and deliberations of Hearing Officers and the Board.

(d) *Exceptions*. Nothing in these rules prohibits a party or its representative from disclosing information obtained in mediation or hearings when reasonably necessary to investigate claims, ensure compliance with the Act, or prepare its prosecution or defense. However, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information. These rules do not preclude a mediator from consulting with the Office, except that when the covered employee is an employee of the Office, a mediator shall not consult with any individual within the Office who is or who might be a party or witness. These rules do not preclude the Office from reporting information to the Senate and House of Representatives as required by the Act.

(e) *Contents or Records of Mediation or Hearings*. For the purpose of this rule, the contents or records of the confidential advising process, mediation or other proceeding includes the information disclosed by participants to the proceedings, and records disclosed by the opposing party, witnesses, or the Office. A participant is free to disclose facts and other information obtained from any source outside of the mediation or hearing. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, a claimant who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a claimant may be disclosed by that claimant, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(f) *Sanctions*. The Executive Director will advise all participants in the mediation and hearing at the time they became participants of the confidentiality requirements of section 416 of the Act and that sanctions may be imposed by a Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.

SUBPART B—[AMENDED]

[Table of contents omitted]

Amend subpart B by:

(1) Removing sections 2.01 through 2.07; and

(2) Reserving subpart B for rules concerning ''Compliance, Investigation, and Enforcement under Section 210 of the Act (ADA Public Services)—Inspections and Complaints''

SUBPART C—[REDESIGNATED AND AMENDED]

[Table of contents omitted]

1. Amend subpart C by:

(a) Redesignating subpart D as subpart C, and amending the references as indicated in the table below:

Old Section	New Section
4.01	3.01
4.02	3.02
4.03	3.03
4.04	3.04
4.05	3.05
4.06	3.06
4.07	3.07
4.08	3.08
4.09	3.09
4.10	3.10
4.11	3.11
4.12	3.12
4.13	3.13
4.14	3.14
4.15	3.15
4.20	3.20
4.21	3.21
4.22	3.22
4.23	3.23
4.24	3.24
4.25	3.25
4.26	3.26
4.27	3.27
4.28	3.28
4.29	3.29
4.30	3.30
4.31	3.31

(b) In subpart C, when referencing sections 4.01 through 4.15 or 4.20 through 4.31, writing the corresponding new section number as indicated in the table above.

2. Amend redesignated section 3.07 by revising the last sentence of paragraph (g)(1) as follows:

* * * * *

§ 3.07 Conduct of Inspections.

* * * * *

(g) *Trade Secrets.*

(1) * * * In any such proceeding the Merits Hearing Officer or the Board shall issue such orders as may be appropriate to protect the confidentiality of trade secrets.

4. Amend redesignated section 3.14 by revising the second sentence of paragraph (b) as follows:

§ 3.14 Failure to Correct a Violation for Which a Citation Has Been Issued; Notice of Failure to Correct Violation; Complaint.

* * * * *

(b) * * * The complaint shall be submitted to a Merits Hearing Officer for decision pursuant to subsections (b) through (h) of section 405 of the Act, subject to review by the Board pursuant to section 406. * * *

3. Amend redesignated section 3.22 by revising the second sentence as follows:

§ 3.22 Effect of Variances.

* * * In its discretion, the Board may decline to entertain an application for a variance on a subject or issue concerning which a citation has been issued to the employing office involved and a proceeding on the citation or a related issue concerning a proposed period of abatement is pending before the General Counsel, a Merits Hearing Officer, or the Board until the completion of such proceeding.

4. Amend redesignated section 3.25 by:

(a) Revising the second sentence of paragraph (a); and

(b) Revising the second sentence of paragraph (c)(1).

The revisions read as follows:

§ 3.25 Applications for Temporary Variances and Other Relief.

(a) *Application for Variance.* * * * Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406. * * *

* * * * *

(c) *Interim Order.*

(1) *Application.* * * * The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

* * * * *

5. Amend redesignated section 3.26 by:

(a) Revising the second sentence of paragraph (a); and

(b) Revising the second sentence of paragraph (c)(1).

The revisions read as follows:

§ 3.26 Applications for Permanent Variances and Other Relief.

(a) *Application for Variance.* * * * Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

* * * * *

(c) *Interim Order.*

(1) *Application.* * * * The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

* * * * *

6. Amend redesignated section 3.28 by revising paragraph (a)(1) as follows:

§ 3.28 Action on Applications.

(a) *Defective Applications.*

(1) If an application filed pursuant to sections 3.25(a), 3.26(a), or 3.27 of these Rules does not conform to the applicable section, the Merits Hearing Officer or the Board, as applicable, may deny the application.

* * * * *

7. Amend redesignated section 3.29 by revising it as follows:

§ 3.29 Consolidation of Proceedings.

On the motion of the Merits Hearing Officer or the Board or that of any party, the Merits Hearing Officer or the Board may consolidate or contemporaneously consider two or more proceedings which involve the same or closely related issues.

8. Amend redesignated section 3.30 by

(1) Revising the second sentence of paragraph (a)(1);

(2) Revising paragraph (b)(3);

(3) Revising paragraph (c); and

(4) Revising paragraph (d).

The revisions read as follows:

§ 3.30 Consent Findings and Rules or Orders.

(a) *General.* * * * The allowance of such opportunity and the duration thereof shall be in the discretion of the Merits Hearing Officer, after consideration of the nature of the proceeding, the requirements of the public interest, the representations of the parties, and the probability of an agreement which will result in a just disposition of the issues involved.

(b) *Contents.* Any agreement containing consent findings and rule or order disposing of a proceeding shall also provide:

* * * * *

(3) a waiver of any further procedural steps before the Merits Hearing Officer and the Board; and

* * * * *

(c) *Submission.* On or before the expiration of the time granted for negotiations, the parties or their counsel may:

(1) submit the proposed agreement to the Merits Hearing Officer for his or her consideration; or

(2) inform the Merits Hearing Officer that agreement cannot be reached.

(d) *Disposition.* In the event an agreement containing consent findings and rule or order is submitted within the time allowed therefor, the Merits Hearing Officer may accept such agreement by issuing his or her decision based upon the agreed findings.

9. Amend redesignated section 3.31 by revising paragraph (a) as follows:

§ 3.31 Order of Proceedings and Burden of Proof.

(a) *Order of Proceeding.* Except as may be ordered otherwise by the Merits Hearing Officer, the party applicant for relief shall proceed first at a hearing.

* * * * *

SUBPART D—[AMENDED]

Add a new subpart D as follows:

SUBPART D—CLAIMS PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF SECTIONS 102(c) AND 201–07 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED BY THE CAA REFORM ACT OF 2018.

[Table of Contents omitted]

§ 4.01 Matters Covered by this Subpart.

(a) These rules govern the processing of any allegation that sections 102(c) or 201 through 206 of the Act have been violated and any allegation of intimidation or reprisal prohibited under section 207 of the Act. Sections 102(c) and 201–06 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

(1) the Fair Labor Standards Act of 1938

(2) title VII of the Civil Rights Act of 1964

(3) title I of the Americans with Disabilities Act of 1990

(4) the Age Discrimination in Employment Act of 1967

(5) the Family and Medical Leave Act of 1993

(6) the Employee Polygraph Protection Act of 1988

(7) the Worker Adjustment and Retraining Notification Act

(8) the Rehabilitation Act of 1973

(9) chapter 43 (relating to veterans' employment and re-employment) of title 38, United States Code

(10) chapter 35 (relating to veterans' preference) of title 5, United States Code

(11) the Genetic Information Nondiscrimination Act of 2008

(b) This subpart applies to the covered employees and employing offices as defined in subparagraphs 1.02(m) and (s) of these Rules and any activities within the coverage of sections 102(c) and 201–07 of the Act and referenced above in subparagraph 4.01(a) of these Rules.

§ 4.02 Requests for Advice and Information.

At any time, an employee or an employing office may seek from the Office informal advice and information on the procedures of the Office and under the Act and information on the protections, rights and responsibilities under the Act and procedures available under the Act. The Office will maintain the confidentiality of requests for such advice or information.

§ 4.03 Confidential Advising Services.

(a) *Appointment or Designation of Confidential Advisors.* The Executive Director shall appoint or designate one or more Confidential Advisors to carry out the duties set forth in section 302(d)(2) of the Act.

(1) *Qualifications.* A Confidential Advisor appointed or designated by the Executive Director must be a lawyer who is admitted to practice before, and is in good standing with, the bar of a State or territory of the United States or the District of Columbia, and who has experience representing clients in cases involving the laws incorporated by section 102 of the Act. A Confidential Advisor may be an employee of the Office. A Confidential Advisor cannot serve as a mediator in any mediation conducted pursuant to section 404 of the Act.

(2) *Restrictions.* A Confidential Advisor may not act as the designated representative for any covered employee in connection with the covered employee's participation in any proceeding, including any proceeding under the Act, any judicial proceeding, or any proceeding before any committee of Congress. A Confidential Advisor may not offer or provide any of the services in section 302(d)(2) of the Act if the covered employee has designated an attorney representative in connection with the employee's participation in any proceeding under the Act, except that the Confidential Advisor may provide general assistance and information to the attorney representative regarding the Act and the role of the Office, as the Confidential Advisor deems appropriate.

(3) *Continuity of Service.* Once a covered employee has accepted and received any services offered under section 302(d)(2) of the Act from a Confidential Advisor, any other services requested under section 302(d)(2) by the covered employee shall be provided, to the extent practicable, by the same Confidential Advisor.

(b) *Who May Obtain the Services of a Confidential Advisor.* The services provided by a Confidential Advisor are available to any covered employee, including any unpaid staff and any former covered employee, except that a former covered employee may only request such services if the alleged violation occurred during the employment or service of the employee; and a covered employee

may only request such services before the end of the 180–day period described in section 402(d) of the Act.

(c) *Services Provided by a Confidential Advisor*. A Confidential Advisor shall offer to provide the following services to covered employees, on a privileged and confidential basis, which may be accepted or declined:

(1) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act about the employee's rights under the Act;

(2) consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act regarding—

(A) the roles, responsibilities, and authority of the Office; and

(B) the relative merits of securing private counsel, designating a nonattorney representative, or proceeding without representation for proceedings before the Office;

(3) advising and consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act regarding any claims the covered employee may have under title IV of the Act, the factual allegations that support each such claim, and the relative merits of the procedural options available to the employee for each such claim;

(4) assisting, on a privileged and confidential basis, a covered employee who seeks consideration under title IV of an allegation of a violation of sections 102(c) or 201–07 of the Act in understanding the procedures, and the significance of the procedures, described in title IV, including—

(A) assisting or consulting with the covered employee regarding the drafting of a claim form to be filed under section 402(a) of the Act; and

(B) consulting with the covered employee regarding the procedural options available to the covered employee after a claim form is filed, and the relative merits of each option; and

(5) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201–07 of the Act about the option of pursuing, in appropriate circumstances, a complaint with the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate.

(d) *Privilege and Confidentiality*. Although the Confidential Advisor is not the employee's representative, the services provided under subparagraph (c) of this section, and any related communications between the Confidential Advisor and the employee before or after the filing of a claim, shall be strictly confidential and shall be privileged from discovery. All of the records maintained by a Confidential Advisor regarding communications between the employee and the Confidential Advisor are the property of the Confidential Advisor and not the Office, are not records of the Office within the meaning of section 301(m) of the Act, shall be maintained by the Confidential Advisor in a secure and confidential manner, and may be destroyed under appropriate circumstances. Upon request from the Office, the Confidential Advisor may provide the Office with statistical information about the number of contacts from covered employees and the general subject matter of the contacts from covered employees.

§ 4.04 Claims.

(a) *Who May File*. A covered employee alleging any violation of sections 102(c) or 201–07 of the Act may commence a proceeding by filing a timely claim pursuant to section 402 of the Act.

(b) *When to File*.

(1) A covered employee may not file a claim under this section alleging a violation of law after the expiration of the 180–day period that begins on the date of the alleged violation.

(2) *Special Rule for Library of Congress Claimants*. A claim filed by a Library claimant shall be deemed timely filed under section 402 of the Act:

(A) if the Library claimant files the claim within the time period specified in subparagraph (1); or

(B) the Library claimant:

(i) initially filed a claim under the Library of Congress's procedures set forth in the applicable direct provision under section 401(d)(1)(B) of the Act;

(ii) met any initial deadline under the Library of Congress's procedures for filing the claim; and

(iii) subsequently elected to file a claim with the Office under section 402 of the Act prior to requesting a hearing under the Library of Congress's procedures.

(c) *Form and Contents*. All claims shall be on the form provided by the Office either on paper or electronically, signed manually or electronically under oath or affirmation by the claimant or the claimant's representative, and contain the following information, if known:

(1) the name, mailing and e-mail addresses, and telephone number(s) of the claimant;

(2) the name of the employing office against which the claim is brought;

(3) the name(s) and title(s) of the individual(s) involved in the conduct that the employee alleges is a violation of the Act;

(4) a description of the conduct being challenged, including the date(s) of the conduct;

(5) a description of why the claimant believes the challenged conduct is a violation of the Act;

(6) a statement of the specific relief or remedy sought; and

(7) the name, mailing and e-mail addresses, and telephone number of the representative, if any, who will act on behalf of the claimant.

(d) *Election of Remedies for Library of Congress Employees*. A Library claimant who initially files a claim for an alleged violation as provided in section 402 of the Act may, at any time within 10 days after a Preliminary Hearing Officer submits the report on the preliminary review of the claim pursuant to section 403, elect instead to bring the claim before the Library of Congress under the corresponding direct provision.

§ 4.05 Right to File a Civil Action.

(a) A covered employee may file a civil action in Federal district court pursuant to section 401(b) of the Act if the covered employee:

(1) has timely filed a claim as provided in section 402 of the Act; and

(2) has not submitted a request for an administrative hearing on the claim pursuant to section 405(a) of the Act.

(b) *Period for Filing a Civil Action*. A civil action pursuant to section 401(b) of the Act must be filed within a 70–day period beginning on the date the claim form was filed.

(c) *Effect of Filing a Civil Action*. If a claimant files a civil action concerning a claim during a preliminary review of that claim pursuant to section 403 of the Act, the review terminates immediately upon the filing of the civil action, and the Preliminary Hearing Officer has no further involvement.

(d) *Notification of Filing a Civil Action*. A claimant filing a civil action in Federal district court pursuant to section 401(b) of the Act shall notify the Office within 10 days of the filing.

§ 4.06 Initial Processing and Transmission of Claim; Notification Requirements.

(a) After receiving a claim form, the Office shall record the pleading, transmit immediately a copy of the claim form to the head of the employing office and the designated representative of that office, and provide the parties with all relevant information regarding their rights under the Act. An employee filing an amended claim form pursuant to § 4.04 of these Rules shall serve a copy of the amended claim form upon all other parties in the manner provided by § 1.04(b). A copy of these Rules also may be provided to the parties upon request. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(b) *Notification of Availability of Mediation*.

(1) Upon receipt of a claim form, the Office shall notify the covered employee who filed the claim form about the mediation process under section 4.07 of these Rules below and the deadlines applicable to mediation.

(2) Upon transmission to the employing office of the claim, the Office shall notify the employing office about the mediation process under the Act and the deadlines applicable to mediation.

(c) *Special Notification Requirements for Claims Based on Acts by Members of Congress*. When a claim alleges a violation described in subparagraphs (A) and (B) of section 402(b)(2) of the Act that consists of a violation described in section 415(d)(1)(A) by a Member of Congress, the Office shall notify immediately such Member of the claim, the possibility that the Member may be required to reimburse the account described in section 415(a) of the Act for the reimbursable portion of any award or settlement in connection with the claim, and the right of the Member under section 415(d)(8) to intervene in any mediation, hearing, or civil action under the Act as to the claim.

(d) *Special Rule for Architect of the Capitol, Capitol Police and Library of Congress Employees*. The Executive Director, after receiving a claim filed under section 402 of the Act, may recommend that a claimant use, for a specific period of time, the grievance procedures referenced in any Memorandum of Understanding between the Office and the Architect of the Capitol, the Capitol Police, or the Library of Congress. Any pending deadline in the Act relating to a claim for which the claimant uses such grievance procedures shall be stayed during that specific period of time.

§ 4.07 Mediation.

(a) *Overview*. Mediation is a process in which employees, including unpaid staff for purposes of section 201 of the Act, employing offices, and their representatives, if any, meet with a mediator trained to assist them in resolving disputes. As participants in the mediation, employees, employing offices, and their representatives discuss alternatives to continuing their dispute, including the possibility of reaching a voluntary, mutually satisfactory resolution. The mediator cannot impose a specific resolution, and all information discussed or disclosed in the course of any mediation shall be strictly confidential, pursuant to section 416 of the Act. Notwithstanding the foregoing, section 416 expressly provides that a covered employee may disclose the ''factual allegations underlying the covered employee's claim'' and an employing office may disclose ''the factual allegations underlying the employing office's defense to the claim[.]''

(b) *Availability of Optional Mediation*. Upon receipt of a claim filed pursuant to section 402 of the Act, the Office shall notify the covered employee and the employing office about the process for mediation and applicable deadlines. If the claim alleges a Member

committed an act made unlawful under sections 201(a), 206(a) or 207 of the Act which consists of a violation of section 415(d)(1)(A), the Office shall permit the Member to intervene in the mediation. The request for mediation shall contain the claim number, the requesting party's name, office or personal address, e-mail address, telephone number, and the opposing party's name. Failure to request mediation does not adversely impact future proceedings.

(c) *Timing*. The covered employee or the employing office may file a written request for mediation beginning on the date that the covered employee or employing office, respectively, receives notice from the Office about the mediation process. The time to request mediation under these rules ends on the date on which a Merits Hearing Officer issues a written decision on the claim, or the covered employee files a civil action,

(d) *Notice of Commencement of the Mediation*. The Office shall promptly notify the opposing party or its designated representative of the request for mediation and the deadlines applicable to such mediation. When a claim alleges a violation described in subparagraphs (A) and (B) of section 402(b)(2) of the Act that consists of a violation described in section 415(d)(1)(A) by a Member of Congress, the Office shall notify immediately such Member of the right to intervene in any mediation concerning the claim.

(e) *Selection of Mediators; Disqualification*. Upon receipt of the second party's agreement to mediate, the Executive Director shall assign one or more mediators from a master list developed and maintained pursuant to section 404 of the Act, to commence the mediation process. Should the mediator consider himself or herself unable to perform in a neutral role in a given situation, he or she shall withdraw from the matter and immediately shall notify the Office of the withdrawal. Any party may ask the Office to disqualify a mediator by filing a written request, including the reasons for such request, with the Executive Director. This request shall be filed as soon as the party has reason to believe there is a basis for disqualification. The Executive Director's decision on this request shall be final and unreviewable.

(f) *Duration and Extension*.

(1) The mediation period shall be 30 days beginning on the first day after the second party agrees to mediate the matter.

(2) The Executive Director shall extend the mediation period an additional 30 days upon the joint written request of the parties, or of the appointed mediator on behalf of the parties. The request shall be written and filed with the Executive Director no later than the last day of the mediation period.

(g) *Effect of Mediation on Proceedings*.

Upon the parties' agreement to mediate a claim, any deadline relating to the processing of that claim that has not already passed by the first day of the mediation period, shall be stayed during the mediation period.

(h) *Procedures*.

(1) *The Mediator's Role*. After assignment of the case, the mediator will contact the parties. The mediator has the responsibility to conduct the mediation, including deciding how many meetings are necessary and who may participate in each meeting. The mediator may accept and may ask the parties to provide written submissions.

(2) *The Agreement to Mediate*. At the commencement of the mediation, the mediator will ask the participants and/or their representatives to sign an agreement prepared by the Office (''the Agreement to Mediate''). The Agreement to Mediate will define what is to be kept confidential during mediation and set out the conditions under which mediation will occur, including the requirement that the participants adhere to the confidentiality of the process and a notice that a breach of the mediation agreement could result in sanctions later in the proceedings.

(i) The parties, including an intervenor Member, may elect to participate in mediation proceedings through a designated representative, provided that the representative has actual authority to agree to a settlement agreement, or has immediate access to someone with actual settlement authority, and provided further that, should the mediator deem it appropriate at any time, the physical presence in mediation of any party may be required. The Office may participate in the mediation process through a representative and/or observer. The mediator may determine, as best serves the interests of mediation, whether the participants may meet jointly or separately with the mediator. At the request of any of the parties, the parties shall be separated during medation.

(j) *Informal Resolutions and Settlement Agreements*. At any time during mediation the parties may resolve or settle a dispute in accordance with subparagraph 9.03 of these Rules.

(k) *Conclusion of the Mediation Period and Notice*. If, at the end of the mediation period, the parties have not resolved the matter that forms the basis of the request for mediation, the Office shall provide the employee, Member, and the employing office, and their representatives, with written notice that the mediation period has concluded. The written notice will be e-filed, e†mailed, sent by first-class mail, faxed, or personally delivered.

(l) *Independence of the Mediation Process and the Mediator*. The Office will maintain the independence of the mediation process and the mediator. No individual appointed by the Executive Director to mediate may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

(m) *Violation of Confidentiality in Mediation*. An alleged violation of the confidentiality provisions may be made by a party in mediation to the mediator during the mediation period and, if not resolved by agreement in mediation, to a Merits Hearing Officer during proceedings brought under section 405 of the Act.

(n) *Exceptions to Confidentiality in Mediation*. It shall not be a violation of confidentiality to provide the information required by sections 301(l) and 416(d) of the Act.

§ 4.08 Preliminary Review of Claims.

(a) *Appointment of Preliminary Hearing Officer*. Not later than 7 days after transmission to the employing office of a claim or claims, the Executive Director shall appoint a hearing officer to conduct a preliminary review of the claim or claims filed by the claimant. The appointment of the Preliminary Hearing Officer shall be in accordance with the requirements of section 405(c) of the Act.

(b) *Disqualifying a Preliminary Hearing Officer*.

(1) In the event that a Preliminary Hearing Officer considers himself or herself disqualified, either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(2) Any party may file a motion requesting that a Preliminary Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(3) The Preliminary Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Preliminary Hearing Officer within 3 days. Any objection to the Preliminary Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the preliminary review process. Such objection will not stay the conduct of the preliminary review process.

(c) *Assessments Required*. In conducting a preliminary review of a claim or claims under this section, the Preliminary Hearing Officer shall assess each of the following:

(1) whether the claimant is a covered employee authorized to obtain relief relating to the claim(s) under the Act;

(2) whether the office which is the subject of the claim(s) is an employing office under the Act;

(3) whether the individual filing the claim(s) has met the applicable deadlines for filing the claim(s) under the Act;

(4) the identification of factual and legal issues in the claim(s);

(5) the specific relief sought by the claimant;

(6) whether, on the basis of the assessments made under paragraphs (1) through (5), the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act; and

(7) the potential for the settlement of the claim(s) without a formal hearing as provided under section 405 of the Act or a civil action as provided under section 408 of the Act.

(d) *Amendments to Claims*. Amendments to the claim(s) may be permitted in the Preliminary Hearing Officer's discretion, taking the following factors into consideration:

(1) whether the amendments relate to the cause of action set forth in the claim(s); and

(2) whether such amendments will unduly prejudice the rights of the employing office, or of other parties, unduly delay the preliminary review, or otherwise interfere with or impede the proceedings.

(e) *Report on Preliminary Review*.

(1) Except as provided in subparagraph (2), not later than 30 days after a claim form is filed, the Preliminary Hearing Officer shall submit to the claimant and the respondent(s) a report on the preliminary review. The report shall include a determination whether the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act. Submitting the report concludes the preliminary review.

(2) In determining whether a claimant has stated a claim for which relief may be granted under the Act, the Preliminary Hearing Officer shall:

(A) be guided by judicial and Board decisions under the laws made applicable by section 102 of the Act; and

(B) consider whether the legal contentions the claimant advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(3) *Extension of Deadline*. The Preliminary Hearing Officer may, upon notice to the individual filing the claim(s) and the respondent(s), use an additional period of not to exceed 30 days to conclude the preliminary review.

(f) *Effect of Determination of Failure to State a Claim for which Relief may be Granted*.

(1) If the Preliminary Hearing Officer's report under subparagraph (e) includes the determination that the claimant is not a covered employee or has not stated a claim for which relief may be granted under the Act:

(A) the claimant (including a Library claimant) may not obtain an administrative hearing as provided under section 405 of the Act as to the claim; and

(B) the Preliminary Hearing Officer shall provide the claimant and the Executive Director with written notice that the claimant may file a civil action as to the claim in accordance with section 408 of the Act.

(2) The claimant must file the civil action not later than 90 days after receiving the written notice referred to in subparagraph (1)(B).

(g) *Transmission of Report on Preliminary Review of Certain Claims to Congressional Ethics Committees.* When a Preliminary Hearing Officer issues a report on the preliminary review of a claim alleging a violation described in section 415(d)(1)(A) of the Act, the Preliminary Hearing Officer shall transmit the report to—

(1) the Committee on Ethics of the House of Representatives, in the case of such an alleged act by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress); or

(2) the Select Committee on Ethics of the Senate, in the case of such an alleged act by a Senator.

§ 4.09 Request for Administrative Hearing.

(a) Except as provided in subparagraph (b), a claimant may submit to the Executive Director a written request for an administrative hearing under section 405 of the Act not later than 10 days after the Preliminary Hearing Officer submits the report on the preliminary review of a claim under section 403(c).

(b) Subparagraph (a) does not apply to the claim if—

(1) the preliminary review report of the claim under section 403(c) of the Act includes the determination that the individual filing the claim is not a covered employee who has stated a claim for which relief may be granted, as described in section 403(d) of the Act; or

(2) the covered employee files a civil action as to the claim as provided in section 408 of the Act.

(c) *Appointment of the Merits Hearing Officer.*

(1) Upon the filing of a request for an administrative hearing under subparagraph (a) of this section, the Executive Director shall appoint an independent Merits Hearing Officer to consider the claim(s) and render a decision, who shall have the authority specified in sections 4.10 and 7.01 of these Rules below.

(2) The Preliminary Hearing Officer shall not serve as the Merits Hearing Officer in the same case.

(d) *Answer.*

(1) Within 10 days after the filing of a request for an administrative hearing under subparagraph (a), the respondent(s) shall file an answer with the Office and serve one copy on the claimant. Filing a motion to dismiss a claim does not stay the time period for filing the answer.

(2) In answering a claim form, the respondent(s) must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the claim form shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

§ 4.10 Summary Judgment and Withdrawal of Claims.

(a) If a claimant fails to proceed with a claim, the Merits Hearing Officer may dismiss the claim with prejudice.

(b) *Summary Judgment.* A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on the claim. A motion before the Merits Hearing Officer asserting that the covered employee has failed to state a claim upon which relief can be granted shall be construed as a motion for summary judgment on the ground that the moving party is entitled to judgment as to that claim as a matter of law.

(c) *Appeal.* A final decision by the Merits Hearing Officer made under section 4.10 or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01 of these Rules. A final decision under subparagraphs 4.10(a)–(d) of these Rules that does not resolve all of the issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(d) *Withdrawal of Claim.* At any time, a claimant may withdraw his or her own claim(s) by filing a notice with the Office for transmittal to the Preliminary or Merits Hearing Officer and by serving a copy on the respondent(s). Any such withdrawal must be approved by the relevant Hearing Officer and may be with or without prejudice to refile at that Hearing Officer's discretion.

(e) *Withdrawal from a Case by a Representative.* A representative must provide sufficient notice to the Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

§ 4.11 Confidentiality.

(a) Pursuant to section 416 of the Act, except as provided in subsections 416(c), (d) and (e), all proceedings and deliberations of Hearing Officers and the Board, including any related records, shall be confidential. A violation of the confidentiality requirements of the Act and these rules may result in the imposition of procedural or evidentiary sanctions. See also sections 1.08, 1.09 and 7.12 of these Rules.

(b) The fact that a request for an administrative hearing has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these Rules.

§ 4.12 Automatic Referral to Congressional Ethics Committees.

Pursuant to section 416(d) of the Act, upon the final disposition of a claim alleging a violation described in section 415(d)(1)(C) committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff of the House of Representatives or Senate, the Executive Director shall refer the claim to—

(a) the Committee on Ethics of the House of Representatives, in the case of a Member or senior staff of the House; or

(b) the Select Committee on Ethics of the Senate, in the case of a Senator or senior staff of the Senate.

SUBPART E—[AMENDED]

[Table of contents omitted]

Revise subpart E to read as follows:

Subpart E—General Counsel Complaints

[Table of contents omitted]

§ 5.01 Complaints.

(a) *Who May File.*

The General Counsel may timely file a complaint alleging a violation of sections 210, 215 or 220 of the Act.

(b) *When to File.*

A complaint may be filed by the General Counsel:

(1) after the investigation of a charge filed under section 210 or 220 of the Act, or

(2) after the issuance of a citation or notification under section 215 of the Act.

(c) *Form and Contents.*

A complaint filed by the General Counsel shall be in writing, signed by the General Counsel, or his designee, and shall contain the following information:

(1) the name, mail and e-mail addresses, if available, and telephone number of the employing office, as applicable:

(A) each entity responsible for correction of an alleged violation of section 210(b) of the Act;

(B) each employing office alleged to have violated section 215 of the Act; or

(C) each employing office and/or labor organization alleged to have violated section 220, against which the complaint is brought;

(2) notice of the charge filed alleging a violation of section 210 or 220 of the Act and/or issuance of a citation or notification under section 215;

(3) a description of the acts and conduct that are alleged to be violations of the Act, including all relevant dates and places, and the names and titles of the responsible individuals; and

(4) a statement of the relief or remedy sought.

(d) *Amendments.* Amendments to the complaint may be permitted by the Office or, after assignment, by a Hearing Officer, on the following conditions: that all parties to the proceeding have adequate notice to prepare to meet the new allegations; that the amendments, as appropriate, relate to the charge(s) investigated and/or the citation or notification issued by the General Counsel; and that permitting such amendments will not unduly prejudice the rights of the employing office, the labor organization, or other parties, unduly delay the completion of the hearing, or otherwise interfere with or impede the proceedings.

(e) *Service of Complaint.* Upon receipt of a complaint or an amended complaint, the Office shall serve the respondent, or its designated representative, by hand delivery or first-class mail, e-mail, or facsimile with a copy of the complaint or amended complaint and written notice of the availability of these Rules at www.ocwr.gov. A copy of these Rules may also be provided if requested by either party. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(f) *Answer.*

(1) Within 10 days after receipt of a copy of a complaint or an amended complaint, the respondent shall file an answer with the Office and serve one copy on the General Counsel. Filing a motion to dismiss a claim does not stay the time period for filing the answer.

(2) In answering a complaint, a respondent must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it by an opposing party.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a claim or defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not

raised in an answer that could have reasonably been anticipated based on the facts alleged in the complaint shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) *Motion to Dismiss*. In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall comply with subparagraph 1.04(c) of these Rules. A motion asserting that the General Counsel has failed to state a claim upon which relief can be granted may, in the Merits Hearing Officer's discretion, be construed as a motion for summary judgment pursuant to subparagraph 5.03(d) of these Rules on the ground that the moving party is entitled to judgment as a matter of law.

§ 5.02 Appointment of the Merits Hearing Officer.

Upon the filing of a complaint, the Executive Director will appoint an independent Merits Hearing Officer, who shall have the authority specified in subparagraphs 5.03 and 7.01(b) of the Rules below.

§ 5.03 Dismissal, Summary Judgment and Withdrawal of Complaints.

(a) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss any claim that the Merits Hearing Officer finds to be frivolous or that fails to state a claim upon which relief may be granted.

(b) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss a complaint because it fails to comply with the applicable time limits or other requirements under the Act or these Rules.

(c) If the General Counsel fails to proceed with an action, the Merits Hearing Officer may dismiss the complaint with prejudice.

(d) *Summary Judgment*. A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on some or all of the complaint.

(e) *Appeal*. A final decision by the Merits Hearing Officer made under sections 5.03(a)–(d) or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01. A final decision under old subparagraph 5.03(a)–(d) that does not resolve all of the claims or issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(f) *Withdrawal of Complaint by the General Counsel*. At any time prior to the opening of the hearing, the General Counsel may withdraw his complaint by filing a notice with the Office for transmittal to the Merits Hearing Officer and by serving a copy on the respondent. After opening of the hearing, any such withdrawal must be approved by the Merits Hearing Officer and may be with or without prejudice to refile at the Merits Hearing Officer's discretion.

(g) *Withdrawal from a Case by a Representative*. A representative must provide sufficient notice to the Merits Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

§ 5.04 Confidentiality.

Pursuant to section 416(b) of the Act, except as provided in subsections 416(c) and (f), all proceedings and deliberations of Merits Hearing Officers and the Board, including any related records, shall be confidential. Section 416(b) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Merits Hearing Officers and the Board under section 215. A violation of the confidentiality requirements of the Act and these rules may result in the imposition of procedural or evidentiary sanctions. *See also* sections 1.08 and 7.12 of these Rules.

SUBPART F—[AMENDED]

[Table of Contents Omitted]

Revise subpart F to read as follows:

§ 6.01 Discovery.

(a) *Description*. Discovery is the process by which a party may obtain from another person, including a party, information that is not privileged and that is reasonably calculated to lead to the discovery of admissible evidence, to assist that party in developing, preparing and presenting its case at the hearing. No discovery, whether oral or written, by any party shall be taken of or from an employee of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a mediator, a hearing officer, or unpaid staff), including files, records, or notes produced during the confidential advising, mediation, and hearing phases of a case and maintained by the Office, the Confidential Advisor, the mediator, or the hearing officer.

(b) *Initial Disclosure*. Within 14 days after the prehearing conference in cases commenced by the filing of a claim pursuant to section 402(a) of the Act, and except as otherwise stipulated or ordered by the Merits Hearing Officer (the hearing officer appointed by the Executive Director to conduct the administrative hearing), a party must, without awaiting a discovery request, provide to the other parties: the name and, if known, mail and e-mail addresses, and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its causes of action or defenses; and a copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses.

(c) *Discovery Availability*. Pursuant to section 405(e) of the Act, reasonable prehearing discovery may be permitted at the Merits Hearing Officer's discretion.

(1) The parties may take discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property for inspection or other purposes; physical and mental examinations; and requests for admissions. Nothing in section 415(d) of the Act—dealing with reimbursements by Members of Congress of amounts paid as settlements and awards—may be construed to require the claimant to be deposed by counsel for the intervening member in a deposition that is separate from any other deposition taken from the claimant in connection with the hearing or civil action.

(2) The Merits Hearing Officer may adopt standing orders or make any order setting forth the forms and extent of discovery, including orders limiting the number of depositions, interrogatories, and requests for production of documents, and also may limit the length of depositions.

(3) The Merits Hearing Officer may issue any other order to prevent discovery or disclosure of confidential or privileged materials or information, as well as hearing or trial preparation materials and any other information deemed not discoverable, or to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.

(d) *Claims of Privilege*.

(1) *Information Withheld*. Whenever a party withholds information otherwise discoverable under these Rules by claiming that it is privileged or confidential or subject to protection as hearing or trial preparation materials, the party shall make the claim of privilege expressly in writing and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing whether the information itself is privileged or protected, will enable other parties to assess the applicability of the privilege or protection. A party must make a claim for privilege no later than the due date to produce the information.

(2) *Information Produced as Inadvertent Disclosure; Sealing All or Part of the Record*. If information produced in discovery is subject to a claim of privilege or of protection as hearing preparation material, the party making the claim of privilege may notify any party that received the information of the claim of privilege and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim of privilege is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the Merits Hearing Officer or the Board under seal for a determination of the claim of privilege. The producing party must preserve the information until the claim of privilege is resolved.

§ 6.02 Request for Subpoena.

(a) *Authority to Issue Subpoenas*. At the request of a party, the Merits Hearing Officer may issue subpoenas for the attendance and testimony of witnesses and for the production of correspondence, books, papers, documents, or other records. The attendance of witnesses and the production of records may be required from any place within the United States. However, no subpoena shall be issued for the attendance or testimony of an employee or agent of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a mediator, a hearing officer, or unpaid staff), or for the production of files, records, or notes produced during the confidential advising process, in mediation, or at the hearing. Employing offices shall make their employees available for discovery and hearing without requiring a subpoena.

* * * * *

(b) *Request*. A request to issue a subpoena requiring the attendance and testimony of witnesses or the production of documents or other evidence under paragraph (a) above shall be submitted to the Merits Hearing Officer at least 15 days before the scheduled hearing date. If the subpoena is sought as part of the discovery process, the request shall be submitted to the Merits Hearing Officer at least 10 days before the date that a witness must attend a deposition or the date for the production of documents. The Merits Hearing Officer may waive the time limits stated above for good cause.

(c) *Forms and Showing*. Requests for subpoenas shall be submitted in writing to the Merits Hearing Officer and shall specify with particularity the witness, correspondence, books, papers, documents, or other records desired and shall be supported by a showing of general relevance and reasonable scope.

(d) *Rulings*. The Merits Hearing Officer shall promptly rule on subpoena requests.

§ 6.03 Service.

Subpoenas shall be served in the manner provided under Rule 45(b) of the Federal Rules of Civil Procedure. Service of a subpoena may be made by any person who is over 18 years of age and is not a party to the proceeding.

§ 6.04 Proof of Service.

When service of a subpoena is effected, the person serving the subpoena shall certify the date and the manner of service. The party on whose behalf the subpoena was issued shall file the server's certification with the Merits Hearing Officer.

§ 6.05 Motion to Quash or Limit.

Any person against whom a subpoena is directed may file a motion to quash or limit the subpoena setting forth the reasons why the subpoena should not be complied with or why it should be limited in scope. This motion shall be filed with the Merits Hearing Officer before the time specified in the subpoena for compliance and not later than 10 days after service of the subpoena. The Merits Hearing Officer should promptly rule on a motion to quash or limit and ensure that the person receiving the subpoena is made aware of the ruling.

§ 6.06 Enforcement.

(a) *Objections and Requests for Enforcement.* If a person has been served with a subpoena pursuant to section 6.03 of the Rules, but fails or refuses to comply with its terms or otherwise objects to it, the party or person objecting or the party seeking compliance may seek a ruling from the Merits Hearing Officer. The request for a ruling shall be submitted in writing to the Merits Hearing Officer. However, it may be made orally on the record at the hearing at the discretion of the Merits Hearing Officer. The party seeking compliance shall present the proof of service and, except when the witness was required to appear before the Merits Hearing Officer, shall submit evidence, by affidavit or declaration, of the failure or refusal to obey the subpoena.

(b) *Ruling by the Merits Hearing Officer.*

(1) The Merits Hearing Officer shall promptly rule on the request for enforcement and/or the objection(s).

(2) On request of the objecting witness or any party, the Merits Hearing Officer shall—or on the Hearing Officer's own initiative, the Hearing Officer may—refer the ruling to the Board for review.

(c) *Review by the Board.* The Board may overrule, modify, remand, or affirm the Merits Hearing Officer's ruling and, in its discretion, may direct the General Counsel to apply in the name of the Office for an order from a United States district court to enforce the subpoena.

(d) *Application to an Appropriate Court; Civil Contempt.* If a person fails to comply with a subpoena, the Board may direct the General Counsel to apply, in the name of the Office, to an appropriate United States district court for an order requiring that person to appear before the Merits Hearing Officer to give testimony or produce records. Any failure to obey a lawful order of the district court may be held by such court to be a civil contempt thereof.

§ 6.07 Requirements for Sworn Statements.

Any time that the Office and/or a Hearing Officer requires an affidavit or sworn statement from a party or a witness, he or she should refer the party or witness to a sample declaration under 28 U.S.C. § 1746, which substantially requires:

(a) If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

(b) If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

SUBPART G—[AMENDED]

[Table of Contents Omitted]

Revise subpart G to read as follows:

§ 7.01 The Merits Hearing Officer.

This subpart concerns the duties and responsibilities of Merits Hearing Officers, who are appointed by the Executive Director to preside over the administrative hearings under the Act. The duties and responsibilities of Preliminary Hearing Officers are contained in section 5.08 of these Rules.

(a) *Exercise of Authority.* The Merits Hearing Officer may exercise authority as provided in subparagraph (b) of this section upon his or her own initiative or upon a party's motion, as appropriate.

(b) *Authority.* Merits Hearing Officers shall conduct fair and impartial hearings and take all necessary action to avoid undue delay in disposing of all proceedings. They shall have all powers necessary to that end unless otherwise limited by law, including, but not limited to, the authority to:

(1) administer oaths and affirmations;

(2) rule on motions to disqualify designated representatives;

(3) issue subpoenas in accordance with section 6.02 of these Rules;

(4) rule upon offers of proof and receive relevant evidence;

(5) rule upon discovery issues as appropriate under sections 6.01 to 6.06 of these Rules;

(6) hold prehearing conferences for simplifying issues and settlement;

(7) convene a hearing, as appropriate, regulate the course of the hearing, and maintain decorum at and exclude from the hearing any person who disrupts, or threatens to disrupt, that decorum;

(8) exclude from the hearing any person, except any claimant, any party, the attorney or representative of any claimant or party, or any witness while testifying;

(9) rule on all motions, witness and exhibit lists, and proposed findings, including motions for summary judgment;

(10) require the filing of briefs, memoranda of law, and the presentation of oral argument as to any question of fact or law;

(11) order the production of evidence and the appearance of witnesses;

(12) impose sanctions as provided under section 7.02 of these Rules;

(13) file decisions on the issues presented at the hearing;

(14) dismiss any claim that is found to be frivolous or that fails to state a claim upon which relief may be granted;

(15) maintain and enforce the confidentiality of proceedings; and

(16) waive or modify any procedural requirements of subparts F and G of these Rules so long as permitted by the Act.

§ 7.02 Sanctions.

(a) When necessary to regulate the course of the proceedings (including the hearing), the Merits Hearing Officer may impose an appropriate sanction, which may include, but is not limited to, the sanctions specified in this section, on the parties and/or their representatives.

(b) The Merits Hearing Officer may impose sanctions upon the parties and/or their representatives based on, but not limited to, the circumstances set forth in this section.

(1) *Failure to Comply with an Order.* When a party fails to comply with an order (including an order to submit to a deposition, to produce evidence within the party's control, or to produce witnesses), the Merits Hearing Officer may:

(A) draw an inference in favor of the requesting party on the issue related to the information sought;

(B) stay further proceedings until the order is obeyed;

(C) prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, evidence relating to the information sought;

(D) permit the requesting party to introduce secondary evidence concerning the information sought;

(E) strike, in whole or in part, the claim, briefs, answer, or other submissions of the party failing to comply with the order, as appropriate; or

(F) direct judgment against the non-complying party in whole or in part.

(2) *Failure to Prosecute or Defend.* If a party fails to prosecute or defend a position, the Merits Hearing Officer may dismiss the action with prejudice or decide the matter, when appropriate.

(3) *Failure to Make Timely Filing.* The Merits Hearing Officer may refuse to consider any request, motion or other action that is not filed in a timely fashion in compliance with this subpart.

(4) *Frivolous Claims, Defenses, and Arguments.* If a party or a representative files a claim that fails to meet the requirements of section 401(f) of the Act, the Merits Hearing Officer may dismiss the claim, in whole or in part, with prejudice or decide the matter for the opposing party. If a party or a representative presents a pleading, written motion, or other paper containing claims, defenses, and other legal contentions for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter, the Merits Hearing Officer may reject the claims, defenses or legal contentions, in whole or in part. A claim, defense, or legal contention shall not be subject to sanctions if it constitutes a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(5) *Failure to Maintain Confidentiality.* An allegation regarding a violation of the confidentiality provisions may be made to a Merits Hearing Officer in proceedings under section 405 of the Act. If, after notice and hearing, the Merits Hearing Officer determines that a party has violated the confidentiality provisions, the Merits Hearing Officer may:

(A) direct that the matters related to the breach of confidentiality or other designated facts be taken as established for purposes of the action, as the prevailing party contends;

(B) prohibit the party breaching confidentiality from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;

(C) strike the pleadings in whole or in part;

(D) stay further proceedings until the breach of confidentiality is resolved to the extent possible;

(E) dismiss the action or proceeding in whole or in part; or

(F) render a default judgment against the party breaching confidentiality.

(c) No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order.

§ 7.03 Disqualifying a Merits Hearing Officer.

(a) In the event that a Merits Hearing Officer considers himself or herself disqualified, either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from

the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(b) Any party may file a motion requesting that a Merits Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(c) The Merits Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Merits Hearing Officer within 5 days. Any objection to the Merits Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the hearing and may be the basis for an appeal to the Board from the Merits Hearing Officer's decision under section 8.01 of these Rules. Such objection will not stay the conduct of the hearing.

§ 7.04 Motions and Prehearing Conference.

(a) *Motions.* Motions shall be filed with the Merits Hearing Officer and shall be in writing except for oral motions made on the record during the hearing. All written motions and any responses to them shall include a proposed order, when applicable. Only with the Merits Hearing Officer's advance approval may either party file additional responses to the motion or to the response to the motion. Motions for extension of time will be granted only for good cause shown.

(b) *Scheduling the Prehearing Conference.* Within 7 days after a Merits Hearing Officer is assigned to adjudicate the claim(s), the Merits Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the prehearing conference, except that the Executive Director may, for good cause, extend up to an additional 7 days the time for serving notice of the prehearing conference.

(c) *Prehearing Conference Memoranda.* The Merits Hearing Officer may order each party to prepare a prehearing conference memorandum. The Merits Hearing Officer may direct that a memorandum be filed after discovery has concluded. The memorandum may include:

(1) the major factual contentions and legal issues that the party intends to raise at the hearing in short, successive, and numbered paragraphs, along with any proposed stipulations of fact or law;

(2) an estimate of the time necessary for presenting the party's case;

(3) the specific relief, including, when known, a calculation of any monetary relief or damages that is being or will be requested;

(4) the names of potential witnesses for the party's case, except for potential impeachment or rebuttal witnesses, and the purpose for which they will be called and a list of documents that the party is seeking from the opposing party, and, if discovery was permitted, the status of any pending request for discovery. (It is not necessary to list each document requested. Instead, the party may refer to the request for discovery.); and

(5) a brief description of any other unresolved issues.

(d) At the prehearing conference, the Merits Hearing Officer may discuss the subjects specified in paragraph (c) above and the manner in which the hearing will be conducted. In addition, the Merits Hearing Officer may explore settlement possibilities and consider how the factual and legal issues might be simplified and any other issues that might expedite resolving the dispute. The Merits Hearing Officer shall issue an order, which recites the actions taken at the conference and the parties' agreements as to any matters considered, and which limits the issues to those not disposed of by the parties' admissions, stipulations, or agreements. Such order, when entered, shall control the course of the proceeding, subject to later modification by the Merits Hearing Officer by his or her own motion or upon proper request of a party for good cause shown.

§ 7.05 Scheduling the Hearing.

(a) *Date, Time, and Place of Hearing.* The Office shall issue the notice of hearing, which shall fix the date, time, and place of hearing. Absent a postponement granted by the Office, a hearing must commence no later than 60 days after the filing of the claim(s).

(b) *Motions for Postponement or a Continuance.* Motions for postponement or for a continuance by either party shall be made in writing to the Merits Hearing Officer, shall set forth the reasons for the request, and shall state whether or not the opposing party consents to such postponement. A Merits Hearing Officer may grant such a motion upon a showing of good cause. In no event will a hearing commence later than 90 days after the filing of the claim form.

§ 7.06 Consolidation and Joinder of Cases.

(a) *Explanation.*

(1) Consolidation is when two or more parties have cases that might be treated as one because they contain identical or similar issues or in such other appropriate circumstances.

(2) Joinder is when one party has two or more cases pending and they are united for consideration. For example, joinder might be warranted when a single party has one case pending challenging a 30–day suspension and another case pending challenging a subsequent dismissal.

(b) *Authority.* The Executive Director (before assigning a Merits Hearing Officer to adjudicate a claim); a Merits Hearing Officer (during the hearing); or the Board (during an appeal) may consolidate or join cases on their own initiative or on the motion of a party if to do so would expedite case processing and not adversely affect the parties' interests, taking into account the confidentiality requirements of section 416 of the Act.

§ 7.07 Conduct of Hearing; Disqualifying a Representative.

(a) Pursuant to section 405(d)(1) of the Act, the Merits Hearing Officer shall conduct the hearing in closed session on the record. Only the Merits Hearing Officer, the parties and their representatives, and witnesses during the time they are testifying, shall be permitted to attend the hearing, except that the Office may not be precluded from observing the hearing. The Merits Hearing Officer, or a person designated by the Merits Hearing Officer or the Executive Director, shall record the proceedings.

(b) The hearing shall be conducted as an administrative proceeding. Witnesses shall testify under oath or affirmation. Except as specified in the Act and in these Rules, the Merits Hearing Officer shall conduct the hearing, to the greatest extent practicable, consistent with the principles and procedures in sections 554 through 557 of title 5 of the United States Code (the Administrative Procedure Act).

(c) No later than the opening of the hearing, or as otherwise ordered by the Merits Hearing Officer, each party shall submit to the Merits Hearing Officer and to the opposing party typed lists of the hearing exhibits and the witnesses expected to be called to testify, excluding impeachment or rebuttal witnesses.

(d) At the commencement of the hearing, or as otherwise ordered by the Merits Hearing Officer, the Merits Hearing Officer may consider any stipulations of facts and law pursuant to section 7.10 of the Rules, take official notice of certain facts pursuant to section 7.11 of the Rules, rule on the parties' objections and hear witness testimony. Each party must present his or her case in a concise manner, limiting the testimony of witnesses and submission of documents to relevant matters.

(e) Any evidentiary objection not timely made before a Merits Hearing Officer shall, absent clear error, be deemed waived on appeal to the Board.

(f) Failure of either party to appear at the hearing, to present witnesses, or to respond to an evidentiary order may result in an adverse finding or ruling by the Merits Hearing Officer. At the Merits Hearing Officer's discretion, the hearing also may be held without the claimant if the claimant's representative is present.

(g) If the Merits Hearing Officer concludes that an employee's representative, a witness, a charging party, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation has a conflict of interest, the Merits Hearing Officer may, after giving the representative an opportunity to respond, disqualify the representative. In that event, within the time limits for hearing and decision established by the Act, the affected party shall be afforded reasonable time to retain other representation.

§ 7.08 Transcript.

(a) *Preparation.* The Office shall keep an accurate electronic or stenographic hearing record, which shall be the sole official record of the proceeding. The Office shall be responsible for the cost of transcribing the hearing. Upon request, a copy of the hearing transcript shall be furnished to each party, provided, however, that such party has first agreed to maintain and respect the confidentiality of such transcript in accordance with the applicable rules prescribed by the Office or the Merits Hearing Officer to effectuate section 416(b) of the Act. Additional copies of transcripts shall be made available to a party at the party's expense. The Office may grant exceptions to the payment requirement for good cause shown. A motion for an exception shall be made in writing, accompanied by an affidavit or a declaration setting forth the reasons for the request, and submitted to the Office. Requests for copies of transcripts also shall be directed to the Office. The Office may, by agreement with the person making the request, arrange with the official hearing reporter for required services to be charged to the requester.

(b) *Corrections.* Corrections to the official transcript of the hearing will be permitted. Motions for correction must be submitted within 10 days of service of the transcript upon the parties. Corrections to the official transcript will be permitted only upon the approval of the Merits Hearing Officer. The Merits Hearing Officer may make corrections at any time with notice to the parties.

§ 7.09 Admissibility of Evidence.

The Merits Hearing Officer shall apply the Federal Rules of Evidence to the greatest extent practicable. These Rules provide, among other things, that the Merits Hearing Officer may exclude evidence if, among other things, it constitutes inadmissible hearsay or its probative value is substantially outweighed by the danger of unfair prejudice, by confusion of the issues, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

§ 7.10 Stipulations.

The parties may stipulate as to any matter of fact. Such a stipulation will satisfy a party's burden of proving the fact alleged.

§ 7.11 Official Notice.

(a) The Merits Hearing Officer on his or her own motion or on motion of a party, may take official notice of a fact that is not subject to reasonable dispute because it is either:

(1) a matter of common knowledge; or

(2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. Official notice taken of any fact satisfies a party's burden of proving the fact noticed.

(b) When a decision, or part thereof, rests on the official notice of a material fact not appearing in the evidence in the record, the fact of official notice shall be so stated in the decision, and any party, upon timely request, shall be afforded an opportunity to show the contrary.

§ 7.12 Confidentiality.

(a) Pursuant to section 416 of the Act and section 1.08 of these Rules, all proceedings and deliberations of Merits Hearing Officers and the Board, including the hearing transcripts and any related records, shall be confidential, except as specified in sections 416(c), (d), (e), and (f) of the Act and subparagraph 1.08(d) of these Rules. All parties to the proceeding and their representatives, and witnesses who appear at the hearing, will be advised of the importance of confidentiality in this process and of their obligations, subject to sanctions, to maintain it. This provision shall not apply to proceedings under section 215 of the Act, but shall apply to the Merits Hearing Officers' and the Board's deliberations under that section.

(b) *Violation of Confidentiality*. A Merits Hearing Officer, under section 405 of the Act, may resolve an alleged violation of confidentiality that occurred during a hearing. After providing notice and an opportunity to the parties to be heard, the Merits Hearing Officer, under subparagraph 1.08(f) of these Rules, may find a violation of confidentiality and impose appropriate procedural or evidentiary sanctions, to include the sanctions listed in section 7.02 of these Rules.

§ 7.13 Immediate Board Review of a Hearing Officer's Ruling.

(a) *Review Strongly Disfavored*. Board review of a Merits Hearing Officer's ruling is strongly disfavored while a proceeding is ongoing (an ''interlocutory appeal''). In general, the Board may consider a request for interlocutory appeal only if the Merits Hearing Officer, on his or her own motion or by motion of the parties, determines that the issue presented is of such importance to the proceeding that it requires the Board's immediate attention.

(b) *Time for Filing*. A party must file a motion for interlocutory appeal of a Merits Hearing Officer's ruling with the Merits Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory appeal and the requested determination to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.

(c) *Standards for Review*. In determining whether to certify and forward a request for interlocutory appeal to the Board, the Merits Hearing Officer shall consider the following:

(1) whether the ruling involves a significant question of law or policy about which there is substantial ground for difference of opinion;

(2) whether an immediate Board review of the Merits Hearing Officer's ruling will materially advance completing the proceeding; and

(3) whether denial of immediate review will cause undue harm to a party or the public.

(d) *Merits Hearing Officer Action*. If all the conditions set forth in paragraph (c) above are met, the Merits Hearing Officer shall certify and forward a request for interlocutory appeal to the Board for its immediate consideration. Any such submission shall explain the basis on which the Merits Hearing Officer concluded that the standards in paragraph (c) have been met. The Merits Hearing Officer's decision to forward or decline to forward a request for review is not appealable.

(e) *Granting or Denying an Interlocutory Appeal is Within the Board's Sole Discretion*. The Board, in its sole discretion, may grant or deny an interlocutory appeal, upon the Merits Hearing Officer's certification and decision to forward a request for review. The Board's decision to grant or deny an interlocutory appeal is not appealable.

(f) *Stay Pending Interlocutory Appeal*. Unless otherwise directed by the Board, the stay of any proceedings during the pendency of either a request for interlocutory appeal or the appeal itself shall be within the Merits Hearing Officer's discretion, provided that no stay shall serve to toll the time limits set forth in section 405(d) of the Act. If the Merits Hearing Officer does not stay the proceedings, the Board may do so while an interlocutory appeal is pending with it.

(g) *Procedures before the Board*. Upon its decision to grant interlocutory appeal, the Board shall issue an order setting forth the procedures that will be followed in the conduct of that review.

(h) *Appeal of a Final Decision*. Denial of interlocutory appeal will not affect a party's right to challenge rulings, which are otherwise appealable, as part of an appeal to the Board under section 8.01 of the Rules from the Merits Hearing Officer's decision issued under section 7.16 of these Rules.

§ 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs.

May be Required. The Merits Hearing Officer may require the parties to file proposed findings of fact and conclusions of law and/or posthearing briefs on the factual and the legal issues presented in the case.

§ 7.15 Closing the Record.

(a) Except as provided in section 7.14 of the Rules, the record shall close when the hearing ends. However, the Hearing Officer may hold the record open as necessary to allow the parties to submit arguments, briefs, documents or additional evidence previously identified for introduction.

(b) Once the record is closed, no additional evidence or argument shall be accepted into the hearing record except upon a showing that new and material evidence has become available that was not available despite due diligence before the record closed or that the additional evidence or argument is being provided in rebuttal to new evidence or argument that the other party submitted just before the record closed. The Merits Hearing Officer also shall make part of the record an approved correction to the transcript.

§ 7.16 Merits Hearing Officer Decisions; Entry in Office Records; Corrections to the Record; Motions to Alter, Amend, or Vacate the Decision.

(a) The Merits Hearing Officer shall issue a written decision no later than 90 days after the hearing ends, pursuant to section 405(g) of the Act.

(b) The Merits Hearing Officer's written decision shall:

(1) state the issues raised in the claim(s), form, or complaint;

(2) describe the evidence in the record;

(3) contain findings of fact and conclusions of law, and the reasons or bases therefore, on all the material issues of fact, law, or discretion presented on the record;

(4) determine whether a violation has occurred; and

(5) order such remedies as are appropriate under the Act.

(c) If a final decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, the written decision shall include the following findings:

(1) whether the alleged violation or violations occurred;

(2) whether any violation or violations found to have occurred were committed personally by an individual who, at the time of committing the violation, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator;

(3) the amount of compensatory damages, if any, awarded pursuant to section 415(d)(1)(B) of the Act; and

(4) the amount, if any, of compensatory damages that is the ''reimbursable portion'' as defined by section 415(d) of the Act.

(d) Upon issuance, the Merits Hearing Officer's decision and order shall be entered into the Office's records.

(e) The Office shall promptly provide a copy of the Merits Hearing Officer's decision and order to the parties.

(f) If there is no appeal of a Merits Hearing Officer's decision and order, that decision becomes a final decision of the Office, which is subject to enforcement under section 8.03 of these Rules.

(g) *Corrections to the Record*. After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, the Merits Hearing Officer may issue an erratum notice to correct simple errors or easily correctible mistakes. The Merits Hearing Officer may do so on the parties' motion or on his or her own motion with or without advance notice.

(h) After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, a party to the proceeding before the Merits Hearing Officer may move to alter, amend, or vacate the decision. The moving party must establish that relief from the decision is warranted because: (1) of mistake, inadvertence, surprise, or excusable neglect; (2) there is newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new hearing; (3) there has been fraud (misrepresentation, or misconduct by an opposing party); (4) the decision is void; or (5) the decision has been satisfied, released, or discharged; it is based on an earlier decision that has been reversed or vacated; or applying it prospectively is no longer equitable. The motion shall be filed within 15 days after service of the Merits Hearing Officer's decision. No response shall be filed unless the Merits Hearing Officer so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the Merits Hearing Officer's action unless the Merits Hearing Officer so orders.

Subpart H—[AMENDED]

[Table of Contents Omitted]

Amend section 8.01 by:

(a) Revising the second sentence of paragraph (a);

(b) Adding a new paragraph (b) and redesignating paragraphs (b) through (j) as paragraphs (c) through (k), respectively;

(c) Revising redesignated paragraph (c)(2); and

(d) Revising redesignated paragraphs (i) through (k).

The revisions read as follows:

§ 8.01 Appeal to the Board.

(a) * * * The appeal must be served on all opposing parties or their representatives.

(b) A Report on Preliminary Review pursuant to section 402(c) of the Act is not appealable to the Board.

(c)

* * * * *

(2) Unless otherwise ordered by the Board, within 21 days following the service of the appellant's brief, any opposing party may file and serve a responsive brief. Unless otherwise ordered by the Board, within 10 days following the service of the responsive brief(s), the appellant may file and serve a reply brief.

* * * * *

(i) *Record*. The docket sheet, claim form or complaint and any amendments, preliminary review report, request for hearing, notice of hearing, answer and any amendments, motions, rulings, orders, stipulations, exhibits, documentary evidence, any portions of depositions admitted into evidence, docketed Memoranda for the Record, or correspondence between the Office and the parties, and the transcript of the hearing (together with any electronic recording of the hearing if the original reporting was performed electronically) together with the Merits Hearing Officer's decision and the petition for review, any response thereto, any reply to the response and any other pleadings shall constitute the record in the case.

(j) The Board may invite amicus participation, in appropriate circumstances, in a manner consistent with the requirements of section 416 of the Act.

(k) An appellant may move to withdraw a petition for review at any time before the Board renders a decision. The motion must be in writing and submitted to the Board. The Board, at its discretion, may grant or deny such a motion and take whatever action is required.

* * * * *

SUBPART I—[AMENDED]

[Table of Contents Omitted]

1. Amend section 9.01 by:

(a) Revising paragraph (a); and

(b) Adding a new paragraph (c).

The revisions read as follows:

§ 9.01 Attorney's Fees and Costs.

(a) *Request*. No later than 30 days after the entry of a final decision of the Office, the prevailing party may submit to the Merits Hearing Officer who decided the case a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. The Merits Hearing Officer, after giving the respondent an opportunity to reply, shall rule on the motion. Decisions regarding attorney's fees and costs are collateral and do not affect the finality or appealability of a final decision issued by the Office.

* * * * *

(c) *Arbitration Awards*. In arbitration proceedings, the prevailing party must submit any request for attorney's fees and costs to the arbitrator in accordance with the established arbitration procedures.

2. Amend section 9.02 by revising paragraph (b) as follows:

§ 9.02 Ex Parte Communications.

* * * * *

(b) *Exception to Coverage*. The Rules set forth in this section do not apply during periods that the Board designates as periods of negotiated rulemaking in accordance with the procedures set forth in the Administrative Procedure Act, 5 U.S.C. § 500 *et seq*.

* * * * *

3. Revise section 9.03 as follows:

§ 9.03 Informal Resolutions and Settlement Agreements.

(a) *Informal Resolution*. At any time before a covered employee files a claim form under section 402 of the Act, a covered employee and the employing office, on their own, may agree voluntarily and informally to resolve a dispute. Any informal resolution shall be ineffective to the extent that it purports to:

(1) constitute a waiver of a covered employee's rights under the Act; or

(2) create an obligation that is payable from the account established by section 415(a) of the Act (''Section 415(a) Treasury Account'') or enforceable by the Office.

(b) * * * * *

(c) *General Requirements for Formal Settlement Agreements*. A formal settlement agreement must contain the signatures of all parties or their designated representatives on the agreement document. A formal settlement agreement cannot be approved by the Executive Director until the appropriate revocation periods have expired and the employing office has fully completed and submitted the Office's Section 415(a) Account Requisition Form. A formal settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise permitted by law. All formal settlement agreements must also:

(1) specify the amount of each payment to be made from the Section 415(a) Treasury Account;

(2) identify the portion of any payment that is subject to the reimbursement provisions of section 415(e) of the Act because it is being used to settle an alleged violation of section 201(a) or 206(a) of the Act;

(3) identify each payment that is back pay and indicate the net amount that will be paid to the employee after tax withholding and authorized deductions; and

(4) certify that, except for funds to correct alleged violations of sections 201(a)(3), 210, or 215 of the Act, only funds from the Section 415(a) Treasury Account will be used for the payment of any amount specified in the settlement agreement.

(d) *Requirements for Formal Settlement Agreements Involving Claims against Members of Congress*. If a formal settlement agreement concerns allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act, the settlement agreement must comply with subparagraphs 9.03(c)(1), (3) and (4) of these Rules, and:

(1) specify the amount, if any, that is the ''reimbursable portion'' as defined by section 415(d) of the Act; and

(2) contain the signature of any individual (or the representative of any individual) who has exercised his or her right to intervene pursuant to section 414(d)(8) of the Act.

(e) * * * * *

3. Revise section 9.04 as follows:

§ 9.04 Payments Required Pursuant to Decisions, Awards, or Settlements under Section 415(a) of the Act.

(a) *In General*. Whenever an award or settlement requires the payment of funds pursuant to section 415(a) of the Act, the award or settlement must be submitted to the Executive Director together with a fully completed Section 415(a) Account Requisition Form for processing by the Office.

(b) *Requesting Payments*.

(1) Only an employing office under section 101 of the Act may submit a payment request from the Section 415(a) Treasury Account.

(2) Employing offices must submit requests for payments from the Section 415(a) Treasury Account on the Office's Section 415(a) Account Requisition Forms.

(c) *Duty to Cooperate*. Each employment office has a duty to cooperate with the Executive Director or his or her designee by promptly responding to any requests for information and to otherwise assist the Executive Director in providing prompt payments from the Section 415(a) Treasury Account. Failure to cooperate may be grounds for disapproval of the settlement agreement.

(d) *Back Pay*. When the award or settlement specifies a payment as back pay, the gross amount of the back pay will be paid to the employing office and the employing office will then promptly issue amounts representing back pay (and interest if authorized) to the employee and retain amounts representing withholding and deductions.

(e) *Attorney's fees*. When the award or settlement specifies a payment as attorney's fees, the attorney's fees are paid directly to the attorney from the Section 415(a) Treasury Account.

(f) *Tax Reporting and Withholding Obligations*. The Office does not report Section 415(a) Treasury Account payments as potential taxable income to the Internal Revenue Service (IRS) and is not responsible for tax withholding or reporting. To the extent that W–2 or 1099 forms need to be issued, it is the responsibility of the employing office submitting the payment request to do so. The employing office should also consult IRS regulations for guidance in reporting the amount of any back pay award as wages on a W–2 Form.

(g) *Method of Payment*. Section 415(a) Treasury Account payments are made by electronic funds transfer. The Office will issue an electronic payment to the payee's account as specified on the appropriate Section 415(a) Treasury Account form.

(h) *Reimbursement of the Section 415(a) Treasury Account*.

(1) *Members of Congress*. Section 415(d) of the Act requires Members of the House of Representatives and the Senate to reimburse the ''compensatory damages'' portion of a decision, award or settlement for a violation of section 201(a), 206(a), or 207 that the Member is found to have ''committed personally.'' Reimbursement shall be in accordance with the timetable and procedures established by the applicable congressional committee for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

(2) *Other Employing Offices*. Section 415(e) of the Act requires employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

(A) As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this Act has been made from the Section 415(a) Treasury Account in connection with a claim alleging a violation of section 201(a) or 206(a) of the Act by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director will notify the head of the employing office that the payment has been made. The notice will include a statement of the payment amount.

(B) Reimbursement must be made within 180 days after receipt of notice from the Executive Director, and is to be transferred to the Section 415(a) Treasury Account out of funds available for the employing office's operating expenses.

(C) The Office will notify employing offices of any outstanding receivables on a quarterly basis. Employing offices have 30 days from the date of the notification of an outstanding receivable to respond to the Office regarding the accuracy of the amounts in the notice.

(D) Receivables outstanding for more than 30 days from the date of the notification will be noted as such on the Office's public website and in the Office's annual report to Congress on awards and settlements requiring payments from the Section 415(a) Treasury Account.

(3) [reserved]

4. Amend section 9.05 by revising paragraph (b) as follows:

§ 9.05 Revocation, Amendment or Waiver of Rules.

* * * * *

(b) The Board or a Hearing Officer may waive a procedural rule in an individual case for good cause shown if application of the rule is not required by law.

5. Add a new section 9.06 as follows:

§ 9.06 Notices.

(a) All employing offices are required to post and keep posted the notice provided by the Office that:

(1) describes the rights, protections, and procedures applicable to covered employees of the employing office under this Act, concerning violations described in 2 U.S.C. § 1362(b); and

(2) includes contact information for the Office.

(b) The notice must be displayed in all premises of the covered employer in conspicuous places where notices to applicants and employees are customarily posted.

6. Add a new section 9.07 as follows:

§ 9.07 Training and Education Programs.

(a) Not later than 180 days after the date of the enactment of the Reform Act, June 19, 2019, and not later than 45 days after the beginning of each Congress (beginning with the 117th Congress), each employing office shall submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

(b) *Exception for Offices of Congress.*—This section does not apply to any employing office of the House of Representatives or any employing office of the Senate.

APPOINTMENT

THE PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 93–642, appoints the following Senator to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation: The Honorable BRIAN SCHATZ of Hawaii.

AUTHORIZING TESTIMONY, DOCUMENTS, AND REPRESENTATION IN UNITED STATES V. PRATERSCH

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 151, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant bill clerk read as follows:

A resolution (S. Res. 151) to authorize testimony, documents, and representation in United States v. Pratersch.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PORTMAN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 151) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

DISCHARGE AND REFERRAL—S. 846

Mr. PORTMAN. Madam President, I ask unanimous consent that S. 846, the Transit Infrastructure Vehicle Security Act, be discharged from the Committee on Commerce, Science, and Transportation and the bill be referred to the Committee on Banking, Housing, and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—H.R. 1585

Mr. PORTMAN. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The assistant bill clerk read as follows:

A bill (H.R. 1585) to reauthorize the Violence Against Women Act of 1994, and for other purposes.

Mr. PORTMAN. Madam President, I now ask for a second reading, and in order to place the bill on the Calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, APRIL 10, 2019

Mr. PORTMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m. on Wednesday, April 10; 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 Stanton nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. PORTMAN. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:58 p.m., adjourned until Wednesday, April 10, 2019, at 9:45 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 9, 2019:

THE JUDICIARY

DANIEL DESMOND DOMENICO, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

PATRICK R. WYRICK, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA.

EXTENSIONS OF REMARKS

TRIBUTE TO LARA YERETSIAN—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Lara Yeretsian of Hollywood, California.

Before moving to the United States, Lara and her family experienced hardship during the civil war in Lebanon. Her parents, who were wholeheartedly devoted to giving Lara and her three sisters a good life and a loving home, established Sasoun Bakery, a renowned Armenian bakery in the Little Armenia area of Hollywood, and enrolled Lara and her siblings in the local Armenian school. Lara continued her education at Southwestern Law School in Los Angeles, and received her J.D. degree in 1997, followed by her LL.M. degree in International and Comparative Law from Georgetown University Law Center in 1998. She interned for Judge Bert Glennon of the Los Angeles County Superior Court in California, and for Judge Robert M. Takasugi of the United States District Court for the Central District of California.

A well-respected and successful criminal defense attorney, and fluent in English, Armenian and Arabic, Lara spent a decade working on various high-profile cases at the law firm of Geragos & Geragos. Later, she founded her own firm, Yeretsian Law, and continues to work as an uplifting and compassionate guide for her clients. Recognized as a Southern California Super Lawyer for 2019, Lara's professionalism and achievements have not gone unnoticed. In addition to her many accomplishments as an attorney, Ms. Yeretsian has authored numerous articles regarding issues that impact the criminal justice system.

In spite of her tremendously successful career, Lara never lost sight of her passion to give back, and her benevolence, leadership and advocacy are reflected in her philanthropic work in the community. Currently, she serves on the Board of Directors of the Armenian Bone Marrow Donor Registry and the Los Angeles City College Foundation, and as co-chair of the Hollywood chapter of the Armenian National Committee of America. Ms. Yeretsian also serves as chairperson of the Police Permit Review Panel of the Los Angeles Police Commission.

Lara is married to Hratch Manuelian, and they have two sons, David and Christopher.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Lara Yeretsian.

HONORING THE FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT FOR SERVING OUR MILITARY FAMILIES

HON. MIKE LEVIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. LEVIN of California. Madam Speaker, I rise today to honor the students and faculty of Fallbrook Union Elementary School District.

Last month, my staff met with administrators from Fallbrook Union who brought dozens of letters and drawings from the students of Mary Fay Pendleton Elementary School. The students shared what they liked most about their school. Ashton said "I love PE, when we play tug-of-war" while Alina said she loves Mary Fay "because we have a great librarian and a big library." Taelin said that "at this school I like to help people that do not have a friend and help people in need."

Mary Fay serves military-connected students living on Camp Pendleton Marine Corps Base. These students have parents who are serving their country on base or deployed abroad. Mary Fay creates a safe learning environment for its students and encourages them to dream and succeed.

These students are benefiting from a top-notch public education at an Impact Aid school. School districts across the country cross into land owned by the Federal Government, including military bases. These schools must operate with less local revenue because federal lands are exempt from local property taxes. It is our responsibility to ensure that schools like Mary Fay have the necessary resources to succeed by including sufficient funding for Impact Aid schools in the FY2020 budget. I was proud to join my colleagues in calling for the Appropriations Committee to support strong and continued funding for the Impact Aid Program.

I am honored to represent Mary Fay Pendleton Elementary School and I thank them for serving our military community. I especially want to thank the teachers of the entire Fallbrook Union Elementary School District for their heroic work and for encouraging their students to engage in the democratic process at a young age.

PERSONAL EXPLANATION

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. GONZALEZ of Texas. Madam Speaker, I was unable to cast my vote on April 8, 2019 for Roll Call Vote 157, Roll Call 158, and Roll Call Vote 159. Had I been present, my vote would have been the following: Yea on Roll Call Vote 157, Yea on Roll Call 158, and Yea on Roll Call 159.

SASHA BAILEY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Sasha Bailey for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Sasha is the perfect recipient for this award because despite adversities and challenges, she has become an inspiration and role model for her peers.

The dedication and leadership demonstrated by Sasha is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Sasha Bailey for this well-deserved recognition. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN HONOR OF NATIONAL FORMER POW RECOGNITION DAY AND THE JANESVILLE 99

HON. BRYAN STEIL

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. STEIL. Madam Speaker, today I rise in honor of National Former POW Recognition Day and the 77th anniversary of capture of U.S. soldiers on the Bataan Peninsula in the Philippines to the Imperial Japanese Army and the beginning of the Bataan Death March.

In November 1941, 99 soldiers from my hometown of Janesville, Wisconsin arrived on the Bataan Peninsula. These soldiers were known as the "Janesville 99" and composed Company A of the U.S. Army 192nd GHQ Light Tank Battalion. Less than three weeks after arriving to the Philippines, on December 8, 1941, Imperial Japan attacked.

For the next four months, out-gunned and under-supplied, sick and starving, these brave Wisconsinites fought the Battle of Bataan against a substantial Japanese invasion force. On April 9th, they were captured, tortured, and subjected to the Bataan Death March.

Only 35 of the original Janesville 99 returned after the War. This is a solemn reminder of the bravery and selfless sacrifices our service members make for our freedom. In Downtown Janesville, there is memorial to

honor the Janesville 99. We must never forget our local heroes.

When President Ronald Reagan created the permanent National Former Prisoners of War Recognition Day on April 9, he said: ". . . It is truly fitting that America observe April 9 in recognition of our former prisoners of war; that date is the 46th anniversary of the day in 1942 when U.S. forces holding out on the Bataan Peninsula in the Philippines were captured. Later, as prisoners of war, these gallant Americans were subjected to the infamous Bataan Death March and to other inhumane treatment that killed thousands of them before they could be liberated. In every conflict, brutality has invariably been meted out to American prisoners of war; on April 9 and every day, we must remember with solemn pride and gratitude that valor and tenacity have ever been our prisoners' response."

Today, we recognize those who the fought the impossible and endured the unimaginable for freedom from tyranny and oppression. I thank all our POWs for their sacrifice. May the Janesville 99 rest in peace.

TRIBUTE TO LIEUTENANT COLONEL LAWRENCE M. DOANE

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. COOK. Madam Speaker, I rise today to thank Lieutenant Colonel Lawrence "Larry" M. Doane for his distinguished service to the Nation, especially while assigned to the National Capitol Region.

Larry served in my office as a Defense Fellow from January 2016 to December 2016. He worked diligently throughout his tenure, assisting in the 2016 National Defense Authorization Act process to ensure the continuation of our national defense. Larry built enduring relationships, making him an asset in representing the people of California's Eighth Congressional District. In addition to working Defense policy, Larry became an expert on Veterans policies. In that capacity Larry demonstrated genuine care for every person he interacted with and he attacked every assignment to achieve swift resolutions.

As a Legislative Liaison in the National Guard Bureau Office of Legislative Liaisons from January 2017 to April 2019, Larry served as the lead liaison during a high-profile decision regarding stationing of four Army National Guard Apache battalions. This issue contained massive implications for Army Guard units, their states, and their Congressional representatives. Through direct engagements with senior Army leaders, the Chairmen of the Armed Services Committees, Professional Staff, and individual Member offices, Larry distilled the varied and complex stakeholder positions into clear, actionable courses of action for decision-makers to consider. This was among the most poignant displays of Larry's ability to bridge communication between the Department of Defense and Congress on a complicated issue. Larry operated with ease in a high-visibility, stressful environment.

As Lieutenant Colonel Doane's time in this assignment ends, he will continue his path as a Citizen-Soldier and assume command of 1st Squadron, 172nd Cavalry Regiment of the Vermont National Guard's 86th Infantry Brigade Combat Team (Mountain). Larry is supported in his military career by his wife, Melissa, and their four children. Please join me in congratulating Lieutenant Colonel Doane on his selection as a Battalion Commander and in expressing our gratitude for his and his family's service to the Nation.

TRIBUTE TO LYNN ALVAREZ—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Lynn Alvarez of the Los Feliz neighborhood of Los Angeles, California.

Ms. Alvarez has a long and distinguished career as a philanthropist, non-profit administrator, law professor, and legal activist. She has helped both public and private institutions advance and govern their own respective initiatives, helping them to prosper with her unique expertise.

After Lynn earned a Juris Doctorate at the University of California, Berkeley, she headed off to New York City to join the litigation department of a major law firm, but soon realized her passion was more aligned with public interest law. She worked tirelessly as the legal director of a community-based organization representing Central American refugees, and subsequently worked on the national level in major class-action lawsuits representing the rights of immigrants. As a professor at the University of California, Los Angeles, Ms. Alvarez taught courses on professional ethics and immigration law.

Having served as a Board Member of nonprofit organizations including Human Rights Watch, Para Los Niños, the Central American Refugee Center, and the Los Angeles Education Partnership, Lynn is known for her consistent advocacy of human rights and dignity for all people. Lynn was appointed to the Board of Recreation and Parks Commissioners by former Los Angeles Mayor Antonio Villaraigosa and re-appointed as President of the Commission by Mayor Eric Garcetti in 2013. The Commission's jurisdiction includes oversight and management of all park and recreation sites, annexation of public land for recreational reasons, and implementation of legal contracts and obligations.

Lynn and her husband, Steve Nissan along with their three wonderful sons enjoy the outdoor splendor of the City of Los Angeles parks; most particularly her "backyard park," Griffith Park.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Lynn Alvarez.

RYAN DANIEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Ryan Daniel for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Ryan is the perfect recipient for this award because despite adversities and challenges, he has become an inspiration and role model for his peers.

The dedication and leadership demonstrated by Ryan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ryan Daniel for this well-deserved recognition. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING INSTRUCTORS AT HENDERSON COUNTY HIGH SCHOOL

HON. JAMES COMER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. COMER. Madam Speaker, I rise today to recognize Ashley Bailey, Lori Fulkerson, Jessica Sheffer, Dana Alves, and Amy Legate—instructors at Henderson County High School who are receiving the National Excellence in Action Award from the Department of Education and Advance CTE. These awards are given to competitive schools with impressive career and technical education programs that provide students hands-on experiences and exposure to local industry in the career fields they are interested in pursuing.

Established over 35 years ago, Henderson County High School's outstanding Health Science program has grown tremendously and is now one of the largest CTE programs in Kentucky. Students choose from focus areas including allied health, pre-nursing, or medical administrative assisting to gain knowledge and training specific to their future careers.

All seniors enrolled in the program select a local health care facility partner to participate in work-based learning Upon completion of the program, students can earn up to 12 college credits and five industry-recognized credentials. Henderson County High School partners closely with the local Henderson Community College to prepare students for postsecondary education by teaching relevant topics and skill sets.

I am thankful for Ashley Bailey, Lori Fulkerson, Jessica Sheffer, Dana Alves, and Amy Legate's leadership and devotion to educating young minds in Kentucky's 1st District.

Their efforts are setting students up for success in the high-demand healthcare industry. I look forward to the many future accomplishments from these educators and their students.

HONORING THE LIFE OF SALLY G. CARROLL

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PAYNE. Madam Speaker, Sally G. Carroll was a trailblazer in law enforcement and past president of the Newark Branch of the NAACP. She dedicated her life to service. Miss Carroll passed away on April 1, 2019.

During her 97 years on this earth, Miss Carroll was a pillar in New Jersey's criminal justice system. She was one of the first African-American women to become an officer in the Newark Police Department. Miss Carroll later transferred to the Essex County Sherriff's Office, where she rose to the rank of detective. Miss Carroll then became the first woman to serve on the New Jersey Parole Board.

Throughout her lifetime of public service, Miss Carroll was active in the Newark Branch of the NAACP, where she served as President from 1967 to 1974. She was an active trustee of the Newark Museum and member of the National Association of Negro Business and Professional Women. Miss Carroll's active service to Newark, Essex County, and New Jersey reflected her deep devotion to improving people's lives.

I ask that my colleagues join me in honoring the life of Sally G. Carroll.

WELCOMING PASTOR MACKEY TO PILGRIM REST

HON. RUBEN GALLEGO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. GALLEGO. Madam Speaker, I rise today alongside the Phoenix community to usher in a new chapter of spiritual leadership with the installation of Pastor Terry E. Mackey to Pilgrim Rest Baptist Church in Phoenix, Arizona.

I stood on this floor last year to honor the life of Bishop Alexis Thomas, who served for eighteen years as the Senior Pastor of Pilgrim Rest until his passing in January 2018. I worked alongside Bishop Thomas as a part of My Brother's Keeper, and I witnessed firsthand Pilgrim Rest's boundless growth under his guidance.

The greatest testament to that leadership is its longevity. Phoenix still feels Bishop Thomas's reach through the "Word Center" educational facility he constructed, and other efforts he oversaw: free light rail tickets for the homeless, food packages for low income elders, and free GED courses. I congratulate Pilgrim Rest on upholding the momentum of Bishop Thomas's contributions in his absence this past year.

Today, I have the opportunity to acknowledge the new life Pilgrim Rest will breathe into the Phoenix community in the coming years as we welcome Reverend Terry Eugene Mackey as the church's 11th pastor.

In Houston, Pastor Mackey served as the Minister to Youth and Young Adults at Wheeler Avenue Baptist Church, one of the nation's largest predominantly African American churches. He then served as the Pastor of Riceville Mount Olive Baptist Church, where he tripled attendance and renewed the community's investment in religious life.

Pastor Mackey has demonstrated a lifelong commitment to community service and leadership, and his ambitions for Pilgrim Rest's future role in the lives of Phoenix residents are promising. He will continue to expand the church's presence by "striving for higher heights" in worship and membership, and "deeper depths" in discipleship and relationships with God and the community.

Madam Speaker, I believe the greatest reverence we can show our previous leaders—the teachers who built the foundations upon which we carry out our good work—is to build higher, in the spirit of the work that came before, and with an eye towards what the future needs of us. Pastor Mackey is a leader of just such foresight, and the people of Phoenix will be made a more diligent, faithful, and cohesive community because of his place at Pilgrim Rest.

ZION TRAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Zion Tran for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Zion is the perfect recipient for this award because despite adversities and challenges, he has become an inspiration and role model for his peers.

The dedication and leadership demonstrated by Zion is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Zion Tran for this well-deserved recognition. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN RECOGNITION OF JOHN BAYLISS

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. WITTMAN. Madam Speaker, I rise today in recognition of John Bayliss of Bayliss Boatworks from Wanchese, North Carolina. John is the leader of a team who every day applies their experience and unique craftsmen touch in creating perfectly crafted vessels for their unique clientele.

Bayliss Boatworks was established in 2002. With a fishing background, self-motivated John, and his team built the company from the ground up. John and friends were able to draw up a number of contacts from the sportfishing community to begin their brand-new shop to create their exquisite boats used for fishing, travel and entertainment. John turned his passion into a profession. Since the establishment of the company, Bayliss Boatworks has risen to become one of the premier boat craftsmen in the world. I am fortunate to have known John for many years and be witness to the dedication he has for his family, colleagues, and Bayliss Boatworks. John is a visionary who is focused on the finest craftsmanship and assuring that the details of quality boatbuilding are central in the work done in all of Bayliss Boatworks shops. Servant leadership describes John's 17 years in boatbuilding. He puts his employees and customers first and is always willing to go the extra mile to help others. Humility, honesty, integrity, work ethic and love for his family, friends and co-workers are reflected in every aspect of his life. He has a deep, lifelong passion for sportfishing and boatbuilding and continues to build upon this legacy every day.

Madam Speaker, I ask you to join me in recognizing the accomplishments of John Bayliss as he and Bayliss Boatworks celebrate 17 years in operation. May God bless John and the operations of the Bayliss Boatworks, and I look forward to seeing their excellence for many years into the future.

PERSONAL EXPLANATION

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. KELLY of Mississippi. Madam Speaker, I was unable to vote on Monday, April 8, 2019 due to flight complications.

Had I been present, I would have voted yea on Roll Call No. 158; and yea on Roll Call No. 157.

REYNA E. FRIAS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Reyna E. Frias for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Reyna is the perfect recipient for this award because despite adversities and challenges, she has become an inspiration and role model for her peers.

The dedication and leadership demonstrated by Reyna is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Reyna E. Frias for this well-deserved recognition. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING KIRSTJEN NIELSEN AND HER SERVICE TO OUR COUNTRY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. HUDSON. Madam Speaker, I rise today to recognize Secretary Kirstjen Nielsen and her years of service to our country as Secretary of the Department of Homeland Security.

It is no secret that we are in uncharted territory when it comes to our security, both at home and abroad. Whether in the realm of cybersecurity, border security, or counterterrorism, Secretary Nielsen has been integral in protecting the lives of hundreds of millions of Americans. And while the crisis at our Southern border and terrorist threats grab the headlines, I would also like to thank Secretary Nielsen just as much for her leadership in responding to hurricanes that have devastated the Carolinas the past few years.

Secretary Nielsen has shown profound leadership and unwavering dedication as the Secretary of Homeland Security. Our country is facing a humanitarian and security crisis at our Southern border Secretary Nielsen has been dogged in taking on the Herculean task of addressing these unprecedented challenges. Yet, she has always conducted her duties with professionalism and poise. Secretary Nielsen's determination to act in the country's best interest will be extremely tough to replace.

In her early career, Secretary Nielsen served as Special Assistant to the President as Senior Director for Prevention, Preparedness and Response under President George W. Bush. After serving in the private sector as the founder and president of Sunesis Consulting LLC, she answered the call to serve again and became Chief of Staff to the then-Secretary of Homeland Security, General John Kelly and then White House Deputy Chief of Staff. While our nation has demanded so much of her, Secretary Nielsen has risen to the occasion each and every time.

Madam Speaker, please join me in thanking Secretary Kirstjen Nielsen for her incredible dedication and service to our country upon her departure as Secretary of Homeland Security.

RECOGNIZING DR. TANIA ISRAEL

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. CARBAJAL. Madam Speaker, I rise to recognize Dr. Tania Israel for her Congressional Women of the Year Award and for all the incredible work she does to improve the quality of life on the Central Coast.

Dr. Tania Israel is a Professor of Counseling Psychology at UCSB who has provided leadership in the Santa Barbara community and beyond for decades. In 2010, Dr. Israel collaborated with several Santa Barbara nonprofits to lead a community-based participatory research project which surveyed the LGBTQ community about their perceptions and concerns, which led to a mandatory 5-hour workshop on LGBTQ issues for all sworn police officers in the City of Santa Barbara. The workshop almost immediately proved to significantly improve relations between police and the LGBTQ community.

Most recently, Dr. Israel has designed and presented a two-hour interactive workshop, titled Beyond the Bubble, to help participants engage in productive dialogues across political lines by building their skills in active listening, managing emotions, and perspective taking. Hundreds of people in Santa Barbara County have taken advantage of Beyond the Bubble in workshops delivered to the Santa Maria-Lompoc NAACP, the Santa Barbara Progressive Coalition, Congregation B'nai B'rith, and a League of Women Voters community forum, among others. Dr. Israel has not charged any of these organizations or their participants for her time and expertise, instead describing the workshop as her offering to our community.

SAMUEL TRUJILLO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Samuel Trujillo for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Samuel is the perfect recipient for this award because despite adversities and challenges, he has become an inspiration and role model for his peers.

The dedication and leadership demonstrated by Samuel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Samuel Trujillo for this well-deserved recognition. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING THE GAY AND LESBIAN ACTIVISTS ALLIANCE OF WASHINGTON, DC

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Ms. NORTON. Madam Speaker, I have the honor of representing the oldest continuously functioning Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) organization in the United States. Today, I rise to ask the House of Representatives to join me in recognizing the 48th anniversary of the Gay and Lesbian Activists Alliance of Washington, D.C. (GLAA).

GLAA is Washington's premier LGBTQ organization. Washingtonians know that GLAA champions the District of Columbia's full and equal rights. It calls for stronger enforcement of D.C.'s comprehensive landmark Human Rights Act of 1977. GLAA helped form and marshall the grassroots coalition of D.C. residents and elected officials that resulted in the enactment of the District of Columbia Religious Freedom and Civil Marriage Equality Amendment Act. D.C. recognized same-sex marriages five years before the Supreme Court's decision in Obergefell v. Hodges.

GLAA advocates on behalf of LGBTQ youth and seniors. It demands the right of equal treatment for transgender individuals by the police and access to culturally competent healthcare. GLAA educates local officeholders and office seekers on LGBTQ issues. It also nurtures and builds coalitions with other constituencies to advance LGBTQ causes and to defend the District's autonomy.

At its 48th anniversary reception on April 18, 2019, GLAA will recognize the 2019 Distinguished Service Awards recipients:

Center Global, a program of the D.C. Center for the LGBT Community. Matt Corso and Eric Scharf co-founded Center Global in 2012. Under their guidance, Center Global supported nearly 300 asylum-seekers through this nation's immigration processes. The asylees come from nations on the African continent, Eastern Europe, Russia, the former Soviet bloc, Southeast Asia and the Caribbean.

Center Global follows a unique model. It provides access to healthcare, legal assistance, financial support, and most importantly, a safe LGBTQ peer community that is often unattainable in D.C.-area diasporas. Its program includes case-management services; monthly support dinner and volunteers meetings; community and Capitol Hill education and outreach initiatives; partnerships with the Human Rights Campaign and D.C.-area social support and asylum organizations; and the annual May fundraising reception. Center Global is a volunteer-staffed program, led by its executive committee (Tom Sommers, Chair, and Eric Scharf, Vice Chair) under the D.C. Center's administrative umbrella.

Compassion & Choices led the lobbying for the D.C. Death with Dignity Act of 2016, which became law in 2017. Compassion & Choices envisions a society that affirms life and accepts the inevitability of death, embraces expanded options for compassionate dying and empowers people to choose end-of-life care that reflects their values, priorities and beliefs. It is a nationwide organization that works to ensure that healthcare providers honor and

enable patients' decisions about their care. Compassion & Choices works in communities, state legislatures, Congress, courts and medical settings to educate the public about the importance of documenting end-of-life values and priorities and about the full range of available end-of-life care. It empowers individuals with options, information and advice for guiding their care and engaging with providers. Compassion & Choices advocates for expanded choices, secure and ready access to them and improved medical practice that puts patients first and values quality of life in treatment plans for terminal illness, and it defends existing end-of-life options from efforts to restrict access.

Diego Miguel Sanchez, APR is Director of Advocacy, Policy & Partnerships for PFLAG National. Mr. Sanchez was Congressman Barney Frank's Senior Policy Advisor from 2009 until the Congressman's retirement 2013. Diego made history as the first openly transgender senior legislative staffer on Capitol Hill. He testified before Congress in the first transgender discrimination hearing. He became the first openly transgender individual appointed to the Democratic National Committee Platform Committee. Diego was Director of Public Relations and External Affairs at the AIDS Action Committee of Massachusetts and AIDS Action Council (DC). Previously, he was Director of the TransHealth/LGBT Health Access Project at JRI Health in Boston. He led the nation's only government-funded transgender healthcare program.

Diego worked 20 award-winning years in global public relations, marketing, and diversity management globally with Fortune 500 companies: The Coca-Cola Company, Holiday Inn Worldwide, ITT Sheraton and Starwood Hotels & Resorts Worldwide. He did media relations for Burson-Marsteller/NY, then the world's largest public relations firm. Hispanic Business Magazine included Diego among the 100 Most Powerful Latino/s in Corporate America. He has been recognized as a LGBT Latino Hero, one of the 100 most powerful Latino/s (Poderometro), in the Out 100, and in the Inaugural Trans 100. He was a founding member of the Gender Identity in U.S. Surveillance (GenIUSS) group, and Q Street named him "Best Congressional Staffer". Diego earned a Bachelor of Arts in Journalism with a major in Public Relations from the University of Georgia (UGA), serves on the Journalism Alumni Advisory Board and is a member of G-Club, the University's varsity letterwinners' club. Diego happens to be the only male Bulldog to earn his letter playing on a women's team, UGA's women's tennis team. Diego is a Senior Fellow at UMass Boston's College of Management.

I ask the House to join me in honoring the recipients of GLAA's 2019 Distinguished Service Award and celebrating GLAA's 48 years of contributions to the LGBTQ community in the District of Columbia.

TRIBUTE TO JOY COLLINS–BRODT-28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Joy Collins-Brodt of Burbank, California.

Ms. Collins-Brodt, along with her eight siblings were born and raised in Pomona, California. Joy's mother, a native Floridian, and father, a Nigerian immigrant, taught their children to treat all people with dignity and respect. Living into the life lessons her parents taught her, Joy traveled to countries including Mexico and Bolivia to volunteer at local orphanages.

Upon graduating from high school, Joy attended Azua Pacific University and received her Bachelor of Arts Degree in Broadcast Journalism and Documentary Film with a minor in Communication Studies. She was the first of her siblings to attend and graduate from a university. After her college graduation, Ms. Collins-Brodt moved to Burbank to begin her career in television production and entertainment.

Joy worked on a variety of television shows including "24" at NBC Universal and Fox Television. Outside of her work in television, Joy and a team of active women launched Darling Magazine, a women's lifestyle magazine that featured body-positive photographs of women that were never photo-edited or altered. During this time in her professional career, she learned about human-trafficking issues and began volunteering for the International Justice Mission (IJM), the largest global anti-trafficking organization. Her passion to combat global human-trafficking grew and in 2015 she left her career in television to accept the Chief Operations Officer position at Treasures Ministries, an organization that serves as an outreach and support network for women who are victims of sex-trafficking and in the adult entertainment industry.

Ms. Collins-Brodt continues her volunteer work for the International Justice Mission now as the Advocacy Coordinator of Southern California. Joy has lobbied in Washington, D.C. for anti-trafficking legislation such as the Child Protection Compact Act, which helped create a trafficking task force in the Philippines that saves children from trafficking. She hopes that others use their voice and engage with policy leaders about legislation and to see the end of human-trafficking.

Today, Joy lives in Burbank with her husband, Josh and they both enjoy long drives along the Pacific Coast.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Joy Collins-Brodt.

REINTRODUCTION OF RESOLUTION SUPPORTING THE GOALS AND IDEALS OF JUBILEE DAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. HASTINGS. Madam Speaker, I rise today to introduce a resolution supporting the goals and ideals of Jubilee Day, which is celebrated on October 6th of every year by the Fisk University community.

Just after the end of the Civil War, the Fisk School was founded in Nashville, Tennessee as an educational institute that would be open to all, regardless of race or age. However, just five years after its founding, the school faced dire economic struggles.

In an effort to save the University from closing, a group of students formed a choral group, the Fisk Jubilee Singers, with the goal of raising money to fund the institution. They took all of the funds in the university's treasury for travel expenses, hoping that the enormous risk would pay off.

Despite a few initial struggles, the Jubilee Singers eventually came to tour throughout the United States and Europe and raised enough funds to not only preserve the University, but also to pay for the construction of Jubilee Hall, the first permanent structure built for the education of African American students in the South.

The singers performed for such notable figures as William Lloyd Garrison, Wendell Phillips, Ulysses S. Grant, William Gladstone, Mark Twain, Johann Strauss, and Queen Victoria. Through their music they introduced the world to the spirituals of enslaved Africans as a musical genre.

Since its founding in 1866, Fisk University has educated countless intellectuals, artists, and civic leaders, and has played a pivotal role in the advancement of education for African American students. None of its accomplishments would have been possible without the talents and sacrifices of that first group of nine students.

Madam Speaker, as a proud alumnus of Fisk University, I urge my colleagues to honor the hard work, perseverance, and accomplishments of the original Jubilee Singers by cosponsoring this resolution, and I urge its immediate consideration.

RECOGNIZING ANAHI MENDOZA

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. CARBAJAL. Madam Speaker, I rise to recognize Anahi Mendoza for her Congressional Women of the Year Award and for all the incredible work she does to improve the quality of life on the Central Coast.

After graduating from Harvard University, and working two years on immigration cases in New York City, Anahi Mendoza realized that the city she grew up in, Santa Maria, is largely populated by Hispanic agriculture people and many of these people are immigrants in risk of been deported and been separated from their families. Starting with her passion for civil rights and immigration law coupled with the help of generous donors, Anahi founded the Santa Barbara County immigrant Legal Defense Center. The center has been helping many immigrant families in our local community. Anahi has been conducting Know Your Rights presentations in Santa Barbara County so that immigrants are informed of their rights should they encounter Immigration and Customs Enforcement (ICE). She has worked extensively to create community clinics to screen individuals for immigration relief, assess their criminal record, and determine whether they have a final order of deportation. Anahi works

alongside pro-bono attorneys in the area to help immigrant individuals in detention centers. Thanks to her efforts, she is definitely making a huge impact within the Hispanic community on the Central Coast.

PERSONAL EXPLANATION

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. RUTHERFORD. Madam Speaker, due to illness, I was unable to vote April 1 through April 4. Had I been present, I would have voted: ''yea'' on Roll Call No. 137; ''yea'' on Roll Call No. 138; ''nay'' on Roll Call No. 140; ''nay'' on Roll Call No. 141; ''yea'' on Roll Call No. 142; ''nay'' on Roll Call No. 144; ''nay'' on Roll Call No. 145; ''nay'' on Roll Call No. 146; ''yea'' on Roll Call No. 147; ''yea'' on Roll Call No. 148; ''nay'' on Roll Call No. 149; ''yea'' on Roll Call No. 150; ''yea'' on Roll Call No. 151; ''yea'' on Roll Call No. 152; ''nay'' on Roll Call No. 153; ''yea'' on Roll Call No. 154; ''yea'' on Roll Call No. 155; and ''nay'' on Roll Call No. 156.

IN MEMORIAM OF THE HONORABLE CHARLES ROSE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Ms. JOHNSON of Texas. Madam Speaker, I rise today to recognize and pay tribute to the life and legacy of Charles Ronald Rose, Sr.

Mr. Rose served the Dallas community for an extraordinary 39 years, holding many different roles along the way. He served as a Trustee on the Wilmer Hutchins Independent School Board, as the Dallas County Justice of Peace for Precinct 8, Place 1, and held memberships in numerous local, state and national organizations. As Justice of Peace, Mr. Rose was well-respected amongst his colleagues for his fairness on the bench.

Mr. Rose collected multiple accolades recognizing his service to the community, including the 2013 Legislative Black Caucus Texan of the Year, the Alpha Sigma Lambda Chapter Trailblazer Award, and the 2018 Jubilee Productions Award of Service. However, it was not the awards that he worked for; rather, Mr. Rose found satisfaction in positive, tangible change in his community.

Mr. Rose was preceded in death by his parents, Homer Rose, Sr. and Dorothy Evelyn Hollingsworth Rose; two children, Ronnie and Nikki; five brothers, Homer, Jr., Horace, Roger, Odell and Fred; and one sister, Marie Conner. His memory is survived by his wife, Gazelle; three daughters, Texas State Representative Toni Rose, Lachon Jacobs (née Jeffrey), and Nina Hawkins (née Everett); and many wonderful grandchildren, great-grandchildren, nieces and nephews, and friends.

Madam Speaker, I would like to extend my condolences to Charles Rose's family, friends and loved ones. The Dallas community will miss him dearly.

SAMANTHA GAMINO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Samantha Gamino for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Samantha is the perfect recipient for this award because despite adversities and challenges, she has become an inspiration and role model for her peers.

The dedication and leadership demonstrated by Samantha is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Samantha Gamino for this well-deserved recognition. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING CLYDE KENNETH ''WINDY'' ENGLAND

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. GRIFFITH. Madam Speaker, I offer these remarks in honor of Clyde Kenneth ''Windy'' England, Martinsville, Virginia's last hero of D-Day. Mr. England died on February 28 at the age of 103.

He was born in Brevard, North Carolina, on May 4, 1915. After moving with his family to Martinsville in 1933, he worked at the Martinsville Cotton Mill and the Martinsville Novelty Company. In Virginia, he met Mildred Draper, whom he married on December 30, 1939 in the parlor of the old First Baptist Church.

Amid the gathering storm that would become World War II, he joined the Virginia National Guard in 1936. His unit was activated in 1941 and later sent to Britain. On the morning of June 6, 1944, he stormed Omaha Beach in Normandy as a technical sergeant leading Company H of the 116th Infantry Regiment, 29th Infantry Division.

Bad weather had delayed the invasion by a day, and the time spent on the English Channel had made many of the men seasick. As the landing craft carrying the soldiers approached the beach, Mr. England remembered that the men stayed composed as they came under German fire without panic. They had a job to do.

When they landed on the beach, Mr. England's unit was several hundred yards away from where it was supposed to be, and it became mixed up with several other units. He had to move his men across the beach while under fire to a sea wall. With smoke providing cover, the men moved up to the wall and were able to breach the barbed wire. Continuing to press onward, they arrived at their objective of Les Moulin the next morning, having established a beachhead. It came at a steep price to his unit: ten of forty men were killed and seventeen wounded, including Mr. England.

He fought across France as the Allies advanced, and a wound received by a sniper put him in the hospital for six months. He returned to Martinsville after the war and continued serving in the Virginia National Guard until 1973. Retired Army Lieutenant Colonel W.C. Fowlkes remembered him as ''a soldier's soldier; everything he did was for the betterment of his soldiers.''

Among his many decorations, Mr. England earned a Bronze Star, a Purple Heart with Cluster, an American Defense Medal, the European Theater of Operations Medal, a WWII Victory Medal, an Army Reserve Medal with two clusters, and a Virginia Service Medal with 5 clusters, as well as a Presidential Unit Citation Medal for his unit's role in D-Day. On the 15th anniversary of D-Day, Mr. England was one of four people representing Virginia at the dedication of a memorial at Omaha Beach.

Mr. England enjoyed hunting, fishing, and traveling in his retirement, and worshipped at the First Baptist Church of Martinsville. He and his wife Mildred remained happily married for 79 years before her death on November 12, 2018. Mr. England is survived by his daughter Deborah Slaydon and his grandsons Matthew and Jared Slaydon.

In his Order of the Day for June 6, 1944, General Dwight D. Eisenhower told the men of the Allied Expeditionary Force, ''The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you.'' This heavy burden fell upon men such as Clyde ''Windy'' England. All of us who live in freedom today can be grateful that he and his fellow heroes of D-Day bore it with courage and honor until they achieved victory.

RECOGNIZING SANDI SIGURDSON

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. CARBAJAL. Madam Speaker, I rise to recognize Sandi Sigurdson for her Congressional Women of the Year Award and for all the incredible work she does to improve the quality of life on the Central Coast.

Sandi Sigurdson's fierce commitment to community, to professional excellence and to the kind of hard work that creates meaningful change has served the Central Coast, especially its women, well. Her early concerns about the environment moved her from the hospitality industry into a senior position with the then-fledgling ECO SLO. She grew the organization in visibility and prominence, creating mainstream awareness of environmental issues. Sandi's adroit management abilities and love of music led her next to the SLO Symphony, where for fifteen years she managed an award winning organization that made its way to Carnegie Hall and concert performances in Europe, spawned a youth symphony and brought music to the masses, especially to young children. She mentored

her young female employees, many of whom today hold executive positions throughout the country. And for the last eight years as executive director of Leadership SLO, Sandi has taken her talents to an even larger stage. Sandi is first to raise her hand when help is needed, proud to speak up on topics needing a voice and is a woman who always, truly always, keeps the greater good firmly in her sight.

TRIBUTE TO JOELLE DOBROW—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Joelle Dobrow of the Echo Park neighborhood of Los Angeles, California.

After graduating from the University of California, Los Angeles in 1970 with a bachelor's degree in film and television, Ms. Dobrow became a pioneering activist in Hollywood. At a time when women simply didn't have opportunities to produce and direct films, Joelle and five other female directors set out to make a change. The ''Original Six,'' as they've come to be known, decided to get organized in the fight against sexism and together, they formed the first Women's Steering Committee of the Directors Guild of America. Decades before the Me Too movement forced a Hollywood reckoning, Dobrow and the Original Six spearheaded the first entertainment industry lawsuits against feature films studios for discrimination against women and ethnic minorities.

Ms. Dobrow and the Original Six received the recognition for their important activism efforts with the recent book Liberating Hollywood and upcoming documentary This Changes Everything, which features Joelle along with Meryl Streep and Geena Davis as feminist crusaders in Hollywood.

Joelle's groundbreaking leadership is apparent in her television career as the first woman Producer/Director for the bay area television station KTEH, and later, the first woman Associate Director/Stage Manager at KABC–TV in Los Angeles. She continued to have an accomplished career as a television producer and director, including working for Noticiero Estudiantil—for which she won an Emmy—and Good Morning America among many others. She also helped produce live events such as TV Goes to the Hollywood Bowl and Hollywood Remembers the Blacklist.

Fifteen years ago, Ms. Dobrow founded the Edendale Library Friends Society (ELFS) in her neighborhood of Echo Park and has since led the organization as President. Joelle and the ELFS serve as a vital bridge between the Los Angeles Public Library, elected officials, Echo Park Neighborhood Council, other nearby non-profit organizations, and the local community. In addition to her volunteer service with ELFS, Joelle also served on the successful Yes on Measure L campaign, a measure which permanently increased library funding for the City of Los Angeles.

In 2013, Ms. Dobrow received an Executive Master of Arts in Arts Management from Claremont Graduate University. She was recently the recipient of the Drucker Women in Leadership Fellowship, the Ahmanson Fellowship, and an Altrusa Richardson grant.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Joelle Dobrow.

IN RECOGNITION OF EASTHAMPTON HIGH SCHOOL'S 'WE THE PEOPLE' TEAM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. NEAL. Madam Speaker, I would like to take this opportunity to recognize the students and advisors of Easthampton High School's 'We The People' team for their hard work, dedication, and outstanding achievement. These individuals prevailed over a number of highly skilled competitors to earn first-place honors in the Massachusetts 'We The People' academic contest for the second year in a row. They have accordingly earned the distinction of representing the Commonwealth in the 32nd 'We The People' national finals this month in Washington, D.C.

The annual 'We The People' tournament is a wonderful opportunity that brings bright young people together to learn about and debate issues of great importance in today's world. The students of Easthampton High School's team not only displayed exceptional commitment, ability, and character in preparing for and winning the statewide competition this winter, but they have also worked even harder this spring as they have looked forward to competing in the national competition. They have been preparing to testify at mock congressional hearings, demonstrate their knowledge of the U.S. Constitution, issue statements on a variety of topics related to our country's political and historical heritage, and field complex questions from a panel of expert judges. There is no doubt in my mind that they will find this whole experience uniquely valuable for years to come.

This year's Easthampton High School 'We The People' team have been led by their teachers Kelley Brown and Taylor Dadmun who have provided crucial guidance and instrumental mentorship. The outstanding work performed by this group is a testament to the value of quality teachers in the Massachusetts public school system. The victorious students are Kerissa Bilski, Joseph Brough, Kunden Chumego, Samuel Colenback, Benjamin Dameworth, Sophia Fiordalice, Corinne Gawle, Joseph Hwang, Madeline Kleeberg, Kassidy Marowitz, Abigail McMahon, Jaquelline Perez, Madison Rinker, Madison Rodriguez, Trevor Waldron, Hanna Wauczinski, Christopher Williams, and Mohamed Zabir. The team's student coaches include Lucas Patton, Vinnie Catalano, and Fernando Tenesaca.

Madam Speaker, I would like to once again acknowledge Easthampton High School's 'We The People' academic team for their superb achievements. Strong civic education is the foundation of our democracy and these inspiring students have exemplified the finest qualities of informed citizenship. I am proud of this group, and I wish them all the best in their upcoming national competition as well as all their other future endeavors.

RECOGNIZING THE NATIONAL FEDERATION OF PUBLIC AND PRIVATE EMPLOYEES AND ITS 25TH ANNIVERSARY

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. DEUTCH. Madam Speaker, I rise today to recognize the National Federation of Public and Private Employees (FOPE) as it celebrates 25 years of fighting for American workers.

The National Federation of Public and Private Employees represents over 15,000 public sector employees in Florida who work for our colleges and universities, our counties and municipalities, and our school board and law enforcement agencies. Additionally, FOPE represents numerous private sector employees across the United States in the fields of aerospace, automotive, forestry, and parking and transportation.

The right to collective bargaining is vital for strong labor and safety standards. Since passage of the National Labor Relations Act in 1935, employees have had the right to organize and determine whether they wish to have unions to represent them. As a result of this organizing, union members earn 28% more in yearly wages, are more likely to have employer provided health insurance, and enjoy more secure pension benefits than their counterparts.

Madam Speaker, the benefits of FOPE' s efforts reach far beyond its membership, improving the working conditions and compensation of workers across the board. For this, I ask my colleagues to join me in congratulating and thanking FOPE and its current President, Dan Reynolds, on their 25 years of service to workers in my district and across the country.

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. HUFFMAN. Madam Speaker, I regrettably missed the following votes. I had intended to vote ''yea'' on roll call vote 157, ''yea'' on roll call vote 158, and ''aye'' on roll call vote 159.

IN RECOGNITION OF BAYLISS BOATWORKS

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. WITTMAN. Madam Speaker, I rise today in recognition of Bayliss Boatworks of

Wanchese, North Carolina, a team who every day applies their experience and unique craftsmen touch in creating the perfect vessels for their clientele. They are world renowned for exceptional attention to detail and building boats the right way. Team Bayliss Boatworks is over 100 strong and are all experts in their trades. Every step of designing and building boats is done in house with total attention to honoring their customers. They build the most effective, efficient, and well-built sportfishing boat in existence.

Bayliss Boatworks was established in 2002. The team was able to immediately draw up a number of contracts to begin their brand-new shop to create their exquisite boats used for fishing, travel and entertainment. Each boat is custom made to fit the needs and preferences of each client. These boats begin as a jig until it surpasses benchmarks like the ''Whiskey Plank,'' hull rollover, and engine install. From there, the boats will have their cabins installed, flybridge and mezzanine build-out, interior cabinetry construction, paint, sea trial, and lastly, delivery to the client. The hard work of the employees can be seen on the water around the world. Since its establishment in 2002, Bayliss Boatworks have received mentions in magazines such as Marlin, being classified among the top builders in the world. It is a prestigious honor to be considered among the world's best boat craftsmen. The Team at Bayliss Boatworks is a family with each member respecting and valuing their colleagues that are always striving to be better and set the standard for the boat building industry. They are focused on building the best sportfishing boats in the world and with assuring that all of the needs of their customers are met.

Madam Speaker, I ask you to join me in recognizing the accomplishments of Bayliss Boatworks as they celebrate 17 years in operation. May God bless the hardworking employees of Bayliss Boatworks, and I look forward to seeing their excellence for many years into the future.

ORIANNA LANGILL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Orianna Langill for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Orianna is the perfect recipient for this award because despite adversities and challenges, she has become an inspiration and role model for her peers.

The dedication and leadership demonstrated by Orianna is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Orianna Langill for this well-deserved recognition. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. CLAY HIGGINS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. HIGGINS of Louisiana. Madam Speaker, had I been present, I would have voted YEA on Roll Call No. 157; NAY on Roll Call No. 158; and YEA on Roll Call No. 159.

RECOGNIZING BILL McGAHAN, FOUNDER OF GEORGIA WORKS!

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. COLLINS of Georgia. Madam Speaker, I rise today to pay tribute to Bill McGahan, founder of Georgia Works!, for the life changing impact he has made on countless men in the greater Atlanta area.

Bill McGahan founded Georgia Works! in 2013 based off his fundamental belief that every life has value, and virtually every person can be given the tools and habits to make their lives better. With the ultimate goal of achieving self-sufficiency, Georgia Works! strives to end homelessness, criminal recidivism and dependency among chronically homeless men in Atlanta through programs that ensure personal development in good habits, work ethic and character.

By helping participants gain stable employment and housing, Georgia Works! offers homeless men a second chance at life. Through personal support, case management, and workforce training, as well as AA/NA classes, GED classes, support in obtaining a driver's license, help setting up a bank account, and life skill preparation courses, the program works to set them up for long term success.

Thanks to Bill McGahan's leadership, Georgia Works! has graduated more than 600 men. Even more impressive is the fact that the program has accomplished this major milestone without accepting a single dime of government funding.

While Georgia Works! is among his most prominent accomplishments, Bill McGahan's love for and dedication to his community stretches far and wide. Bill has been involved in many organizations and non-profit boards including: The State of Georgia Housing Trust Fund for the Homeless Commission; Atlanta Area Co-Chair of the Steering Committee for the Governor's Office of Transition, Support and Reentry; From Houses to Homes; Atlanta Academy; The Howard School, The Paces Civic Association; and The National Foundation for Facial Reconstruction.

As we celebrate Second Chance Month, I'm incredibly proud to recognize Bill McGahan for his dedication to providing men with an opportunity for a second chance. On behalf of the people of Georgia, I commend him for his service and I thank him for his steadfast commitment to bettering our communities.

TRIBUTE TO SOFIYA FIKHMAN—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Sofiya Fikhman of West Hollywood, California.

Born in the Ukraine in 1939, Sofiya was two years old when the war between the Soviet Union and Germany began. During World War II, she and her family, along with thirteen strangers, lived in the Bershad ghetto in a one-room tenement. After the Soviet army freed the ghetto in 1944, Sofiya and her family returned to Savran in 1945, where they lived until 1952, thereafter moving to Moldova to join her father's family, where she pursued her education at a medical college to become a nurse.

Sofiya married her husband, Shmil, in 1958, and they had two children. Upon completing her degree that same year, she began work in a children's hospital as a supervisor until 1967; then worked in early childhood education, retiring in 1988 to help raise her grandchildren. Ms. Fikhman was over fifty years old when she and her family moved to the United States in 1991, with the dream of creating a new life in a new country. She worked as a caregiver for the elderly, babysitter, and volunteered in her free time.

A tireless and dedicated volunteer, Ms. Fikhman has always enjoyed being of service to people in the community. She joined the Association of Holocaust Survivors from the Former Soviet Union in 1996, and two years later, started volunteering for the organization and undertook various tasks including answering telephone calls, curating events, assisting new immigrants, and visiting survivors in care facilities and hospitals. She expanded her volunteer work by visiting several Jewish day schools, where she educated young people about her experience during the Holocaust. Ms. Fikhman became a member of the City of West Hollywood Russian Advisory Board in 2006, where she continued to plan cultural events and assist immigrant families. Presently, Sofiya is a staunch volunteer at the City of West Hollywood's Russian Language Public Library.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Sofiya Fikhman.

INTRODUCTION OF THE DISTRICT OF COLUMBIA FLOOD PREVENTION ACT OF 2019

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Ms. NORTON. Madam Speaker, I rise to introduce the District of Columbia Flood Prevention Act of 2019. The bill would amend the Coastal Zone Management Act of 1972 (CZMA) to include the nation's capital in the definition of "coastal state." Our bill would correct an apparent oversight in the omission of the District of Columbia and would make the District eligible to receive federal funding and provide oversight for federally issued permits, facilities and actions that affect the coastal waters of the District. The District urgently needs the protection of the CZMA because of serious flood risks that currently affect federal assets, residents and businesses, including the National Mall and the cluster of downtown federal agencies.

In an effort to reduce coastal flood risk, Congress has authorized a number of programs to help states and territories respond to floods and mitigate risk through resiliency projects. Among these programs, the CZMA provides planning and technical services to assist states in protecting, restoring and developing coastal communities and resources. Once the federal government approves a state's coastal management plan, the state becomes eligible for grants. Federal actions must be consistent with the state plans and vice versa.

Even though the District is located on two rivers and has suffered substantial coastal floods in the past, D.C. was omitted from the list of eligible states and territories in the CZMA. This oversight probably occurred because the CZMA was passed in 1972—before the District achieved home rule. Of note, under Section 304 of the CZMA, "coastal state[s]" include the states and U.S. territories (Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, the Trust Territories of the Pacific Islands and American Samoa). Absent from this definition is the District, even though the District, including the federal complex, is under a serious threat from rising sea levels. Because territories are included in the definition of "coastal states," it appears that D.C.'s omission is a mistake, which only Congress can correct.

Scientists have predicted that the tides on the Atlantic Coast could rise two to four feet by the year 2100, causing property worth as much as $7 billion in the District to be routinely under threat by floodwaters. This damage not only includes private homes and businesses, but the National Mall, federal buildings and three military bases located in the District. The Anacostia and Potomac Rivers are both tidally influenced, showing tangible salt water effects (and fish), and are part of an "intertidal-zone" existing between high and low maritime tides. In addition, the Maryland and Virginia coastal zones each include the tidal Potomac River, with Maryland's zone ending at the District line. Because of these factors, the District should be eligible under the CZMA just like the states and territories already listed in the CZMA.

I urge support for this bill.

RECOGNIZING YESSENIA MARROQUIN

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. CARBAJAL. Madam Speaker, I rise to recognize Yessenia Marroquin for her Congressional Women of the Year Award and for all the incredible work she does to improve the quality of life on the Central Coast.

Yessenia has been serving our community for over 20 years through her work at Santa Barbara Neighborhood Clinics—and she is not even 40 years old! She came to this country from El Salvador as a child and has excelled ever since due to her intelligence, perseverance and good nature. She began at SBNC in college as a volunteer. Over the years, she has worked as a medical assistant, clinic manager and now serves as the Director of Operations. She is an unsung hero of SBNC according to her colleagues. She has remained dedicated and calm through multiple challenges and the clinic almost shutting its doors. Through it all, Yessenia and her warm smile were a beacon for its employees and patients. She has led numerous initiatives at SBNC that have resulted in better patient care, coordination with other community partners and ensuring SBNC is meeting the needs of the Hispanic Community. I am glad to recognize her work to make Santa Barbara healthier, especially for the most vulnerable.

RECOGNIZING PAT FARRELL FOR HIS REMARKABLE SERVICE TO THE VETERANS OF ARIZONA

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. GOSAR. Madam Speaker, I rise today to honor a remarkable constituent of mine named Pat Farrell. Pat enlisted in the Navy in 1968, serving as Aviation Electronics Technician until 1971. Following the Navy, Pat worked for the U.S. Postal Service and as a Corrections Job Coordinator. Pat has dedicated a large portion of his life to working with homeless veterans. In 2013, 2014, and 2015 Pat took the lead overseeing the Tri-State Homeless Veterans StandDown in Bullhead City, Arizona where he assisted 750 homeless and at-risk veterans.

Pat has been essential to the Homeless Veterans StandDown year after year. After a successful 2013 StandDown, he secured $10,300 in funding to organize the following year's event. Pat continues to give back to the veteran community by volunteering with the HUD & VA Supportive Veterans Housing Project and numerous other programs aimed at eradicating veteran's homelessness. Due to Pat's efforts, the VA Community Outpatient Clinic in Kingman, Arizona was also able to be built.

Pat truly represents what it means to be selfless. The veterans of Mohave County and the state of Arizona are forever grateful for Pat's hard work. I commend him for his dedication to those who have served this country.

ONJOLI LEE-SALAZAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Onjoli Lee-Salazar for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Onjoli is the perfect recipient for this award because despite adversities and challenges, she has become an inspiration and role model for her peers.

The dedication and leadership demonstrated by Onjoli is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Onjoli Lee-Salazar for this well-deserved recognition. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. ROGERS of Kentucky. Madam Speaker, on Monday, April 8, 2019, my flight was delayed and I was unable to make votes. Had I been present, I would have voted YEA on Roll Call No. 157; YEA on Roll Call No. 158; and NAY on Roll Call No. 159.

IN HONOR OF CONGRESSWOMAN EDDIE BERNICE JOHNSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor a distinguished public servant and a dedicated stateswoman, Congresswoman EDDIE BERNICE JOHNSON who was honored in a dedication ceremony in Dallas, Texas on April 6, 2019 to rename Dallas Union Station in her honor. The former Dallas Union Station now bears the name Eddie Bernice Johnson Union Station.

Since its establishment in 1916, the Dallas Union Station has stood as a prominent landmark for the City of Dallas, serving as a historic social anchor and an intermodal transportation hub—consolidating the five main rail stations into one and making Dallas a major

transit center for the Southwestern United States. Just as the Dallas Union Station has significantly enhanced the quality of life for the Dallas area, so has Congresswoman EDDIE BERNICE JOHNSON, and I cannot think of a more deserving person to receive this monumental tribute.

Congresswoman EDDIE BERNICE JOHNSON is serving her 14th term representing the 30th Congressional District of Texas. She is the first African-American and woman to chair the House Committee on Science, Space, and Technology (where she served as Ranking Member from 2011 to 2018) and is the Dean of the Texas Congressional delegation in addition to serving as Dean of the Texas, New Mexico, and Arizona Democratic Congressional Delegations. Congresswoman JOHNSON is also the highest-ranking Texan on the House Transportation and Infrastructure Committee, the first nurse to be elected to the U.S. Congress, and a member of the Subcommittee on Aviation and the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Congresswoman JOHNSON was born on December 3, 1935, to the union of the late Lee Edward Johnson and Lillie Mae White Johnson in Waco, Texas. A true intellectual, she graduated from A.J. Moore High School at the age of sixteen. Soon after graduating, she began her studies in Nursing at Saint Mary's College of Notre Dame, where she excelled and became a registered nurse after passing the National Board Examination in 1955. She continued to advance her education by earning her Bachelor of Science degree in Nursing from Texas Christian University in 1967 and her Master of Public Administration degree from Southern Methodist University in 1976.

Congresswoman JOHNSON began her career as the first female African-American Chief Psychiatric Nurse at the V.A. Hospital in Dallas. In 1972, she became the first nurse ever elected to the Texas State House and achieved that same distinction upon her election to the Texas Senate in 1986.

Congresswoman JOHNSON is more than a legislator. She is a servant to all humankind. In addition to her civic duties, she continues to give of herself to countless causes and organizations, such as her acclaimed initiative, A World of Women for World Peace, which has garnered national and international recognition. Dr. Maya Angelou once said that ''I've learned that you shouldn't go through life with a catcher's mitt on both hands; you need to be able to throw something back.'' During the more than 40 years that she has served as a public servant, Congresswoman JOHNSON has thrown a prodigious amount of love and service back to the state and nation she loves so dearly.

Congresswoman JOHNSON has achieved so much in her life, but none of it would have been possible without the love and support of her loving son, Kirk; and her grandsons, Kirk Jr., David, and James.

On a personal note, Congresswoman JOHNSON is my classmate, both of us having been elected in 1992. Immediately upon meeting her I was awed by her grace, dignity, class, elegance, and eloquence. Her manner of quiet persuasion and passion have propelled her to numerous leadership positions, including her election as Chair of the Congressional Black Caucus. She is a friend of longstanding and her deep humility and compassion reflect the timbre of her character.

Congresswoman JOHNSON is truly a stellar example of servant leadership. I am proud to have served alongside her in Congress where her friendship, leadership, and counsel are held in high regard by many.

Madam Speaker, I ask my colleagues to join my wife, Vivian; and me, along with the people of the 30th Congressional District of Texas and countless others all across America, in extending our sincerest congratulations to Congresswoman EDDIE BERNICE JOHNSON on this tremendous honor and lasting memorial to her legacy of service to her community, state, nation, and humankind.

TRIBUTE TO ANITA QUIÑONEZ GABRIELIAN—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Anita Quiñonez Gabrielian of Glendale, California.

Anita holds a bachelor's degree in business administration with a focus on finance and accounting from the University of Southern California Marshall School of Business and earned a master's in business administration (MBA) from California State Polytechnic University, Pomona.

Ms. Gabrielian had an exceptional career for thirty-three years at AT&T, where she held the position of Regional Vice President of External Affairs for the Los Angeles Market Area when she retired from the company in 2014. Currently, Ms. Gabrielian is the President/CEO of Gabrielian & Associates Insurance Services, Inc. and the co-founder and partner of CG Benefits Group.

Anita has been a dynamic force in the community, and her selfless service, expertise and incredible work ethic have benefitted many organizations over the years. She has served on the City of Los Angeles Workforce Investment Board, and on the board of the San Gabriel Valley Economic Partnership. A staunch advocate for accessible quality education, Anita wholeheartedly enjoyed serving as a Member of the Glendale Community College Board of Trustees for fifteen years, including Board of Trustees President for three terms.

Ms. Gabrielian continues her invaluable service to the community and serves in various capacities including on the Advisory Boards of the Glendale Latino Association, the Pat Brown Institute for Public Affairs at California State University, Los Angeles, and on the Corporate Advisory Council of the USC Latino Alumni Association. She also serves as a board member of BREATHE California of Los Angeles County, Glendale College Foundation, and as the Mexican American Opportunity Foundation's chairperson of the board of directors.

Anita is married to her husband, Leo, and they have three daughters, Lauren, Jessica, and Ana Bella. They all love soccer and enjoy traveling.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Anita Quiñonez Gabrielian.

IN RECOGNITION OF THE DESIGNATION OF CHILDREN'S COURT WAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise to pay tribute to the 100 Committee to Commemorate the Children's Court, on the occasion of the designation of Children's Court Way, located on the northwest corner of East 22nd Street and Third Avenue in Manhattan. Children's Court Way will recognize the unique role of the Children's Court in the development of the juvenile court system and the principle of treating children differently from adults.

The 100 Committee to Commemorate the Children's Court was established in August 2015 by community activists in Gramercy Park and Kips Bay area, including Dr. Samuel D. Albert, Edith Charlton, Louise Dankberg, Molly Hollister, Judge Judy Kim, Alan Krevis, Greg Lambert, Judge Andrea Masley, Greg Martello, Lois Rakoff, Marti Speranza, Mark P. Thompson, Tiffany Townsend, Kathleen C. Waterman, Claude L. Winfield and the Committee's Chairperson, Michelle Winfield. Their goal has been to gain recognition of the site where America's first juvenile court operated for more than six decades.

Before the early 1900s, children under the age of 16 who were accused of crimes were tried and sentenced as adults. Progressive reformers believed young people awaiting trial in the same jails as adult criminal suspects were more likely to become repeat offenders than to be rehabilitated. In 1902, an act of the New York State legislature established the Children's Part within the NY Court of Special Sessions, making New York County the first in the United States to have a juvenile court housed in its own building. The court, initially located at 66 Third Avenue, near East 11th Street, opened that summer.

The reform law also reclassified all crimes committed by minors under the age of 16, other than capital offenses, as misdemeanors so as to shield children from harsh sentencing laws. Emphasizing reform instead of detention helped countless children avoid being labeled as criminals. The guiding principle was, as a 1902 NY Times article put it, ''to guard children against the exposure and environment of crime.''

By 1912, the original building was viewed as unsanitary, and noise from the nearby elevated train line made it hard to carry out court, proceedings. The decision was made to invest $250,000 in a new Children's Court building. On July 1, 1915, the Children's Court was officially established as a separate entity from the Court of Special Sessions and relocated to 137 East 22nd Street, near Third Avenue. The new site was chosen due to its proximity to other social welfare institutions, including the YMCA, United Charities, the Catholic Mission

House, the Manhattan Trade School for Girls, and the Free Academy—a predecessor of City College and the current site of Baruch College. A testament to New York's commitment to reforming young people's relationship with the justice system, the building housed a large main courtroom, physical and mental health services, and its own probation department. The Children's Court occupied this space until 1981, at which point the Family Court, as it is now called, relocated to 60 Lafayette Street.

Today, the Children's Court building is home to Baruch College's Steven L. Newman Real Estate Institute. More than a century later, though, the original inscription on the building's cornerstone still reads: ''For every child let truth spring from earth and justice and mercy look down from heaven.'' Like the inscription, the designation of this corner as Children's Court Way will serve as a reminder of the advances we have made in child welfare and the far-sighted reformers who dedicated their lives to the protection and advancement of America's children.

Madam Speaker, I ask my colleagues to join me in recognizing the dedication of the 100 Committee to Commemorate the Children's Court and celebrating the designation of Children's Court Way.

RECOGNIZING DR. LEOLA DUBLIN MACMILLAN

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. CARBAJAL. Madam Speaker, I rise to recognize Dr. Leola Dublin Macmillan for her Congressional Women of the Year Award and for all the incredible work she does to improve the quality of life on the Central Coast.

Dr. Leola Dublin Macmillan serves on the board of Just Communities Central Coast, is on the steering committee of RACE Matters SLO County, and is a member of the SLO Police Department's Police And Community Together (PACT) community group. She has taught as a Lecturer at Cal Poly for the Ethnic Studies and Women's and Gender Studies departments. Leola is deeply invested in making our community a more just and equitable place. She has organized and led many workshops on the Central Coast, sharing her extensive knowledge about how difference (in race/class/gender/sexual orientation/(dis)ability) is understood within U.S. contexts. Above all, she is a passionate advocate for her students. She has been supporting and guiding students in pursuing their own advocacy projects, including helping with organizing the UnstoPPable Conference at Cal Poly and bringing to the attention of SLO City Council the need for improved lighting in neighborhoods surrounding Cal Poly campus. She selflessly and patiently educates our communities on difficult to discuss topics such as structural racism.

NOAH FALANCE MARTINEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Noah Falance Martinez for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Noah is the perfect recipient for this award because despite adversities and challenges, he has become an inspiration and role model for his peers.

The dedication and leadership demonstrated by Noah is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Noah Falance Martinez for this well-deserved recognition. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

NATIONAL WEEK OF CONVERSATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mrs. BEATTY. Madam Speaker, I rise today to mark National Week of Conversation.

Right now, we as Americans are no longer expressing our disagreements in a respectable way.

Need proof? Turn on the TV or check your Facebook and Twitter feed.

It's gotten so bad that 75 percent of Americans—across the political spectrum—say the way we interact with each other has reached a ''crisis level.''

Madam Speaker, we need to learn how to disagree without being disagreeable—and that begins here in Congress.

That is why Congressman STEVE STIVERS and I launched the Congressional Civility and Respect Caucus last year.

We are on a mission to ''Revive Civility'' and visiting schools, civic organizations, and businesses in Central Ohio and D.C. to spread the message.

I invite all my Democratic and Republican colleagues to join us in this effort.

Become a member of Congressional Civility and Respect Caucus and take time this National Week of Conversation to ''Listen First.''

Our families, friends, constituents, and fellow Americans are counting on us.

TRIBUTE TO CYNTHIA HUBACH—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Cynthia Hubach of the Silver Lake neighborhood of Los Angeles, California.

Cynthia Hubach grew up exploring nature and observing wildlife right in her own backyard, in the open spaces of the 1960s San Fernando Valley. From her father Richard, a rocket scientist and entrepreneur, Ms. Hubach learned to love and respect nature, developing a lifelong commitment to protecting and preserving open spaces. From her mother Gail, who was chief of pharmacy at Canoga Park Hospital for well over twenty years, Cynthia learned the crucial values of hard work, self-reliance, and caring for others.

After graduating with a Bachelor of Arts in English from the University of California, Berkeley, her parents' alma mater, Cynthia took an unusual step into a career in local news. At KCBS–TV News in Los Angeles, Cynthia produced the 6 p.m. newscast through historic periods of civic turmoil and natural disasters. She went on to produce scores of hours of television, from MTV's Behind the Music to several reality shows; most notably The Apprentice.

In 2010, with her father in the final months of a long battle with cancer, she decided she needed to make more of a difference in the world. That year, she enrolled in a master's program at Antioch University in Urban Sustainability. The coursework emphasized the connections among people, the economy and the planet, and how certain ''leverage points'' can have an outsized impact on all three. Community gardens are just that sort of leverage points, so in 2011, Cynthia started work to convert a quarter acre vacant lot she owned in Elysian Valley into a thriving community garden.

Cynthia has become increasingly involved in urban agriculture. She is an active member of the Master Gardener program and she has also served as co-chair of the Los Angeles Food Policy Council's Urban Agriculture Working Group. She is a longtime board member and current Secretary of the Los Angeles Community Garden Council; an organization that supports about 40 community gardens with administrative and programming assistance.

Her love for nature and wildlife extends to her neighborhood in Silver Lake where she is the current Vice President of the Silver Lake Reservoirs Conservancy, which seeks to beautify the reservoir complex with native plantings, and responsibly expand areas of public access.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Cynthia Hubach.

RECOGNIZING JILL ANDERSON

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. CARBAJAL. Madam Speaker, I rise to recognize Jill Anderson for her Congressional Women of the Year Award and for all the incredible work she does to improve the quality of life on the Central Coast.

Ten years ago, Jill Anderson and her husband founded Shadow's Fund, an organization to help find homes for senior and difficult-to-adopt dogs. Starting the organization with only a few dogs, they have now grown to caring for 42 dogs on-site and even more in foster homes. Along the way they established a sanctuary for those dogs, as well as pigs and wild horses. Jill has developed programs in the Lompoc community working with local residents on dog ownership, as well as bringing the community to their sanctuary. She also created a program to rescue Pitbull puppies from backyard breeders, socialize and train them, and make them breed ambassadors. Jill works 60 to 70 hours a week as a volunteer for Shadow's Fund, It's an honor to recognize Jill's efforts to make the Central Coast a more humane place for animals and a happier place for its residents.

HONORING THE DOTHAN AREA CHAMBER OF COMMERCE

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mrs. ROBY. Madam Speaker, I rise today to honor the Dothan Area Chamber of Commerce on their 100th anniversary. The Dothan Area Chamber of Commerce is an exceptional organization that has made enormous contributions to fostering economic development in the City of Dothan and the surrounding Houston County area.

Founded in 1919, the organization started as a small office that helped to establish the prices of produce and cotton. The organization has grown over the years and today is compromised of over 950 businesses, professionals, and individuals with the goal of serving as a catalyst for business and community growth in the Dothan area.

The Dothan Area Chamber of Commerce has been successful in their mission and has created an environment that is attractive to many diverse businesses and industries. The Wiregrass region's economic growth and stability over 100 years is very impressive and reflects the successes of the Dothan Area Chamber of Commerce.

Madam Speaker, it is my privilege to acknowledge the Dothan Area Chamber of Commerce for their positive impact on the commercial, financial, civic, agricultural, industrial and general interests of the Dothan and Houston County area. We are fortunate to have this organization in Alabama's Second District, and I am looking forward to many more years of continued growth and success.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Ms. ESHOO. Madam Speaker, I was unable to be present during roll call vote number 157, 158, and 159, on April 8, 2019. Had I been present, I would have voted: on roll call vote number 157, yes; on roll call vote number 158, yes; and on roll call vote number 159, yes.

SARAI MONTELLANO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Sarai Montellano for receiving the Adams County Mayors and Commissioners Youth Award.

The Youth Award focuses on teenagers who have overcome personal adversity and created positive changes in their lives and their community. The program provides businesses, the community and civic leaders an opportunity to support young people in their communities and recognize their accomplishments. Sarai is the perfect recipient for this award because despite adversities and challenges, she has become an inspiration and role model for her peers.

The dedication and leadership demonstrated by Sarai is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Sarai Montellano for this well-deserved recognition. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO CARRIE ANN SUTKIN—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2019

Mr. SCHIFF. Madam Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Carrie Ann Sutkin of the Elysian Valley neighborhood of Los Angeles, California.

Born in Detroit, Michigan, Carrie Ann lived there until the age of fifteen, when her stepfather was offered a job as a health agency administrator in the counties of Alameda and Contra Costa and her family moved to Northern California. After volunteering as a health worker in the Dominican Republic, Ms. Sutkin learned the Spanish language at the University of California, Santa Cruz (UCSC) and also in Mexico City where she lived and studied Latin American politics.

Carrie Ann completed her Bachelor of the Arts degree at UCSC in 1984 and moved to Los Angeles in 1986 for her first professional job in the Department of Spanish and Portuguese at the University of Southern California. In 1990, she received a Master's Degree in Urban Planning while interning for the City of Los Angeles Chief Legislative Analyst. In 1989, Ms. Sutkin joined Gloria Molina's campaign for Los Angeles County Supervisor and after the successful election, joined Supervisor Molina's staff. Carrie Ann began her Doctorate in 1995 in Planning and Policy Development with her Dissertation on how her Chicana colleagues in the county re-planned and redeveloped the East Los Angeles Civic Center and wrote another Dissertation in Planning and Development on Chicana feminist planning in 2015. From 2012 to 2018, Ms. Sutkin represented Los Angeles County on three Redevelopment Agency Oversight Committees: Pomona, El Monte and West Covina. She currently has a thriving consultant practice for non-profit organizations.

An Elysian Valley resident since 2010, Carrie Ann became involved in the Elysian Valley Neighborhood Council in 2015 and was appointed two years later. She serves as a member of the steering committee of the Alliance for River Communities and helps the Atwater Village Neighborhood Council on their Community Plan Survey and the Boyle Heights Neighborhood Council on Historic Preservation and has been a supporter and community activist for the Los Angeles River for over two decades.

Carrie Ann has one son, Samuel Sutkin Maier, who is attending college in Ohio.

I ask all Members to join me in honoring this exceptional, well-respected woman of California's 28th Congressional District, Carrie Ann Sutkin.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2297–S2348

Measures Introduced: Thirty-three bills and five resolutions were introduced, as follows: S. 1068–1100, and S. Res. 148–152. **Pages S2328–29**

Measures Reported:

S. 226, to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act. (S. Rept. No. 116–30) **Page S2327**

Measures Passed:

Colorado River Drought Contingency Plan Authorization Act: Senate passed H.R. 2030, to direct the Secretary of the Interior to execute and carry out agreements concerning Colorado River Drought Contingency Management and Operations, pursuant to the order of Monday, April 8, 2019. **Page S2298**

Authorizing testimony, documents, and representation: Senate agreed to S. Res. 151, to authorize testimony, documents, and representation in *United States* v. *Pratersch*. **Page S2348**

Appointments:

Harry S Truman Scholarship Foundation: The Chair, on behalf of the Vice President, pursuant to Public Law 93–642, appointed the following Senator to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation: Senator Schatz. **Page S2348**

Transit Infrastructure Vehicle Security Act—Referral: A unanimous-consent agreement was reached providing that S. 846, to amend title 49, United States Code, to limit certain rolling stock procurements, be discharged from the Committee on Commerce, Science, and Transportation and the bill be referred to the Committee on Banking, Housing, and Urban Affairs. **Page S2348**

Abizaid Nomination—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the motion to invoke cloture on the nomination of John P. Abizaid, of Nevada, to be Ambassador to the Kingdom of Saudi Arabia, be withdrawn, and Senate vote on confirmation of the nomination at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, on Wednesday, April 10, 2019. **Page S2308**

Stanton Nomination—Agreement: Senate resumed consideration of the nomination of Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, Department of Labor. **Pages S2316–19**

During consideration of this nomination today, Senate also took the following action:

By 53 yeas to 47 nays (Vote No. EX. 69), Senate agreed to the motion to close further debate on the nomination. **Pages S2316–17**

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, the post-cloture time on the nomination expire at 11:45 a.m., on Wednesday, April 10, 2019; and that following disposition of the nomination, Senate vote on confirmation of the nomination of John P. Abizaid, of Nevada, to be Ambassador to the Kingdom of Saudi Arabia, as under the order of Tuesday, April 9, 2019. **Page S2319**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 9:45 a.m., on Wednesday, April 10, 2019. **Page S2348**

Nominations Confirmed: Senate confirmed the following nominations:

By 57 yeas to 42 nays (Vote No. EX. 66), Daniel Desmond Domenico, of Colorado, to be United States District Judge for the District of Colorado. **Pages S2297–98, S2301, S2306**

During consideration of this nomination today, Senate also took the following action:

By 55 yeas to 42 nays (Vote No. EX. 65), Senate agreed to the motion to close further debate on the nomination. **Page S2301**

By 53 yeas to 47 nays (Vote No. EX. 68), Patrick R. Wyrick, of Oklahoma, to be United States District Judge for the Western District of Oklahoma. **Pages S2306–16**

During consideration of this nomination today, Senate also took the following action:

By 53 yeas to 46 nays (Vote No. EX. 67), Senate agreed to the motion to close further debate on the nomination. **Page S2306**

Messages from the House: **Page S2324**

Measures Referred: **Page S2324**

Measures Read the First Time: **Page S2324**

Executive Communications: **Pages S2324–27**

Petitions and Memorials: **Page S2327**

Executive Reports of Committees: **Pages S2327–28**

Additional Cosponsors: **Pages S2329–31**

Statements on Introduced Bills/Resolutions: **Page S2331**

Additional Statements: **Page S2324**

Authorities for Committees to Meet: **Page S2334**

Record Votes: Five record votes were taken today. (Total—69) **Pages S2301, S2306, S2316**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:58 p.m., until 9:45 a.m. on Wednesday, April 10, 2019. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2348.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: MILITARY CONSTRUCTION AND FAMILY HOUSING

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2020 for military construction and family housing, after receiving testimony from Robert McMahon, Assistant Secretary for Sustainment, Lieutenant General Gwendolyn Bingham, USA, Assistant Chief of Staff for Installation Management, Vice Admiral Dixon R. Smith, USN, Deputy Chief of Naval Operations for Fleet Readiness and Logistics, Major General Vincent A. Coglianese, USMC, Commander, Marine Corps Installation Command, and Assistant Deputy Commandant, Installations and Logistics (Facilities), and Brigadier General John J. Allen, USAF, Director of Civil Engineers, Deputy Chief of Staff for Logistics, Engineering and Force Protection, all of the Department of Defense.

APPROPRIATIONS: DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs concluded a hearing to examine proposed budget estimates and justification for fiscal year 2020 for the Department of State, after receiving testimony from Mike Pompeo, Secretary of State.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the posture of the Department of the Navy in review of the Defense Authorization Request for fiscal year 2020 and the Future Years Defense Program, after receiving testimony from Richard V. Spencer, Secretary of the Navy, Admiral John M. Richardson, USN, Chief of Naval Operations, and General Robert B. Neller, USMC, Commandant of the Marine Corps, all of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 82 nominations in the Army, Navy, Air Force, and Marine Corps.

NATIONAL DEFENSE STRATEGY

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine United States Special Operations Command's efforts to transform the force for future security challenges and implement the National Defense Strategy, after receiving testimony from Major General Mark C. Schwartz, USA, Deputy Commander, United States Joint Special Operations Command, Lieutenant General Francis M. Beaudette, USA, Commanding General, United States Army Special Operations Command, Lieutenant General Marshall B. Webb, USAF, Commander, United States Air Force Special Operations Command, Rear Admiral Collin P. Green, USN, Commander, Naval Special Warfare Command, and Major General Daniel D. Yoo, USMC, Commander, United States Marine Corps Forces Special Operations Command, all of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine Air Force modernization in review of the Defense Authorization Request for fiscal year 2020 and the Future Years Defense Program, after receiving testimony from Lieutenant General Arnold W. Bunch, Jr., USAF, Military Deputy for Office of the Assistant Secretary of the Air Force for Acquisition, Technology and Logistics, and Lieutenant General Timothy G. Fay, USAF, Deputy Chief of Staff for Strategy, Integration and Requirements, and Major General Brian S. Robinson, USAF, Assistant Deputy Chief of Staff for

Operations, both of the Headquarters United States Air Force, all of the Department of Defense.

DEPARTMENT OF DEFENSE BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2020 for the Department of Defense, after receiving testimony from David L. Norquist, Performing the Duties of the Deputy Secretary, Under Secretary (Comptroller), and Chief Financial Officer, Department of Defense.

FOREST SERVICE BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2020 for the Forest Service, after receiving testimony from Victoria Christiansen, Chief, Forest Service, Department of Agriculture.

DRUG PRICES

Committee on Finance: Committee concluded a hearing to examine drug pricing in America, after receiving testimony from Steve Miller, Cigna Corporation, Bloomfield, Connecticut; Derica Rice, CVS Health and CVS Caremark, Woonsocket, Rhode Island; William Fleming, Humana Inc., Louisville, Kentucky; John Prince, OptumRx, Minnetonka, Minnesota; and Mike Kolar, Prime Therapeutics LLC, Eagan, Minnesota.

ARIA IN ACTION

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy concluded a hearing to examine ARIA in action, focusing on human rights, democracy, and the rule of law, after receiving testimony from Bhuchung K. Tsering, International Campaign for Tibet, Washington, D.C.; Rushan Abbas, Campaign for Uyghurs, Herndon, Virginia; and Tun Khin, Burmese Rohingya Organisation UK, London, United Kingdom.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jeffrey L. Eberhardt, of Wisconsin, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador, and James S. Gilmore, of Virginia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, who was introduced by Senator Kaine, both of the Department of State; and Alan R. Swendiman, of North Carolina, to be Deputy Director of the Peace Corps, after the nominees testified and answered questions in their own behalf.

MIGRATION AT THE U.S. SOUTHERN BORDER

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine migration at the United States Southern border, focusing on perspectives from the frontline, after receiving testimony from Rodolfo Karisch, Chief Patrol Agent, Rio Grande Valley Sector, Border Patrol, and Randy Howe, Executive Director for Operations, Office of Field Operations, both of Customs and Border Protection, and Timothy J. Tubbs, Deputy Special Agent in Charge, Homeland Security Investigations—Laredo, Immigration and Customs Enforcement, all of the Department of Homeland Security; Greg Cherundolo, Chief of Operations, Office of Global Enforcement, Drug Enforcement Administration, Department of Justice; and Jonathan White, Commander, Public Health Service Commissioned Corps, Department of Health and Human Services.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nomination of Gordon Hartogensis, of Connecticut, to be Director of the Pension Benefit Guaranty Corporation.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Committee on the Judiciary: Committee concluded a hearing to examine S. 160, to amend title 18, United States Code, to protect pain-capable unborn children, after receiving testimony from Georgia State Senator Jen Jordan, Atlanta; Melissa Ohden, The Abortion Survivors Network, Gladstone, Missouri; Valerie Peterson, Equal Opportunity Schools, Dallas, Texas; Donna Harrison, American Association of Pro-Life Obstetricians and Gynecologists, Eau Claire, Michigan; and Catherine Glenn Foster, Americans United for Life, Arlington, Virginia.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 53 public bills, H.R. 2142–2194; and 6 resolutions, H.J. Res. 55; and H. Res. 297–301 were introduced.

Pages H3215–17

Additional Cosponsors: **Page H3220**

Reports Filed: Reports were filed today as follows:

H.R. 1759, to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, and for other purposes, with amendments (H. Rept. 116–38); and

H.R. 1957, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes, with an amendment (H. Rept. 116–39, Part 1). **Page H3215**

Speaker: Read a letter from the Speaker wherein she appointed Representative Lawson (FL) to act as Speaker pro tempore for today. **Page H3133**

Recess: The House recessed at 10:50 a.m. and reconvened at 12 noon. **Page H3138**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Dr. Darryl D. Roberts, 19th Street Baptist Church, Washington, DC.

Pages H3138–39

Suspensions: The House agreed to suspend the rules and pass the following measures:

Building on Reemployment Improvements to Deliver Good Employment for Workers Act: H.R. 1759, amended, to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment compensation, by a ⅔ yea-and-nay vote of 393 yeas to 24 nays, Roll No. 162; **Pages H3148–51, H3168**

Agreed to amend the title so as to read: "To amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment benefits, and for other purposes.". **Page H3168**

Taxpayer First Act of 2019: H.R. 1957, amended, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service. **Pages H3151–66**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, April 10th. **Page H3168**

Authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust: The House agreed to discharge from committee and agree to H. Con. Res. 31, authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. **Page H3168**

Authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States: The House agreed to discharge from committee and agree to S. Con. Res. 7, authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States.

Pages H3168–69

Electing Members to the Joint Committee of Congress on the Library and the Joint Committee on Printing: The House agreed to discharge from committee and agree to H. Res. 226, electing Members to the Joint Committee of Congress on the Library and the Joint Committee on Printing.

Page H3169

Save the Internet Act of 2019: The House considered H.R. 1644, to restore the open internet order of the Federal Communications Commission. Consideration is expected to resume tomorrow, April 10th.

Pages H3169–79, H3179–85

Pursuant to the Rule, 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 116–10, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. **Pages H3178–79**

Agreed to:

Burgess amendment (No. 1 printed in part A of H. Rept. 116–37) that directs GAO to initiate a study to examine the influence of all entities on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet; **Pages H3179–80**

Latta amendment (No. 2 printed in part A of H. Rept. 116–37) that requires the FCC to share the list of 700 rules that will be permanently forborne by the FCC should this bill become law;

Pages H3180–81

Waters amendment (No. 3 printed in part A of H. Rept. 116–37) that directs the Comptroller General of the United States to submit a report to Congress examining the importance of 2015 Open Internet Order to ethnic and racial minorities, socioeconomically disadvantaged groups, rural populations, individuals with disabilities, and the elderly; and **Pages H3138–82**

Porter amendment (No. 5 printed in part A of H. Rept. 116–37) that requires the FCC to submit a report, within 1 year of enactment, to the Committees of Jurisdiction that describes all enforcement actions taken since enactment by the FCC with respect to persons engaged in the provision of broadband Internet access service, including the amount of each fine imposed or settlement agreed to, the actions taken by the FCC to collect such fines and settlements, and the amounts collected for such fines and settlements. **Pages H3183–84**

Proceedings Postponed:

Delgado amendment (No. 4 printed in part A of H. Rept. 116–37) that seeks to require GAO to produce a report, within 1 year, reviewing the benefits to consumers of broadband internet access providers offering broadband internet access service on a standalone basis and what steps Congress can take to increase the availability of standalone broadband internet access service to consumers, particularly those living in rural areas; and **Pages H3182–83**

Wexton amendment (No. 6 printed in part A of H. Rept. 116–37) that seeks to require the Federal Communications Commission to submit to Congress within 30 days a plan for how the Commission will evaluate and address problems with the collection on Form 477 of data regarding the deployment of broadband Internet access service. **Pages H3184–85**

H. Res. 294, the rule providing for consideration of the bills (H.R. 1644) and (H.R. 2021) was agreed to by a yea-and-nay vote of 219 yeas to 201 nays, Roll No. 161, after the previous question was ordered by a yea-and-nay vote of 225 yeas to 192 nays, Roll No. 160. Pursuant to section 3 of H. Res. 294, H. Res. 293 was adopted. **Pages H3166–68**

Senate Referral: S. 1057 was held at the desk.

Senate Messages: Message received from the Senate and message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H3166 and H3179.

Quorum Calls—Votes: Three yea-and-nay votes were developed during the proceedings of today and appear on pages H3166–67, H3167–68, and H3168. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:42 p.m.

Committee Meetings

APPROPRIATIONS—DEPARTMENT OF JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on the Department of Justice. Testimony was heard from William P. Barr, Attorney General; and Lee J. Lofthus, Assistant Attorney General for Administration.

MEMBER DAY

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled ''Member Day''. Testimony was heard from Representatives Allen, Carter of Georgia, Cox, Rodney Davis of Illinois, Duncan, González-Colón of Puerto Rico, Granger, Griffith, Hagedorn, Johnson of Louisiana, Lamb, Mast, McNerney, Mucarsel-Powell, O'Halleran, Olson, Peters, Ruiz, Scalise, Shimkus, Titus, Upton, Wilson of South Carolina, and Wittman.

APPROPRIATIONS—DEPARTMENT OF THE TREASURY

Committee on Appropriations: Subcommittee on Financial Services and General Government held a budget hearing on the Department of the Treasury. Testimony was heard from Steven Mnuchin, Secretary, Department of the Treasury.

APPROPRIATIONS—U.S. SPECIAL OPERATIONS COMMAND

Committee on Appropriations: Subcommittee on Defense held a budget hearing on the U.S. Special Operations Command. Testimony was heard from General Richard D. Clarke, Commander, U.S. Special Operations Command. This hearing was closed.

COMBATTING WAGE THEFT: THE CRITICAL ROLE OF WAGE AND HOUR ENFORCEMENT

Committee on Appropriations: Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies held a hearing entitled ''Combatting Wage Theft: The Critical Role of Wage and Hour Enforcement''. Testimony was heard from Kwame Raoul, Attorney General, Illinois; and public witnesses.

APPROPRIATIONS—DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a budget hearing on the Department of Agriculture. Testimony was heard from Erica Navarro, Budget Officer, Department of Agriculture; and Sonny Perdue, Secretary, Department of Agriculture.

APPROPRIATIONS—INDIAN HEALTH SERVICE

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a budget hearing on the Indian Health Service. Testimony was heard from Rear Admiral Michael D.

Weahkee, Principal Deputy Director, Indian Health Service.

APPROPRIATIONS—U.S. ARMY

Committee on Appropriations: Subcommittee on Defense held a budget hearing on the U.S. Army. Testimony was heard from Mark T. Esper, Secretary of the Army; and General Mark A. Milley, Chief of Staff, U.S. Army.

APPROPRIATIONS—INTERNAL REVENUE SERVICE

Committee on Appropriations: Subcommittee on Financial Services and General Government held a budget hearing on the Internal Revenue Service. Testimony was heard from Charles P. Rettig, Commissioner, Internal Revenue Service.

PUBLIC WITNESS DAY

Committee on Appropriations: Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies held a hearing entitled ''Public Witness Day''. Testimony was heard from public witnesses.

MEMBER DAY

Committee on Appropriations: Subcommittee on the Department of Homeland Security held a hearing entitled ''Member Day''. Testimony was heard from Representatives Jackson Lee, Long, Van Drew, González-Colón of Puerto Rico, Escobar, Hill, Burgess, and Espaillat.

EVOLUTION, TRANSFORMATION, AND SUSTAINMENT: A REVIEW OF THE FISCAL YEAR 2020 BUDGET REQUEST FOR U.S. SPECIAL OPERATIONS FORCES AND COMMAND

Committee on Armed Services: Subcommittee on Intelligence and Emerging Threats and Capabilities held a hearing entitled ''Evolution, Transformation, and Sustainment: A Review of the Fiscal Year 2020 Budget Request for U.S. Special Operations Forces and Command''. Testimony was heard from Mark E. Mitchell, Principal Deputy Assistant Secretary of Defense, Special Operations and Low Intensity Conflict; and General Richard D. Clarke, Commander, U.S. Special Operations Command.

FY20 PRIORITIES FOR ATOMIC ENERGY DEFENSE, NONPROLIFERATION, SAFETY AND ENVIRONMENTAL MANAGEMENT

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing entitled ''FY20 Priorities for Atomic Energy Defense, Nonproliferation, Safety and Environmental Management''. Testimony was heard from Lisa Gordon-Hagerty, Administrator, National Nuclear Security Administration; Anne Marie White, Assistant Secretary for the Office of Environmental Management, Department of Energy; and Bruce Hamilton, Chairman, Defense Nuclear Facilities Safety Board.

MISCELLANEOUS MEASURE

Committee on Education and Labor: Full Committee held a markup on H.R. 1010, to provide that the rule entitled ''Short-Term, Limited Duration Insurance'' shall have no force or effect. H.R. 1010 was ordered reported, without amendment.

LEGISLATIVE MEASURE

Committee on Education and Labor: Subcommittee on Civil Rights and Human Services held a hearing entitled ''The Equality Act (H.R. 5): Ensuring the Right to Learn and Work Free from Discrimination''. Testimony was heard from public witnesses.

THE FISCAL YEAR 2020 EPA BUDGET

Committee on Energy and Commerce: Subcommittee on Environment and Climate Change held a hearing entitled ''The Fiscal Year 2020 EPA Budget''. Testimony was heard from Andrew Wheeler, Administrator, Environmental Protection Agency.

PROTECTING AMERICANS FROM DANGEROUS PRODUCTS: IS THE CONSUMER PRODUCT SAFETY COMMISSION FULFILLING ITS MISSION?

Committee on Energy and Commerce: Subcommittee on Consumer Protection and Commerce held a hearing entitled ''Protecting Americans from Dangerous Products: Is the Consumer Product Safety Commission Fulfilling Its Mission?''. Testimony was heard from the following Consumer Product Safety Commission officials: Ann Marie Buerkle, Acting Chairman; Elliot F. Kaye, Commissioner; Robert S. Adler, Commissioner; Dana Baiocco, Commissioner; Peter A. Feldman, Commissioner; and public witnesses.

THE COMMUNITY REINVESTMENT ACT: ASSESSING THE LAW'S IMPACT ON DISCRIMINATION AND REDLINING

Committee on Financial Services: Subcommittee on Consumer Protection and Financial Institutions held a hearing entitled ''The Community Reinvestment Act: Assessing the Law's Impact on Discrimination and Redlining''. Testimony was heard from public witnesses.

THE ANNUAL TESTIMONY OF THE SECRETARY OF THE TREASURY ON THE STATE OF THE INTERNATIONAL FINANCIAL SYSTEM

Committee on Financial Services: Full Committee held a hearing entitled ''The Annual Testimony of the

Secretary of the Treasury on the State of the International Financial System''. Testimony was heard from Steven T. Mnuchin, Secretary, Department of the Treasury.

FY 2020 FOREIGN ASSISTANCE BUDGET AND POLICY PRIORITIES

Committee on Foreign Affairs: Full Committee held a hearing entitled ''FY 2020 Foreign Assistance Budget and Policy Priorities''. Testimony was heard from Mark Green, Administrator, U.S. Agency for International Development.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup on H.R. 9, the ''Climate Action Now Act''; H.R. 2002, the ''Taiwan Assurance Act of 2019''; H. Res. 273, reaffirming the United States commitment to Taiwan and to the implementation of the Taiwan Relations Act; H.R. 97, the ''RAWR Act''; H.R. 753, the ''Global Electoral Exchange Act of 2019''; H.R. 1704, the ''Championing American Business Through Diplomacy Act of 2019''; H.R. 1004, the ''Prohibiting Unauthorized Military Action in Venezuela Act''; H.R. 1952, the ''Intercountry Adoption Information Act''; H.R. 615, the ''Refugee Sanitation Facility Safety Act of 2019''; H.R. 526, the ''Cambodia Democracy Act''; H. Res. 106, denouncing female genital mutilation/cutting as a violation of the human rights of women and girls and urging the international community and the Federal Government to increase efforts to eliminate the harmful practice; H.R. 1359, the ''Digital Global Access Policy Act of 2019''; and H.R. 2116, the ''Global Fragility Act''. H.R. 2002, H. Res. 273, H.R. 97, H.R. 753, H.R. 1704, H.R. 615, H.R. 526, H. Res. 106, H.R. 1359, H.R. 951, H.R. 2116, and H.R. 9 were ordered reported, without amendment. H.R. 1952 and H.R. 1004 were ordered reported, as amended.

SECURING AMERICA'S TRANSPORTATION AND MARITIME SYSTEMS: A REVIEW OF THE FISCAL YEAR 2020 BUDGET REQUESTS FOR THE TRANSPORTATION SECURITY ADMINISTRATION AND THE U.S. COAST GUARD

Committee on Homeland Security: Subcommittee on Transportation and Maritime Security held a hearing entitled ''Securing America's Transportation and Maritime Systems: A Review of the Fiscal Year 2020 Budget Requests for the Transportation Security Administration and the U.S. Coast Guard''. Testimony was heard from David P. Pekoske, Administrator, Transportation Security Administration, Department of Homeland Security; and Admiral Karl L. Schultz, Commandant, U.S. Coast Guard.

ASSESSING THE HOMELAND SECURITY IMPACTS OF A CHANGING CLIMATE

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Recovery held a hearing entitled ''Assessing the Homeland Security Impacts of a Changing Climate''. Testimony was heard from public witnesses.

HOUSE OFFICER PRIORITIES FOR 2019 AND BEYOND

Committee on House Administration: Full Committee held a hearing entitled ''House Officer Priorities for 2019 and Beyond''. Testimony was heard from the following House of Representatives officials: Paul D. Irving, Sergeant at Arms; Cheryl L. Johnson, Clerk of the House; Philip G. Kiko, Chief Administrative Officer; and Michael T. Ptasienski, Inspector General.

HATE CRIMES AND THE RISE OF WHITE NATIONALISM

Committee on the Judiciary: Full Committee held a hearing entitled ''Hate Crimes and the Rise of White Nationalism''. Testimony was heard from public witnesses.

THE STATUS OF THE 'REBUILDING AND PRIVATIZATION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY', (PREPA)

Committee on Natural Resources: Full Committee held a hearing entitled ''The Status of the 'Rebuilding and Privatization of the Puerto Rico Electric Power Authority', (PREPA)''. Testimony was heard from Bruce J. Walker, Assistant Secretary, Office of Electricity, Department of Energy; José F. Ortiz Vázquez, Executive Director and Chief Executive Officer, Puerto Rico Electric Power Authority; and public witnesses.

HEALTH AND ENVIRONMENTAL IMPACTS OF MOUNTAINTOP REMOVAL MINING

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled ''Health and Environmental Impacts of Mountaintop Removal Mining''. Testimony was heard from Chairman Yarmuth, and public witnesses.

THE NEED FOR LEADERSHIP TO COMBAT CLIMATE CHANGE AND PROTECT NATIONAL SECURITY

Committee on Oversight and Reform: Full Committee held a hearing entitled ''The Need for Leadership to Combat Climate Change and Protect National Security''. Testimony was heard from public witnesses.

CLIMATE CHANGE, PART I: THE HISTORY OF A CONSENSUS AND THE CAUSES OF INACTION

Committee on Oversight and Reform: Subcommittee on Environment held a hearing entitled ''Climate Change, Part I: The History of a Consensus and the Causes of Inaction''. Testimony was heard from public witnesses.

A REVIEW OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY FISCAL YEAR 2020 BUDGET REQUEST

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''A Review of the National Institute of Standards and Technology Fiscal Year 2020 Budget Request''. Testimony was heard from Walter G. Copan, Undersecretary of Commerce for Standards and Technology and Director, National Institute of Standards and Technology; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Subcommittee on Environment held a markup on H.R. 1237, the ''COAST Research Act of 2019''; H.R. 1716, the ''Coastal Communities Ocean Acidification Act of 2019''; H.R. 1921, the ''Ocean Acidification Innovation Act of 2019''; and H.R. 988, the ''NEAR Act of 2019''. H.R. 1237, H.R. 1716, and H.R. 988 were forwarded to the full Committee, without amendment. H.R. 1921 was forwarded to the full Committee, as amended.

EVERY LIFE COUNTS: IMPROVING THE SAFETY OF OUR NATION'S ROADWAYS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing entitled ''Every Life Counts: Improving the Safety of our Nation's Roadways''. Testimony was heard from Jennifer Homendy, Member, National Transportation Safety Board; Michael L. Brown, Chief of Police, Alexandria, Virginia; and public witnesses.

BUILDING PROSPERITY: EDA'S ROLE IN ECONOMIC DEVELOPMENT AND RECOVERY

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled ''Building Prosperity: EDA's Role in Economic Development and Recovery''. Testimony was heard from John Fleming, Assistant Secretary of Commerce for Economic Development, Department of Commerce; and public witnesses.

LEGISLATIVE MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on H.R. 95, the ''Homeless Veteran Families Act''; H.R. 444, the ''Reduce Unemployment for Veterans of All Ages Act of 2019''; H.R. 1718, the ''GI Education Benefits Fairness Act''; legislation to amend title 38, United States Code, to make certain improvements to the educational assistance programs of the Department of Veterans Affairs with respect to flight training programs and certain other programs of education, and for other purposes; legislation on the Justice for Servicemembers Act; legislation to amend the United States Housing Act of 1937 and title 38, United States Code, to expand eligibility for the HUD–VASH program; to direct the Secretary of Veterans Affairs to submit annual reports to the Committees on Veterans' Affairs of the Senate and House of Representatives regarding homeless veterans, and for other purposes; legislation on the Homes for Our Heroes Act of 2019; legislation on the Veteran Employment and Child Care Access Act; legislation on the BRAVE Act; legislation to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes; legislation on the Navy SEAL Chief Petty Officer William ''Bill'' Mulder (Ret.) Transition Improvement Act; legislation on the VET OPP Act; legislation to amend title 38, United States Code, to adjust certain limits on the guaranteed amount of a home loan under the home loan program of the Department of Veterans Affairs, and for other purposes; legislation to amend title 38, United States Code, to make certain improvements to the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs; legislation to amend title 38, United States Code, to expand eligibility for the Marine Gunnery Sergeant John David Fry Scholarship to children and spouses of certain members of the reserve components of the Armed Forces who die from service-connected disabilities, and for other purposes; and legislation to amend title 38, United States Code, to improve the ability of veterans to receive in-state tuition using educational assistance administered by the Secretary of Veterans Affairs. Testimony was heard from Margarita Devlin, Principal Deputy Under Secretary for Benefits, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Ways and Means: Full Committee held a markup on H.R. 2113, the ''Prescription Drug Sunshine, Transparency, Accountability and Reporting Act''. H.R. 2113 was ordered reported, as amended.

Joint Meetings

HUNGARY

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine recent developments in Hungary, focusing on issues related to the rule of law and corruption, after receiving testimony from Melissa Hooper, Human Rights First, and Susan Corke, German Marshall Fund, both of Washington, D.C.; and Dalibor Rohac, American Enterprise Institute, New York, New York.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D366)*

S. 863, to amend title 38, United States Code, to clarify the grade and pay of podiatrists of the Department of Veterans Affairs. Signed on April 8, 2019. (Public Law 116–12)

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 10, 2019

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine perspectives on child nutrition reauthorization, 10 a.m., SH–216.

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2020 for the Department of Justice, 10 a.m., SD–192.

Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates and justification for fiscal year 2020 for the National Guard and Reserve, 10 a.m., SD–138.

Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates and justification for fiscal year 2020 for the United States Army Corps of Engineers and the Bureau of Reclamation within the Department of the Interior, 2:30 p.m., SD–138.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates and justification for fiscal year 2020 for the Government Accountability Office and the Congressional Budget Office, 3 p.m., SD–124.

Committee on Armed Services: Subcommittee on SeaPower, to hold hearings to examine Marine Corps ground modernization and naval aviation programs in review of the Defense Authorization Request for fiscal year 2020 and Future Years Defense Program, 10 a.m., SR–232A.

Subcommittee on Cybersecurity, to hold closed hearings to examine defense industrial base cybersecurity policy, 2:30 p.m., SVC–217.

Committee on Commerce, Science, and Transportation: to hold hearings to examine broadband mapping, focusing on challenges and solutions, 10 a.m., SD–G50.

Subcommittee on Transportation and Safety, to hold hearings to examine pipeline safety, focusing on Federal oversight and stakeholder perspectives, 2:30 p.m., SD–562.

Committee on Environment and Public Works: business meeting to consider 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, S. 747, to reauthorize the diesel emissions reduction program, an original bill entitled, "John F. Kennedy Center Reauthorization Act of 2019", and 8 General Services Administration resolutions, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine the 2019 tax filing season and the 21st century Internal Revenue Service, 10:15 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the President's proposed budget request for fiscal year 2020 for the Department of State, 9:15 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine reauthorizing the Higher Education Act, focusing on strengthening accountability to protect students and taxpayers, 10 a.m., SD–430.

Committee on Indian Affairs: to hold hearings to examine building out Indian country, focusing on tools for community development, 2:30 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine the nominations of Jeffrey A. Rosen, of Virginia, to be Deputy Attorney General, Department of Justice; and Jeffrey Vincent Brown, to be United States District Judge for the Southern District of Texas, Stephanie L. Haines, to be United States District Judge for the Western District of Pennsylvania, and Brantley Starr, to be United States District Judge for the Northern District of Texas, 10 a.m., SD–226.

Subcommittee on the Constitution, to hold hearings to examine free speech, focusing on technological censorship and the public discourse, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine reauthorization of the Small Business Administration's international trade programs, 2:30 p.m., SR–428A.

Committee on Veterans' Affairs: to hold hearings to examine VA MISSION Act, focusing on implementing the Veterans Community Care Program, 2:30 p.m., SR–418.

House

Committee on Appropriations, Subcommittee on Defense, hearing entitled "Member Day", 9 a.m., H–140 Capitol.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing entitled "Economic Opportunities for Farmers through Sustainable Agricultural Practices", 10 a.m., 2362–A Rayburn.

Subcommittee on the Departments of Transportation, and Housing and Urban Development, and Related Agencies, budget hearing on the Department of Transportation, 11 a.m., 2358–A Rayburn.

Committee on Armed Services, Full Committee, hearing entitled ''The Fiscal Year 2020 National Defense Authorization Budget Request for the Department of the Navy'', 10 a.m., 2118 Rayburn.

Committee on Education and Labor, Full Committee, hearing entitled ''Examining the Policies and Priorities of the U.S. Department of Education'', 9 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy, hearing entitled ''Investing in America's Energy Infrastructure: Improving Energy Efficiency and Creating a Diverse Workforce'', 10 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Priced Out of a Lifesaving Drug: Getting Answers on the Rising Cost of Insulin'', 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Holding Megabanks Accountable: A Review of Global Systemically Important Banks 10 years after the Financial Crisis'', 9 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''The Importance of U.S. Assistance to Central America'', 9:30 a.m., 2172 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests, and Public Lands, hearing entitled ''Examining the Spending Priorities and Missions of the U.S. Forest Service and the Bureau of Land Management'', 9 a.m., 1324 Longworth.

Committee on Small Business, Subcommittee on Economic Growth, Tax, and Capital Access, hearing entitled ''SBA 7(a) Budget Proposal and the Impact of Fee Structure Changes'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing entitled ''The Cost of Doing Nothing: Why Full Utilization of the Harbor Maintenance Trust Fund and Investment in our Nation's Waterways Matter'', 9:30 a.m., HVC–210.

Committee on Ways and Means, Subcommittee on Social Security, hearing entitled ''Comprehensive Legislative Proposals to Enhance Social Security'', 9 a.m., 2020 Rayburn.

Next Meeting of the SENATE

9:45 a.m., Wednesday, April 10

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, Department of Labor, post-cloture, and vote on confirmation of the nomination at 11:45 a.m.

Following disposition of the nomination of Cheryl Marie Stanton, Senate will vote on confirmation of the nomination of John P. Abizaid, of Nevada, to be Ambassador to the Kingdom of Saudi Arabia.

Following disposition of the nomination of John P. Abizaid, Senate will vote on the motion to invoke cloture on the nomination of Holly A. Brady, of Indiana, to be United States District Judge for the Northern District of Indiana.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Wednesday, April 10

House Chamber

Program for Wednesday: Complete consideration of H.R. 1644—Save the Internet Act of 2019.

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