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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Ms. MCCOLLUM).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 16, 2019.

I hereby appoint the Honorable BETTY MCCOLLUM 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 would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at noon), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. SCHAKOWSKY) at 2 p.m.

PRAYER

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

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

In Your Word, You have implored us to have no fear, for You are with us. Help us to put our trust in You and thus live up to our motto, which faces this assembly as a constant call to us. Bless all the peacemakers of our world. May Your eternal spirit be with them and with us always.

May Your special blessings be upon the Members of this assembly, in the important and difficult work they are given to do. Give them wisdom and charity, that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 7(a) of House Resolution 758, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

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

Mr. DUNN 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.

HONORING THE LIFE OF JAMES MONTGOMERY

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

Mr. DUNN. Madam Speaker, I rise today to recognize Mr. James Horace Montgomery of Lake City, Florida, who I am sad to say recently passed away at the age of 86.

Mr. Montgomery, affectionately known as ''Mr. Mont,'' graduated from Columbia High School in 1951 and would later teach at several schools in Lake City, including the high school he graduated from and Florida Gateway College. He dedicated 60 years in all to educating our youth and was a role model to every student with whom he crossed paths.

Mr. Montgomery also devoted much of his life to the First Presbyterian Church, singing in the choir for over 50 years. He was an Eagle Scout, served as a county commissioner for 28 years, and was on the North Florida Regional Council for 27 years.

Mr. Mont will be missed by his entire community, but his legacy and the impact that he made will never be forgotten.

Madam Speaker, please join me in recognizing and honoring the life of Mr. Montgomery.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 5430, UNITED STATES-MEXICO-CANADA AGREEMENT IMPLEMENTATION ACT

Ms. MCCOLLUM. Madam Speaker, I ask unanimous consent that it be in order at any time without intervention of any point of order to consider in the House the bill (H.R. 5430); that the bill be considered as read; that the bill be debatable for 2 hours equally divided and controlled by the majority leader and the minority leader or their respective designees; and that, pursuant to section 151 of the Trade Act of 1974, the previous question be considered as ordered on the bill to final passage without intervening motion.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 2:45 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1445

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. SCHAKOWSKY) at 2 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE CONSISTENCY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4920) to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4920

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 ''Department of Veterans Affairs Contracting Preference Consistency Act''.

SEC. 2. EXCEPTION TO DEPARTMENT OF VETERANS AFFAIRS SMALL BUSINESS CONTRACTING REQUIREMENT FOR CERTAIN GOODS AND SERVICES COVERED UNDER ABILITY ONE PROGRAM.

(a) IN GENERAL.—Subsection (d) of section 8127 of title 38, United States Code, is amended—

(1) by striking ''Except'' and inserting ''(1) Except'';

(2) by inserting ''in paragraph (2) and'' before ''in subsections (b) and (c)''; and

(3) by adding at the end the following new paragraph:

''(2)(A) Notwithstanding paragraph (1), with respect to the procurement of a covered product or service, a contracting officer of the Department shall procure such product or service from a source designated under chapter 85 of title 41, and in accordance with the regulations prescribed under such chapter.

''(B) In this paragraph, the term 'covered product or service' means—

''(i) a product or service that—

''(I) is included on the procurement list under section 8503(a) of title 41; and

''(II) was included on such procurement list on or before December 22, 2006; or

''(ii) a product or service that—

''(I) is a replacement for a product or service described under clause (i);

''(II) is essentially the same and meeting the same requirement as the product or service being replaced; and

''(III) a contracting officer determines meets the quality standards and delivery schedule of the Department.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended in each of subsections (b) and (c), by striking ''For'' and inserting ''Except as provided in subsection (d)(2), for''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a contract entered into on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4920.

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

There was no objection.

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

Madam Speaker, this bipartisan legislation sponsored by Ranking Member ROE and me, and 17 other cosponsors, would provide critically needed relief for nonprofit companies that employ blind and disabled workers under the AbilityOne Program.

Approximately 2,000 blind and disabled Americans, including many veterans, are employed under VA's AbilityOne contracts. Without this legislation, these nonprofit companies will likely lose their VA contracts because they will lose their award preference. This bill would only exempt or grandfather the existing AbilityOne VA contracts from losing their preference so these employees would keep their jobs. It will not expand the program.

VA expends approximately $27 billion on contracts and government purchase cards for goods and services. Of this spending, only about $100 million is spent on contracts with AbilityOne nonprofit businesses. Approximately $5 billion is spent on contracts with veteran-owned small businesses, many owned by disabled veterans.

In other words, VA's AbilityOne contracts are a very small percentage of the Department's spending. However, the program is vital for the 2,000 blind and otherwise disabled individuals employed through AbilityOne.

This committee has long championed the Veterans First Contracting Program and providing more opportunities for veteran-owned small businesses to do business with the Federal Government.

This legislation means we can support both the Veterans First and AbilityOne programs that employ and increase economic opportunities for veterans and individuals with disabilities.

This bill was approved unanimously by the Committee on Veterans' Affairs and is supported by the Blinded Veterans Association, National Federation of the Blind, American Council of the Blind, National Industries for the Blind, National Association for the Employment of People Who Are Blind, SourceAmerica, and National Council of SourceAmerica Employers.

Madam Speaker, I urge my colleagues to support this very important legislation, and I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 4920, the VA Contracting Preference Consistency Act.

I thank Chairman TAKANO for introducing the legislation, which would preserve employment opportunities for the blind and severely disabled who rely on VA contracts.

This bill addresses a technical conflict between the AbilityOne Program and the VA Veterans First program. I am sorry to say that this conflict exists because of Congress' oversight in the drafting of the Veterans Benefits, Health Care, and Information Technology Act of 2006. Whereas earlier legislation was clear about the legislation between the AbilityOne and the service-disabled, veteran-owned small businesses contracting programs, the 2006 act was silent. The result has been a series of lawsuits beginning in 2017.

I wish this conflict did not exist, but the fact is, it does, and it still does. It has put the jobs of over 2,000 individuals who are blind or severely disabled potentially at risk. These are vulnerable populations with an unemployment rate that hovers around 70 to 80 percent.

The bill's solution is simple and equitable. It preserves only the AbilityOne work that was being performed in VA as of December 22, 2006, when the Veterans Benefits, Health Care, and Information Technology Act of 2006 was enacted, creating the Veterans First Program. No new work will go into the AbilityOne Program. Rather, it will all be reserved for service-disabled, veteran-owned small businesses under the rule of two.

This is very similar to the VA's policy, which balanced the two programs for nearly 10 years. While that policy was effective in practice, it was struck down because it lacked a clear statutory basis.

Unfortunately, there has been a great deal of wrong information circulating about this legislation. Some had alleged that it would abolish the Vets First program or wipe away the Supreme Court's Kingdomware decision, and that is simply not true.

The Vets First program is a success story. The volume of VA contracting with veteran-owned small businesses

now exceeds $5 billion annually. This legislation in no way, shape, or form erodes that.

On the other hand, the VA spending in the AbilityOne Program fluctuates between $100 million and $200 million in a typical year. This legislation would preserve only a portion of that, the portion that exists before Vets First was created.

At the end of the day, this issue is about preserving jobs for the blind and disabled individuals, and these jobs are extremely scarce. I want to see these jobs multiply and become higher paying with more opportunities for advancement. The first step to do that is to make sure jobs continue to exist.

There have already been a significant number of furloughs at AbilityOne nonprofits. It is vital that we act before those furloughs turn into full-time layoffs.

Last week, 497 veterans who are employed by the AbilityOne nonprofits or supporters of the program sent a letter urging passage of this bill. The committee has received many other letters from business owners praising or opposing the bill, depending on which program they are associated with. I do not for a minute want to fall into that false choice between opportunities for veterans and opportunities for blind and disabled individuals. They can coexist. They have coexisted in the past, and I want to make sure that they coexist in the future.

Madam Speaker, to that end, I thank all the cosponsors of this broadly bipartisan legislation, and I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I have no further speakers. I am prepared to close, and I reserve the balance of my time.

Mr. BOST. Madam Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Madam Speaker, I rise today in support of H.R. 4920, the Department of Veterans Affairs Contracting Preference Consistency Act.

This bipartisan bill provides a necessary fix to ensure that nonprofit organizations that provide jobs for the blind and those with significant disabilities and companies that are owned by veterans receive their due and are no longer in conflict.

The AbilityOne Program was enacted by Congress to give nonprofit organizations that employ the blind or those with significant disabilities preferential treatment in competing for certain Federal procurement contracts. Unfortunately, due to an unnecessary conflict between AbilityOne and a similar program, the Veterans First program, which sets aside some Department of Veterans Affairs contracts for service-disabled, veteran-owned small businesses, a legislative fix became necessary.

H.R. 4920 provides that fix by grandfathering in VA contracts that predate the creation of the Vets First program to restore eligibility for nonprofit organizations that employ blind individuals or those with significant disabilities. This bipartisan legislation is proof that the choices between helping veterans and those with disabilities is not mutually exclusive.

I thank Chairman TAKANO, Ranking Member ROE, and all the members on the committee for their work on the bill, and I urge my colleagues to support its passage.

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

Mr. BOST. Madam Speaker, I am prepared to close.

Madam Speaker, as has been testified today from both sides of the aisle, both of these programs are vitally important. We believe this legislation would move forward in making sure that both veterans and the blind and disabled who are working in our VA system will be taken care of.

I appreciate everyone who is a sponsor of this bill, and I encourage all Members involved to vote ''yes.''

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

Mr. TAKANO. Madam Speaker, I urge all of my colleagues to join me in passing H.R. 4920, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4920.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1500

IDENTIFYING BARRIERS AND BEST PRACTICES STUDY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4183) to direct the Comptroller General of the United States to conduct a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4183

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 ''Identifying Barriers and Best Practices Study Act''.

SEC. 2. COMPTROLLER GENERAL STUDY ON DISABILITY AND PENSION BENEFITS PROVIDED TO MEMBERS OF THE NATIONAL GUARD AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES BY THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 36 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs. In conducting such study, the Comptroller General shall review, for the period beginning on January 1, 2008, and ending on December 31, 2018, each of the following:

(1) The number of members of the National Guard and the number of members of reserve components of the Armed Forces who received disability compensation or pension provided by the Department of Veterans Affairs.

(2) A comparison of each of the following between veterans who served only in the National Guard or reserve components and veterans who served in the regular components of the Armed Forces:

(A) The percentage of each group of such veterans with service-connected disabilities.

(B) The number of veterans in each group with each disability rating.

(C) The number of veterans in each group with a service-connected disability, including the number of each of the following types of such veterans in each group:

(i) Pilots.

(ii) Veterans who served in the special forces.

(iii) Veterans who participated in the Personnel Reliability Program.

(iv) Veterans who underwent diving or flight physicals as a regular component of their service in the Armed Forces and who have a muscular-skeletal or mental health condition.

(D) The number of total claims for disability compensation and pension submitted, approved, and disapproved for each group of veterans.

(3) An identification of common barriers for members of the National Guard and members of reserve components in obtaining disability benefits under the laws administered by the Secretary of Veterans Affairs, including barriers relating to documentation of injuries incurred while serving, such as line of duty letters.

(b) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a preliminary report on the findings of the study required by subsection (a).

(2) FINAL REPORT.—Upon completion of the study, the Comptroller General shall submit to such Committees a final report on such study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4183, as amended.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 4183, as amended, the Identifying Barriers and Best Practices Study Act, introduced by Representative KHANNA of California.

I support this legislation that requests a multiyear study on VA disability and pension benefits for members of the Reserve components and

National Guard. Any veteran injured during their time in service should have access to care for lingering disabilities and compensation for loss of earning power.

Since September 11, members of the Reserve component and National Guard have increasingly answered the call to service to meet our Nation's national security needs. Yet, despite greater demands and commitments, Reserve and National Guard veterans and their families do not always have easy access to benefits.

We have heard from our VSO partners that Guard and Reservists, like those who served in special missions, often have difficulty documenting injuries. Their medical records tend to be scattered and are often incomplete. This lack of in-service documentation of injury disproportionately affects Guard and Reservists.

The additional burden of obtaining a line-of-duty determination, which provides clear documentation of injury, rests on their shoulders. This can prevent receipt of compensation from VA down the road.

The study requested by this bill will compare Reserve and National Guard veterans and special operators, such as pilots and divers, to Active-Duty veterans and provide Congress with a report on the barriers they face when receiving their benefits through VA. The findings in the report will best inform Congress on next steps toward providing Reserve and National Guard veterans the compensation and benefits that they have earned.

I urge all Members to support H.R. 4183, as amended, and take the first steps to removing barriers to benefits for Guard, Reserve, and special operators.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 4183, the Identifying Barriers and Best Practices Study Act.

H.R. 4183, as amended, would require the Government Accountability Office to complete a study that compares the utilization of disability and pension benefits between veterans of the National Guard, Reserve, and Active-Duty components.

Some National Guard and Reserve veterans believe that it is more challenging for them to successfully apply for VA benefits compared to veterans of regular components. According to a Statement for the RECORD provided by The American Legion during the Disability Assistance and Memorial Affairs Subcommittee hearing on H.R. 4183: ''Guard and Reserve veterans have historically been at a disadvantage when seeking VA compensation and disability benefits due to poor reporting and documentation of injuries which occur during a period of Reserve or Active Duty for training.''

We must ensure that all of our veterans who have been injured as a result of their service receive the benefits they have earned. This legislation would shed additional insight into the barriers our National Guard and Reserve veterans could face when seeking VA benefits. This may, in turn, inform how VA could improve its claims process for National Guard and Reserve veterans.

I encourage all Members to support H.R. 4183, as amended.

Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I have no further speakers. I am prepared to close.

I reserve the balance of my time.

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

Madam Speaker, as mentioned here, this is a problem we have been dealing with concerning our Reserve and National Guard. We want to make sure that they are provided with these benefits. I want to encourage all of our Members to support this legislation.

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

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

I just want to take this moment to just reflect on how much our reservists and National Guard have contributed to our national defense in these past 18 years.

Some of us may recall the role of the Guard and Reserve during the Vietnam war era, where that was often a refuge for servicemembers who were not expecting to be called into Active Duty or called into service.

But gone are those days. The National Guard and Reserve are called up frequently, often on multiple deployments, and they have served our country with vigor, with tremendous patriotism.

So I have to say that I am very pleased that we are moving forward with this study. I think it is a travesty if our reservists and guardsmen cannot document their service-connected injuries and not be able to collect the benefits that they deserve down the road.

I urge all of my colleagues to join me in passing H.R. 4183, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4183, 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. TAKANO. Madam 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.

IMPROVING CONFIDENCE IN VETERANS' CARE ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3530) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to enforce the licensure requirement for medical providers of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3530

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 ''Improving Confidence in Veterans' Care Act''.

SEC. 2. COMPLIANCE WITH REQUIREMENTS FOR EXAMINING QUALIFICATIONS AND CLINICAL ABILITIES OF DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Subchapter I of chapter 74 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7414. Compliance with requirements for examining qualifications and clinical abilities of health care professionals

''(a) COMPLIANCE WITH CREDENTIALING REQUIREMENTS.—The Secretary shall ensure that each medical center of the Department, in a consistent manner—

''(1) compiles, verifies, and reviews documentation for each health care professional of the Department at such medical center regarding, at a minimum—

''(A) the professional licensure, certification, or registration of the health care professional;

''(B) whether the health care professional holds a Drug Enforcement Administration registration; and

''(C) the education, training, experience, malpractice history, and clinical competence of the health care professional; and

''(2) continuously monitors any changes to the matters under paragraph (1), including with respect to suspensions, restrictions, limitations, probations, denials, revocations, and other changes, relating to the failure of a health care professional to meet generally accepted standards of clinical practice in a manner that presents reasonable concern for the safety of patients.

''(b) REGISTRATION REGARDING CONTROLLED SUBSTANCES.—(1) Except as provided by paragraph (2), the Secretary shall ensure that each covered health care professional holds an active Drug Enforcement Administration registration.

''(2) The Secretary shall—

''(A) determine the circumstances in which a medical center of the Department must obtain a waiver under section 303 of the Controlled Substances Act (21 U.S.C. 823) with respect to covered health care professionals; and

''(B) establish a process for medical centers to request such waivers.

''(3) In carrying out paragraph (1), the Secretary shall ensure that each medical center of the Department monitors the Drug Enforcement Administration registrations of covered health care professionals at such medical center in a manner that ensures the medical center is made aware of any change in status in the registration by not later than seven days after such change in status.

''(4) If a covered health care professional does not hold an active Drug Enforcement Administration registration, the Secretary shall carry out any of the following actions, as the Secretary determines appropriate:

''(A) Obtain a waiver pursuant to paragraph (2).

''(B) Transfer the health care professional to a position that does not require prescribing, dispensing, administering, or conducting research with controlled substances.

''(C) Take adverse actions under subchapter V of this chapter, with respect to an employee of

the Department, or terminate the services of a contractor, with respect to a contractor of the Department.

''(c) REVIEWS OF CONCERNS RELATING TO QUALITY OF CLINICAL CARE.—(1) The Secretary shall ensure that each medical center of the Department, in a consistent manner, carries out—

''(A) ongoing, retrospective, and comprehensive monitoring of the performance and quality of the health care delivered by each health care professional of the Department located at the medical center, including with respect to the safety of such care; and

''(B) timely and documented reviews of such care if an individual notifies the Secretary of any potential concerns relating to a failure of the health care professional to meet generally accepted standards of clinical practice in a manner that presents reasonable concern for the safety of patients.

''(2) The Secretary shall establish a policy to carry out paragraph (1), including with respect to—

''(A) determining the period by which a medical center of the Department must initiate the review of a concern described in subparagraph (B) of such paragraph following the date on which the concern is received; and

''(B) ensuring the compliance of each medical center with such policy.

''(d) COMPLIANCE WITH REQUIREMENTS FOR REPORTING QUALITY OF CARE CONCERNS.—When the Secretary substantiates a concern relating to the clinical competency of, or quality of care delivered by, a health care professional of the Department (including a former such health care professional), the Secretary shall ensure that the appropriate medical center of the Department timely notifies the following entities of such concern, as appropriate:

''(1) The appropriate licensing, registration, or certification body in each State in which the health care professional is licensed, registered, or certified.

''(2) The Drug Enforcement Administration.

''(3) The National Practitioner Data Bank established pursuant to the Health Care Quality Improvement Act of 1986 (42 U.S.C. 11101 et seq.).

''(4) Any other relevant entity.

''(e) PROHIBITION ON CERTAIN SETTLEMENT AGREEMENT TERMS.—(1) Except as provided by paragraph (2), the Secretary may not enter into a settlement agreement relating to an adverse action against a health care professional of the Department if such agreement includes terms that require the Secretary to conceal from the personnel file of the employee a serious medical error or lapse in clinical practice that constitutes a substantial failure to meet generally accepted standards of clinical practice as to raise reasonable concern for the safety of patients.

''(2) Paragraph (1) does not apply to adverse actions that the Special Counsel under section 1211 of title 5 determines constitutes a prohibited personnel practice.

''(f) TRAINING.—Not less frequently than biannually, the Secretary shall provide mandatory training to employees of each medical center of the Department who are responsible for any of the following activities:

''(1) Compiling, validating, or reviewing the credentials of health care professionals of the Department.

''(2) Reviewing the quality of clinical care delivered by health care professionals of the Department.

''(3) Taking adverse privileging actions or making determinations relating to other disciplinary actions or employment actions against health care professionals of the Department for reasons relating to the failure of a health care professional to meet generally accepted standards of clinical practice in a manner that presents reasonable concern for the safety of patients.

''(4) Making notifications under subsection (d).

''(g) DEFINITIONS.—In this section:

''(1) The term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

''(2) The term 'covered health care professional' means a person employed in a position as a health care professional of the Department, or a contractor of the Department, that requires the person to be authorized to prescribe, dispense, administer, or conduct research with, controlled substances.

''(3) The term 'Drug Enforcement Administration registration' means registration with the Drug Enforcement Administration under section 303 of the Controlled Substances Act (21 U.S.C. 823) by health care practitioners authorized to dispense, prescribe, administer, or conduct research with, controlled substances.

''(4) The term 'health care professional of the Department' means the professionals described in section 1730C(b) of this title, and includes a contractor of the Department serving as such a professional.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7413 the following new item:

''7414. Compliance with requirements for examining qualifications and clinical abilities of health care professionals.''.

(c) DEADLINE FOR IMPLEMENTATION.—The Secretary of Veterans Affairs shall commence the implementation of section 7414 of title 38, United States Code, as added by subsection (a), by the following dates:

(1) With respect to subsections (a), (c)(2), (d), and (f), not later than 180 days after the date of the enactment of this Act.

(2) With respect to subsection (c)(1), not later than one year after the date of the enactment of this Act.

(3) With respect to subsection (b)(2), not later than 18 months after the date of the enactment of this Act.

(d) AUDITS AND REPORTS.—

(1) AUDITS.—The Secretary of Veterans Affairs shall carry out annual audits of the compliance of medical centers of the Department of Veterans Affairs with the matters required by section 7414 of title 38, United States Code, as added by subsection (a). In carrying out such audits, the Secretary—

(A) may not authorize the medical center being audited to conduct the audit; and

(B) may enter into an agreement with another department or agency of the Federal Government or a nongovernmental entity to conduct such audits.

(2) REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the audits conducted under paragraph (1). Each such report shall include a summary of the compliance by each medical center with the matters required by such section 7414.

(3) INITIAL REPORT.—The Secretary shall include in the first report submitted under paragraph (2) the following:

(A) A description of the progress made by the Secretary in implementing such section 7414, including any matters under such section that the Secretary has not fully implemented.

(B) An analysis of the feasibility, advisability, and cost of requiring credentialing employees of the Department to be trained by an outside entity and to maintain a credentialing certification.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I request unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 3530, as amended.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 3530, as amended, the Improving Confidence in Veterans' Care Act, introduced by Representative CLOUD of Texas.

This legislation requires the Department of Veterans Affairs to conduct better oversight of its hospitals' compliance with existing policies on patient safety and quality of care. Specifically, the bill directs VA to conduct annual audits and to report to Congress on its ability to uphold or failure to follow standards for reviewing the clinical competency of its healthcare professionals.

This bill mandates that VA examine whether its hospitals are appropriately assessing the qualifications and clinical abilities of VA healthcare professionals, both before they are hired and while they are caring for veterans. It also requires VA to ensure employees and contractors hold active Drug Enforcement Administration registrations if they are required to prescribe, dispense, administer, or conduct research with controlled substances.

If concerns arise related to the clinical competence of VA healthcare professionals, this bill requires VA to ensure its officials conduct prompt reviews. And when quality of care or patient safety concerns are substantiated, it requires VA to ensure its hospital leaders promptly report those concerns to the National Practitioner Data Bank and State licensing boards.

In addition, this measure requires VA to provide mandatory biannual training for hospital employees charged with reviewing VA clinician credentials and monitoring their clinical practice.

The Veterans Affairs' Subcommittee on Oversight and Investigations held a hearing related to these issues on October 16. At the hearing, my colleagues and I discussed several concerning cases of clinical incompetency and misconduct among VA clinicians that were widely reported in the media in recent months. We also explored the very real risks of patient harm that arise from VA medical centers' noncompliance with departmental policies and a lack of oversight on the part of leaders who are higher up in VA's chain of command.

For example, in August 2019, a former VA pathologist in Arkansas was charged with involuntary manslaughter, fraud, and making false statements in an attempt to conceal

years of substance abuse. Over his 11-year tenure with VA, he is believed to have botched diagnoses for an estimated 3,000 veterans, some of whom died.

The VA facility that employed this physician either did not catch or ignored his previous DUI convictions when they hired him. Despite numerous complaints from colleagues, it took years for leadership at the facility to investigate allegations that the doctor was showing up drunk at work.

In addition, in September 2019, the VA OIG reported that multiple leadership failures and poor oversight of clinical competency at a VA facility in the Midwest allowed an ophthalmologist to perform substandard surgery and clinic laser procedures for 2 years. This doctor regularly took hours to complete cataract surgeries that should have taken less than 30 minutes.

The facility director and chief of staff repeatedly dismissed concerns that were raised by other staff, and facility leaders never called on experts to directly observe this doctor's surgeries until long after concerns were raised. VA's regional leaders also failed to carry out related oversight responsibilities.

Both the VA Office of Inspector General and the U.S. Government Accountability Office have identified longstanding concerns with whether VA is doing enough to ensure its medical facilities only employ and contract with highly qualified, highly competent healthcare professionals.

H.R. 3530, as amended, will require VA to implement a number of GAO recommendations that were discussed at the October 16 hearing. Both the Federation of State Medical Boards and the National Council of State Boards of Nursing support this legislation. I urge all Members to join me in approving this important bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 3530, as amended, the Improving Confidence in Veterans' Care Act.

This bill is sponsored by Congressman MICHAEL CLOUD from Texas. I thank him for his leadership in introducing this bill to improve the safety and quality of the care that is provided to our Nation's veterans throughout the Department of Veterans Affairs' healthcare system.

This bill would make several changes to current VA processes and procedures to improve the credentialing and privileging of the healthcare providers who are treating our veterans. For example, it would require VA to ensure that each VA medical center complies, verifies, reviews, and continuously monitors certain documentation, including licensure and certifications, related to the qualifications and clinical abilities of the VA healthcare professionals.

□ 1515

It would also require VA to ensure that each VA medical center reviews concerns relating to quality of care delivered by VA healthcare professionals and, when a concern is verified, that entities like State licensing boards, the Drug Enforcement Administration, and the National Practitioner Data Bank are notified in a timely manner so that corrective actions can be taken to ensure patient safety and accountability.

In general, VA provides an excellent level of care to the veterans who are enrolled in the VA healthcare system. However, several recent patient safety incidents across this country have called into question the way the VA oversees provider credentialing, monitors the quality of the care that veterans receive, and responds to patient safety concerns. Many of the provisions in this bill are based on recommendations made by the VA inspector general and the Government Accountability Office for improving VA's standard operating procedures in each of these areas.

The brave men and women who have served in the Armed Forces deserve to know that the care they are receiving from the VA meets the highest quality and patient safety standards. This bill will help give them that assurance, and I urge all of my colleagues to join me in supporting this bill.

Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. CLOUD), who has taken the lead on this.

Mr. CLOUD. Madam Speaker, I rise today in support of my bill, H.R. 3530, the Improving Confidence in Veterans' Care Act.

This bill is presented in the spirit of those who have come before us, from George Washington, one of our Nation's first veterans advocates, to those who have worked through generations to ensure the men and women who serve in uniform are not forgotten.

A report released in February outlines several cases of doctors and healthcare workers who were treating veterans at VA facilities despite having had their medical licenses suspended or completely terminated. These cases ranged from those needing to complete educational courses to very serious instances of malpractice and patient neglect.

A similar problem was found with the Drug Enforcement Administration's registrations. Some doctors were prescribing drugs without being legally registered by the DEA to do so.

One of the reasons the VA seemingly overlooked this problem was because they did not know about the resources available to check the status of these licenses. Had the VA checked with State licensing boards or online records, they could have discovered that these doctors were unqualified, before allowing them to treat our veterans.

This legislation ensures that the VA hires only licensed doctors to provide care for our veterans and that the VA regularly checks licenses to make sure care providers do not fall out of compliance. Regular audits are common practice in medical facilities across this country, and our veterans deserve nothing less.

Finally, to ensure accountability, this legislation would require the VA to report their progress to Congress.

In the last few years, we turned a corner in improving care for our veterans, but there is still so much work to be done.

The liberty we enjoy in the United States is not without cost. Our Nation's servicemembers paid for it, many with their lives and many more with the scars brought back from war. Our Nation owes it to our veterans to deliver on the promises we have made to them.

I thank Chairman TAKANO, Ranking Member ROE, and their staffs for their work to strengthen this bill and ensure that veterans receive a high standard of care from qualified workers.

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

As given witness here today, this is simply making sure that our veterans receive the quality care that they expect and should expect and that we should be giving them. There has been a failure in the keeping of records and making sure by our VA that the doctors remain qualified and that the specialists remain qualified in their specialties.

What this bill does is it makes sure that our veterans continue to receive quality care and that records are kept. That is why we are joining in a bipartisan manner to move this bill forward.

Madam Speaker, I encourage all Members to vote in support of this bill, and I yield back the balance of my time.

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

Let me say that it was with bipartisan shock and horror that we heard of the revelations in Arkansas. Certainly, our bipartisan hearts go out to the families of those veterans in Arkansas. Rest assured, this committee, on a bipartisan basis, will do everything that we can to make sure that these sorts of hiring mistakes do not happen again and that the tragedy we saw in the facilities in Arkansas do not happen again.

I urge all of my colleagues to support H.R. 3530, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 3530, 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. BOST. Madam 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.

BANNING SMOKING ON AMTRAK ACT OF 2019

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2726) to amend title 49, United States Code, to prohibit smoking on Amtrak trains.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2726

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 ''Banning Smoking on Amtrak Act of 2019''.

SEC. 2. PROHIBITION ON SMOKING ON AMTRAK TRAINS.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''§ 24323. Prohibition on smoking on Amtrak trains

''(a) PROHIBITION.—Beginning on the date of enactment of the Banning Smoking on Amtrak Act of 2019, Amtrak shall prohibit smoking on board Amtrak trains.

''(b) ELECTRONIC CIGARETTES.—

''(1) INCLUSION.—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

''(2) ELECTRONIC CIGARETTE DEFINED.—In this section, the term 'electronic cigarette' means a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''24323. Prohibition on smoking on Amtrak trains.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2726.

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

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Today, I rise to ask that the House pass my bill, the Banning Smoking on Amtrak Act of 2019. I thank my friends, Transportation and Infrastructure Committee Chair PETER DEFAZIO and Railroads, Pipelines, and Hazardous Materials Subcommittee Chair DANIEL LIPINSKI, for marking up my bill in committee and allowing it to move forward to the full House.

My bill would codify Amtrak's internal policy prohibiting smoking, including smoking electronic cigarettes, on trains, which, in light of all the evidence of harm, should be codified.

This bill is modeled on a bill I got enacted while in the minority as part of the FAA Reauthorization Act of 2018 that clarified that the smoking ban on airplanes includes electronic cigarettes. This bill is not only an outgrowth of my desire to ensure healthy environments on all the Nation's transportation modes, which I strive to carry out as chair of the Highways and Transit Subcommittee, but importantly, it is also the result of the advocacy of an 11-year old child who was concerned to see electronic cigarette smoking on an Amtrak train.

Although Amtrak should be commended for implementing its own internal policy banning smoking on trains in 1993, that policy could always be repealed. My bill would make the ban a matter of federal law and put Congress on record in support of protecting passengers from secondhand smoke, as it has done in banning e-cigarettes on airplanes.

Smoking bans have been a critical tool in protecting people from the effects of secondhand smoke because it is known to increase the risk of serious cardiovascular and respiratory diseases, such as coronary heart disease, lung cancer, and emphysema, among others.

The World Health Organization considers the tobacco epidemic to be one of the largest public health threats in the world, killing more than 7 million people a year. While more than 6 million of those deaths are the result of direct tobacco use, around 890,000, close to a million, nonsmokers exposed to secondhand smoke die as a result every year.

Under my bill, smoking would be banned on Amtrak trains in the same manner as airline travel. According to the WHO—this is important to note—there is no safe level of exposure to secondhand smoke. Even short-term exposure can potentially increase the risk of heart attacks. All the more reason to ask the House to support my bill.

I strongly urge my colleagues to support the bill before them.

Madam Speaker, I reserve the balance of my time.

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

Mr. Speaker, H.R. 2726, the Banning Smoking on Amtrak Act of 2019, is commonsense legislation. I thank the gentlewoman from the District of Columbia (Ms. NORTON) for her leadership on this bill.

Current Amtrak policy prohibits smoking on Amtrak trains, Thruway buses, and in stations. This prohibition includes smoking tobacco products and electronic smoking devices such as e-cigarettes.

H.R. 2726 seeks to codify Amtrak's internal policies prohibiting smoking, including electronic cigarettes, on its trains.

The bill is modeled after Congresswoman NORTON's prior bill enacted into law in 2018 as part of the FAA Reauthorization Act that clarified the smoking ban on airplanes includes electronic cigarettes.

The Committee on Transportation and Infrastructure passed this bill by voice vote, and I urge my colleagues to support the bill.

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

□ 1530

Ms. NORTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Mrs. FLETCHER), my good friend.

Mrs. FLETCHER. Mr. Speaker, I rise in support of H.R. 2726, which simply codifies existing internal policy at Amtrak that prohibits smoking or use of electronic cigarettes on Amtrak's trains.

Amtrak instituted this policy in 1993 and has since updated it to address the use of electronic smoking devices. I think this is very important.

Last year, we addressed a similar gap in the code and included a provision in the FAA Reauthorization Act to prohibit the use of electronic cigarettes on airplanes.

This bill once again puts Congress on the record as supporting protections for the traveling public from the risk of secondhand smoke.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. BOST. Mr. Speaker, obviously, from the conversations we have had here today, this is commonsense legislation.

You know, we have banned smoking and also know the problems we faced this last year with e-cigarettes, the reasons and concerns that are out there.

This is commonsense legislation that I believe a majority of our constituents are in agreement with. This just codifies into law the past practices of Amtrak.

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

Ms. NORTON. Mr. Speaker, I appreciate the remarks of my friend from the other side.

You can see that this is a bipartisan bill, and no wonder. When my friend was in the majority, a similar bill was supported banning smoking. This is as quintessentially a bipartisan bill as one could have in the House, and I very much appreciate the remarks of my friend.

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

The SPEAKER pro tempore (Mr. TAKANO). The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2726.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. NORTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

HAZARD ELIGIBILITY AND LOCAL PROJECTS ACT

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2548) to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2548

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 ''Hazard Eligibility and Local Projects Act''.

SEC. 2. AUTHORITY TO BEGIN IMPLEMENTATION OF ACQUISITION OR RELOCATION PROJECTS.

(a) ELIGIBILITY FOR ASSISTANCE FOR INITIATED PROJECTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, an entity seeking assistance under a hazard mitigation assistance program shall be eligible to receive such assistance for a covered project if the entity—

(A) complies with all other eligibility requirements of the hazard mitigation assistance program for acquisition or relocation projects, including extinguishing all incompatible encumbrances; and

(B) complies with all Federal requirements for the project.

(2) COSTS INCURRED.—An entity seeking assistance under a hazard mitigation assistance program shall be responsible for any project costs incurred by the entity for a covered project if the covered project is not awarded, or is determined to be ineligible for, assistance.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED PROJECT.—The term ''covered project'' means—

(A) an acquisition or relocation project for which an entity began implementation prior to grant award under a hazard mitigation assistance program; and

(B) a project for which an entity initiated planning or construction before or after requesting assistance for the project under a hazard mitigation assistance program qualifying for a categorical exemption under the National Environmental Policy Act.

(2) HAZARD MITIGATION ASSISTANCE PROGRAM.—The term ''hazard mitigation assistance program'' means—

(A) the predisaster hazard mitigation grant program authorized under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133);

(B) the hazard mitigation grant program authorized under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c); and

(C) the flood mitigation assistance program authorized under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).

(c) APPLICABILITY.—This section shall apply to funds appropriated on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Mrs. FLETCHER) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Mrs. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2548, as amended.

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

There was no objection.

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

Mr. Speaker, I am delighted to bring my bill, H.R. 2548, the Hazard Eligibility and Local Projects, or HELP, Act to the floor today.

I am proud of the HELP Act and all that it represents. It is bipartisan, commonsense, meaningful legislation that was born out of conversations and a partnership with local officials in my home district that will benefit all Americans.

As many in this body will recall, Hurricane Harvey hit my district and the Texas Gulf Coast in August 2017, causing great devastation. It dropped nearly 60 inches of rain, it claimed 68 lives, and it caused an estimated $125 billion in damage. It was the second most expensive hurricane in United States history.

Members of this body responded to Harvey's devastation with the speed and purpose needed for recovery, passing three supplemental appropriations bills, sending billions of dollars in aid to Texas through different programs, but recovery was and is still slow, slower than many expected, and slower than any can afford.

Before I was sworn in this year, I met with our local officials at home to talk about the impediments to recovery: How could we speed up recovery? Where was recovery delayed? What could the Federal Government do?

One impediment that had a significant impact on recovery was the process for the award of mitigation project funding from FEMA.

As my colleagues may know, section 404 of the Stafford Act provides that FEMA may grant up to 75 percent of funds for cost-effective mitigation projects through a Hazard Mitigation Grant Program. Local municipalities, States, and Tribes are responsible for meeting the remaining local match. Their projects must be approved through FEMA.

When States or municipalities apply to the grant program, projects, regardless of size or scope, require a comprehensive review to make sure all requirements of the National Environmental Policy Act, NEPA, and other statutory requirements are met.

Importantly, these Hazard Mitigation Grants do not allow for reimbursement of costs incurred before a grant is approved. As a result, many areas recovering from disaster must wait for the FEMA review to go forward for months or years at a critical time for decisionmaking and recovery.

In the case of natural disasters, local governments need to move quickly on projects like land acquisition, for example, buyouts of homes that have been damaged, and other projects.

The chief recovery officer for the city of Houston has told us that FEMA's pre-award cost policy, that is, not allowing the reimbursement of costs incurred before grant approval, is a limiting factor in recovery, especially in these cases of land acquisition.

Homeowners simply cannot afford to wait months or years for decisions to make their own decisions about whether to repair their homes or whether to take a buyout of the homes, and the result is not only inefficiency, but real hardship.

For example, the Harris County Flood Control District received $25 million from the Hazard Mitigation Grant Program to conduct buyouts to reduce flood damages in areas located deep in the floodplain where structural projects to reduce flooding are not cost effective or beneficial.

But that was nearly a year after Hurricane Harvey that that grant money was awarded. It took a year because of the review period required at FEMA for all applications.

Most homeowners simply do not have the luxury of waiting a year or more to begin repairs or to decide what to do.

Many would be open to a buyout, but funds aren't available, so instead, they take out an SBA loan or other loans to begin repairs. And if you already owe money on loans or repairs to your house, a buyout is no longer an attractive option or even an option at all.

Once a property owner has repaired their property, the less likely a buyout is a viable path forward for that individual and for the community.

It is not just anecdotal evidence. The data shows that, for acquisition buyouts, the quicker you can make an offer to buy out property after a flooding event, the more likely the disaster victim is to accept it and the more it reduces costs overall.

The quicker local governments are able to move, the more people they can help, and the more resources can be leveraged for recovery.

Having a one-size-fits-all approach to reviewing projects through the Hazard Mitigation Grant Program is not efficient or effective. It needlessly delays critical mitigation work.

So that is where the idea for the HELP Act came in.

The HELP Act will allow land acquisition projects and simple construction projects that do not require an Environmental Impact Statement under

NEPA to commence immediately without risk of losing potential Federal matching funds.

This will allow State and local governments to respond more quickly to the needs of their community and to plan disaster mitigation more efficiently and effectively.

It is simple, it is straightforward, and it is needed.

At home, I hear a consistent concern that Federal disaster money moves at a glacial pace.

This bill addresses some of that and will be a real improvement for communities across the country.

Mr. Speaker, I thank my colleagues Mr. MEADOWS, Mr. OLSON, and Mr. BUTTERFIELD, my original cosponsors who worked with me on this bill. I also want to thank all of the cosponsors of the bill who helped in the effort, in addition to Chairman DEFAZIO and Chairwoman TITUS, whose assistance in bringing this bill to the floor was essential.

Disaster mitigation is not and should never be a partisan issue.

I am glad to see the bipartisan consensus in support of this bill and that we can address these inefficiencies and these real impediments where they exist.

There is still much work to do when it comes to preparing for future storms that we know will come, but I am hopeful that the HELP Act will aid State and local governments when they do.

Mr. Speaker, I urge my colleagues to support this important legislation and help our families, businesses, and communities recover from disaster.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, December 11, 2019.

Hon. PETER A. DEFAZIO,
Chairman, House Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 2548, the Hazard Eligibility and Local Projects Act. In order to permit H.R. 2548 to proceed expeditiously to the House Floor, I agree to forgo formal consideration of the bill.

The Committee on Financial Services takes this action to forego formal consideration of H.R. 2548 with our mutual understanding that, by foregoing formal consideration of H.R. 2548, 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 with regard to any matters in the Committee's jurisdiction. I appreciate your commitment to work with the Committee to address any outstanding issues as the bill is considered in the Senate. 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 that involves the Committee's jurisdiction 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. 2548.

Sincerely,

MAXINE WATERS,
Chairwoman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 11, 2019.

Hon. MAXINE WATERS,
Chairwoman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN WATERS: Thank you for your letter regarding H.R. 2548, the Hazard Eligibility and Local Projects Act, which was ordered to be reported out of the Committee on Transportation and Infrastructure on June 26, 2019. I appreciate your willingness to work cooperatively on this legislation.

I acknowledge that by foregoing formal consideration on H.R. 2548, the Committee on Financial Services does not waive any future jurisdictional claims to provisions in this or similar legislation, and that your Committee will be consulted and involved on any matters in your Committee's jurisdiction should this legislation move forward. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on Financial Services has a valid jurisdictional claim.

I appreciate your cooperation regarding this legislation, and I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of H.R. 2548.

Sincerely,

PETER A. DEFAZIO,
Chair.

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

Mr. Speaker, I am pleased to be a cosponsor of H.R. 2548, the Hazard Eligibility and Local Projects Act.

Mr. Speaker, I want to thank the gentlewoman from Texas (Mrs. FLETCHER) for her fine work on this.

And I would like to give her a compliment. It is always interesting to see how we can name these bills in the most creative ways to actually let them resonate with the voters back home. So my congratulations on calling this the HELP Act, and congratulations to Mrs. FLETCHER's staff as well, as they always, as you know, Mr. Speaker, get very creative on how we can figure out acronyms to make these bills have more pizzazz.

So this bill is a commonsense approach. It is certainly critical to communities that have been impacted by disasters, where they can start recovery in a much more efficient, smarter, and faster way.

Buyouts and relocation projects, in particular, are critical tools for getting people and property out of harm's way, yet these projects take time to plan and carry out.

This bill would allow communities to be eligible for mitigation assistance for those projects commenced prior to their request for assistance.

The bill ensures such projects must comply with all other eligibility requirements.

Mr. Speaker, I would encourage the gentlewoman opposite, perhaps we can even look at going a little bit further. She made mention of the current NEPA standards and all of those that apply.

As we know, in the gentlewoman's home State of Texas, in my home State of North Carolina, some of those Federal regulations actually are part of the impediment of getting some of this disaster relief to the people that are most affected.

I know that we have billions of dollars—that is billions with a B—waiting to be deployed in my State of North Carolina, as in the gentlewoman's State of Texas, so it is critically important that we come together in a bipartisan fashion.

It doesn't help us to appropriate billions of dollars here on this floor if it never reaches the ultimate destination, which is our constituents who have been tragically, and many times horrifically, put out of their homes and their communities.

This will allow communities to select early on the best mitigation approach and begin these projects earlier to ensure a faster recovery.

Mr. Speaker, I encourage all of my colleagues to support this legislation.

If the gentlewoman is prepared to close without any further speakers, I would ask her to just give me a nod one way or another.

Mr. Speaker, I am going to go ahead and close right here and just say, I encourage my colleagues to go ahead and vote for this bill.

Mr. Speaker, I thank the gentlewoman for her leadership, and I yield back the balance of my time.

□ 1545

Mrs. FLETCHER. Mr. Speaker, I appreciate Mr. MEADOWS' partnership on this, and I look forward to working together on many more projects that are of real assistance to the people who we represent.

Mr. Speaker, the HELP Act, as we have discussed, is a commonsense, bipartisan, meaningful piece of legislation. It is exactly what we are sent here to do, and I am pleased to see it on the House floor today. I urge all of my colleagues to vote in support of it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, H.R. 2548, 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.

Mrs. FLETCHER. 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.

FUNDING INSTRUCTION FOR SAFETY, HEALTH, AND SECURITY AVOIDS FISHING EMERGENCIES ACT

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4719) to amend the Federal share of the fishing safety standards grants, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4719

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 ''Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act'' or the ''FISH SAFE Act''.

SEC. 2. AMENDMENT OF FEDERAL SHARE OF THE FISHING SAFETY STANDARDS GRANTS.

(a) AMENDMENT.—Section 4502 of title 46, United States Code, is amended—

(1) in subsection (i)(3), by striking ''50'' and inserting ''75''; and

(2) in subsection (j)(3), by striking ''50'' and inserting ''75''.

(b) RETROACTIVE EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the day after the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282).

SEC. 3. COST SHARE.

The cap on the Federal share of the cost of any activity carried out with a grant under subsections (i) and (j) of section 4502 of title 46, United States Code, as in effect prior to the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282), shall apply to any funds appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115–31) for the purpose of making such grants.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS AMENDMENTS.

Section 4502 of title 46, United States Code, is amended—

(1) in subsection (i)(4), by striking ''2019'' and inserting ''2021''; and

(2) in subsection (j)(4), by striking ''2019'' and inserting ''2021''.

SEC. 5. AIDS TO NAVIGATION.

(a) Section 541 of title 14, United States Code, is amended—

(1) by striking ''In'' and inserting ''(a) In''; and

(2) by adding at the end the following:

''(b) In the case of pierhead beacons, the Commandant may—

''(1) acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for pierhead beacons; and

''(2) properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever the Commandant is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierheads has been completed.''.

(b) Subchapter III of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''§ 548. Prohibition against officers and employees being interested in contracts for materials, etc.

''No officer, enlisted member, or civilian member of the Coast Guard in any manner connected with the construction, operation, or maintenance of lighthouses, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for the construction, operation, or maintenance of lighthouses, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the construction, operation, or maintenance of lighthouses.

''§ 549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction

''(a) No lighthouse, beacon, public pier, or landmark, shall be built or erected on any site until cession of jurisdiction over the same has been made to the United States.

''(b) For the purposes of subsection (a), a cession by a State of jurisdiction over a place selected as the site of a lighthouse, or other structure or work referred to in subsection (a), shall be deemed sufficient if the cession contains a reservation that process issued under authority of such State may continue to be served within such place.

''(c) If no reservation of service described in subsection (b) is contained in a cession, all process may be served and executed within the place ceded, in the same manner as if no cession had been made.

''§ 550. Marking pierheads in certain lakes

''The Commandant of the Coast Guard shall properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever he is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierhead has been completed.''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 547 the following:

''548. Prohibition against officers and employees being interest in contracts for materials, etc.
''549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction.
''550. Marking pierheads in certain lakes.''.

SEC. 6. TRANSFERS RELATED TO EMPLOYEES OF THE LIGHTHOUSE SERVICE.

(a) Section 6 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 763) is repealed.

(b) Subchapter II of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''§ 2532. Retirement of employees

''(a) OPTIONAL RETIREMENT.—Except as provided in subsections (d) and (e), a covered employee may retire from further performance of duty if such officer or employee—

''(1) has completed 30 years of active service in the Government and is at least 55 years of age;

''(2) has completed 25 years of active service in the Government and is at least 62 years of age; or

''(3) is involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of active service in the Government, or after completing 20 years of such service and if such employee is at least 50 years of age.

''(b) COMPULSORY RETIREMENT.—A covered employee who becomes 70 years of age shall be compulsorily retired from further performance of duty.

''(c) RETIREMENT FOR DISABILITY.—

''(1) IN GENERAL.—A covered employee who has completed 15 years of active service in the Government and is found, after examination by a medical officer of the United States, to be disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct of such officer or employee, shall be retired.

''(2) RESTORATION TO ACTIVE DUTY.—Any individual retired under paragraph (1) may, upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

''(d) ANNUAL COMPENSATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), The annual compensation of a person retired under this section shall be a sum equal to one-fortieth of the average annual pay received for the last three years of service for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed thirty-fortieths of such average annual pay received.

''(2) RETIREMENT BEFORE 55.—The retirement pay computed under paragraph (1) for any officer or employee retiring under this section shall be reduced by one-sixth of 1 percent for each full month the officer or employee is under 55 years of age at the date of retirement.

''(3) NO ALLOWANCE OR SUBSISTENCE.—Retirement pay under this section shall not include any amount on account of subsistence or other allowance.

''(e) EXCEPTION.—The retirement and pay provision in this section shall not apply to—

''(1) any person in the field service of the Lighthouse Service whose duties do not require substantially all their time; or

''(2) persons of the Coast Guard.

''(f) WAIVER.—Any person entitled to retirement pay under this section may decline to accept all or any part of such retirement pay by a waiver signed and filed with the Secretary of the Treasury. Such waiver may be revoked in writing at any time, but no payment of the retirement pay waived shall be made covering the period during which such waiver was in effect.

''(g) DEFINITION.—For the purposes of this section, the term 'covered employee' means an officer or employee engaged in the field service or on vessels of the Lighthouse Service, except a person continuously employed in district offices or shop.''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 25 of title 14, United States Code, is amended by inserting after the item relating to section 2531 the following:

''2532. Retirement of employees.''.

SEC. 7. TRANSFERS RELATED TO SURVIVING SPOUSES OF LIGHTHOUSE SERVICE EMPLOYEES.

(a) BENEFIT TO SURVIVING SPOUSES.—Subchapter II of chapter 25 of title 14, United States Code, is amended by adding after section 2532 the following:

''§ 2533. Surviving spouses

''The Secretary of the department in which the Coast Guard is operating shall pay $100 per month to the surviving spouse of a current or former employee of the Lighthouse Service in accordance with section 2532 if such employee dies—

''(1) at a time when such employee was receiving or was entitled to receive retirement pay under this subchapter; or

''(2) from non-service-connected causes after fifteen or more years of employment in such service.''.

(b) TRANSFERS RELATED TO SURVIVING SPOUSES OF LIGHTHOUSE SERVICE EMPLOYEES.—

(1) Subchapter II of chapter 25 of title 14, United States Code, is amended by adding after section 2533 the following:

''§ 2534. Application for benefits''.

(2)(A) Section 3 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 773), is redesignated as section 2534(a) of title 14, United States

Code, transferred to appear after the heading of section 2534 of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(a), as so redesignated, transferred, and amended is further amended by striking ''this Act'' and inserting ''section 2533''.

(3)(A) Section 4 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 774), is redesignated as section 2534(b) of title 14, United States Code, transferred to appear after section 2534(a) of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(b), as so redesignated, transferred, and amended is further amended by striking ''the provisions of this Act'' and inserting ''section 2533''.

(4)(A) The proviso under the heading ''Payment to Civil Service Retirement and Disability Fund'' of title V of division C of Public Law 112–74 (33 U.S.C. 776) is redesignated as section 2534(c) of title 14, United States Code, transferred to appear after section 2534(b) of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(c), as so redesignated, transferred, and amended is further amended by striking ''the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771-775),'' and inserting ''section 2533''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 25 of title 14, United States Code, is further amended by inserting after the item relating to section 2532 the following:

''2533. Surviving spouses.
''2534. Application for benefits.''.

SEC. 8. REPEALS.

(a) IN GENERAL.—The following provisions are repealed:

(1) Section 4680 of the Revised Statutes of the United States (33 U.S.C. 725).

(2) Section 4661 of the Revised Statutes of the United States (33 U.S.C. 727).

(3) Section 4662 of the Revised Statutes of the United States (33 U.S.C. 728).

(4) The final paragraph in the account ''For Life-Saving and Life-Boat Stations'' under the heading Treasury Department in the first section of chapter 130 of the Act of March 3, 1875 (33 U.S.C. 730a).

(5) Section 11 of chapter 301 of the Act of June 17, 1910 (33 U.S.C. 743).

(6) Section 3 of chapter 371 of the Act of May 22, 1926 (33 U.S.C. 747a).

(7) The first section of chapter 313 of the Act of February 25, 1929 (33 U.S.C. 747b).

(8) Section 2 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 748).

(9) Section 4 of chapter 371 of the Act of May 22, 1926 (33 U.S.C. 754a).

(10) Chapter 642 of the Act of August 10, 1939 (33 U.S.C. 763a–1).

(11) Chapter 788 of the Act of October 29, 1949 (33 U.S.C. 763–1).

(12) Chapter 524 of the Act of July 9, 1956 (33 U.S.C. 763–2).

(13) The last two provisos under the heading Lighthouse Service, under the heading Department of Commerce, in the first section of chapter 161 of the Act of March 4, 1921 (41 Stat. 1417, formerly 33 U.S.C. 764).

(14) Section 3 of chapter 215 of the Act of May 13, 1938 (33 U.S.C. 770).

(15) The first section and section 2 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 771 and 772).

(b) SAVINGS.—

(1) Notwithstanding any repeals made by this section, any individual beneficiary currently receiving payments under the authority of any provisions repealed in this section shall continue to receive such benefits.

(2) Notwithstanding the repeals made under paragraphs (10) and (11) of subsection (a), any pay increases made under chapter 788 of the Act of October 29, 1949, and chapter 524 of the Act of July 9, 1956, as in effect prior to their repeal shall remain in effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Mrs. FLETCHER) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Mrs. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4719, as amended.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4719.

This bill reestablishes a more gracious 75 percent non-Federal match requirement for grants to support fishing safety training and research programs to improve the safety of U.S. commercial fishing fleets.

Commercial fishing is one of the United States' most dangerous occupations, with a fatality rate nearly 30 times higher than the national average. Workers in the industry can face a wide variety of hazards, depending on the vessel or fishery.

Research and training to address best practices for a specific fleet and/or region are critical to ensure U.S. fishermen are receiving the best possible information and training before they depart the pier. There have been some recent successes in reducing fatal workplace injuries within the commercial fishing industry, but targeted safety research and training remain necessary and essential to maintain that downward trend.

Over 23,000 commercial fishers work in the Gulf of Mexico. By providing fishers, NGOs, academia, and businesses with access to targeted Federal safety research and training grants, we are ensuring that commercial fishing remains not only a career choice for Texans but a less risky pursuit, as well.

This bipartisan bill was introduced by Representative GOLDEN and has attracted bipartisan cosponsors among other Transportation and Infrastructure Committee members, including Representatives YOUNG, PAPPAS, and PINGREE.

Mr. Speaker, I support H.R. 4719, and I urge my colleagues to join me in passing this legislation.

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

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

Mr. Speaker, H.R. 4719 restores the Federal cost-share for the Fishing Safety Training Grant Program and the Fishing Safety Research Grant Program to 75 percent.

In 2010, Congress imposed additional safety requirements on U.S. commercial fishing vessels and created these grant programs to assist the fishing industry and fishermen in meeting the additional costs of these requirements.

The grant programs were first funded in 2018. In 2018, Congress also transferred responsibility for the programs to the Department of Health and Human Services.

H.R. 4719 sets the Federal share of the grants to 75 percent and extends the authorization for the grants through fiscal year 2021. The Senate Commerce Committee reported a provision similar to H.R. 4719 in its Coast Guard Authorization Act.

The bill also repeals and updates sections of the law dealing with the former United States Lighthouse Service. The service became part of the United States Coast Guard in 1939.

I commend Congressman GOLDEN and the dean of the House, DON YOUNG, for introducing this bipartisan legislation. Of the 9 leading fishing ports in the United States by volume, the gentleman from Alaska (Mr. YOUNG) represents 5 of them. Of the top 10 fishing ports by value, he represents 6.

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

Mrs. FLETCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. GOLDEN), the sponsor of this legislation.

Mr. GOLDEN. Mr. Speaker, I rise today on behalf of our Nation's fishermen and -women in support of H.R. 4719, the Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act, the FISH SAFE Act. This bipartisan, bicameral legislation will help ensure that our Nation's fishermen have the resources and training they need to stay safe on the job.

I introduced this legislation because I have heard too many stories like Charlie Smith's. Charlie, an offshore lobsterman from Jonesport, Maine, was 25 miles offshore pulling up traps when the rope snapped in his pot hauler. As he tried to grab the line, the hauler ran his fingers through, cutting two of them off. After the initial shock of losing his fingers, he grabbed a bucket of saltwater to numb the pain. After calling the Coast Guard, it took 3 hours for Charlie to get medical attention.

This story is one of countless others I hear from the fishermen I represent in Maine who are doing one of the most dangerous jobs in the country.

According to the National Institute for Occupational Safety and Health, a commercial fisherman is 23 times more likely to die on the job than any other type of worker. From 2000 to 2016, an

estimated 204 fishermen have died, and that number has risen to at least 224 in the past 3 years.

Despite these statistics, Congress decreased the Federal share of funding for fishing safety training and research grants in the last Coast Guard reauthorization bill. As a result, local organizations like the Maine Coast Fishermen's Association, the Maine Lobstermen's Association, and the Maine Lobstering Union have been left with higher costs to organize and run these lifesaving safety programs.

That is why the dean of the House, Congressman DON YOUNG, and I introduced the FISH SAFE Act, which restores the Federal share of fishing safety training back to 75 percent, fixing the decrease to 50 percent created in the most recent Coast Guard reauthorization. The bill would also reauthorize the program, as my colleagues have said, at $3 million per year from fiscal year 2019 through 2021 and make several noncontroversial changes to provisions regarding authorities related to the former United States Lighthouse Service.

From Alaska to Maine, fishermen put their lives on the line every day to provide for their families and our communities. On the fishing piers of Stonington, Jonesport, and Deer Isle, I have met too many fishermen and lobstermen who have sustained serious injuries—lost fingers, deep scars, concussions—or have had close calls on the job.

That is why I am so grateful to organizations like the Maine Coast Fishermen's Association, the Maine Lobstermen's Association, and the Maine Lobstering Union for stepping up and providing fishing communities with the safety training to ensure that guys like Charlie can reduce the risk to life and limb when out at sea.

This bill is a step to make sure that our Nation's workers, including fishermen and -women, know that we have their backs.

I thank Congressman DON YOUNG for working with me on this bill. This, actually, is not the first bill that we have worked together on. I appreciate the opportunity to work with him always, as well as Chairman DEFAZIO, Ranking Member GRAVES, all the members of the committee, and, in particular, their staffs, as well, for moving this bill quickly through committee. We think it is particularly timely and important for coastal communities.

Mr. Speaker, I urge all of my colleagues to support this important bill.

Mr. BOST. Mr. Speaker, this, too, will likely be dealt with as commonsense legislation, making sure that the grants are delivered and that the proper amount of grants are delivered to make sure proper safety occurs not only in the fishing industry, but we should move forward to try to do that in all of our industries.

Mr. Speaker, I encourage the support of all of my colleagues, and I yield back the balance of my time.

Mrs. FLETCHER. Mr. Speaker, I, too, believe this is commonsense legislation, and I am pleased to see it brought to the floor today. I support H.R. 4719, and I urge my colleagues to join me in passing this important, bipartisan legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, H.R. 4719, 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.

Mrs. FLETCHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

SMALL AIRPORT MOTHERS' ROOMS ACT OF 2019

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3362) to amend title 49, United State Code, to require small hub airports to construct areas for nursing mothers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3362

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 ''Small Airport Mothers' Rooms Act of 2019''.

SEC. 2. MOTHERS' ROOMS.

Section 47107(w) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''In fiscal year 2021'' and all that follows through ''the Secretary of Transportation'' and inserting ''The Secretary of Transportation'';

(2) in paragraph (1)(B) by striking ''one men's and one women's'' and inserting ''at least one men's and at least one women's'';

(3) by striking paragraph (2)(A) and inserting the following:

''(A) AIRPORT SIZE.—The requirements in paragraph (1) shall only apply to applications submitted by the airport sponsor of—

''(i) a medium or large hub airport in fiscal year 2021 and each fiscal year thereafter; and

''(ii) a small hub airport in fiscal year 2023 and each fiscal year thereafter, but only if such airport has been categorized as a small or medium hub airport for the 3 consecutive fiscal years prior to the fiscal year in which the application is submitted.'';

(4) in paragraph (2)(B) by striking ''the date of enactment of this Act complies with the requirement in paragraph (1)'' and inserting ''October 5, 2018, complies with the requirement in paragraph (1)(A)''; and

(5) in paragraph (2)(C) by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Mrs. FLETCHER) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Mrs. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3362, as amended.

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

There was no objection.

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

Mr. Speaker, I rise in support of the bill introduced by the gentlewoman from West Virginia (Mrs. MILLER).

Few things are more sacred than the ability of parents to care for their infant children. However, mothers often face challenges, and potentially public stigma, when attempting to breastfeed, nurse, or change their children while traveling. In fact, a study of 100 airports found that, while 62 percent reported being breastfeeding friendly, only 8 percent met the minimum requirements for a breastfeeding mother: an electrical outlet, a table, and a chair.

The absence of sufficient designated sanitary spaces during travel can cause unnecessary stress, wasted time, and even potential health issues for mothers who are not able to pump.

The FAA Reauthorization Act of 2018 included a requirement that medium and large hub airports maintain nursing rooms and baby changing tables for the convenience of nursing mothers and parents traveling with infants. While that was a step in the right direction, there are still a significant number of commercial service airports—72, to be exact—that the law did not cover.

This bill enhances that mandate by requiring small hub airports to also maintain nursing rooms and baby changing tables in their passenger terminal buildings. Requiring small hub airports to provide private, clean, accessible, and equipped areas for parents to nurse their children will help remove some of the barriers parents face while traveling and provide critical support to families when they need it.

Mr. Speaker, I support this bill, and I urge my colleagues to do the same.

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

□ 1600

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

Mr. Speaker, I rise in support of H.R. 3362, the Small Airport Mothers' Rooms Act of 2019. This bill passed unanimously out of the Committee on Transportation and Infrastructure in June, and I am pleased it is finally being brought to the floor.

While a growing number of airports have designated mothers' rooms, many

nursing mothers still end up in a restroom or on the airport floor. When delays happen, passengers often have no control over how long they will be at the airport. For nursing mothers, these delays can make a difficult trip even more stressful. Making certain accommodations within the airport terminal is essential.

The bill extends the requirements of the bipartisan FAA Reauthorization Act of 2018 by requiring small hub airports to provide clean facilities for mothers to nurse their children. The law requires that the area be located outside of a restroom and include a place to sit, a table, a sink or sanitizing equipment, and an electrical outlet. Importantly, the room must also be fully accessible to passengers with disabilities.

When fully enacted, this bill will ensure that 97 percent of airline passengers will have access to clean, sanitary, and accessible mothers' rooms.

The bill before us today also contains a provision recommended by the Federal Aviation Administration that will give airports that grow into small hubs sufficient time to comply with the law.

The bill has been endorsed by nearly 60 international, national, regional, State, and Tribal organizations.

Mr. Speaker, I include in the RECORD a letter of support from these organizations.

WASHINGTON, DC, JULY 15, 2019.

DEAR CONGRESSWOMAN MILLER: We, the undersigned organizations, thank you for introducing the Small Airports Mothers' Rooms Act of 2019. By leading Congress to protect and support breastfeeding, you demonstrate a commitment to our nation's families. Breastfeeding is a proven primary prevention strategy, building a foundation for life-long health and wellness. Breastfeeding parents who choose or need to travel should not have to struggle to find lactation spaces—no matter the size of the airport, risking their milk supply and thereby their ultimate breastfeeding success.

Building on the success of the Friendly Airports for Mothers (FAM) Act, already being implemented in airports across the nation well ahead of the required 2021 implementation date, the Small Airport Mothers' Room Act of 2019 (H.R. 3362) would extend these provisions to small airports. Small airports would have two additional years to come into compliance, and would be able to use Airport Improvement Program funds for the purpose of complying with the new requirement.

Small hub airports would be required to provide a private, non-bathroom space in each terminal for breastfeeding people to express breast milk. The space must be accessible to persons with disabilities, available in each terminal building after the security checkpoint, and include a place to sit, a table or other flat surface, and an electrical outlet.

Human milk is the preferred and most appropriate ''First Food,'' adapting over time to meet the changing needs of the growing child. The United States Breastfeeding Committee joins the U.S. Department of Health and Human Services and all major medical authorities in recommending that infants get no food or drink other than human milk for their first six months and continue to receive human milk for at least the first 1–2 years of life.

The evidence for the value of breastfeeding to children's and mother's health is scientific, solid, and continually being reaffirmed by new research. Compared with formula-fed children, those who are breastfed have a reduced risk of ear, skin, stomach, and respiratory infections; diarrhea; sudden infant death syndrome; and necrotizing enterocolitis. In the longer term, breastfed children have a reduced risk of obesity, type 1 and 2 diabetes, asthma, and childhood leukemia. Women who breastfed their children have a reduced long-term risk of diabetes, cardiovascular disease, and breast and ovarian cancers.

Breastfeeding also provides a range of benefits for employers and society. A 2016 study of both maternal & pediatric health outcomes and associated costs based on 2012 breastfeeding rates showed that, if 90% of infants were breastfed according to medical recommendations, 3,340 deaths, $3 billion in medical costs, and $14.2 billion in costs of premature death would be prevented, annually!

For all of these reasons, The Surgeon General's Call to Action to Support Breastfeeding; the Institute of Medicine report, Accelerating Progress in Obesity Prevention; and the National Prevention Strategy each call for promotion of breastfeeding-friendly environments. Yet in spite of this tremendous recognition—and laws in 50 states that specifically allow women to breastfeed in any public or private location—lactating people continue to face barriers, even harassment, when breastfeeding in public. And when away from their babies, airports are just one of many public places where they face challenges finding a clean, private space to pump.

We know that 80% of mothers intend to breastfeed, and 82.5% actually do breastfeed at birth. Yet only 25% of U.S. infants are still exclusively breastfed at six months of age. Most families today choose to breastfeed, but a range of obstacles can make it difficult to fit breastfeeding into parents' lives.

No matter what they're doing or where they are, breastfeeding people need to express milk every few hours in order to keep up their supply. Missing even one needed pumping session can have several undesirable consequences, including discomfort, leaking, inflammation and infection, decreased supply, and ultimately, breastfeeding cessation. As a result, returning to work often presents a significant barrier to breastfeeding.

Current federal law requires employers to provide nursing mothers who are nonexempt employees a private, non-bathroom location to express breast milk. Airport lactation spaces are therefore an important step to support employers that need to accommodate lactating travelers as well as lactating employees of the airport.

A growing number of airports have designated lactation spaces, yet many lactating people still end up in restrooms or on airport floors. Travelers rarely have control over how long they are in transit, making accessible accommodations within airports a critical priority. We are heartened to see the implementation of the FAM Act in large and medium hub airports and look forward to expanding similar requirements to small airports. This expansion supports, promotes, and protects breastfeeding in rural areas, further contributing to national public health goals.

The Small Airports Mothers' Rooms Act would help keep our nation's families healthy by ensuring that breastfeeding travelers and airport employees (in airports of all sizes) have access to appropriate facilities. This is an important step toward ensuring all families have the opportunity to reach their personal breastfeeding goals.

Again, we applaud your leadership in introducing the Small Airports Mothers' Rooms Act and stand ready to help you achieve its passage.

Sincerely,

CO-SIGNERS

International, National, & Tribal Organizations: 1000 Days; Academy of Breastfeeding Medicine; American Academy of Nursing; American Academy of Pediatrics; American Breastfeeding Institute; American College of Nurse-Midwives; American College of Obstetricians and Gynecologists; Association of Maternal & Child Health Programs; Association of State Public Health Nutritionists; Association of Women's Health, Obstetric and Neonatal; Nurses; Baby-Friendly USA, Inc.; CHEER (Center for Health Equity, Education, and; Research); Every Mother, Inc.; HealthConnect One; Healthy Children Project, Inc.

Human Milk Banking Association of North America; International Board of Lactation Consultant Examiners; Lamaze International; La Leche League Alliance for Breastfeeding Education; La Leche League USA, MomsRising; National Association of Pediatric Nurse Practitioners; National WIC Association; Prairie Band Potawatomi Nation Breastfeeding Coalition; Reaching Our Sisters Everywhere, Inc.; United States Breastfeeding Committee; United States Lactation Consultant Association; Women-Inspired Systems' Enrichment.

Regional, State, & Local Organizations: Alabama Breastfeeding Committee; Alaska Breastfeeding Coalition; Alimentacion Segura Infantil (ASI); Appalachian Breastfeeding Network; Baobab Birth Collective; The Breastfeeding Center of Pittsburgh; Breastfeeding Coalition of Delaware; Breastfeeding Coalition of South Central Wisconsin; BreastfeedLA; Coalition of Oklahoma Breastfeeding Advocates; Colorado Breastfeeding Coalition; Colorado Lactation Consultant Association; Connecticut Breastfeeding Coalition; Wright State University, Boonshoft School of Medicine, Department of Pediatrics; Indiana Breastfeeding Coalition.

The Institute for the Advancement of Breastfeeding and Lactation Education; Kentuckiana Lactation Improvement Coalition; Lactation Improvement Network of Kentucky; Maine State Breastfeeding Coalition; Maryland Breastfeeding Coalition; Michigan Breastfeeding Network; Minnesota Breastfeeding Coalition; Missouri Breastfeeding Coalition; Montana State Breastfeeding Coalition; Mothers' Milk Bank Northeast; New Hampshire Breastfeeding Task Force; New Mexico Breastfeeding Task Force; New York City Breastfeeding Leadership Council, Inc.; New York Statewide Breastfeeding Coalition, Inc.; Ohio Breastfeeding Alliance; Southern Nevada Breastfeeding Coalition; Wisconsin Breastfeeding Coalition; Women's Rights and Empowerment Network.

Mr. BOST. Mr. Speaker, H.R. 3362 is a good bill and will make it easier for mothers traveling by air.

I want to thank the sponsor of this legislation, Mrs. MILLER, for her leadership on this issue. I also want to thank Chairman DEFAZIO and Chairman LARSEN of the Aviation Subcommittee for their bipartisan effort to bring this legislation to the floor.

I urge all Members to support H.R. 3362.

Mr. Speaker, I again want to thank Representative MILLER for introducing

this important bill that ensures mothers are accommodated, whether they are traveling to or from large, medium, or small hub airports.

As a father of two daughters and a grandfather of seven granddaughters, I believe it is vitally important that, when traveling, the stress level can be reduced tremendously if these rooms are available.

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

Mrs. FLETCHER. Mr. Speaker, I, too, thank my colleague, Mrs. MILLER, for introducing this bill. And I thank Chairman DEFAZIO and the subcommittee chairman, Mr. LARSEN, for moving this bill through the process. It is important to families across America.

And, once again, we are seeing bipartisan, commonsense legislation that is important to traveling families. For that reason, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, H.R. 3362, 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.

SECURE AND TRUSTED COMMUNICATIONS NETWORKS ACT OF 2019

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4998), to prohibit certain Federal loans, grants, and subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4998

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 ''Secure and Trusted Communications Networks Act of 2019''.

SEC. 2. DETERMINATION OF COMMUNICATIONS EQUIPMENT OR SERVICES POSING NATIONAL SECURITY RISKS.

(a) PUBLICATION OF COVERED COMMUNICATIONS EQUIPMENT OR SERVICES LIST.—Not later than 1 year after the date of the enactment of this Act, the Commission shall publish on its website a list of covered communications equipment or services.

(b) PUBLICATION BY COMMISSION.—The Commission shall place on the list published under subsection (a) any communications equipment or service, if and only if such equipment or service—

(1) is produced or provided by any entity, if, based exclusively on the determinations described in paragraphs (1) through (4) of subsection (c), such equipment or service produced or provided by such entity poses an unacceptable risk to the national security of the United States or the security and safety of United States persons; and

(2) is capable of—

(A) routing or redirecting user data traffic or permitting visibility into any user data or packets that such equipment or service transmits or otherwise handles;

(B) causing the network of a provider of advanced communications service to be disrupted remotely; or

(C) otherwise posing an unacceptable risk to the national security of the United States or the security and safety of United States persons.

(c) RELIANCE ON CERTAIN DETERMINATIONS.—In taking action under subsection (b)(1), the Commission shall place on the list any communications equipment or service that poses an unacceptable risk to the national security of the United States or the security and safety of United States persons based solely on one or more of the following determinations:

(1) A specific determination made by any executive branch interagency body with appropriate national security expertise, including the Federal Acquisition Security Council established under section 1322(a) of title 41, United States Code.

(2) A specific determination made by the Department of Commerce pursuant to Executive Order 13873 (84 Fed. Reg. 22689; relating to securing the information and communications technology and services supply chain).

(3) The communications equipment or service being covered telecommunications equipment or services, as defined in section 889(f)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1918).

(4) A specific determination made by an appropriate national security agency.

(d) UPDATING OF LIST.—

(1) IN GENERAL.—The Commission shall periodically update the list published under subsection (a) to address changes in the determinations described in paragraphs (1) through (4) of subsection (c).

(2) MONITORING OF DETERMINATIONS.—The Commission shall monitor the making or reversing of the determinations described in paragraphs (1) through (4) of subsection (c) in order to place additional communications equipment or services on the list published under subsection (a) or to remove communications equipment or services from such list. If a determination described in any such paragraph that provided the basis for a determination by the Commission under subsection (b)(1) with respect to any communications equipment or service is reversed, the Commission shall remove such equipment or service from such list, except that the Commission may not remove such equipment or service from such list if any other determination described in any such paragraph provides a basis for inclusion on such list by the Commission under subsection (b)(1) with respect to such equipment or service.

(3) PUBLIC NOTIFICATION.—For each 12-month period during which the list published under subsection (a) is not updated, the Commission shall notify the public that no updates were necessary during such period to protect national security or to address changes in the determinations described in paragraphs (1) through (4) of subsection (c).

SEC. 3. PROHIBITION ON USE OF CERTAIN FEDERAL SUBSIDIES.

(a) IN GENERAL.—

(1) PROHIBITION.—A Federal subsidy that is made available through a program administered by the Commission and that provides funds to be used for the capital expenditures necessary for the provision of advanced communications service may not be used to—

(A) purchase, rent, lease, or otherwise obtain any covered communications equipment or service; or

(B) maintain any covered communications equipment or service previously purchased, rented, leased, or otherwise obtained.

(2) TIMING.—Paragraph (1) shall apply with respect to any covered communications equipment or service beginning on the date that is 60 days after the date on which the Commission places such equipment or service on the list required by section 2(a). In the case of any covered communications equipment or service that is on the initial list published under such section, such equipment or service shall be treated as being placed on the list on the date on which such list is published.

(b) COMPLETION OF PROCEEDING.—Not later than 180 days after the date of the enactment of this Act, the Commission shall adopt a Report and Order to implement subsection (a). If the Commission has, before the date of the enactment of this Act, taken action that in whole or in part implements subsection (a), the Commission is not required to revisit such action, but only to the extent such action is consistent with this section.

SEC. 4. SECURE AND TRUSTED COMMUNICATIONS NETWORKS REIMBURSEMENT PROGRAM.

(a) IN GENERAL.—The Commission shall establish a reimbursement program, to be known as the ''Secure and Trusted Communications Networks Reimbursement Program'', to make reimbursements to providers of advanced communications service to replace covered communications equipment or services.

(b) ELIGIBILITY.—The Commission may not make a reimbursement under the Program to a provider of advanced communications service unless the provider—

(1) has 2,000,000 or fewer customers; and

(2) makes all of the certifications required by subsection (d)(4).

(c) USE OF FUNDS.—

(1) IN GENERAL.—A recipient of a reimbursement under the Program shall use reimbursement funds solely for the purposes of—

(A) permanently removing covered communications equipment or services purchased, rented, leased, or otherwise obtained before—

(i) in the case of any covered communications equipment or services that are on the initial list published under section 2(a), August 14, 2018; or

(ii) in the case of any covered communications equipment or services that are not on the initial list published under section 2(a), the date that is 60 days after the date on which the Commission places such equipment or services on the list required by such section;

(B) replacing the covered communications equipment or services removed as described in subparagraph (A) with communications equipment or services that are not covered communications equipment or services; and

(C) disposing of the covered communications equipment or services removed as described in subparagraph (A) in accordance with the requirements under subsection (d)(7).

(2) LIMITATIONS.—A recipient of a reimbursement under the Program may not—

(A) use reimbursement funds to remove, replace, or dispose of any covered communications equipment or service purchased, rented, leased, or otherwise obtained on or after—

(i) in the case of any covered communications equipment or service that is on the initial list published under section 2(a), August 14, 2018; or

(ii) in the case of any covered communications equipment or service that is not on the initial list published under section 2(a), the date that is 60 days after the date on which the Commission places such equipment or service on the list required by such section; or

(B) purchase, rent, lease, or otherwise obtain any covered communications equipment or service, using reimbursement funds or any other funds (including funds derived from private sources).

(d) IMPLEMENTATION.—

(1) SUGGESTED REPLACEMENTS.—

(A) DEVELOPMENT OF LIST.—The Commission shall develop a list of suggested replacements of both physical and virtual communications equipment, application and management software, and services or categories of replacements of both physical and virtual communications equipment, application and management software and services.

(B) NEUTRALITY.—The list developed under subparagraph (A) shall be technology neutral and may not advantage the use of reimbursement funds for capital expenditures over operational expenditures, to the extent that the Commission determines that communications services can serve as an adequate substitute for the installation of communications equipment.

(2) APPLICATION PROCESS.—

(A) IN GENERAL.—The Commission shall develop an application process and related forms and materials for the Program.

(B) COST ESTIMATE.—

(i) INITIAL ESTIMATE.—The Commission shall require an applicant to provide an initial reimbursement cost estimate at the time of application, with supporting materials substantiating the costs.

(ii) UPDATES.—During and after the application review process, the Commission may require an applicant to—

(I) update the initial reimbursement cost estimate submitted under clause (i); and

(II) submit additional supporting materials substantiating an updated cost estimate submitted under subclause (I).

(C) MITIGATION OF BURDEN.—In developing the application process under this paragraph, the Commission shall take reasonable steps to mitigate the administrative burdens and costs associated with the application process, while taking into account the need to avoid waste, fraud, and abuse in the Program.

(3) APPLICATION REVIEW PROCESS.—

(A) DEADLINE.—

(i) IN GENERAL.—Except as provided in clause (ii) and subparagraph (B), the Commission shall approve or deny an application for a reimbursement under the Program not later than 90 days after the date of the submission of the application.

(ii) ADDITIONAL TIME NEEDED BY COMMISSION.—If the Commission determines that, because an excessive number of applications have been filed at one time, the Commission needs additional time for employees of the Commission to process the applications, the Commission may extend the deadline described in clause (i) for not more than 45 days.

(B) OPPORTUNITY FOR APPLICANT TO CURE DEFICIENCY.—If the Commission determines that an application is materially deficient (including by lacking an adequate cost estimate or adequate supporting materials), the Commission shall provide the applicant a 15-day period to cure the defect before denying the application. If such period would extend beyond the deadline under subparagraph (A) for approving or denying the application, such deadline shall be extended through the end of such period.

(C) EFFECT OF DENIAL.—Denial of an application for a reimbursement under the Program shall not preclude the applicant from resubmitting the application or submitting a new application for a reimbursement under the Program at a later date.

(4) CERTIFICATIONS.—An applicant for a reimbursement under the Program shall, in the application of the applicant, certify to the Commission that—

(A) as of the date of the submission of the application, the applicant—

(i) has developed a plan for—

(I) the permanent removal and replacement of any covered communications equipment or services that are in the communications network of the applicant as of such date; and

(II) the disposal of the equipment or services removed as described in subclause (I) in accordance with the requirements under paragraph (7); and

(ii) has developed a specific timeline (subject to paragraph (6)) for the permanent removal, replacement, and disposal of the covered communications equipment or services identified under clause (i), which timeline shall be submitted to the Commission as part of the application; and

(B) beginning on the date of the approval of the application, the applicant—

(i) will not purchase, rent, lease, or otherwise obtain covered communications equipment or services, using reimbursement funds or any other funds (including funds derived from private sources); and

(ii) in developing and tailoring the risk management practices of the applicant, will consult and consider the standards, guidelines, and best practices set forth in the cybersecurity framework developed by the National Institute of Standards and Technology.

(5) DISTRIBUTION OF REIMBURSEMENT FUNDS.—

(A) IN GENERAL.—The Commission shall make reasonable efforts to ensure that reimbursement funds are distributed equitably among all applicants for reimbursements under the Program according to the needs of the applicants, as identified by the applications of the applicants.

(B) NOTIFICATION.—If, at any time during the implementation of the Program, the Commission determines that $1,000,000,000 will not be sufficient to fully fund all approved applications for reimbursements under the Program, the Commission shall immediately notify—

(i) the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives; and

(ii) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate.

(6) REMOVAL, REPLACEMENT, AND DISPOSAL TERM.—

(A) DEADLINE.—Except as provided in subparagraphs (B) and (C), the permanent removal, replacement, and disposal of any covered communications equipment or services identified under paragraph (4)(A)(i) shall be completed not later than 1 year after the date on which the Commission distributes reimbursement funds to the recipient.

(B) GENERAL EXTENSION.—The Commission may grant an extension of the deadline described in subparagraph (A) for 6 months to all recipients of reimbursements under the Program if the Commission—

(i) finds that the supply of replacement communications equipment or services needed by the recipients to achieve the purposes of the Program is inadequate to meet the needs of the recipients; and

(ii) provides notice and a detailed justification for granting the extension to—

(I) the Committee on Energy and Commerce of the House of Representatives; and

(II) the Committee on Commerce, Science, and Transportation of the Senate.

(C) INDIVIDUAL EXTENSION.—

(i) PETITION.—A recipient of a reimbursement under the Program may petition the Commission for an extension for such recipient of the deadline described in subparagraph (A) or, if the Commission has granted an extension of such deadline under subparagraph (B), such deadline as so extended.

(ii) GRANT.—The Commission may grant a petition filed under clause (i) by extending, for the recipient that filed the petition, the deadline described in subparagraph (A) or, if the Commission has granted an extension of such deadline under subparagraph (B), such deadline as so extended, for a period of not more than 6 months if the Commission finds that, due to no fault of such recipient, such recipient is unable to complete the permanent removal, replacement, and disposal described in subparagraph (A).

(7) DISPOSAL OF COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.—The Commission shall include in the regulations promulgated under subsection (g) requirements for the disposal by a recipient of a reimbursement under the Program of covered communications equipment or services identified under paragraph (4)(A)(i) and removed from the network of the recipient in order to prevent such equipment or services from being used in the networks of providers of advanced communications service.

(8) STATUS UPDATES.—

(A) IN GENERAL.—Not less frequently than once every 90 days beginning on the date on which the Commission approves an application for a reimbursement under the Program, the recipient of the reimbursement shall submit to the Commission a status update on the work of the recipient to permanently remove, replace, and dispose of the covered communications equipment or services identified under paragraph (4)(A)(i).

(B) PUBLIC POSTING.—Not earlier than 30 days after the date on which the Commission receives a status update under subparagraph (A), the Commission shall make such status update public on the website of the Commission.

(C) REPORTS TO CONGRESS.—Not less frequently than once every 180 days beginning on the date on which the Commission first makes funds available to a recipient of a reimbursement under the Program, the Commission shall prepare and 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 on—

(i) the implementation of the Program by the Commission; and

(ii) the work by recipients of reimbursements under the Program to permanently remove, replace, and dispose of covered communications equipment or services identified under paragraph (4)(A)(i).

(e) MEASURES TO AVOID WASTE, FRAUD, AND ABUSE.—

(1) IN GENERAL.—The Commission shall take all necessary steps to avoid waste, fraud, and abuse with respect to the Program.

(2) SPENDING REPORTS.—The Commission shall require recipients of reimbursements under the Program to submit to the Commission on a regular basis reports regarding how reimbursement funds have been spent, including detailed accounting of the covered communications equipment or services permanently removed and disposed of, and the

replacement equipment or services purchased, rented, leased, or otherwise obtained, using reimbursement funds.

(3) AUDITS, REVIEWS, AND FIELD INVESTIGATIONS.—The Commission shall conduct—

(A) regular audits and reviews of reimbursements under the Program to confirm that recipients of such reimbursements are complying with this Act; and

(B) random field investigations to ensure that recipients of reimbursements under the Program are performing the work such recipients are required to perform under the commitments made in the applications of such recipients for reimbursements under the Program, including the permanent removal, replacement, and disposal of the covered communications equipment or services identified under subsection (d)(4)(A)(i).

(4) FINAL CERTIFICATION.—

(A) IN GENERAL.—The Commission shall require a recipient of a reimbursement under the Program to submit to the Commission, in a form and at an appropriate time to be determined by the Commission, a certification stating that the recipient—

(i) has fully complied with (or is in the process of complying with) all terms and conditions of the Program;

(ii) has fully complied with (or is in the process of complying with) the commitments made in the application of the recipient for the reimbursement;

(iii) has permanently removed from the communications network of the recipient, replaced, and disposed of (or is in the process of permanently removing, replacing, and disposing of) all covered communications equipment or services that were in the network of the recipient as of the date of the submission of the application of the recipient for the reimbursement; and

(iv) has fully complied with (or is in the process of complying with) the timeline submitted by the recipient under subparagraph (A)(ii) of paragraph (4) of subsection (d) and the other requirements of such paragraph.

(B) UPDATED CERTIFICATION.—If, at the time when a recipient of a reimbursement under the Program submits a certification under subparagraph (A), the recipient has not fully complied as described in clause (i), (ii), or (iv) of such subparagraph or has not completed the permanent removal, replacement, and disposal described in clause (iii) of such subparagraph, the Commission shall require the recipient to file an updated certification when the recipient has fully complied as described in such clause (i), (ii), or (iv) or completed such permanent removal, replacement, and disposal.

(f) EFFECT OF REMOVAL OF EQUIPMENT OR SERVICE FROM LIST.—

(1) IN GENERAL.—If, after the date on which a recipient of a reimbursement under the Program submits the application for the reimbursement, any covered communications equipment or service that is in the network of the recipient as of such date is removed from the list published under section 2(a), the recipient may—

(A) return to the Commission any reimbursement funds received for the removal, replacement, and disposal of such equipment or service and be released from any requirement under this section to remove, replace, or dispose of such equipment or service; or

(B) retain any reimbursement funds received for the removal, replacement, and disposal of such equipment or service and remain subject to the requirements of this section to remove, replace, and dispose of such equipment or service as if such equipment or service continued to be on the list published under section 2(a).

(2) ASSURANCES.—In the case of an assurance relating to the removal, replacement, or disposal of any equipment or service with respect to which the recipient returns to the Commission reimbursement funds under paragraph (1)(A), such assurance may be satisfied by making an assurance that such funds have been returned.

(g) RULEMAKING.—

(1) COMMENCEMENT.—Not later than 90 days after the date of the enactment of this Act, the Commission shall commence a rulemaking to implement this section.

(2) COMPLETION.—The Commission shall complete the rulemaking under paragraph (1) not later than 1 year after the date of the enactment of this Act.

(h) RULE OF CONSTRUCTION REGARDING TIMING OF REIMBURSEMENT.—Nothing in this section shall be construed to prohibit the Commission from making a reimbursement under the Program to a provider of advanced communications service before the provider incurs the cost of the permanent removal, replacement, and disposal of the covered communications equipment or service for which the application of the provider has been approved under this section.

(i) EDUCATION EFFORTS.—The Commission shall engage in education efforts with providers of advanced communications service to—

(1) encourage such providers to participate in the Program; and

(2) assist such providers in submitting applications for the Program.

(j) SEPARATE FROM FEDERAL UNIVERSAL SERVICE PROGRAMS.—The Program shall be separate from any Federal universal service program established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

SEC. 5. REPORTS ON COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.

(a) IN GENERAL.—Each provider of advanced communications service shall submit an annual report to the Commission, in a form to be determined by the Commission, regarding whether such provider has purchased, rented, leased, or otherwise obtained any covered communications equipment or service on or after—

(1) in the case of any covered communications equipment or service that is on the initial list published under section 2(a), August 14, 2018; or

(2) in the case of any covered communications equipment or service that is not on the initial list published under section 2(a), the date that is 60 days after the date on which the Commission places such equipment or service on the list required by such section.

(b) RULE OF CONSTRUCTION.—If a provider of advanced communications service certifies to the Commission that such provider does not have any covered communications equipment or service in the network of such provider, such provider is not required to submit a report under subsection (a) after making such certification, unless such provider later purchases, rents, leases, or otherwise obtains any covered communications equipment or service.

(c) JUSTIFICATION.—If a provider of advanced communications service indicates in a report under subsection (a) that such provider has purchased, rented, leased, or otherwise obtained any covered communications equipment or service as described in such subsection, such provider shall include in such report—

(1) a detailed justification for such action;

(2) information about whether such covered communications equipment or service has subsequently been removed and replaced pursuant to section 4; and

(3) information about whether such provider plans to continue to purchase, rent, lease, or otherwise obtain, or install or use, such covered communications equipment or service and, if so, why.

(d) PROCEEDING.—The Commission shall implement this section as part of the rulemaking required by section 4(g).

SEC. 6. HOLD HARMLESS.

In the case of a person who is a winner of the Connect America Fund Phase II auction, has not yet been authorized to receive Connect America Fund Phase II support, and demonstrates an inability to reasonably meet the build-out and service obligations of such person under Connect America Fund Phase II without using equipment or services prohibited under this Act, such person may withdraw the application of such person for Connect America Fund Phase II support without being found in default or subject to forfeiture. The Commission may set a deadline to make such a withdrawal that is not earlier than the date that is 60 days after the date of the enactment of this Act.

SEC. 7. ENFORCEMENT.

(a) VIOLATIONS.—A violation of this Act or a regulation promulgated under this Act shall be treated as a violation of the Communications Act of 1934 (47 U.S.C. 151 et seq.) or a regulation promulgated under such Act, respectively. The Commission shall enforce this Act and the regulations promulgated under this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Communications Act of 1934 were incorporated into and made a part of this Act.

(b) ADDITIONAL PENALTIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), in addition to penalties under the Communications Act of 1934, a recipient of a reimbursement under the Program found to have violated section 4, the regulations promulgated under such section, or the commitments made by the recipient in the application for the reimbursement—

(A) shall repay to the Commission all reimbursement funds provided to the recipient under the Program;

(B) shall be barred from further participation in the Program;

(C) shall be referred to all appropriate law enforcement agencies or officials for further action under applicable criminal and civil laws; and

(D) may be barred by the Commission from participation in other programs of the Commission, including the Federal universal service support programs established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(2) NOTICE AND OPPORTUNITY TO CURE.—The penalties described in paragraph (1) shall not apply to a recipient of a reimbursement under the Program unless—

(A) the Commission provides the recipient with notice of the violation; and

(B) the recipient fails to cure the violation within 180 days after the Commission provides such notice.

(c) RECOVERY OF FUNDS.—The Commission shall immediately take action to recover all reimbursement funds awarded to a recipient of a reimbursement under the Program in any case in which such recipient is required to repay reimbursement funds under subsection (b)(1)(A).

SEC. 8. NTIA PROGRAM FOR PREVENTING FUTURE VULNERABILITIES.

(a) FUTURE VULNERABILITY PROGRAM.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of the enactment of this Act, including an opportunity for notice and comment, the Assistant Secretary, in cooperation with the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Commission, shall establish a program to share information regarding supply chain security risks

with trusted providers of advanced communications service and trusted suppliers of communications equipment or services.

(2) ACTIVITIES.—In carrying out the program established under paragraph (1), the Assistant Secretary shall—

(A) conduct regular briefings and other events to share information with trusted providers of advanced communications service and trusted suppliers of communications equipment or services;

(B) engage with trusted providers of advanced communications service and trusted suppliers of communications equipment or services, in particular such providers and suppliers that—

(i) are small businesses; or

(ii) primarily serve rural areas;

(C) not later than 180 days after the date of the enactment of this Act, 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 plan for—

(i) declassifying material, when feasible, to help share information regarding supply chain security risks with trusted providers of advanced communications service and trusted suppliers of communications equipment or services; and

(ii) expediting and expanding the provision of security clearances to facilitate information sharing regarding supply chain security risks with trusted providers of advanced communications service and trusted suppliers of communications equipment or services; and

(D) ensure that the activities carried out through the program are consistent with and, to the extent practicable, integrated with, ongoing activities of the Department of Homeland Security and the Department of Commerce.

(3) SCOPE OF PROGRAM.—The program established under paragraph (1) shall involve only the sharing of information regarding supply chain security risks by the Federal Government to trusted providers of advanced communications service and trusted suppliers of communications equipment or services, and not the sharing of such information by such providers and suppliers to the Federal Government.

(b) REPRESENTATION ON CSRIC OF INTERESTS OF PUBLIC AND CONSUMERS.—

(1) IN GENERAL.—The Commission shall appoint to the Communications Security, Reliability, and Interoperability Council (or any successor thereof), and to each subcommittee, workgroup, or other subdivision of the Council (or any such successor), at least one member to represent the interests of the public and consumers.

(2) INITIAL APPOINTMENTS.—The Commission shall make the initial appointments required by paragraph (1) not later than 180 days after the date of the enactment of this Act. Any member so appointed shall be in addition to the members of the Council, or the members of the subdivision of the Council to which the appointment is being made, as the case may be, as of the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information.

(2) FOREIGN ADVERSARY.—The term ''foreign adversary'' means any foreign government or foreign nongovernment person engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons.

(3) SUPPLY CHAIN SECURITY RISK.—The term ''supply chain security risk'' includes specific risk and vulnerability information related to equipment and software.

(4) TRUSTED.—The term ''trusted'' means, with respect to a provider of advanced communications service or a supplier of communications equipment or service, that the Assistant Secretary has determined that such provider or supplier is not owned by, controlled by, or subject to the influence of a foreign adversary.

SEC. 9. DEFINITIONS.

In this Act:

(1) ADVANCED COMMUNICATIONS SERVICE.—The term ''advanced communications service'' has the meaning given the term ''advanced telecommunications capability'' in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302).

(2) APPROPRIATE NATIONAL SECURITY AGENCY.—The term ''appropriate national security agency'' means—

(A) the Department of Homeland Security;

(B) the Department of Defense;

(C) the Office of the Director of National Intelligence;

(D) the National Security Agency; and

(E) the Federal Bureau of Investigation.

(3) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(4) COMMUNICATIONS EQUIPMENT OR SERVICE.—The term ''communications equipment or service'' means any equipment or service that is essential to the provision of advanced communications service.

(5) COVERED COMMUNICATIONS EQUIPMENT OR SERVICE.—The term ''covered communications equipment or service'' means any communications equipment or service that is on the list published by the Commission under section 2(a).

(6) CUSTOMERS.—The term ''customers'' means, with respect to a provider of advanced communications service—

(A) the customers of such provider; and

(B) the customers of any affiliate (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)) of such provider.

(7) EXECUTIVE BRANCH INTERAGENCY BODY.—The term ''executive branch interagency body'' means an interagency body established in the executive branch.

(8) PERSON.—The term ''person'' means an individual or entity.

(9) PROGRAM.—The term ''Program'' means the Secure and Trusted Communications Networks Reimbursement Program established under section 4(a).

(10) PROVIDER OF ADVANCED COMMUNICATIONS SERVICE.—The term ''provider of advanced communications service'' means a person who provides advanced communications service to United States customers.

(11) RECIPIENT.—The term ''recipient'' means any provider of advanced communications service the application of which for a reimbursement under the Program has been approved by the Commission, regardless of whether the provider has received reimbursement funds.

(12) REIMBURSEMENT FUNDS.—The term ''reimbursement funds'' means any reimbursement received under the Program.

SEC. 10. SEVERABILITY.

If any provision of this Act, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remaining provisions of this Act, and the application of such provisions to any person or circumstance, shall not be affected thereby.

SEC. 11. 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 Pennsylvania (Mr. MICHAEL F. DOYLE) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4998.

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

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, first off, I want to thank Chairman PALLONE and Ranking Member WALDEN and their staffs for their dedication and working together to come to an agreement on this legislation and bringing it to the House floor today.

Today, the House will consider H.R. 4998, the Secure and Trusted Communications Networks Act, introduced by Chairman PALLONE and Ranking Member WALDEN. This bill would prohibit the use of Federal funds and FCC universal service programs for the purchase and use of telecommunications equipment which poses significant risks to national security. It would also authorize the creation of a program to enable telecommunications service providers to remove and replace untrusted telecom equipment.

It has become clear that untrusted equipment in U.S. telecommunications networks poses an unacceptable threat to our national security, and I am very happy that we were able to come together to address this serious issue.

Small broadband providers in mostly rural parts of our country have turned, understandably, to the cheapest option they could find to provide service. All too often, that has been Chinese equipment provided by Huawei or ZTE. These companies have been propped up and supported by the Chinese Government as a way of expanding Chinese influence and gaining a foothold for the Chinese Government in the networks of foreign nations.

We are coming together today to say that the risks posed by this equipment are simply not acceptable to our country or to anyone who uses these networks. Increasingly, all aspects of our economy, civil discourse, and culture run over the internet, and giving a foothold to those who might do us harm is a risk we can no longer afford.

What is frustrating is that large telecom providers knew the dangers

posed by the equipment from companies like Huawei and ZTE years ago because of warnings inside our government. But smaller providers didn't get the same heads-up by our government, and when confronted with rumors about untrusted equipment and the certainty of their bottom lines, they went with their bottom line.

My hope is that this legislation can help these folks address the threat posed by this untrusted equipment in an expeditious fashion. This bill should signal to our allies and partners around the world that network security must be a priority as we enter a new generation of communication capabilities.

I am proud of the bipartisan work of my colleagues on the Energy and Commerce Committee to advance this legislation to the floor today. I especially want to acknowledge the important contributions Subcommittee Vice Chair DORIS MATSUI made to put this bill together and move it through the legislative process.

I support this bill, and I urge my colleagues to do the same.

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

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

Mr. Speaker, I rise in support of H.R. 4998, the Secure and Trusted Communications Networks Act.

We must protect our critical communications infrastructure from vulnerabilities, and today we are taking further steps to remove suspected equipment from our networks and ensure its overall security going forward.

This bill takes into account important concerns we have heard from small, rural providers that were previously unaware of possible security risks when selecting vendors and making purchasing decisions. H.R. 4998 will help fix this information gap by ensuring they have access to the information they need to keep their networks and Americans secure.

It should not matter where you are trying to connect, whether you are in rural America or anywhere else. We must ensure the entire communications system is protected from bad actors.

Mr. Speaker, I have no other speakers. I urge my colleagues to support H.R. 4998, and I yield back the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I cannot reiterate enough how important it is that we pass this legislation and address this critical weakness in our Nation's telecommunications infrastructure.

This legislation came about through the hard work of the majority staff and the minority staff of the Energy and Commerce Committee. In particular, I would like to thank Gerry Leverich, Phil Murphy, Dan Miller, AJ Brown, Parul Desai, and Alex Hoehn-Saric of the majority staff, and Kate O'Connor, Evan Viau, and Rachel Rathore on the minority staff for their hard work and diligence to get this bill to the floor.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) that the House suspend the rules and pass the bill, H.R. 4998, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to prohibit certain Federal subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks, and for other purposes.''.

A motion to reconsider was laid on the table.

EXTENDING THE U.S. SAFE WEB ACT OF 2006

Ms. SCHAKOWSKY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4779) to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4779

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

SECTION 1. EXTENSION OF THE U.S. SAFE WEB ACT OF 2006.

Section 13 of the U.S. SAFE WEB Act of 2006 (Public Law 109–455; 15 U.S.C. 44 note) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2027''.

SEC. 2. REPORT.

Not later than 3 years after the date of the enactment of this Act, the Federal Trade Commission 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 describing its use of and experience with the authority granted by the U.S. SAFE WEB Act of 2006 (Public Law 109–455) and the amendments made by such Act. The report shall include—

(1) the number of cross-border complaints received and acted upon by the Commission;

(2) identification of the foreign agencies with which the Commission has cooperated and the results of such cooperation, including any foreign agency enforcement action or lack thereof;

(3) a description of Commission litigation brought in foreign courts and the results of such litigation; and

(4) any recommendations for legislation that may advance the mission of the Commission in carrying out the U.S. SAFE WEB Act of 2006 and the amendments made by such Act.

SEC. 3. 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 gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

General Leave

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 4779.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 4779, a bill to extend the U.S. SAFE WEB Act of 2006. This legislation, which I have cosponsored, was introduced by the ranking member of the Consumer Protection and Commerce Subcommittee, CATHY MCMORRIS RODGERS, and Representatives ROBIN KELLY and LARRY BUCSHON. It advanced out of the Energy and Commerce Committee without objection.

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With our increased global and connected marketplace, American consumers and businesses are facing a growing number of complex threats from foreign wrongdoers. The United States SAFE WEB Act protects us from bad actors engaged in unfair or deceptive acts or practices by giving the Federal Trade Commission the authority and tools it needs to pursue enforcement actions against them.

It has already been used to great effect to protect consumers in a wide range of cases, including scams that prey on older adults and connected toys that prey on our children's privacy. Reauthorizing the U.S. SAFE WEB Act is supported by all five commissioners at the Federal Trade Commission. This legislation would extend the U.S. SAFE WEB Act for another 7 years.

Mr. Speaker, I call on all my colleagues to support this measure, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 4779, the U.S. SAFE WEB Act. H.R. 4779 extends the U.S. SAFE WEB Act through 2027 and requires the Federal Trade Commission to submit a report detailing how the commission has used the program, how many cross-border

complaints the commission has received and acted upon, the identification of foreign agencies the commission has cooperated with on enforcement actions, the litigation the commission has brought in foreign courts, and any recommendations the commission may have to advance its international mission.

The SAFE WEB Act ensures the FTC has the tools it needs to protect American consumers from foreign bad actors with respect to data privacy, data breaches, spyware, spam, robocalls, and the like. This is an important program to ensure cross-border data flows that are critical for our small businesses to have a global reach in our ever-connected world. This act also reinforces our efforts to set a strong Federal standard for consumer privacy to show the world we are united in this undertaking.

I want to thank the Republican leader of the Consumer Protection and Commerce Subcommittee, Mrs. RODGERS; Dr. BUCSHON; Ms. KELLY; and the chair, Chair SCHAKOWSKY, for their bipartisan work to extend this critical program.

Mr. Speaker, I urge my colleagues to support this bill, and seeing that I have no further speakers, I am prepared to close. I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I am prepared to close, but I do want to say that this is an example of bipartisan legislation that I am so proud of that has come out of the Consumer Protection and Commerce Subcommittee, and I am really grateful to my ranking Republican, her authorship of this legislation and her work to get it passed that will certainly protect us from foreign bad actors, scams, and deceptive practices. It gives the Federal Trade Commission more authority.

Mr. Speaker, this is a bill that I am hoping that all of our colleagues can endorse, and I yield back the balance of my time.

Mr. LATTA. Mr. Speaker, I also want to thank the chair for her work on this legislation. I urge support of H.R. 4779 from this House, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 4779, 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.

BROADBAND DEPLOYMENT ACCURACY AND TECHNOLOGICAL AVAILABILITY ACT

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4229) to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4229

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 ''Broadband Deployment Accuracy and Technological Availability Act'' or the ''Broadband DATA Act''.

SEC. 2. BROADBAND DATA.

The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

''TITLE VIII—BROADBAND DATA

''SEC. 801. DEFINITIONS.

''In this title:

''(1) BROADBAND INTERNET ACCESS SERVICE.—The term 'broadband internet access service' has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

''(2) BROADBAND MAP.—The term 'Broadband Map' means the map created by the Commission under section 802(c)(1)(A).

''(3) CELL EDGE PROBABILITY.—The term 'cell edge probability' means the likelihood that the minimum threshold download and upload speeds with respect to broadband internet access service will be met or exceeded at a distance from a base station that is intended to indicate the ultimate edge of the coverage area of a cell.

''(4) CELL LOADING.—The term 'cell loading' means the percentage of the available air interface resources of a base station that are used by consumers with respect to broadband internet access service.

''(5) CLUTTER.—The term 'clutter' means a natural or man-made surface feature that affects the propagation of a signal from a base station.

''(6) FABRIC.—The term 'Fabric' means the Broadband Serviceable Location Fabric established under section 802(b)(1)(B).

''(7) FORM 477.—The term 'Form 477' means Form 477 of the Commission relating to local telephone competition and broadband reporting.

''(8) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(9) MOBILITY FUND PHASE II.—The term 'Mobility Fund Phase II' means the second phase of the proceeding to provide universal service support from the Mobility Fund (WC Docket No. 10–90; WT Docket No. 10–208).

''(10) PROPAGATION MODEL.—The term 'propagation model' means a mathematical formulation for the characterization of radio wave propagation as a function of frequency, distance, and other conditions.

''(11) PROVIDER.—The term 'provider' means a provider of fixed or mobile broadband internet access service.

''(12) QUALITY OF SERVICE.—The term 'quality of service' means information regarding offered download and upload speeds and latency of a provider's broadband internet access service as determined by and to the extent otherwise collected by the Commission.

''(13) SHAPEFILE.—The term 'shapefile' means a digital storage format containing geospatial or location-based data and attribute information—

''(A) regarding the availability of broadband internet access service; and

''(B) that can be viewed, edited, and mapped in geographic information system software.

''(14) STANDARD BROADBAND INSTALLATION.—The term 'standard broadband installation'—

''(A) means the initiation by a provider of fixed broadband internet access service in an area where the provider has not previously offered that service, with no charges or delays attributable to the extension of the network of the provider; and

''(B) includes the initiation of fixed broadband internet access service through routine installation that can be completed not later than 10 business days after the date on which the service request is submitted.

''SEC. 802. BROADBAND MAPS.

''(a) RULES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this title, the Commission shall issue rules that shall—

''(A) require the collection and dissemination of granular data, as determined by the Commission—

''(i) relating to the availability and quality of service of terrestrial fixed, fixed wireless, satellite, and mobile broadband internet access service; and

''(ii) that the Commission shall use to compile the maps created under subsection (c)(1) (referred to in this section as 'coverage maps'), which the Commission shall make publicly available; and

''(B) establish—

''(i) processes through which the Commission can verify the accuracy of data submitted under subsection (b)(2);

''(ii) processes and procedures through which the Commission, and, as necessary, other entities or persons submitting non-public or competitively sensitive information under this title, can protect the security, privacy, and confidentiality of such non-public or competitively sensitive information, including—

''(I) information contained in the Fabric;

''(II) the dataset created under subsection (b)(1)(A) supporting the Fabric; and

''(III) the data submitted under subsection (b)(2);

''(iii) the challenge process described in subsection (b)(5); and

''(iv) the process described in section 803(b).

''(2) OTHER DATA.—In issuing the rules under paragraph (1), the Commission shall develop a process through which the Commission can collect verified data for use in the coverage maps from—

''(A) State, local, and Tribal governmental entities that are primarily responsible for mapping or tracking broadband internet access service coverage for a State, unit of local government, or Indian Tribe, as applicable;

''(B) third parties, including industry analysis, mapping, or tracking of broadband internet access service coverage and quality of service, if the Commission determines that it is in the public interest to use such data in—

''(i) the development of the coverage maps; or

''(ii) the verification of data submitted under subsection (b); and

''(C) other Federal agencies.

''(3) UPDATES.—The Commission shall revise the rules issued under paragraph (1) to—

''(A) reflect changes in technology;

''(B) ensure the accuracy of propagation models, as further provided in subsection (b)(3); and

''(C) improve the usefulness of the coverage maps.

''(b) CONTENT OF RULES.—

''(1) ESTABLISHMENT OF A SERVICEABLE LOCATION FABRIC REGARDING FIXED BROADBAND.—

''(A) DATASET.—

''(i) IN GENERAL.—The Commission shall create a common dataset of all locations in the United States where fixed broadband internet access service can be installed, as determined by the Commission.

''(ii) CONTRACTING.—

''(I) IN GENERAL.—Subject to subclauses (II) and (III), the Commission may only contract with an entity with expertise with respect to geographic information systems (referred to in this subsection as 'GIS') to create and maintain the dataset under clause (i).

''(II) APPLICATION OF THE FEDERAL ACQUISITION REGULATION.—A contract into which the

Commission enters under subclause (I) shall in all respects comply with applicable provisions of the Federal Acquisition Regulation.

''(III) LIMITATIONS.—With respect to a contract into which the Commission enters under subclause (I)—

''(aa) the entity with which the Commission contracts shall be selected through a competitive bid process that is transparent and open;

''(bb) the contract shall be for a term of not longer than 5 years, after which the Commission may enter into a new contract—

''(AA) with an entity, and for the purposes, described in clause (i); and

''(BB) that complies with the requirements under subclause (II) and this subclause; and

''(cc) the contract shall prohibit the entity with which the Commission contracts (and require such entity to include in any contract with any other entity with which such entity contracts a provision prohibiting such other entity) from selling, leasing, or otherwise disclosing for monetary consideration any personally identifiable information to any entity other than for purposes authorized under this title.

''(B) FABRIC.—The rules issued by the Commission under subsection (a)(1) shall establish the Broadband Serviceable Location Fabric, which shall—

''(i) contain geocoded information for each location identified under subparagraph (A)(i);

''(ii) serve as the foundation upon which all data relating to the availability of fixed broadband internet access service collected under paragraph (2)(A) shall be reported and overlaid;

''(iii) be compatible with commonly used GIS software; and

''(iv) at a minimum, be updated every 6 months by the Commission.

''(C) IMPLEMENTATION PRIORITY.—The Commission shall prioritize implementing the Fabric for rural and insular areas of the United States.

''(2) COLLECTION OF INFORMATION.—The rules issued by the Commission under subsection (a)(1) shall include uniform standards for the reporting of broadband internet access service data that the Commission shall collect—

''(A) from each provider of terrestrial fixed, fixed wireless, or satellite broadband internet access service, which shall include data that—

''(i) documents the areas where the provider—

''(I) has actually built out the broadband network infrastructure of the provider such that the provider is able to provide that service; and

''(II) could provide that service, as determined by identifying where the provider is capable of performing a standard broadband installation, if applicable;

''(ii) includes information regarding download and upload speeds, at various thresholds established by the Commission, and, if applicable, latency with respect to broadband internet access service that the provider makes available;

''(iii) can be georeferenced to the GIS data in the Fabric;

''(iv) the provider shall report as—

''(I) with respect to providers of fixed wireless broadband internet access service—

''(aa) propagation maps and propagation model details that—

''(AA) satisfy standards that are similar to those applicable to providers of mobile broadband internet access service under subparagraph (B) with respect to propagation maps and propagation model details, taking into account material differences between fixed wireless and mobile broadband internet access service; and

''(BB) reflect the speeds and latency of the service provided by the provider; or

''(bb) a list of addresses or locations that constitute the service area of the provider, except that the Commission—

''(AA) may only permit, and not require, a provider to report the data using that means of reporting; and

''(BB) in the rules issued under subsection (a)(1), shall provide a method for using that means of reporting with respect to Tribal areas; and

''(II) with respect to providers of terrestrial fixed and satellite broadband internet access service—

''(aa) polygon shapefiles; or

''(bb) a list of addresses or locations that constitute the service area of the provider, except that the Commission—

''(AA) may only permit, and not require, a provider to report the data using that means of reporting; and

''(BB) in the rules issued under subsection (a)(1), shall provide a method for using that means of reporting with respect to Tribal areas; and

''(v) the Commission determines is appropriate with respect to certain technologies in order to ensure that the Broadband Map is granular and accurate; and

''(B) from each provider of mobile broadband internet access service, which shall include propagation maps, and propagation model details, that indicate the current (as of the date on which the information is collected) fourth generation Long-Term Evolution (commonly referred to as '4G LTE') mobile broadband internet access service coverage of the provider, which shall—

''(i) take into consideration the effect of clutter; and

''(ii) satisfy—

''(I) the requirements of having—

''(aa) a download speed of not less than 5 megabits per second and an upload speed of not less than 1 megabit per second with a cell edge probability of not less than 90 percent; and

''(bb) cell loading of not less than 50 percent; and

''(II) any other parameter that the Commission determines to be necessary to create a map under subsection (c)(1)(C) that is more precise than the map produced as a result of the submissions under the Mobility Fund Phase II information collection.

''(3) UPDATE OF REPORTING STANDARDS FOR MOBILE BROADBAND INTERNET ACCESS SERVICE.—For the purposes of paragraph (2)(B), if the Commission determines that the reporting standards under that paragraph are insufficient to collect accurate propagation maps and propagation model details with respect to future generations of mobile broadband internet access service technologies, the Commission shall immediately commence a rulemaking to adopt new reporting standards with respect to those technologies that—

''(A) shall be the functional equivalent of the standards required under paragraph (2)(B); and

''(B) allow for the collection of propagation maps and propagation model details that are as accurate and granular as, or more accurate and granular than, the maps and model details collected by the Commission under paragraph (2)(B).

''(4) CERTIFICATION AND VERIFICATION.—With respect to a provider that submits information to the Commission under paragraph (2)—

''(A) the provider shall include in each submission a certification from a corporate officer of the provider that the officer has examined the information contained in the submission and that, to the best of the officer's actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct; and

''(B) the Commission shall verify the accuracy and reliability of the information in accordance with measures established by the Commission.

''(5) CHALLENGE PROCESS.—

''(A) IN GENERAL.—In the rules issued under subsection (a)(1), and subject to subparagraph (B), the Commission shall establish a user-friendly challenge process through which consumers, State, local, and Tribal governmental entities, and other entities or persons may submit coverage data to the Commission to challenge the accuracy of—

''(i) the coverage maps;

''(ii) any information submitted by a provider regarding the availability of broadband internet access service; or

''(iii) the information included in the Fabric.

''(B) CONSIDERATIONS; VERIFICATION; RESPONSE TO CHALLENGES.—In establishing the challenge process required under subparagraph (A), the Commission shall—

''(i) consider—

''(I) the types of information that an entity or person submitting a challenge should provide to the Commission in support of the challenge;

''(II) the appropriate level of granularity for the information described in subclause (I);

''(III) the need to mitigate the time and expense incurred by, and the administrative burdens placed on, entities or persons in—

''(aa) challenging the accuracy of a coverage map; and

''(bb) responding to challenges described in item (aa);

''(IV) the costs to consumers and providers resulting from a misallocation of funds because of a reliance on outdated or otherwise inaccurate information in the coverage maps;

''(V) any lessons learned from the challenge process established under Mobility Fund Phase II, as determined from comments solicited by the Commission; and

''(VI) the need for user-friendly challenge submission formats that will promote participation in the challenge process;

''(ii) include a process for verifying the data submitted through the challenge process in order to ensure the reliability of that data;

''(iii) allow providers to respond to challenges submitted through the challenge process; and

''(iv) develop an online mechanism, which—

''(I) shall be integrated into the coverage maps;

''(II) allows for an entity or person described in subparagraph (A) to submit a challenge under the challenge process;

''(III) makes challenge data available in both geographic information system and non-geographic information system formats; and

''(IV) clearly identifies the areas in which broadband internet access service is available, and the upload and download speeds at which that service is available, as reported to the Commission under this section.

''(C) USE OF CHALLENGES.—The rules issued to establish the challenge process under subparagraph (A) shall include—

''(i) a process for the speedy resolution of challenges; and

''(ii) a process for the regular and expeditious updating of the coverage maps and granular data the Commission disseminates as challenges are resolved.

''(D) AUTOMATION TOOL.—Not earlier than 1 year after, and not later than 18 months after, the rules issued under subsection (a)(1) are implemented, the Commission shall, after an opportunity for notice and comment, 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—

''(i) evaluates the challenge process; and

''(ii) considers whether the Commission should amend its rules to create an automated tool that includes predictive capabilities to identify potential inaccuracies and features that allow a provider of broadband internet access service, the Commission, and the public to visualize the data relating to broadband internet access service that the provider reports in order to improve the accuracy of the data submitted by the provider.

''(6) REFORM OF FORM 477 PROCESS.—

''(A) IN GENERAL.—Not later than 180 days after the date on which the rules issued under subsection (a)(1) take effect, the Commission shall—

''(i) reform the Form 477 broadband deployment service availability collection process of

the Commission to achieve the purposes of this title and in a manner that enables the comparison of data and maps produced before the implementation of this title with data and coverage maps produced after the implementation of this title and maintains the public availability of broadband deployment service availability data; and

''(ii) harmonize reporting requirements and procedures regarding the deployment of broadband internet access service that, as of the date on which the rules issued under subsection (a)(1) take effect, are in effect.

''(B) CONTINUED COLLECTION AND REPORTING.—On and after the date on which the Commission carries out subparagraph (A), the Commission shall continue to collect and publicly report subscription data that the Commission collected through the Form 477 broadband deployment service availability collection process, as in effect on July 1, 2019.

''(c) MAPS.—The Commission shall—

''(1) after consulting with the Federal Geographic Data Committee established by section 753(a) of the Geospatial Data Act of 2018 (43 U.S.C. 2802(a)), create—

''(A) the Broadband Map, which shall depict—

''(i) the extent of the availability of broadband internet access service in the United States, without regard to whether that service is fixed broadband internet access service or mobile broadband internet access service, which shall be based on data collected by the Commission from all providers; and

''(ii) the areas of the United States that remain unserved by providers;

''(B) a map that depicts the availability of fixed broadband internet access service, which shall be based on data collected by the Commission from providers under subsection (b)(2)(A); and

''(C) a map that depicts the availability of mobile broadband internet access service, which shall be based on data collected by the Commission from providers under subsection (b)(2)(B);

''(2) use the maps created under paragraph (1)—

''(A) to determine the areas in which terrestrial fixed, fixed wireless, mobile, and satellite broadband internet access service is and is not available; and

''(B) when making any new award of funding with respect to the deployment of broadband internet access service;

''(3) update the maps created under paragraph (1) not less frequently than biannually using the most recent data collected from providers under subsection (b)(2);

''(4) make available to all Federal agencies, upon request, the maps created under paragraph (1);

''(5) establish a process to make the data collected under subsection (b)(2) available to the National Telecommunications and Information Administration; and

''(6) make public at an appropriate level of granularity—

''(A) the maps created under paragraph (1); and

''(B) the data collected by the Commission with respect to broadband internet access service availability and quality of service.

''(d) DELAYED EFFECTIVE DATE OF QUALITY OF SERVICE RULES.—Any requirement of a rule relating to quality of service issued under subsection (a)(1) shall take effect not earlier than the date that is 180 days after the date on which the Commission issues such rule.

''SEC. 803. IMPROVING DATA ACCURACY.

''(a) AUDITS.—The Commission shall conduct regular audits of information submitted to the Commission by providers under section 802(b)(2) to ensure that the providers are complying with this title.

''(b) CROWDSOURCING.—

''(1) IN GENERAL.—The Commission shall—

''(A) develop a process through which entities or persons in the United States may submit specific information about the deployment and availability of broadband internet access service in the United States on an ongoing basis so that the information may be used to verify and supplement information provided by providers of broadband internet access service for inclusion in the maps created under section 802(c)(1); and

''(B) update the maps created under section 802(c)(1) on no less than an annual cycle based on the information received through such process.

''(2) COLLABORATION.—As part of the efforts of the Commission to facilitate the ability of entities or persons to submit information under paragraph (1), the Commission shall—

''(A) prioritize the consideration of data provided by data collection applications used by consumers that the Commission has determined—

''(i) are highly reliable; and

''(ii) have proven methodologies for determining network coverage and network performance; and

''(B) coordinate with the Postmaster General, or the heads of other Federal agencies that operate delivery fleet vehicles, to facilitate the submission of specific information by the United States Postal Service or such other agencies under paragraph (1).

''(c) TECHNICAL ASSISTANCE TO INDIAN TRIBES.—

''(1) IN GENERAL.—Subject to paragraph (2), the Commission shall hold annual workshops for Tribal governments to provide technical assistance with the collection and submission of data under section 802(a)(2)(A).

''(2) ANNUAL REVIEW.—Each year, the Commission, in consultation with Indian Tribes, shall review the need for continued workshops required under paragraph (1).

''(d) TECHNICAL ASSISTANCE TO SMALL SERVICE PROVIDERS.—The Commission shall establish a process through which a provider that has fewer than 100,000 active broadband internet access service connections may request and receive assistance from the Commission with respect to geographic information system data processing to ensure that the provider is able to comply with the rules issued under section 802(a)(1) in a timely and accurate manner.

''(e) GAO ASSESSMENT OF FABRIC SOURCE DATA.—

''(1) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of key data sources that are used for purposes of the Fabric to identify and geocode locations where fixed broadband internet access service can be installed, in order to develop recommendations for how the quality and completeness of such data sources can be improved as data sources for the Fabric. Data sources to be assessed shall include any sources of relevant Federal data, including the National Address Database administered by the Department of Transportation, State- and county-level digitized parcel data, and property tax record tax attribute recording.

''(2) REPORT.—Not later than 1 year after the date of the enactment of this title, the Comptroller General 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 containing the recommendations developed in the assessment under paragraph (1).

''(f) TECHNICAL ASSISTANCE TO CONSUMERS AND STATE, LOCAL, AND TRIBAL GOVERNMENTAL ENTITIES.—The Commission shall provide technical assistance to consumers and State, local, and Tribal governmental entities with respect to the challenge process established under section 802(b)(5), which shall include—

''(1) detailed tutorials and webinars; and

''(2) making available staff of the Commission to provide assistance, as needed, throughout the entirety of the challenge process.

''SEC. 804. COST.

''(a) LIMITATION.—The Commission may not use funds from the universal service programs of the Commission established under section 254, and the regulations issued under that section, to carry out this title.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission to carry out this title—

''(1) $25,000,000 for fiscal year 2021; and

''(2) $9,000,000 for each of the fiscal years 2022 through 2028.

''SEC. 805. OTHER PROVISIONS.

''(a) OMB.—Notwithstanding any other provision of law, the initial rulemaking required under section 802(a)(1) shall be exempt from review by the Office of Management and Budget.

''(b) PRA.—Chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') shall not apply to the initial rulemaking required under section 802(a)(1).

''(c) EXECUTION OF RESPONSIBILITIES.—Except, with respect to an entity that is not the Universal Service Administrative Company, as provided in sections 802(a)(2)(B), 802(b)(1)(A)(ii), and 803(d), the Commission—

''(1) including the offices of the Commission, shall carry out the responsibilities assigned to the Commission under this title; and

''(2) may not delegate any of the responsibilities assigned to the Commission under this title to any third party, including the Universal Service Administrative Company.

''(d) REPORTING.—Each fiscal year, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that summarizes the implementation of this title and associated enforcement activities conducted during the previous fiscal year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. 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 materials on H.R. 4229.

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

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first off, I want to thank Ranking Member WALDEN and his staff for their willingness and dedication in working with us to come to an agreement on this legislation and work with us to move it through the House.

H.R. 4229, the Broadband Deployment Accuracy and Technological Availability, or DATA, Act, introduced by Mr. LOEBSACK and subcommittee Ranking Member LATTA, would require the Federal Communications Commission to take steps to address the many problems with our current broadband maps. We have talked about incomplete and inaccurate broadband maps for as long as I have been on the Energy and Commerce Committee, and I am glad that my colleagues were able to come together and finally address this important issue.

Accurate maps of who does and doesn't have access to broadband are a critical first step in closing the digital divide. We can't hope to solve this problem if we don't know the scope of it and where to put our resources. This bill would dramatically improve the FCC broadband maps by requiring the FCC to collect and disseminate far more granular broadband data for both fixed and mobile services. The bill would also allow the FCC to use crowdsourced data to help verify and supplement carrier-provided data.

This bill also integrates concepts and principles from H.R. 4128, the Map Improvement Act of 2019, introduced by Representatives LUJÁN, BILIRAKIS, and myself; H.R. 2643, the Broadband Mapping After Public Scrutiny Act of 2019, introduced by Ranking Member LATTA and my good friend, Congressman WELCH, who has been a leader on addressing the broadband mapping issue; and H.R. 3162, the Broadband Data Improvement Act of 2019, introduced by Representatives MCMORRIS RODGERS and O'HALLERAN.

H.R. 4229 is a commonsense bill with bipartisan support to fix a long-standing problem in our Nation's broadband maps.

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

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

Mr. Speaker, I rise today in strong support of the Broadband DATA Act.

Over the last several Congresses, I have been focused on improving our broadband availability maps, so we not only inject fiscal responsibility into our Federal programs but to also connect thousands of my constituents who lack basic access to a meaningful internet connection. As we approach the end of the second decade in the 21st century, we must ensure all Americans are able to participate in the digital economy.

Since passage of the 1996 Telecommunications Act, the private sector has invested roughly $1.7 trillion in their networks using different technologies. This private investment in rural broadband deployment is commendable and needed, but we must also make sure that government-supported solutions complement private investment instead of competing with it. The Broadband DATA Act will do just that. It will improve our Nation's coverage maps so that we can better pinpoint where internet access is and where it isn't. This accuracy is vital in directing Federal funds to communities that need it the most.

That is why I am pleased to see this important broadband mapping legislation before us today. I have worked on this bill with my friends across the aisle—specifically my good friend, the gentleman from Iowa (Mr. LOEBSACK)—and in the Senate. I appreciate the renewed focus this Congress has on improving the broadband maps because it is critically important our future funding decisions are based upon data that is verified, accurate, and granular.

As Members of Congress, we know our districts better than anyone, and we hear from those who do not have service. When we compared our knowledge with the existing maps, we recognized the need to take action and fix the maps to reflect reality.

While the Broadband DATA Act will move us closer in that direction, it is an evolving landscape and inevitably we will need to continually evaluate their effectiveness. That is why this bill includes a robust, user-friendly challenge process to appropriately dispute potential inaccuracies within the coverage maps. The challenge process is yet another layer to ensuring Federal funds are going to communities that need it most and ultimately bridging the digital divide in Ohio and across the entire Nation.

Mr. Speaker, today we are taking a meaningful step to promote broadband deployment in rural America. I urge my colleagues to support this measure, and I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. LOEBSACK), who is the Democratic prime sponsor and author of this bill.

Mr. LOEBSACK. Mr. Speaker, I thank Chairman DOYLE for yielding 5 minutes to me.

Mr. Speaker, I am proud to stand here today to speak in support of my bill, the Broadband Deployment Accuracy and Technological Availability Act, or the Broadband DATA Act, which I introduced with my colleagues Representatives LATTA, MCEACHIN, and LONG.

I have spent my time at the Committee on Energy and Commerce advocating for the people of Iowa's Second District and for all rural Americans. I have had good partners on this committee. Congressman LATTA and I have worked together on numerous issues, not just this one, and I appreciate the time and energy that Chairman PALLONE and Chairman DOYLE have spent on ensuring the issues important to Iowans get attention and because they understand that in 2019 it is simply unacceptable that many families and small businesses, farmers, educators, and healthcare providers in rural areas don't have the necessary access to high-speed internet.

I have often said that there are two things needed to connect rural America to high-speed broadband, and that is dollars and data. Without reliable data, the dollars don't matter. As I have often said: garbage in is garbage out. You have to have good data to know where the problems exist, otherwise—maybe even more importantly—it is a waste of taxpayer dollars as well.

When this bill becomes law, we will finally begin to fix the bad broadband maps that for too long have often misstated speed and availability throughout these rural areas in America. In order to actually fix the problem and get high-speed broadband in rural areas, we absolutely must have the best data available. It really is that simple. Without knowing where the high-speed broadband problems truly exist, we cannot properly invest in building out that access.

That is why I am proud that the Broadband DATA Act will, first, require the FCC to collect granular service availability data from wired, fixed wireless, and satellite broadband providers; second, it will require strong parameters for service availability data that we collect from mobile broadband providers to ensure accuracy; and, third, it will create a challenge process. This is very important for consumers; State, local, and Tribal governments and other groups to challenge FCC maps with their own data.

It requires the FCC to determine how to structure the process without making it overly burdensome on these challenges.

Mr. Speaker, in closing, I thank Chairmen PALLONE and DOYLE and Ranking Members WALDEN and LATTA and all of the staff, in particular my staff over here, Scott. I urge all of my colleagues in this body to support this bill so that we can finally fix the maps and build broadband out to rural America.

I have only been on the committee a short time relative to some others, and they have been talking about this for years. I thank Chairman DOYLE and Representatives LATTA and WALDEN for all the great work they provided on this.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have no more speakers, and I reserve the balance of my time.

□ 1630

Mr. LATTA. Mr. Speaker, it is absolutely important that we have rural broadband access. It is not only to help our citizens but our students. We have to make sure that our businesses and our farmers all have the access they need to survive in this world that we live in today.

Mr. Speaker, I highly urge our Members of this House to support this bill, and I yield back the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as FCC Commissioner Rosenworcel said at our last oversight hearing, we need accurate maps before we spend money, and we need better data if we want good deployments.

More than that, I would add, the FCC needs to fix the maps that they have before they go out spending billions of dollars on broadband deployment in rural communities. Some of the funding choices the Commission has discussed making could impact these communities for the next 10 years.

The Commission has also acted on a range of regulatory actions related to

deployment and competition using bad maps.

To be honest, I think the FCC needs to fix its maps before it makes either funding or regulatory decisions. To be honest, it seems like the FCC is a fact-free zone when it comes to the disconnect between how bad their maps are and the kinds of actions they are taking.

I want to thank the good work done by my colleague DAVE LOEBSACK. The broadband mapping issue has been a passion of his for a long time, and I am glad that we are acting to address it before Dave retires. I know that he and his staffer Scott Stockwell, who is celebrating his birthday—and I wish Scott a happy birthday—have worked hard to get this legislation to the floor today. It is a critical first step in getting our Nation on the right track to closing the digital divide.

I also thank our committee staffers Jerry Leverich, Dan Miller, AJ Brown, Parul Desai, Phil Murphy, and Alex Hoehn-Saric on the majority staff, and Kate O'Connor, Evan Viau, Mike Engel, and Rachel Rathore on the minority staff for their hard work and diligence to get this bill to floor.

I urge my colleagues to support this bill and address a critical shortfall in our Nation's broadband deployment policy.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) that the House suspend the rules and pass the bill, H.R. 4229, 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.

MAPPING ACCURACY PROMOTES SERVICES ACT

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4227) to prohibit the submission to the Federal Communications Commission of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4227

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 ''Mapping Accuracy Promotes Services Act'' or the ''MAPS Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) BROADBAND INTERNET ACCESS SERVICE.—The term ''broadband internet access service'' has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(3) PROVIDER.—The term ''provider'' means a provider of fixed or mobile broadband internet access service.

(4) QUALITY OF SERVICE.—The term ''quality of service'' means information regarding offered download and upload speeds and latency of a provider's broadband internet access service as determined by and to the extent otherwise collected by the Commission.

SEC. 3. ENFORCEMENT.

(a) IN GENERAL.—It shall be unlawful for a person to willfully, knowingly, or recklessly submit broadband internet access service coverage information or data to the Commission for the purposes of compiling a broadband coverage map that is inaccurate with respect to the availability or quality of service of broadband internet access service.

(b) PENALTY.—Any person who violates subsection (a) shall be subject to an appropriate penalty, as determined by the Commission, under—

(1) the Communications Act of 1934 (47 U.S.C. 151 et seq.), including section 501 of that Act (47 U.S.C. 501); and

(2) the rules of the Commission.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsection (a) shall apply with respect to broadband internet access service coverage information or data that is submitted to the Commission on or after the date of the enactment of this Act.

(2) QUALITY OF SERVICE INFORMATION OR DATA.—To the extent broadband internet access service coverage information or data relates to quality of service, subsection (a) shall apply with respect to information or data that is submitted on or after the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4227.

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

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, the House will consider H.R. 4227, the Mapping Accuracy Promotes Services Act, or MAPS Act, introduced by Mr. MCEACHIN and Mr. LONG.

This legislation would specify that it is unlawful to willingly, knowingly, and recklessly submit mapping data that is incorrect. This is an issue that the FCC has been wrestling with for years.

Earlier this year, the FCC claimed that, based on data they had collected, the number of Americans who lacked access to broadband had dropped 25 percent since 2017. However, this statistic was based on a colossal error by one provider that skewed results for the whole Nation. The provider claimed that they served 62 million people, or 20 percent, of the Nation with fiber. This would have made this single provider the fourth largest provider in the country when, in fact, they were the 81st largest.

Our mapping problems don't end there. The FCC delayed their Mobility Fund 2 proceeding last year because the data submitted by wireless carriers was so inaccurate that it was unclear what basis the FCC would use to award over $4 billion in broadband deployment funds.

This fund was intended to pay for the deployment of 4G wireless broadband services to rural and unserved communities. The FCC halted that proceeding for over a year and just last week announced that they would be moving forward on a revamped proceeding sometime next year.

The major sticking point is that they will need to go out and redo all the inaccurate maps, which are based on fraudulent and overstated data, that they currently have. To add insult to injury, the FCC isn't even taking action against the carriers that submitted the faulty or fraudulent data in the first place.

This legislation addresses many of these issues by making it unlawful to willingly, knowingly, or recklessly submit inaccurate data about the availability or quality of service of broadband.

Our government can't make good broadband policy if we don't know where we do and where we don't have broadband, and we will never know where we have it if there are no penalties for submitting false or inaccurate data.

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

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

Mr. Speaker, I rise today in strong support of the MAPS Act. Combined with H.R. 4229, the Broadband DATA Act, this bill will bring further accountability to our broadband availability maps.

With millions of dollars directed toward broadband subsidies, it is critical that those submitting coverage information to the Federal Communications Commission do not intentionally mislead policymakers with grossly inaccurate data.

This bill is intended to deter truly bad actors from overstating their coverage, and it is an important piece to our overall goal to fix our Nation's broadband maps.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I want to thank the good work done by my colleague, Mr. MCEACHIN. This issue has been one that he has been passionate about, and I am glad we are acting to address it today.

Mr. Speaker, I urge my colleagues to pass 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 Pennsylvania (Mr. MICHAEL F. DOYLE) that the House suspend the rules and pass the bill, H.R. 4227.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SAFER OCCUPANCY FURNITURE FLAMMABILITY ACT

Ms. SCHAKOWSKY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2647) to adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2647

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 ''Safer Occupancy Furniture Flammability Act'' or the ''SOFFA Act''.

SEC. 2. ADOPTION OF CALIFORNIA FLAMMABILITY STANDARD AS A FEDERAL STANDARD.

(a) DEFINITIONS.—In this section—

(1) the term ''bedding product'' means—

(A) an item that is used for sleeping or sleep-related purposes; or

(B) any component or accessory with respect to an item described in subparagraph (A), without regard to whether the component or accessory, as applicable, is used—

(i) alone; or

(ii) along with, or contained within, that item;

(2) the term ''California standard'' means the standard set forth by the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation of the Department of Consumer Affairs of the State of California in Technical Bulletin 117–2013, entitled ''Requirements, Test Procedure and Apparatus for Testing the Smolder Resistance of Materials Used in Upholstered Furniture'', originally published June 2013, as in effect on the date of enactment of this Act;

(3) the terms ''foundation'' and ''mattress'' have the meanings given those terms in section 1633.2 of title 16, Code of Federal Regulations, as in effect on the date of enactment of this Act; and

(4) the term ''upholstered furniture''—

(A) means an article of seating furniture that—

(i) is intended for indoor use;

(ii) is movable or stationary;

(iii) is constructed with an upholstered seat, back, or arm;

(iv) is—

(I) made or sold with a cushion or pillow, without regard to whether that cushion or pillow, as applicable, is attached or detached with respect to the article of furniture; or

(II) stuffed or filled, or able to be stuffed or filled, in whole or in part, with any material, including a substance or material that is hidden or concealed by fabric or another covering, including a cushion or pillow belonging to, or forming a part of, the article of furniture; and

(v) together with the structural units of the article of furniture, any filling material, and the container and covering with respect to those structural units and that filling material, can be used as a support for the body of an individual, or the limbs and feet of an individual, when the individual sits in an upright or reclining position;

(B) includes an article of furniture that is intended for use by a child; and

(C) does not include—

(i) a mattress;

(ii) a foundation;

(iii) any bedding product; or

(iv) furniture that is used exclusively for the purpose of physical fitness and exercise.

(b) ADOPTION OF STANDARD.—

(1) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this Act, and except as provided in paragraph (2), the California standard shall be considered to be a flammability standard promulgated by the Consumer Product Safety Commission under section 4 of the Flammable Fabrics Act (15 U.S.C. 1193).

(2) TESTING AND CERTIFICATION.—A fabric, related material, or product to which the California standard applies as a result of paragraph (1) shall not be subject to section 14(a) of the Consumer Product Safety Act (15 U.S.C. 2063(a)) with respect to that standard.

(3) CERTIFICATION LABEL.—Each manufacturer of a product that is subject to the California standard as a result of paragraph (1) shall include the statement ''Complies with U.S. CPSC requirements for upholstered furniture flammability'' on a permanent label located on the product, which shall be considered to be a certification that the product complies with that standard.

(c) PREEMPTION.—

(1) IN GENERAL.—Notwithstanding section 16 of the Flammable Fabrics Act (15 U.S.C. 1203) and section 231 of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 2051 note), and except as provided in subparagraphs (B) and (C) of paragraph (2), no State or any political subdivision of a State may establish or continue in effect any provision of a flammability law, regulation, code, standard, or requirement that is designed to protect against the risk of occurrence of fire, or to slow or prevent the spread of fire, with respect to upholstered furniture.

(2) PRESERVATION OF CERTAIN STATE LAW.—Nothing in this Act or the Flammable Fabrics Act (15 U.S.C. 1191 et seq.) may be construed to preempt or otherwise affect—

(A) any State or local law, regulation, code, standard, or requirement that—

(i) concerns health risks associated with upholstered furniture; and

(ii) is not designed to protect against the risk of occurrence of fire, or to slow or prevent the spread of fire, with respect to upholstered furniture;

(B) sections 1374 through 1374.3 of title 4, California Code of Regulations (except for subsections (b) and (c) of section 1374 of that title), as in effect on the date of enactment of this Act; or

(C) the California standard.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

GENERAL LEAVE

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2647.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 2647, the Safer Occupancy Furniture Flammability Act, also known as SOFFA.

This bipartisan legislation, which I have cosponsored, was introduced by Representatives DORIS MATSUI and MORGAN GRIFFITH. It advanced out of the Committee on Energy and Commerce by voice vote.

This bill adopts California's upholstered furniture flammability standard as the Federal standard. This new standard will ensure all Americans are protected from the rise of upholstered furniture fires and will eliminate unnecessary consumer exposure to flame-retardant chemicals. These toxic chemicals are associated with adverse health effects, including hormonal disruption, reduced fertility, and even cancer.

For too long, upholstered furniture has been laden with flame-retardant chemicals and has been a significant source of human exposure to those toxic chemicals. Flame retardants are known to migrate out of the furniture and into household dust and persist in the indoor environment.

Since the chemicals also accumulate in our bodies over time, babies and children, whose bodies and brains are still developing and who spend a lot of time on the floor, are especially vulnerable to toxic effects.

Firefighters have long expressed concern that they face additional risks due to their unique exposure by the combustion of flame-retardant chemicals that occurs when they are battling fires.

Flame-retardant chemicals in furniture are all risk and no reward. Testing by the Consumer Product Safety Commission has shown flame retardants added to furniture provide no meaningful fire safety benefit and make no difference in how much time you have to escape in the event of a fire.

With this legislation, consumers will no longer have to second-guess whether or not the new sofa that they are purchasing meets stringent flammability standards. Manufacturers will be required to include a statement on a permanent label regarding the product's compliance with this new standard.

Mr. Speaker, I call on my colleagues to support this important legislation for public health and safety, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 2647, the Safer Occupancy Furniture Flammability Act, or SOFFA.

SOFFA adopts a national Federal standard for upholstered furniture.

SOFFA is important to ensure uniformity in the regulation of flammability standards for upholstered furniture to avoid a patchwork of State laws. This provides necessary certainty to the industry and also safety for consumers who know, no matter what their ZIP Code is, they will enjoy the same protections.

I am glad to see my friends across the aisle agree that the Federal Government must act to establish a national standard here. This debate is timely because we are having this very same discussion with respect to online privacy.

As my good friends know, the internet knows no boundaries. Upholstered furniture, like privacy, should enjoy a national standard to avoid a patchwork of State laws.

If it makes sense here, it must make sense with privacy. We do not want States regulating the internet differently. Consumer protections should not depend on Zip Codes.

I am encouraged to see my colleagues agree today that, with upholstered furniture, a national framework makes sense. I urge them to apply the same to online privacy.

Mr. Speaker, I thank the gentlewoman from California (Ms. MATSUI) and the gentleman from Virginia (Mr. GRIFFITH) for their bipartisan work on this bill, and the chair, the gentlewoman from Illinois (Ms. SCHAKOWSKY), for her work on this legislation.

Mr. Speaker, I again urge my colleagues to support SOFFA, H.R. 2647, and pass this very important legislation, and I yield back the balance of my time.

□ 1645

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

Think of it, that in our upholstered furniture there can be toxic chemicals that actually cause tremendous health hazards, not only to the people who own that furniture, but, now, to firefighters who are coming to put out fires. That is one.

And number two, we find that these don't really have any effect on fires and make the time shorter that you can get out or actually reduce the chance of fire. So as I said, there is no gain in having these chemicals.

Mr. Speaker, I have two letters that I will include in the RECORD, and they are:

One, a letter from 17 organizations, including the Natural Resources Defense Council, Consumer Federation of America, Earthjustice, Green Science Policy Institute, Safer Chemicals Healthy Families, and Toxic-Free Future, among many others, urging strong support by Members for SOFFA; and

Two, a letter from 15 national organizations representing consumers throughout the United States, including the Consumer Federation of America, National Consumers League, Kids in Danger, Public Citizen, and Safe Kids Worldwide, among many others, also urging strong support for this legislation.

DECEMBER *16, 2019*.

DEAR MEMBER OF CONGRESS: The undersigned groups urge you to vote YES on the SOFFA Act (H.R. 2647), led by Representatives Matsui and Griffith. This bipartisan legislation would help safeguard public health. There is currently no flammability standard for upholstered furniture at the federal level. This is a major gap that Congress should fill. Fortunately, the state of California recently conducted an extensive process to identify a furniture flammability standard that would provide protection against the vast majority of upholstered furniture fires, without the need for flame retardant chemicals, which have been linked to a variety of adverse health effects, including impaired brain development, reproductive problems, and cancers. Firefighters and children face especially high exposures and risks. The SOFFA Act would make California's flammability standard for upholstered furniture the standard across the nation.

In 2013, California's Bureau of Household Goods and Services (''Bureau'') determined that the vast majority of upholstered furniture fires are started by smoldering materials on the fabric surface of the furniture. Therefore, it adopted a standard that addresses the safety threat of smoldering materials igniting the cover fabric of furniture. The result was California Technical Bulletin 117–2013 (TB 117–2013). TB 117–2013 was widely supported by firefighters, environmental and public health groups, and independent fire scientists.

Since the standard was adopted, additional science has reinforced its importance and effectiveness. A 2019 study published in the American Journal of Public Health found that among furniture fires, those caused by smoking products were the deadliest, and that the odds of someone dying in a furniture fire caused by smoking was three times greater than in a furniture fire caused by an open flame (such as a candle or match). It also found that standards focused on fires caused by an open flame and that relied on the addition of toxic flame retardant chemicals to furniture were ineffective in reducing the incidence of fires. The authors concluded that ''[d]ata on injury and death in residential fires support greater attention to smoking-related fires in furniture, because they are associated with a much higher risk of death than are fires ignited by open flames. Standards such as TB117–2013 are designed to address cigarette ignition of furniture without the use of toxic FR [flame retardant] chemicals. Future regulations to increase fire safety of residential furniture should continue to focus on ignition from smoking materials.''

Making California's TB 117–2013 the national flammability standard would end sporadic efforts to promulgate open flame standards that promote the use of toxic, flame retardant chemicals without providing a fire safety benefit. It would also provide a uniform standard for the furniture industry, while being health protective. The Consumer Product Safety Commission (CPSC) has previously relied on California flammability standards as the basis for federal health-protective standards. The SOFFA Act will create strong public health protections for people across the country and reduce the risk of harm by furniture-related fires. We urge you to safeguard public health for all Americans and vote YES on H.R. 2647.

Sincerely,

Alaska Community Action on Toxics, Center for Environmental Health, Clean and Healthy New York, Clean Water Action, Coming Clean, Commonwealth Biomonitoring Resource Center, Consumer Federation of America, Earthjustice, Ecology Center (Michigan), Environmental Health Strategy Center, Green Science Policy Institute, Healthy Baby Bright Futures, Healthy Legacy Coalition, Natural Resources Defense Council, Safer Chemicals Healthy Families, Safer States, Toxic-Free Future.

SEPTEMBER 12, 2019.

DEAR REPRESENTATIVE: As organizations dedicated to improving consumer protections, we write to express our support for three consumer product safety bills as they move to the House floor. These bills would enhance protections to prevent deaths from portable fuel cans, injuries and deaths from carbon monoxide poisoning, and reduce exposure to harmful flame retardants. We urge you to support these bills to protect children and all consumers from preventable injuries and deaths.

The Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019 (H.R. 1618) would establish a grant program, administered by the CPSC, that would encourage states to require the installation of residential carbon monoxide detectors, including for vulnerable populations. According to the CDC, during 2010–2015, a total of 2,244 deaths resulted from unintentional carbon monoxide (CO) poisoning, with 393 of those deaths occurring in 2015. This bill seeks to reduce carbon monoxide poisonings.

The Portable Fuel Container Safety Act of 2019 (H.R. 806) would help prevent flame jetting incidents through establishing a binding and enforceable standard that would require flame mitigation devices, or flame arrestors, on portable fuel containers to prevent flames from entering these containers and igniting the gases inside. According to National Fire Protection Association estimates, fire departments responded to an average of 160,910 fires per year between 2007 and 2011 that started with ignition of a flammable or combustible liquid, resulting in an estimated 454 civilian deaths, 3,910 civilian injuries, and $1.5 billion in direct property damage per year.

The Safer Occupancy Furniture Flammability Act, or SOFFA (H.R. 2647), would adopt a California flammability standard as a federal flammability standard to help protect against the risk of upholstered furniture fires and consumer exposure to flame retardant chemicals. Today's California standard, TB 117–2013, is currently the strongest measure U.S. consumers have to keep them protected from purchasing upholstered furniture that is either highly flammable or loaded with flame-retardant chemicals. While this bill seeks to protect consumers from both fires and flame retardant exposure, we urge members to strengthen the bill through amending it so that other states retain the ability to exceed TB 117–2013's level of protection if they so choose.

These bills offer a critical opportunity to protect children and all consumers from preventable injuries and deaths. We urge you to support these child health and safety bills, and to vote ''yes'' on them as they move to the House floor.

Sincerely,

Alaska Public Interest Research Group (AkPIRG), Center for Justice & Democracy, Chicago Consumer Coalition, Child Injury Prevention Alliance, Consumer Assistance Council, Inc., Consumer Federation of America, Kids In Danger, National Consumers League, OHSU/Doernbecher Tom Sargent Safety Center, Parents for Window Blind Safety, Public Citizen, Safe Kids Worldwide, Safe States Alliance, The Society for Advancement of Violence and Injury Research

(SAVIR), Virginia Citizens Consumer Council.

Ms. SCHAKOWSKY. Mr. Speaker, I urge strong support for this bipartisan legislation. I urge all Members to vote in favor, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 2647, 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.

SAFE SLEEP FOR BABIES ACT OF 2019

Ms. SCHAKOWSKY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3172) to prohibit the manufacture for sale, offer for sale, distribution in commerce, or importation into the United States of any inclined sleeper for infants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3172

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 ''Safe Sleep for Babies Act of 2019''.

SEC. 2. BANNING OF INCLINED SLEEPERS FOR INFANTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, inclined sleepers for infants, regardless of the date of manufacture, shall be considered a banned hazardous product under section 8 of the Consumer Product Safety Act (15 U.S.C. 2057).

(b) INCLINED SLEEPER FOR INFANTS DEFINED.—In this section, the term ''inclined sleeper for infants'' means a product with an inclined sleep surface greater than ten degrees that is intended, marketed, or designed to provide sleeping accommodations for an infant up to one year old.

SEC. 3. BANNING OF CRIB BUMPERS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, crib bumpers, regardless of the date of manufacture, shall be considered a banned hazardous product under section 8 of the Consumer Product Safety Act (15 U.S.C. 2057).

(b) CRIB BUMPER DEFINED.—In this section, the term ''crib bumper''—

(1) means any material that is intended to cover the sides of a crib to prevent injury to any crib occupant from impacts against the side of a crib or to prevent partial or complete access to any openings in the sides of a crib to prevent a crib occupant from getting any part of the body entrapped in any opening;

(2) includes a padded crib bumper, a supported and unsupported vinyl bumper guard, and vertical crib slat covers; and

(3) does not include a non-padded mesh crib liner.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

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

Mr. Speaker, I rise in strong support of H.R. 3172, the Safe Sleep for Babies Act of 2019. This legislation combines a bill that was introduced by Consumer Protection and Commerce Subcommittee Vice Chair TONY CÁRDENAS, which bans inclined sleepers that have been associated with many infant deaths, with a bill that I introduced, the Safe Cribs Act, which bans crib bumpers that have led to suffocation deaths of infants. I introduced this legislation with my friends and colleagues from Illinois, Congresswoman ROBIN KELLY and Congressman BOBBY RUSH.

For years, pediatricians have provided very clear recommendations for keeping babies safe while they sleep. Babies should only sleep on a firm, flat surface, free of any extra soft bedding. Infant inclined sleepers and crib bumpers are two products that contradict these longstanding recommendations of physicians.

Infant inclined sleepers, like the Fisher-Price Rock 'n Play, position babies for sleep on a dangerous incline. The inclined nature of these products goes directly against the guidance of pediatricians and medical experts.

In April of this year, the public learned just how deadly they are: At least 32 babies have died in the Fisher-Price Rock 'n Play since they were first introduced 10 years ago, in 2009. According to the latest figures, at least 73 babies have died in similar products like the Rock 'n Play.

With the ensuing outrage, the Consumer Product Safety Commission took some action, recalling over 5 million infant inclined sleepers. And thanks to pressure by Consumer Reports and Members of Congress, including Representative CÁRDENAS and myself, some retailers, including Amazon, eBay, Walmart, and Buy Buy Baby, have recently announced plans to stop selling these products.

However, too many new or used inclined sleepers remain for sale on shelves and online. This class of product needs to be banned, and many children would still be alive if they had never been sold.

Crib bumpers also remain widely used by parents and caretakers, despite safe sleep recommendations that ''bare is best'' and that any kind of soft bedding in a crib creates an unnecessary suffocation danger.

That is, and the reason that they are so available is, because crib bumpers are featured on displays in stores, on baby registry checklists, and bundled as part of infant bedding sets.

These products, parents and caregivers are told, prevent babies from bumping their heads or getting their arms or legs caught in the crib rails. But these products are unnecessary. Worse than unnecessary, they can be deadly. More than 100 babies have died because of crib bumpers since 1990.

Consumers trust that the products that they see on the store shelves are safe. They think that products wouldn't be sold if they were so dangerous.

We must take these dangerous products off the shelf now. No family should have to experience the heartache and the tragedy of losing a baby in an unsafe sleep product.

The Safe Sleep for Babies Act of 2019 will save babies' lives.

I want to thank Congressman CÁRDENAS for his leadership, and I call on all of my colleagues to support this measure.

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

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

Mr. Speaker, I rise in support of H.R. 3172, the Safe Sleep for Babies Act.

H.R. 3172 addresses the risk of suffocation that infants face related to inclined sleepers. It bans all products with an inclined sleep surface greater than 10 degrees to address tragic deaths related to inclined sleepers. It also addresses the risk of suffocation infants face related to padded crib bumpers.

I also want to thank the gentleman from California (Mr. CÁRDENAS) for his work on this bill.

I urge my colleagues to support this measure, the Safe Sleep for Babies Act.

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

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

Mr. Speaker, I am so proud of our subcommittee, the Consumer Protection and Commerce Subcommittee in the Energy and Commerce Committee, for really saving lives.

If we pass this legislation, we will stop hazards that are known to cause deaths of children in their beds by parents who have trusted that these products, because they are on the shelf, are safe.

These bumpers and these inclined sleepers are proven killers, so this legislation will make these nurseries, these places where we put our precious babies to bed, much safer.

Mr. Speaker, I include in the RECORD a letter from 20 national organizations and more than 50 State and local organizations representing pediatricians and consumers throughout the United States, including the American Academy of Pediatrics, Consumer Federation of America, Consumer Reports, Kids in Danger, among many others, urging strong support from Members for the Safe Sleep for Babies Act.

SEPTEMBER 11, 2019.

DEAR REPRESENTATIVE: As organizations dedicated to children's health and safety, we write to express our strong support for three bills as they move to the House floor. These bills would improve protections against preventable sleep-related deaths, as well as injuries and deaths from preventable furniture tip-overs. We urge you to support these bills to protect children from injuries and deaths.

The Safe Sleep for Babies Act of 2019 (H.R. 3172) would ban infant inclined sleep products, such as the recently recalled Fisher-

Price Rock 'n Play Sleeper, which have been linked to the deaths of at least 50 infants. While there have been four recent recalls related to this product type, similar unsafe products of this type remain on the market. These products are deadly, and their design is inherently unsafe and incompatible with expert safe sleep recommendations, including from the American Academy of Pediatrics. This legislation would help prevent more families from experiencing the tragedy of losing a child by banning the products' manufacture, import, and sale.

The Safe Cribs Act of 2019 (H.R. 3170) would ban crib bumper pads. Bumper pads have led to dozens of infant suffocation deaths and do not offer protection to babies. These products are also inconsistent with expert safe sleep recommendations. Maryland, Ohio, New York State, Chicago, Illinois, and Watchung, New Jersey have taken action to protect babies. If H.R. 3170 becomes law, all babies in the Unites States would be similarly protected. This legislation would help prevent more families from experiencing the tragedy of losing a child to crib bumper pads by banning their manufacture, import, and sale altogether.

The STURDY Act (H.R. 2211) would direct the U.S. Consumer Product Safety Commission (CPSC) to create a mandatory clothing storage unit standard to help prevent furniture tip-overs. According to the CPSC, one child dies every ten days from a tip-over. Stronger product testing and safety requirements could prevent these fatalities. This bill is critically important because it would establish a strong mandatory standard for furniture stability. The STURDY Act would require the CPSC to create a mandatory rule that would: cover all clothing storage units, including those 30 inches in height or shorter; require testing to simulate the weights of children up to 72 months old; require testing measures to account for scenarios involving carpeting, loaded drawers, multiple open drawers, and the dynamic force of a climbing child; mandate strong warning requirements; and require the CPSC to issue the mandatory standard within one year of enactment. To protect children from furniture tip-overs, we need a strong mandatory standard and the STURDY Act includes those critically needed provisions.

These bills offer a vital opportunity to protect children from preventable injuries and deaths. We urge you to support these child health and safety bills, and to vote ''yes'' on them as they move to the House floor.

Sincerely,

NATIONAL ORGANIZATIONS

American Academy of Pediatrics, Association of Maternal & Child Health Programs, Center for Justice & Democracy, Child Care Aware of America, Child Injury Prevention Alliance, Children's Advocacy Institute, Consumer Federation of America, Consumer Reports, Cribs for Kids, Inc., First Focus Campaign for Children, Keeping Babies Safe, Kids In Danger, MomsRising, National Association of Pediatric Nurse Practitioners, National Consumers League, Parents for Window Blind Safety, Public Citizen, Safe Kids Worldwide, Safe States Alliance, The Society for Advancement of Violence and Injury Research (SAVIR).

STATE AND LOCAL ORGANIZATIONS

Alaska Chapter of the American Academy of Pediatrics, Alaska Public Interest Research Group (AkPIRG), American Academy of Pediatrics—Arizona Chapter, American Academy of Pediatrics—California Chapter 3, American Academy of Pediatrics—Hawaii Chapter, American Academy of Pediatrics Georgia Chapter, American Academy of Pediatrics, New York Chapter 1, American Academy of Pediatrics New York Chapter 2, American Academy of Pediatrics, New York Chapter 3, American Academy of Pediatrics, Vermont Chapter, American Academy of Pediatrics, Colorado Chapter, American Academy of Pediatrics, Orange County Chapter, Ann & Robert H. Lurie Children's Hospital of Chicago, Arkansas Chapter, American Academy of Pediatrics California Chapter 1, American Academy of Pediatrics, Chicago Consumer Coalition, Children's Health Alliance of Wisconsin, Consumer Assistance Council, Inc., Consumer Assistance Council, Inc., DC Chapter of the American Academy of Pediatrics, Delaware Chapter of the American Academy of Pediatrics, Empire State Consumer Project.

Florida Chapter—American Academy of Pediatrics, Idaho Chapter of the American Academy of Pediatrics, Illinois Action for Children, Illinois Chapter of the American Academy of Pediatrics, Indiana Chapter of the American Academy of Pediatrics, Iowa Chapter of the American Academy of Pediatrics, Island Pediatrics of Honolulu, Kentucky Chapter of the American Academy of Pediatrics, Louisiana Chapter of the American Academy of Pediatrics, Maine Chapter, American Academy of Pediatrics, Maryland Chapter, American Academy of Pediatrics, Massachusetts Chapter of the American Academy of Pediatrics, Michigan Chapter American Academy of Pediatrics, Minnesota Chapter of the American Academy of Pediatrics, Missouri Chapter of the American Academy of Pediatrics, Nevada Chapter of the American Academy of Pediatrics, New Jersey Chapter, American Academy of Pediatrics, New Mexico Pediatric Society, North Carolina Pediatric Society, Ohio Chapter, American Academy of Pediatrics, OHSU/Doernbecher Tom Sargent Safety Center, Oklahoma Chapter of the American Academy of Pediatrics, Ounce of Prevention Fund, Pennsylvania Chapter of the American Academy of Pediatrics, South Dakota Chapter of the American Academy of Pediatrics, Sudden Infant Death Services of Illinois, Inc., Tennessee Chapter of the American Academy of Pediatrics, Virginia Chapter, American Academy of Pediatrics, Virginia Citizens Consumer Council, Virginia Citizens Consumer Council, Wisconsin Chapter of the American Academy of Pediatrics, Wyckoff Hospital, Wyoming Chapter of the American Academy of Pediatrics.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 3172, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.''.

A motion to reconsider was laid on the table.

GRANT REPORTING EFFICIENCY AND AGREEMENTS TRANSPARENCY ACT OF 2019

Mr. GOMEZ. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 150) to modernize Federal grant reporting, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Grant Reporting Efficiency and Agreements Transparency Act of 2019'' or the ''GREAT Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.
Sec. 4. Data standards for grant reporting.
Sec. 5. Single Audit Act.
Sec. 6. Consolidation of assistance-related information; publication of public information as open data.
Sec. 7. Evaluation of nonproprietary identifiers.
Sec. 8. Rule of construction.
Sec. 9. No additional funds authorized.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) modernize reporting by recipients of Federal grants and cooperative agreements by creating and imposing data standards for the information that those recipients are required by law to report to the Federal Government;

(2) implement the recommendation by the Director of the Office of Management and Budget contained in the report submitted under section 5(b)(6) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) relating to the development of a ''comprehensive taxonomy of standard definitions for core data elements required for managing Federal financial assistance awards'';

(3) reduce burden and compliance costs of recipients of Federal grants and cooperative agreements by enabling technology solutions, existing or yet to be developed, for use in both the public and private sectors to better manage the data that recipients already provide to the Federal Government; and

(4) strengthen oversight and management of Federal grants and cooperative agreements by agencies by consolidating the collection and display of and access to open data that has been standardized and, where appropriate, increasing transparency to the public.

SEC. 3. DEFINITIONS.

In this Act, the terms ''agency'', ''Director'', ''Federal award'', and ''Secretary'' have the meanings given those terms in section 6401 of title 31, United States Code, as added by section 4(a) of this Act.

SEC. 4. DATA STANDARDS FOR GRANT REPORTING.

(a) AMENDMENT.—Subtitle V of title 31, United States Code, is amended by inserting after chapter 63 the following:

''CHAPTER 64—DATA STANDARDS FOR GRANT REPORTING

''Sec.
''6401. Definitions.
''6402. Data standards for grant reporting.
''6403. Guidance applying data standards for grant reporting.
''6404. Agency requirements.

''§ 6401. Definitions

''In this chapter:

''(1) AGENCY.—The term 'agency' has the meaning given the term in section 552(f) of title 5.

''(2) CORE DATA ELEMENTS.—The term 'core data elements' means data elements relating to financial management, administration, or management that—

''(A) are not program-specific in nature or program-specific outcome measures, as defined in section 1115(h) of this title; and

''(B) are required by agencies for all or the vast majority of recipients of Federal awards for purposes of reporting.

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(4) EXECUTIVE DEPARTMENT.—The term 'Executive department' has the meaning given the term in section 101 of title 5.

''(5) FEDERAL AWARD.—The term 'Federal award'—

''(A) means the transfer of anything of value for a public purpose of support or stimulation authorized by a law of the United States, including financial assistance and Government facilities, services, and property;

''(B) includes a grant, a subgrant, a cooperative agreement, or any other transaction; and

''(C) does not include a transaction or agreement—

''(i) that provides for conventional public information services or procurement of property or services for the direct benefit or use of the Government; or

''(ii) that provides only—

''(I) direct Government cash assistance to an individual;

''(II) a subsidy;

''(III) a loan;

''(IV) a loan guarantee; or

''(V) insurance.

''(6) SECRETARY.—The term 'Secretary' means the head of the standard-setting agency.

''(7) STANDARD-SETTING AGENCY.—The term 'standard-setting agency' means the Executive department designated under section 6402(a)(1).

''(8) STATE.—The term 'State' means each State of the United States, the District of Columbia, each commonwealth, territory, or possession of the United States, and each federally recognized Indian Tribe.

''§ 6402. Data standards for grant reporting

''(a) IN GENERAL.—

''(1) DESIGNATION OF STANDARD-SETTING AGENCY.—The Director shall designate the Executive department that administers the greatest number of programs under which Federal awards are issued in a calendar year as the standard-setting agency.

''(2) ESTABLISHMENT OF STANDARDS.—Not later than 2 years after the date of enactment of this chapter, the Secretary and the Director shall establish Governmentwide data standards for information reported by recipients of Federal awards.

''(3) DATA ELEMENTS.—The data standards established under paragraph (2) shall include, at a minimum—

''(A) standard definitions for data elements required for managing Federal awards; and

''(B) unique identifiers for Federal awards and recipients of Federal awards that can be consistently applied Governmentwide.

''(b) SCOPE.—The data standards established under subsection (a)—

''(1) shall include core data elements;

''(2) may cover information required by law to be reported to any agency by recipients of Federal awards, including audit-related information reported under chapter 75 of this title; and

''(3) may not be used by the Director or any agency to require the collection of any data not otherwise required under Federal law.

''(c) REQUIREMENTS.—The data standards established under subsection (a) shall, to the extent reasonable and practicable—

''(1) render information reported by recipients of Federal awards fully searchable and machine-readable;

''(2) be nonproprietary;

''(3) incorporate standards developed and maintained by voluntary consensus standards bodies;

''(4) be consistent with and implement applicable accounting and reporting principles; and

''(5) incorporate the data standards established under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).

''(d) CONSULTATION.—In establishing the data standards under subsection (a), the Secretary and the Director shall consult with—

''(1) the Secretary of the Treasury to ensure that the data standards established under subsection (a) incorporate the data standards established under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note);

''(2) the head of each agency that issues Federal awards;

''(3) recipients of Federal awards and organizations representing recipients of Federal awards;

''(4) private sector experts;

''(5) members of the public, including privacy experts, privacy advocates, auditors, and industry stakeholders; and

''(6) State and local governments.

''§ 6403. Guidance applying data standards for grant reporting

''(a) IN GENERAL.—Not later than 3 years after the date of enactment of this chapter—

''(1) the Secretary and the Director shall jointly issue guidance to all agencies directing the agencies to apply the data standards established under section 6402(a) to all applicable reporting by recipients of Federal awards; and

''(2) the Director shall prescribe guidance applying the data standards established under section 6402(a) to audit-related information reported under chapter 75 of this title.

''(b) GUIDANCE.—The guidance issued under subsection (a) shall—

''(1) to the extent reasonable and practicable—

''(A) minimize the disruption of existing reporting practices of, and not increase the reporting burden on, agencies or recipients of Federal awards; and

''(B) explore opportunities to implement modern technologies in reporting relating to Federal awards;

''(2) allow the Director to permit exceptions for classes of Federal awards, including exceptions for Federal awards granted to Indian Tribes and Tribal organizations consistent with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), if the Director publishes a list of those exceptions and submits the list to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives; and

''(3) take into consideration the consultation required under section 6402(d).

''(c) UPDATING GUIDANCE.—

''(1) IN GENERAL.—Not less frequently than once every 10 years, the Director shall update the guidance issued under subsection (a).

''(2) PROCEDURES.—In updating guidance under paragraph (1), the Director shall, to the maximum extent practicable, follow the procedures for the development of the data standards and guidance prescribed under this section and section 6402.

''§ 6404. Agency requirements

''Not later than 1 year after the date on which guidance is issued or updated under subsection (b) or (c), respectively, of section 6403, the head of each agency shall—

''(1) ensure that all of the Federal awards that the agency issues use data standards for all future information collection requests; and

''(2) amend existing information collection requests under chapter 35 of title 44 (commonly known as the 'Paperwork Reduction Act') to comply with the data standards established under section 6402 of this chapter, in accordance with the guidance issued by the Secretary and the Director under section 6403 of this chapter.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle V of title 31, United States Code, is amended by inserting after the item relating to chapter 63 the following:

''64. Data standards for grant reporting ..... 6401''.

SEC. 5. SINGLE AUDIT ACT.

(a) AMENDMENTS.—

(1) AUDIT REQUIREMENTS.—Section 7502(h) of title 31, United States Code, is amended, in the matter preceding paragraph (1), by inserting ''in an electronic form in accordance with the data standards established under chapter 64 and'' after ''the reporting package,''.

(2) REGULATIONS.—Section 7505 of title 31, United States Code, is amended by adding at the end the following:

''(d) Such guidance shall require audit-related information reported under this chapter to be reported in an electronic form in accordance with the data standards established under chapter 64.''.

(b) GUIDANCE.—Not later than 3 years after the date of enactment of this Act, the Director shall issue guidance requiring audit-related information reported under chapter 75 of title 31, United States Code, to be reported in an electronic form consistent with the data standards established under chapter 64 of that title, as added by section 4(a) of this Act.

SEC. 6. CONSOLIDATION OF ASSISTANCE-RELATED INFORMATION; PUBLICATION OF PUBLIC INFORMATION AS OPEN DATA.

(a) COLLECTION OF INFORMATION.—Not later than 5 years after the date of enactment of this Act, the Secretary and the Director shall, using the data standards established under chapter 64 of title 31, United States Code, as added by section 4(a) of this Act, enable the collection, public display, and maintenance of Federal award information as a Governmentwide data set, subject to reasonable restrictions established by the Director to ensure protection of personally identifiable information and otherwise sensitive information.

(b) PUBLICATION OF INFORMATION.—The Secretary and the Director shall require the publication of data reported by recipients of Federal awards that is collected from all agencies on a single public portal, which may be an existing Governmentwide website, as determined appropriate by the Director.

(c) FOIA.—Nothing in this section shall require the disclosure to the public of information that would be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SEC. 7. EVALUATION OF NONPROPRIETARY IDENTIFIERS.

(a) DETERMINATION REQUIRED.—The Director and the Secretary shall determine whether to use nonproprietary identifiers described in section 6402(a)(3)(B) of title 31, United States Code, as added by section 4(a) of this Act.

(b) FACTORS TO BE CONSIDERED.—In making the determination under subsection (a), the Director and the Secretary shall consider factors such as accessibility and cost to recipients of Federal awards, agencies that issue Federal awards, private sector experts, and members of the public, including privacy experts, privacy advocates, transparency experts, and transparency advocates.

(c) PUBLICATION AND REPORT ON DETERMINATION.—Not later than the earlier of 1 year after the date of enactment of this Act or the date on which the Director and the Secretary establish data standards under section 6402(a)(2) of title 31, United States Code, as added by section 4(a) of this Act, the Director and the Secretary shall publish and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report explaining the reasoning for the determination made under subsection (a).

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, shall be construed to require the collection of data that is not otherwise required under any Federal law, rule, or regulation.

SEC. 9. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GOMEZ) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GOMEZ. 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 materials on H.R. 150.

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

There was no objection.

□ 1700

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

The Grant Reporting Efficiency and Agreements Transparency Act, introduced by Representative VIRGINIA FOXX and myself, would standardize reporting for recipients of Federal grants and cooperative agreements.

Grant recipients often have to report the same information in different ways because Federal agencies do not use the same forms or even the same terms to describe required information, often making it difficult for organizations and businesses to apply for Federal grants.

Under this bill, the Director of OMB and the Secretary of Health and Human Services would be required to establish governmentwide data standards for grant reporting. This bill would encourage OMB and HHS to make the information grant recipients report fully searchable and machine readable. This would provide greater transparency into the money spent on grants because spending data would be more usable.

This bill would require that data collected from grant recipients be published on a single public portal.

The bill we are considering today is a version that the Senate has amended and makes certain technical changes to that bill. This is a good, commonsense measure that will ease burdens on the private sector and improve the efficiency of government operations.

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

Ms. FOXX of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of our bill, one that now awaits a final vote in Congress before it heads to the President's desk.

I thank Representative JIMMY GOMEZ for helping author this piece of legislation, the Grant Reporting Efficiency and Agreements Transparency Act, or GREAT Act. Representative GOMEZ has been a tremendous partner on this bipartisan, bicameral bill to create more transparency, efficiency, and accountability in the Federal grant reporting process, and I thank him for his hard work.

Mr. Speaker, according to USAspending.gov, in 2019, the Federal Government awarded $764.9 billion in grants funding to State agencies, local and Tribal governments, agencies, nonprofits, universities, and other organizations. Roughly translated, this equates to the gross domestic product of Switzerland—or more than the GDP of every country outside the G20.

Within our Federal Government, there are 26 agencies awarding Federal grants, and all of them continue to rely on outdated, burdensome, document-based forms to collect and track grant dollars. Society has moved into a new age of information and technology, and it is time that our government follow suit.

The GREAT Act represents bipartisan legislation to modernize the Federal grant reporting process. It would do so by mandating a standardized data structure for information that recipients report to Federal agencies. Unless the reporting requirements for Federal grants are searchable, the auditing process will continue to yield waste and inefficiency at best and, potentially, fraud and abuse at worst.

Adopting a governmentwide open data structure for all the information grantees report will alleviate compliance burden, provide instant insights for grantor agencies and Congress, and enable easy access to data for oversight, analytics, and program evaluation.

Digitizing and, therefore, automating the reporting process would have a twofold effect:

First, it would allow greater scrutiny of how the money is being spent.

Second, it allows grantees to maximize every dollar they receive from the government to ensure it goes back into communities, supporting local businesses, organizations, and education.

Lastly, the GREAT Act has received a broad breadth of support from an array of good government groups and associations within the grant recipient community.

The coalition endorsing the GREAT Act includes the Association of Government Accountants, the Bipartisan Policy Center, the American Library Association, the Data Coalition, the Grant Professionals Association, the Native American Finance Officers Association, and the Scholarly Publishing and Academic Resources Coalition.

In order to fix the way Federal grants are reported, we must move from a document-centric reporting system to a data superhighway. I urge my colleagues in the House and the Senate to support the GREAT Act and bring grant reporting into the 21st century.

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

Mr. GOMEZ. Mr. Speaker, I have no more speakers on my side.

Ms. FOXX of North Carolina. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, our current post-award grant reporting process is a cumbersome, document-based process. It burdens administrators and grant recipients. It hinders agencies in their ability to manage grant programs and conduct performance evaluations.

These problems are exacerbated for those conducting governmentwide and congressional oversight work, but that comes to an end today if we pass this bill. As I said earlier, this week's vote on the GREAT Act is the legislation's final stop in Congress before it heads to the President's desk.

In addition to thanking Representative GOMEZ, I thank Senators LANKFORD and PETERS and their staffs for their tireless work this Congress. Put simply, we could not have gotten this important legislation through Congress without their sponsorship of the Senate companion bill and their advocacy throughout this process.

Further, I thank my House bill's original cosponsors for their work on this bipartisan achievement: Congressman GOMEZ, Congressman WALKER, Congressman QUIGLEY, Congressman DESJARLAIS, Congresswoman ROBIN KELLY, Congressman PALMER, and Congressman KILMER.

Again, Mr. Speaker, the fragmented, decentralized, and redundant grant reporting structure ends this week.

Instead, we usher in a new age, one that moves this government spending from Document Street to a data superhighway with the passage of this legislation. When we do, it will mark a great moment not just for our Nation's grant recipients and those working for the common good but, ultimately, the American taxpayer.

The transparency, accountability, and efficiencies that this legislation is bound to produce are ultimately intended for them. I proudly ask that my colleagues support this bipartisan legislation, and I yield back the balance of my time.

Mr. GOMEZ. Mr. Speaker, I thank the gentlewoman from North Carolina, Representative FOXX, for her partnership on this legislation.

I know, during such a historic week on a variety of fronts, this bill might be little noticed 20, 30, or 40 years from now, but what people should notice is that a progressive Democrat from Los Angeles and a conservative Member from North Carolina could spot a problem that was impacting our constituents, our businesses, our nonprofits, and that we saw a problem that needed a solution. It might not always be the perfect solution, but it is definitely a great solution. What we are showing is that we can work, once again, for the American people.

I thank the gentlewoman for her example, and I know that, in the future, we can continue to work together on even bigger and more meaningful legislation. Let's let this be a reminder that

our country continues to work on behalf of everyone.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GOMEZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 150.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SPOKANE TRIBE OF INDIANS OF THE SPOKANE RESERVATION EQUITABLE COMPENSATION ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (S. 216) to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 216

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 ''Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) from 1927 to 1931, at the direction of Congress, the Corps of Engineers investigated the Columbia River and its tributaries to determine sites at which power could be produced at low cost;

(2) under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)), when licenses are issued involving tribal land within an Indian reservation, a reasonable annual charge shall be fixed for the use of the land, subject to the approval of the Indian tribe having jurisdiction over the land;

(3) in August 1933, the Columbia Basin Commission, an agency of the State of Washington, received a preliminary permit from the Federal Power Commission for water power development at the Grand Coulee site;

(4) had the Columbia Basin Commission or a private entity developed the site, the Spokane Tribe would have been entitled to a reasonable annual charge for the use of the land of the Spokane Tribe;

(5) in the mid-1930s, the Federal Government, which is not subject to licensing under the Federal Power Act (16 U.S.C. 792 et seq.)—

(A) federalized the Grand Coulee Dam project; and

(B) began construction of the Grand Coulee Dam;

(6) when the Grand Coulee Dam project was federalized, the Federal Government recognized that—

(A) development of the project affected the interests of the Spokane Tribe and the Confederated Tribes of the Colville Reservation; and

(B) it would be appropriate for the Spokane and Colville Tribes to receive a share of revenue from the disposition of power produced at Grand Coulee Dam;

(7) in the Act of June 29, 1940 (16 U.S.C. 835d et seq.), Congress—

(A) granted to the United States—

(i) in aid of the construction, operation, and maintenance of the Columbia Basin Project, all the right, title, and interest of the Spokane Tribe and Colville Tribes in and to the tribal and allotted land within the Spokane and Colville Reservations, as designated by the Secretary of the Interior from time to time; and

(ii) other interests in that land as required and as designated by the Secretary for certain construction activities undertaken in connection with the project; and

(B) provided that compensation for the land and other interests was to be determined by the Secretary in such amounts as the Secretary determined to be just and equitable;

(8) pursuant to that Act, the Secretary paid—

(A) to the Spokane Tribe, $4,700; and

(B) to the Confederated Tribes of the Colville Reservation, $63,000;

(9) in 1994, following litigation under the Act of August 13, 1946 (commonly known as the ''Indian Claims Commission Act'' (60 Stat. 1049, chapter 959; former 25 U.S.C. 70 et seq.)), Congress ratified the Colville Settlement Agreement, which required—

(A) for past use of the land of the Colville Tribes, a payment of $53,000,000; and

(B) for continued use of the land of the Colville Tribes, annual payments of $15,250,000, adjusted annually based on revenues from the sale of electric power from the Grand Coulee Dam project and transmission of that power by the Bonneville Power Administration;

(10) the Spokane Tribe, having suffered harm similar to that suffered by the Colville Tribes, did not file a claim within the 5-year statute of limitations under the Indian Claims Commission Act;

(11) neither the Colville Tribes nor the Spokane Tribe filed claims for compensation for use of the land of the respective tribes with the Commission prior to August 13, 1951, but both tribes filed unrelated land claims prior to August 13, 1951;

(12) in 1976, over objections by the United States, the Colville Tribes were successful in amending the 1951 Claims Commission land claims to add the Grand Coulee claim of the Colville Tribes;

(13) the Spokane Tribe had no such claim to amend, having settled the Claims Commission land claims of the Spokane Tribe with the United States in 1967;

(14) the Spokane Tribe has suffered significant harm from the construction and operation of Grand Coulee Dam;

(15) Spokane tribal acreage taken by the United States for the construction of Grand Coulee Dam equaled approximately 39 percent of Colville tribal acreage taken for construction of the dam;

(16) the payments and delegation made pursuant to this Act constitute fair and equitable compensation for the past and continued use of Spokane tribal land for the production of hydropower at Grand Coulee Dam; and

(17) by vote of the Spokane tribal membership, the Spokane Tribe has resolved that the payments and delegation made pursuant to this Act constitute fair and equitable compensation for the past and continued use of Spokane tribal land for the production of hydropower at Grand Coulee Dam.

SEC. 3. PURPOSE.

The purpose of this Act is to provide fair and equitable compensation to the Spokane Tribe for the use of the land of the Spokane Tribe for the generation of hydropower by the Grand Coulee Dam.

SEC. 4. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Bonneville Power Administration or the head of any successor agency, corporation, or entity that markets power produced at Grand Coulee Dam.

(2) COLVILLE SETTLEMENT AGREEMENT.—The term ''Colville Settlement Agreement'' means the Settlement Agreement entered into between the United States and the Colville Tribes, signed by the United States on April 21, 1994, and by the Colville Tribes on April 16, 1994, to settle the claims of the Colville Tribes in Docket 181–D of the Indian Claims Commission, which docket was transferred to the United States Court of Federal Claims.

(3) COLVILLE TRIBES.—The term ''Colville Tribes'' means the Confederated Tribes of the Colville Reservation.

(4) COMPUTED ANNUAL PAYMENT.—The term ''Computed Annual Payment'' means the payment calculated under paragraph 2.b. of the Colville Settlement Agreement, without regard to any increase or decrease in the payment under section 2.d. of the agreement.

(5) CONFEDERATED TRIBES ACT.—The term ''Confederated Tribes Act'' means the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law 103–436; 108 Stat. 4577).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) SPOKANE BUSINESS COUNCIL.—The term ''Spokane Business Council'' means the governing body of the Spokane Tribe under the constitution of the Spokane Tribe.

(8) SPOKANE TRIBE.—The term ''Spokane Tribe'' means the Spokane Tribe of Indians of the Spokane Reservation, Washington.

SEC. 5. PAYMENTS BY ADMINISTRATOR.

(a) INITIAL PAYMENT.—On March 1, 2022, the Administrator shall pay to the Spokane Tribe an amount equal to 25 percent of the Computed Annual Payment for fiscal year 2021.

(b) SUBSEQUENT PAYMENTS.—

(1) IN GENERAL.—Not later than March 1, 2023, and March 1 of each year thereafter through March 1, 2029, the Administrator shall pay the Spokane Tribe an amount equal to 25 percent of the Computed Annual Payment for the preceding fiscal year.

(2) MARCH 1, 2030, AND SUBSEQUENT YEARS.—Not later than March 1, 2030, and March 1 of each year thereafter, the Administrator shall pay the Spokane Tribe an amount equal to 32 percent of the Computed Annual Payment for the preceding fiscal year.

SEC. 6. TREATMENT AFTER AMOUNTS ARE PAID.

(a) USE OF PAYMENTS.—Payments made to the Spokane Business Council or Spokane Tribe under section 5 may be used or invested by the Spokane Business Council in the same manner and for the same purposes as other Spokane Tribe governmental amounts.

(b) NO TRUST RESPONSIBILITY OF THE SECRETARY.—Neither the Secretary nor the Administrator shall have any trust responsibility for the investment, supervision, administration, or expenditure of any amounts after the date on which the funds are paid to the Spokane Business Council or Spokane Tribe under section 5.

(c) TREATMENT OF FUNDS FOR CERTAIN PURPOSES.—The payments of all amounts to the Spokane Business Council and Spokane Tribe under section 5, and the interest and income generated by those amounts, shall be treated in the same manner as payments under section 6 of the Saginaw Chippewa Indian Tribe of Michigan Distribution of Judgment Funds Act (100 Stat. 677).

(d) TRIBAL AUDIT.—After the date on which amounts are paid to the Spokane Business Council or Spokane Tribe under section 5, the amounts shall—

(1) constitute Spokane Tribe governmental amounts; and

(2) be subject to an annual tribal government audit.

SEC. 7. REPAYMENT CREDIT.

(a) IN GENERAL.—The Administrator shall deduct from the interest payable to the Secretary of the Treasury from net proceeds (as defined in section 13 of the Federal Columbia River Transmission System Act (16 U.S.C. 838k))—

(1) in fiscal year 2030, $2,700,000; and

(2) in each subsequent fiscal year in which the Administrator makes a payment under section 5, $2,700,000.

(b) CREDITING.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each deduction made under this section for the fiscal year shall be—

(A) a credit to the interest payments otherwise payable by the Administrator to the Secretary of the Treasury during the fiscal year in which the deduction is made; and

(B) allocated pro rata to all interest payments on debt associated with the generation function of the Federal Columbia River Power System that are due during the fiscal year.

(2) DEDUCTION GREATER THAN AMOUNT OF INTEREST.—If, in an applicable fiscal year under paragraph (1), the deduction is greater than the amount of interest due on debt associated with the generation function for the fiscal year, the amount of the deduction that exceeds the interest due on debt associated with the generation function shall be allocated pro rata to all other interest payments due during the fiscal year.

(3) CREDIT.—To the extent that a deduction exceeds the total amount of interest described in paragraphs (1) and (2), the deduction shall be applied as a credit against any other payments that the Administrator makes to the Secretary of the Treasury.

SEC. 8. EXTINGUISHMENT OF CLAIMS.

On the date that payment under section 5(a) is made to the Spokane Tribe, all monetary claims that the Spokane Tribe has or may have against the United States to a fair share of the annual hydropower revenues generated by the Grand Coulee Dam project for the past and continued use of land of the Spokane Tribe for the production of hydropower at Grand Coulee Dam shall be extinguished.

SEC. 9. ADMINISTRATION.

Nothing in this Act establishes any precedent or is binding on the Southwestern Power Administration, Western Area Power Administration, or Southeastern Power Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. HAALAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, S. 216, the Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act, will finally compensate the Spokane Tribe of Indians for the flooding of their Tribal lands that occurred with the construction of the Grand Coulee Dam more than 75 years ago.

Located in Washington State, the Grand Coulee Dam was built in the 1930s and 1940s. The reservoir it created flooded approximately 2,500 acres of the Spokane Indian Reservation. These lands held great economic, cultural, and spiritual significance for the Spokane Tribal people and included the Tribe's historic salmon fishing sites.

Around the time of the dam's completion, the Indian Claims Commission Act of 1946 was enacted, which gave Tribal nations 5 years to file all relevant land claims against the Federal Government. Although the Spokane Tribe filed a claim before this deadline, which was settled in 1967, for around $4,700, lands related to the dam were not included.

The end result is that, more than 75 years later, the Spokane Tribe has still not received just compensation for the seizure and destruction of their lands. This has severely impacted the ability of the Tribal government to provide for their people.

This is also an issue of fairness and equity. The only other Tribe impacted by the construction of the Grand Coulee Dam, the Confederated Tribes of the Colville Reservation, successfully secured a settlement with the United States in 1994 and have been receiving compensation ever since.

S. 216 will require the Bonneville Power Administration to make annual payments to the Tribe starting in 2022 to match the company's electricity sales, much in the same way the Colville Tribes are compensated.

The legislation has the support of the surrounding counties and local entities.

Additionally, BPA stated, at a recent subcommittee hearing on the bill, that the annual payments to the Tribe ''will not result in perceptible rate impacts to its utility customers.''

The Grand Coulee Dam and the energy it produces has been a financial boon to the United States and the citizens of the Northwest. It is now time to make whole the Spokane Tribe for their sacrifice.

I thank Senator CANTWELL for her tireless work on this issue on behalf of the Spokane Tribal people, and I urge my colleagues to support this legislation.

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

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

During debate on this legislation in committee, a number of our Members expressed concerns on the merits of the settlement achieved under S. 216. Ultimately, this bill authorizes a settlement to the Spokane Tribe for damages as a result of the construction of the Grand Coulee Dam.

As stated in the findings section of the legislation, after construction of the dam, the Federal Government recognized that the Colville and Spokane Tribes should be compensated for their losses. Negotiations commenced, and settlements were reached between the Federal Government and both Tribes independently. No further claims were brought forward by the Spokane Tribe, and, as a result, the Tribe's claims were deemed fully settled.

Now, nearly 50 years later, Congress is granting a settlement to the Tribe that will entitle them to a share of revenues from hydropower sales by the Bonneville Power Administration in perpetuity.

The main concern raised by our Members was the potential of this bill as precedence to resettle claims between an entity and the Federal Government that have already been deemed settled.

In addition, concerns have been raised that this legislation leaves the door open to off-reservation gambling.

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During the last 18 years, most House-passed bills addressing Tribal land use issues have contained express restrictions on off-reservation gambling. S. 216 seems to be one of the few that does not.

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

Ms. HAALAND. Mr. Speaker, I have no further requests for time and would inquire whether my colleague has any remaining speakers on his side.

Mr. WESTERMAN. Mr. Speaker, I do have one more.

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

Mr. WESTERMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. LAMBORN).

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

Mr. Speaker, this is an important bill, but there is something even much more important this week in Congress.

In 2012, President Obama was caught on camera giving Russia's then-President Medvedev a secret message to be given to his soon-to-be successor, Vladimir Putin. President Obama said: ''On all these issues, but particularly missile defense, this can be solved, but it is important for him to give me space. This is my last election. After my election, I have more flexibility.''

In other words, President Obama's secret promise to reward Russia with flexibility on missile defense and other issues, to the detriment of U.S. national security, was if the Russians did not stir up trouble during his Presidential campaign.

This exchange between President Obama and Russian President Medvedev is an actual quid pro quo. President Obama's offer was accepted and was acted upon by the Russians. Both sides exchanged something of value.

President Obama's quid pro quo led to specific actions by his administration. He was weak against Russia in

many respects, he broke missile defense agreements with our beleaguered Eastern European allies, he tried to stop or delay nuclear parity with Russia, and he repeatedly blocked attempts by Republicans to provide lethal aid to Ukraine.

By the way, under President Trump, we are finally strong against Russia. We are now building a more robust NATO, enhancing our missile defense agreements and troop presence in Eastern Europe, and finally sending the lethal aid to Ukraine that President Obama had refused to send.

But President Obama engaged in an actual quid pro quo with Russia to give him political advantage. It came at the expense of Ukraine, an ally. It sounds a lot like what the Democrats are accusing President Trump of. Why were the Democrats silent back then?

These two scenarios, that and the present-day impeachment proceedings, sound similar, but there is at least one big difference: the alleged quid pro quo between Presidents Trump and Zelensky never translated into even an understanding by the Ukrainians that they had to do something. In fact, they never did anything, such as announce a corruption investigation of the Bidens, which I believe was a situation crying out for an investigation.

When you come right down to it, the real abuse of power was by President Obama. Was it a horrible judgment call to trade favors with the Russians? Yes. Was it impeachable? Republicans who were in control of the House then did not think so.

That is the difference between Democrats and Republicans. Republicans may not always like what a President of the other party does, but we don't elevate policy differences into a nuclear war involving impeachment, a constitutional remedy that should be reserved for things like criminal acts and treason.

This week's impeachment proceedings are nothing more than a political vendetta by the Democrats masquerading as a constitutional remedy. Let's stop this charade now and kill this impeachment.

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

Ms. HAALAND. Mr. Speaker, I would just like to remind the House that this is an important bill that would bring equity to the Spokane Tribe of Indians, and I urge my colleagues to support the legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill, S. 216.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MIRACLE MOUNTAIN DESIGNATION ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 722) to designate a mountain in the State of Utah as ''Miracle Mountain''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 722

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 ''Miracle Mountain Designation Act''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) On September 13, 2018, the Bald Mountain Fire burned nearly 20,000 acres of land in Utah.

(2) Elk Ridge City, located in Utah County, was nearly the victim of this fire.

(3) Suddenly, the fire halted its progression and, instead of burning into Elk Ridge City, stayed behind the mountain and spared the city.

(4) Congress, in acknowledgment of this event, believes this mountain holds special significance to the residents of Elk Ridge City and surrounding communities.

(5) The presently unnamed peak has been referred to as ''Miracle Mountain'' by many residents since the fire that nearly went into Elk Ridge City.

SEC. 3. MIRACLE MOUNTAIN.

(a) DESIGNATION.—The mountain in the State of Utah, located at 39° 59′ 02N, 111° 40′ 12W, shall be known and designated as ''Miracle Mountain''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain described in subsection (a) shall be considered to be a reference to ''Miracle Mountain''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. HAALAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration

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

There was no objection.

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

Mr. Speaker, H.R. 722, introduced by Representative CURTIS, would designate an unnamed peak near Elk Ridge City, Utah, as Miracle Mountain.

On August 24, 2018, lightning sparked the 20,000-acre Bald Mountain fire, which expanded rapidly and eventually merged with the Pole Creek fire, threatening the cities of Elk Ridge and Woodland Hills.

Fortunately, on September 13, the fire suddenly halted behind the mountain, saving the communities of Elk Ridge and Woodland Hills.

To commemorate the peak that saved their community, many residents of Elk Ridge City have adopted the name Miracle Mountain.

H.R. 722 would simply designate this peak as Miracle Mountain to serve as a lasting tribute to the mountain and the brave firefighters that protected Elk Ridge City and Woodland Hills from the ravaging Bald Mountain fire.

Mr. Speaker, I want to thank my colleague, Representative CURTIS, for championing this legislation and urge my colleagues to support H.R. 722.

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

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

Mr. Speaker, I rise today in support of H.R. 722, the Miracle Mountain Designation Act. This bill would designate a mountain near Elk Ridge, Utah, as Miracle Mountain to recognize the providential events that took place in early September 2018 during the Pole Creek and Bald Mountain fires.

These massive wildfires burned roughly 120,000 acres in Utah. The fires and their smoke were visible to the majority of Utah's residents in the greater Salt Lake City area.

Two northern Utah cities located in Congressman CURTIS' district, Elk Ridge and Woodland Hills, narrowly escaped these fires barreling towards their communities. Evacuations were ordered for these communities, and families were forced to abandon their homes and pray for the best. Swift winds and severe drought conditions fueled the fire which was on a direct path towards these small towns.

On September 13, a miracle happened. As the fire reached the base of a lone mountain standing between the fire and Elk Ridge, the winds inexplicably shifted, and the fires were thrown off their deadly path. These communities were miraculously spared.

Since the fire, the unnamed peak has been referred to as Miracle Mountain by many Utahns.

Two weeks ago, Elk Ridge Mayor Ty Ellis testified before the Natural Resources Committee about the miracle he had witnessed. At the hearing, Mayor Ellis stated: ''As I drove towards that mountain, I said to myself, it truly is a miracle that that mountain remains green, and behind it is nothing but ash.''

Mayor Ellis reached out to Congressman CURTIS soon after the fire had been contained to see if the peak could be named ''Miracle Mountain.''

We are all grateful to the courageous Federal, State, and local firefighters who worked tirelessly to battle the blaze.

Naming the peak Miracle Mountain is a fitting acknowledgement of divine intervention and a gesture of gratitude to all those who came together to save these towns and help those who were forced to evacuate.

Mr. Speaker, I urge adoption of this measure, and I reserve the balance of my time.

Ms. HAALAND. Mr. Speaker, I have no further requests for time and would inquire whether my colleague has any remaining speakers on his side.

Mr. WESTERMAN. Mr. Speaker, I have one speaker.

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

Mr. WESTERMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, this is an important bill. I support it; I urge its adoption.

I have to take this opportunity to address another vital issue that we are addressing this week in Congress, but we are not having any time to debate, practically speaking. All special orders have been shut down, all 1 minutes have been shut down, practically speaking, so I am going to take this moment and address the impeachment issue, which we will be voting on as early as Wednesday.

I rise to highlight the work of the late President John Fitzgerald Kennedy, who wrote the book, ''Profiles in Courage.''

In this book, then-Senator Kennedy highlighted six Senators who each took a stand for what they knew was right, risking their political futures in favor of their convictions. One of these Senators was Kansas Senator Edmund Ross, who courageously cast the deciding vote against his own political party and against the impeachment of President Andrew Johnson despite enormous pressure from his colleagues in Congress.

Senator Ross was a brilliant freshman senator with enormous potential, yet he sacrificed it all with one vote in 1868.

During the process, an onlooker overheard him say that he had no sympathy for President Johnson but wanted to see a fair trial.

Ross' reverence for the Constitution and the institutions of American government superseded the wishes of his own political party.

Today, my friends and colleagues across the aisle would do well to learn from Senator Ross, who put principle and a strong belief in the Constitution over the fads and crazes of the politics of the moment. His reasoning echoes loudly today.

If a President could be forced out of office by insufficient evidence that was generated from partisan disagreement, the Presidency would then be under the control of whatever congressional faction held sway.

The American people clearly decided in 2016 that Donald Trump is our President.

I fear that, throughout this impeachment process, my colleagues across the aisle will choose to cast aside the Constitution and the will of the American people as they carry out this hyperpartisan impeachment.

History will long remember those who stood and courageously defended the Constitution, just as Senator Ross did on that fateful day as he forged his profile in courage by bucking his own political party.

I wonder if my colleagues understand the legacy they are forging. My question for them simply is this: Who of you will choose to be a profile in courage?

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

Ms. HAALAND. Mr. Speaker, I just once more want to remind this House how important this measure is, this bill that my colleague, Mr. CURTIS, has put forth, and I urge my colleagues to support the legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill, H.R. 722.

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. WESTERMAN. 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.

COLUMBIA RIVER IN-LIEU AND TREATY FISHING ACCESS SITES IMPROVEMENT ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (S. 50) to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 50

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 ''Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act''.

SEC. 2. SANITATION AND SAFETY CONDITIONS AT CERTAIN BUREAU OF INDIAN AFFAIRS FACILITIES.

(a) ASSESSMENT OF CONDITIONS.—The Secretary of the Interior, acting through the Bureau of Indian Affairs, in consultation with the affected Columbia River Treaty tribes, may assess current sanitation and safety conditions on lands held by the United States for the benefit of the affected Columbia River Treaty tribes, including all permanent Federal structures and improvements on those lands, that were set aside to provide affected Columbia River Treaty tribes access to traditional fishing grounds—

(1) in accordance with the Act of March 2, 1945 (59 Stat. 10, chapter 19) (commonly known as the ''River and Harbor Act of 1945''); or

(2) in accordance with title IV of Public Law 100–581 (102 Stat. 2944).

(b) EXCLUSIVE AUTHORIZATION; CONTRACTS.—The Secretary of the Interior, acting through the Bureau of Indian Affairs—

(1) subject to paragraph (2)(B), shall be the only Federal agency authorized to carry out the activities described in this section; and

(2) may delegate the authority to carry out activities described in paragraphs (1) and (2) of subsection (d)—

(A) through one or more contracts entered into with an Indian Tribe or Tribal organization under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.); or

(B) to include other Federal agencies that have relevant expertise.

(c) DEFINITION OF AFFECTED COLUMBIA RIVER TREATY TRIBES.—In this section, the term ''affected Columbia River Treaty tribes'' means the Nez Perce Tribe, the Confederated Tribes of Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Confederated Tribes and Bands of the Yakama Nation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior $11,000,000 for the period of fiscal years 2020 through 2025, to remain available until expended—

(1) for improvements to existing structures and infrastructure to improve sanitation and safety conditions assessed under subsection (a); and

(2) to improve access to electricity, sewer, and water infrastructure, where feasible, to reflect needs for sanitary and safe use of facilities referred to in subsection (a).

SEC. 3. STUDY OF ASSESSMENT AND IMPROVEMENT ACTIVITIES.

The Comptroller General of the United States, in consultation with the Committee on Indian Affairs of the Senate, shall—

(1) conduct a study to evaluate whether the sanitation and safety conditions on lands held by the United States for the benefit of the affected Columbia River Treaty tribes (as defined in section 2(c)) have improved as a result of the activities authorized in section 2; and

(2) prepare and submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report containing the results of that study.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

□ 1730

GENERAL LEAVE

Ms. HAALAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, S. 50 authorizes the Bureau of Indian Affairs, the BIA, to assess sanitation and safety conditions on lands that were set aside to provide

Columbia River Treaty Tribes access to their traditional fishing grounds. The bill also authorizes the BIA to enter into contracts with Tribes or Tribal organizations to improve the conditions at those sites.

The Columbia River Treaty Tribes, through a series of treaties in 1855, established their continued access to traditional fishing grounds and to certain fishing facilities on the Columbia River. However, starting in the 1930s, construction of the dams of the Columbia River power system resulted in the flooding and destruction of Tribal villages, homes, and traditional fishing sites, severely impacting the ability of the Tribes to exercise their treaty rights.

The Tribes and their citizens have never been fully compensated for these losses.

Starting in 1939, the Federal Government acquired and developed small parcels of land to serve as in-lieu and treaty fishing access sites, providing members of the Columbia River Treaty Tribes access and a way to exercise their rights to fish in the Columbia River and to reside at their traditional fishing places and stations.

Congress also enacted the Columbia River Treaty Fishing Access Sites project in 1988, which authorized improvements for certain fishing facilities and directed the Army Corps of Engineers to acquire new lands to provide unencumbered river access for Tribal members.

Today, there are 31 Tribal fishing sites located along the Columbia River, 27 of which are managed by the BIA. The sites were intended to be used primarily for in-season fishing and some temporary camping. However, out of both a need for housing and a desire to be closer to their own traditional fishing areas, many Tribal members now use these areas as permanent residences.

These sites were not designed for and cannot sustainably accommodate this use. In fact, many people at these sites are living in extremely distressed, unsafe, and unsanitary conditions as a direct result of decades of unmet obligations by the BIA.

S. 50 will allow much-needed improvements to the conditions at these sites.

I thank Senator MERKLEY for his work on moving this bill through the Senate. I also thank our colleague from Oregon, Representative BLUMENAUER, for being the champion in the House on this issue and for tirelessly advocating for the Columbia River Treaty Tribes.

Mr. Speaker, I urge quick adoption of this legislation, and I reserve the balance of my time.

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

Mr. Speaker, this bill will help ensure that certain Columbia River Tribes have meaningful access to usual and accustomed fishing areas and related fishing facilities as established by treaty.

Due to the construction of dams in the 1930s and 1950s along the Columbia River, the lands of these Tribes were flooded. Congress authorized the Federal Government to acquire and replace lost Tribal fishing areas along the river, including the construction of improvements. However, in recent years, there have been continued reports that the conditions at these fishing sites have deteriorated significantly.

S. 50 directs the Department of the Interior to assess current sanitation and safety conditions on lands that were set aside to provide affected Columbia River Treaty Tribes access to traditional fishing grounds. The Bureau of Indian Affairs would also be authorized to execute improvements at the sites in coordination with the four Tribes that the sites serve.

While this legislation is intended to address safety and basic maintenance needs, it is not the intent of Congress for these fishing sites to become permanent residences but to continue their existing purpose as traditional fishing access sites.

With this caveat, we see no issues with this bill that was favorably reported by unanimous consent by the Committee on Natural Resources last Congress.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill, S. 50.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EASTERN BAND OF CHEROKEE HISTORIC LANDS REACQUISITION ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 453) to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 453

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 ''Eastern Band of Cherokee Historic Lands Reacquisition Act''.

SEC. 2. LAND TAKEN INTO TRUST FOR THE EASTERN BAND OF CHEROKEE INDIANS.

(a) LANDS INTO TRUST.—Subject to such rights of record as may be vested in third parties to rights-of-way or other easements or rights-of-record for roads, utilities, or other purposes, the following Federal lands managed by the Tennessee Valley Authority and located on or above the 820-foot (MSL) contour elevation in Monroe County, Tennessee, on the shores of Tellico Reservoir, are declared to be held in trust by the United States for the use and benefit of the Eastern Band of Cherokee Indians:

(1) SEQUOYAH MUSEUM PROPERTY.—Approximately 46.0 acres of land generally depicted as ''Sequoyah Museum'', ''Parcel 1'', and ''Parcel 2'' on the map titled ''Eastern Band of Cherokee Historic Lands Reacquisition Map 1'' and dated April 30, 2015.

(2) SUPPORT PROPERTY.—Approximately 11.9 acres of land generally depicted as ''Support Parcel'' on the map titled ''Eastern Band of Cherokee Historic Lands Reacquisition Map 2'' and dated April 30, 2015.

(3) CHOTA MEMORIAL PROPERTY AND TANASI MEMORIAL PROPERTY.—Approximately 18.2 acres of land generally depicted as ''Chota Memorial 1'' and ''Tanasi Memorial'' on the map titled ''Eastern Band of Cherokee Historic Lands Reacquisition Map 3'' and dated April 30, 2015, and including the Chota Memorial and all land within a circle with a radius of 86 feet measured from the center of the Chota Memorial without regard to the elevation of the land within the circle.

(b) PROPERTY ON LANDS.—In addition to the land taken into trust by subsection (a), the improvements on and appurtenances thereto, including memorials, are and shall remain the property of the Eastern Band of Cherokee Indians.

(c) REVISED MAPS.—Not later than 1 year after the date of a land transaction made pursuant to this section, the Tennessee Valley Authority, after consultation with the Eastern Band of Cherokee Indians and the Secretary of the Interior, shall submit revised maps that depict the land taken into trust under this section, including any corrections made to the maps described in this section to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate.

(d) CONTOUR ELEVATION CLARIFICATION.—The contour elevations referred to in this Act are based on MSL Datum as established by the NGS Southeastern Supplementary Adjustment of 1936 (NGVD29).

(e) CONDITIONS.—The lands taken into trust under this section shall be subject to the conditions described in section 5.

SEC. 3. PERMANENT EASEMENTS TAKEN INTO TRUST FOR THE EASTERN BAND OF CHEROKEE INDIANS.

(a) PERMANENT EASEMENTS.—The following permanent easements for land below the 820-foot (MSL) contour elevation for the following Federal lands in Monroe County, Tennessee, on the shores of Tellico Reservoir, are declared to be held in trust by the United States for the benefit of the Eastern Band of Cherokee Indians:

(1) CHOTA PENINSULA.—Approximately 8.5 acres of land generally depicted as ''Chota Memorial 2'' on the map titled ''Eastern Band of Cherokee Historic Lands Reacquisition Map 3'' and dated April 30, 2015.

(2) CHOTA-TANASI TRAIL.—Approximately 11.4 acres of land generally depicted as ''Chota-Tanasi Trail'' on the map titled ''Eastern Band of Cherokee Historic Lands Reacquisition Map 3'' and dated April 30, 2015.

(b) REVISED MAPS.—Not later than 1 year after the date of a land transaction made pursuant to this section, the Tennessee Valley Authority, after consultation with the Eastern Band of Cherokee Indians and the Secretary of the Interior, shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate revised maps that depict the lands subject to easements

taken into trust under this section, including any corrections necessary to the maps described in this section.

(c) CONDITIONS.—The lands subject to easements taken into trust under this section shall be subject to the use rights and conditions described in section 5.

SEC. 4. TRUST ADMINISTRATION AND PURPOSES.

(a) APPLICABLE LAWS.—Except as described in section 5, the lands subject to this Act shall be administered under the laws and regulations generally applicable to lands and interests in lands held in trust on behalf of Indian tribes.

(b) USE OF LAND.—Except the lands described in section 2(a)(2), the lands subject to this Act shall be used principally for memorializing and interpreting the history and culture of Indians and recreational activities, including management, operation, and conduct of programs of and for—

(1) the Sequoyah birthplace memorial and museum;

(2) the memorials to Chota and Tanasi as former capitals of the Cherokees;

(3) the memorial and place of reinterment for remains of the Eastern Band of Cherokee Indians and other Cherokee tribes, including those transferred to the Eastern Band of Cherokee Indians and other Cherokee tribes and those human remains and cultural items transferred by the Tennessee Valley Authority to those Cherokee tribes under the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(4) interpreting the Trail of Tears National Historic Trail.

(c) USE OF SUPPORT PROPERTY.—The land described in section 2(a)(2) shall be used principally for the support of lands subject to this Act and the programs offered by the Tribe relating to such lands and their purposes including—

(1) classrooms and conference rooms;

(2) cultural interpretation and education programs;

(3) temporary housing of guests participating in such programs or the management of the properties and programs; and

(4) headquarters offices and support space for the trust properties and programs.

(d) LAND USE.—The principal purposes of the use of the land described in section 3(a)—

(1) paragraph (1), shall be for a recreational trail from the general vicinity of the parking lot to the area of the Chota Memorial and beyond to the southern portion of the peninsula, including interpretive signs, benches, and other compatible improvements; and

(2) paragraph (2), shall be for a recreational trail between the Chota and Tanasi Memorials, including interpretive signs, benches, and other compatible improvements.

SEC. 5. USE RIGHTS, CONDITIONS.

(a) FLOODING OF LAND AND ROADS.—The Tennessee Valley Authority may temporarily and intermittently flood the lands subject to this Act that lie below the 824-foot (MSL) contour elevation and the road access to such lands that lie below the 824-foot (MSL) contour elevation.

(b) FACILITIES AND STRUCTURES.—The Eastern Band of Cherokee Indians may construct, own, operate, and maintain—

(1) water use facilities and nonhabitable structures, facilities, and improvements not subject to serious damage if temporarily flooded on the land adjoining the Tellico Reservoir side of the lands subject to this Act that lie between the 815-foot and 820-foot (MSL) contour elevations, but only after having received written consent from the Tennessee Valley Authority and subject to the terms of such approval; and

(2) water use facilities between the 815-foot (MSL) contour elevations on the Tellico Reservoir side of the lands subject to this Act and the adjacent waters of Tellico Reservoir and in and on such waters after having received written consent from the Tennessee Valley Authority and subject to the terms of such approval, but may not construct, own, operate, or maintain other nonhabitable structures, facilities, and improvements on such lands.

(c) INGRESS AND EGRESS.—The Eastern Band of Cherokee Indians may use the lands subject to this Act and Tellico Reservoir for ingress and egress to and from such land and the waters of the Tellico Reservoir and to and from all structures, facilities, and improvements maintained in, on, or over such land or waters.

(d) RIVER CONTROL AND DEVELOPMENT.—The use rights under this section may not be exercised so as to interfere in any way with the Tennessee Valley Authority's statutory program for river control and development.

(e) TVA AUTHORITIES.—Nothing in this Act shall be construed to affect the right of the Tennessee Valley Authority to—

(1) draw down Tellico Reservoir;

(2) fluctuate the water level thereof as may be necessary for its management of the Reservoir; or

(3) permanently flood lands adjacent to lands subject to this Act that lie below the 815-foot (MSL) contour elevation.

(f) RIGHT OF ENTRY.—The lands subject to this Act shall be subject to a reasonable right of entry by the personnel of the Tennessee Valley Authority and agents of the Tennessee Valley Authority operating in their official capacities as necessary for purposes of carrying out the Tennessee Valley Authority's statutory program for river control and development.

(g) ENTRY ONTO LAND.—To the extent that the Tennessee Valley Authority's operations on the lands subject to this Act do not unreasonably interfere with the Eastern Band of Cherokee Indians' maintenance of an appropriate setting for the memorialization of Cherokee history or culture on the lands and its operations on the lands, the Eastern Band of Cherokee Indians shall allow the Tennessee Valley Authority to enter the lands to clear, ditch, dredge, and drain said lands and apply larvicides and chemicals thereon or to conduct bank protection work and erect structures necessary in the promotion and furtherance of public health, flood control, and navigation.

(h) LOSS OF HYDROPOWER CAPACITY.—All future development of the lands subject to this Act shall be subject to compensation to the Tennessee Valley Authority for loss of hydropower capacity as provided in the Tennessee Valley Authority Flood Control Storage Loss Guideline, unless agreed to otherwise by the Tennessee Valley Authority.

(i) PROTECTION FROM LIABILITY.—The United States shall not be liable for any loss or damage resulting from—

(1) the temporary and intermittent flooding of lands subject to this Act;

(2) the permanent flooding of adjacent lands as provided in this section;

(3) wave action in Tellico Reservoir; or

(4) fluctuation of water levels for purposes of managing Tellico Reservoir.

(j) CONTINUING RESPONSIBILITIES.—The Tennessee Valley Authority shall—

(1) retain sole and exclusive Federal responsibility and liability to fund and implement any environmental remediation requirements that are required under applicable Federal or State law for any land or interest in land to be taken into trust under this Act, as well as the assessments under paragraph (2) to identify the type and quantity of any potential hazardous substances on the lands;

(2) prior to the acquisition in trust, carry out an assessment and notify the Secretary of the Interior and the Eastern Band of Cherokee Indians whether any hazardous substances were stored on the lands and, if so, whether those substances—

(A) were stored for 1 year or more on the lands;

(B) were known to have been released on the lands; or

(C) were known to have been disposed of on the lands; and

(3) if the assessment under paragraph (2) shows that hazardous substances were stored, released, or disposed of on the lands, include in its notice under paragraph (2) to the Secretary of the Interior and the Eastern Band of Cherokee Indians—

(A) the type and quantity of such hazardous substances;

(B) the time at which such storage, release, or disposal took place on the lands; and

(C) a description of any remedial actions, if any, taken on the lands.

SEC. 6. LANDS SUBJECT TO THE ACT.

For the purposes of this Act, the term ''lands subject to this Act'' means lands and interests in lands (including easements) taken into trust for the benefit of the Eastern Band of Cherokee Indians pursuant to or under this Act.

SEC. 7. GAMING PROHIBITION.

No class II or class III gaming, as defined in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), shall be conducted on lands subject to this Act.

SEC. 8. 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 gentlewoman from New Mexico (Ms. HAALAND) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. HAALAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, the Eastern Band of Cherokee Indians is one of three federally recognized Cherokee Tribes. Their ancestral homeland includes substantial parts of seven Eastern States, including Tennessee.

In 1979, the completion of the Tellico Dam by the Tennessee Valley Authority, the TVA, caused large areas of their ancestral lands along the Little Tennessee River to be flooded, covering many historic Tribal sites. The Cherokee can never recover these flooded lands, but there are other sites in the area that are in need of protection and preservation.

H.R. 453 aids in this cause by transferring approximately 76 acres of historically significant lands from the TVA's management to the United States, to be held in trust for the Eastern Band of Cherokee.

Placing these lands into trust would give the Eastern Band greater control over their historic homelands, as well as the opportunity to memorialize the history and culture of the Cherokee people.

Mr. Speaker, I support H.R. 453, and I urge my colleagues to vote in favor of this bill.

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

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

Mr. Speaker, the Eastern Band of Cherokee Indians is a relatively small Tribe located in the Great Smoky Mountains of western North Carolina. The Tribe was opposed to the construction of the Tellico Dam and, after its completion in 1979, worked with the Tennessee Valley Authority regarding impacted areas that were of historic significance to the Tribe. The Tribe currently manages most of these properties under permanent easements granted in the mid-1980s as a result of an informal agreement with TVA.

This bill would permanently transfer these properties, totaling approximately 96 acres along the Little Tennessee River and the Tellico Reservoir, in trust status for the Tribe.

Gaming, pursuant to the Indian Gaming Regulatory Act, would be prohibited. Most of the parcels to be placed in trust under the bill will be used for memorializing and interpreting the history of the Eastern Band of Cherokee Indians. The remaining parcels will be used for recreational trails.

I commend the gentleman from Tennessee (Mr. FLEISCHMANN) for his continued hard work on this legislation, which passed the House last Congress by an overwhelming vote of 383–2. I hope the Senate will take the opportunity to pass this worthy legislation this Congress.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Ms. HAALAND. Mr. Speaker, I have no further requests for time, and I would inquire whether my colleague has any remaining speakers on his side.

Mr. WESTERMAN. Mr. Speaker, I have one speaker.

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

Mr. WESTERMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Mr. Speaker, I rise in support of my bill, H.R. 453, and I thank both my Democratic and Republican colleagues for their great, strong words of encouragement and support on this long-overdue bill.

Mr. Speaker, the great State of Tennessee gets its name from the historic Overhill Cherokee village site called Tanasi in present-day Monroe County, Tennessee, one of my 11 counties that I proudly represent in this, the people's House. Tanasi served as the capital of the Cherokee Nation from as early as 1721 until 1730.

As a result of several misguided Federal policies, the Cherokee and other Tribes were forcibly removed from Tennessee and surrounding States, including North Carolina, South Carolina, Alabama, Georgia, Kentucky, and Virginia. This tragic period in American history led to the infamous Trail of Tears.

My bill, the Eastern Band of Cherokee Historic Lands Reacquisition Act, returns important historical land sites back to the Eastern Band of Cherokee Indians.

I want the Members of this House to understand that this was a promise that was made by the people of Tennessee and the TVA to the Cherokee decades ago. This is not something new. The promise was made, and the promise was not kept.

Many of the Eastern Band remained in east Tennessee. In other words, when this forced removal came, they refused to go. They hid, and then they came back.

Fortunately, today, the Eastern Band of Cherokee Indians is a proud Cherokee Nation in my district, and this 76.1 acres is their sacred homeland. This needs to be returned to them.

My district also includes several areas where Sequoyah was, and still is, honored by the Cherokee. As we go to vote, we see her likeness, her image, her bust here in this Capitol, but that is something that the Cherokees still want to honor on this land in Tennessee.

What is so important? This is so important that TVA, the United States of America, the great State of Tennessee, and the Eastern Band of Cherokee Indians have all come together to right a long-term wrong. We will honor and cherish Cherokee history and Cherokee traditions with this bill in Monroe County, Tennessee.

At a time when this House, perhaps even this Nation, is divided on a lot of issues, I have received overwhelming bipartisan support in this House for this bill, from Republicans and Democrats and from up the hall in the United States Senate. Senator MARSHA BLACKBURN, Senator LAMAR ALEXANDER, and Senator THOM TILLIS, Representative PHIL ROE, Representative MARK MEADOWS, and Representative TOM COLE have all helped us.

Without further ado, Mr. Speaker, I urge prompt consideration and support of my bill.

Mr. WESTERMAN. Mr. Speaker, I again commend the gentleman from Tennessee for his work on this bill. The Trail of Tears passes through my district in Arkansas. Again, this is a long-overdue bill.

I urge passage of it in the House, and I urge our friends in the Senate to take up the bill and pass it, as well.

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

Ms. HAALAND. Mr. Speaker, I also wholeheartedly support this legislation, and I urge my colleagues to support it, as well.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill, H.R. 453, 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.

□ 1745

GENERAL LEAVE

Ms. HAALAND. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3172.

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

There was no objection.

VOTE TO IMPEACH PRESIDENT TRUMP

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

Mr. MCNERNEY. Mr. Speaker, the House of Representatives is vested by the Constitution with the power of impeachment to provide a balance to the power of the Presidency. Without this essential duty, the President could exploit the sacred office without any regard for the law.

On January 3, 2019, every Member of the House swore an oath to defend our Constitution, and this week, we are being asked to do just that.

President Trump tried to undermine the 2020 election; and when the House exercised this duty to investigate this abuse of power, the President refused to cooperate and forbade his administration from doing so, obstructing Congress from carrying out our sworn responsibility.

If these actions bear no consequences, future Presidents may act without constraint, and American democracy will be at an end.

Therefore, compelled by my sworn duty to defend the Constitution, I will vote to impeach this President, and I urge the Senate to remove him from office.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 46 minutes p.m.), the House stood in recess.

□ 0046

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PERLMUTTER) at 12 o'clock and 46 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1158, DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019; PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1865, NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT; AND PROVIDING FOR ADOPTION OF H. RES. 761, PERMITTING INDIVIDUALS TO BE ADMITTED TO THE HALL OF THE HOUSE IN ORDER TO OBTAIN FOOTAGE OF THE HOUSE IN SESSION FOR INCLUSION IN THE ORIENTATION FILM TO BE SHOWN TO VISITORS AT THE CAPITOL VISITOR CENTER

Mr. MORELLE, from the Committee on Rules, submitted a privileged report (Rept. No. 116–353) on the resolution (H. Res. 765) providing for consideration of the Senate amendment to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; providing for consideration of the Senate amendment to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; and providing for the adoption of the resolution (H. Res. 761) permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 7(b) of House Resolution 758, the House stands adjourned until 9 a.m. today.

Thereupon (at 12 o'clock and 48 minutes a.m.), under its previous order, the House adjourned until today, Tuesday, December 17, 2019, at 9 a.m.

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, for printing in the CONGRESSIONAL RECORD, that H.R. 453, the Eastern Band of Cherokee Historic Lands Reacquisition Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 4227, the MAPS Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 4779, to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESIONAL RECORD, that H.R. 4998, the Secure and Trusted Communications Networks Act of 2019, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

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. SCOTT of Virginia: Committee on Education and Labor. H.R. 2474. A bill to amend the National Labor Relations Act, the Labor-Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; with an amendment (Rept. 116–347). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALLONE: Committee on Energy and Commerce. H.R. 2647. A bill to adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability, and for other purposes (Rept. 116–348). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALLONE: Committee on Energy and Commerce. H.R. 4227. A bill to prohibit the submission to the Federal Communications Commission of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map (Rept. 116–349). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALLONE: Committee on Energy and Commerce. H.R. 4229. A bill to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes; with an amendment (Rept. 116–350). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALLONE: Committee on Energy and Commerce. H.R. 4779. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes (Rept. 116–351). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALLONE: Committee on Energy and Commerce. H.R. 4998. A bill to prohibit certain Federal loans, grants, and subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks, and for other purposes; with amendments (Rept. 116–352). Referred to the Committee of the Whole House on the state of the Union.

[Filed on December 17 (legislative day of December 16), 2019]

Mr. MORELLE: Committee on Rules. House Resolution 765. Resolution providing for Consideration of the Senate amendment to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; providing for consideration of the Senate amendment to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; and providing for the adoption of the resolution (H. Res. 761) permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center (Rept. 116–353). Referred to the House Calendar.

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. MCHENRY (for himself, Mr. RUIZ, Mr. HUDSON, Mr. SCHRADER, Mr. POSEY, Mr. CISNEROS, and Mr. BURGESS):

H.R. 5434. A bill to amend the Clean Air Act to provide an exemption from certain antitampering provisions for certain actions for modifying a motor vehicle that is not legal for operation on a street or highway and is to be used solely for competition, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Ms. HAALAND, Mr. LEVIN of California, Mr. SABLAN, Ms. DEGETTE, Mr. MCEACHIN, and Mr. LOWENTHAL):

H.R. 5435. A bill to require the Secretary of the Interior and the Chief of the United States Forest Service to meet certain targets for the reduction of the emission of greenhouse gases, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Education and Labor, 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. 5436. A bill to amend the Agriculture Improvement Act of 2018, with respect to enforcement of animal fighting ventures prohibition in the territories, and for other purposes; to the Committee on Agriculture.

By Mrs. BUSTOS (for herself and Mr. RUTHERFORD):

H.R. 5437. A bill to provide for certain actions by the International Trade Administration in order to increase exports by small- and medium-sized enterprises, and for other purposes; to the Committee on Foreign Affairs.

By Mr. COX of California (for himself, Mr. HARDER of California, Mr. COSTA, Mr. GALLEGO, Mr. O'HALLERAN, Mrs. KIRKPATRICK, Mr. PANETTA, and Mr. GRIJALVA):

H.R. 5438. A bill to direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to award grants to develop programs to increase health care providers' awareness of Valley fever, 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. HICE of Georgia:

H.R. 5439. A bill to amend title 18, United States Code, to include railroad police officers in the definition of qualified law enforcement officers; to the Committee on the Judiciary.

By Mr. MEADOWS:

H.R. 5440. A bill to require the Secretary of Veterans Affairs to provide financial assistance to eligible entities to provide and coordinate the provision of post-traumatic stress disorder prevention services for veterans through the award of grants to such entities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MOULTON (for himself and Mrs. TRAHAN):

H.R. 5441. A bill to repeal the funding authorization sunset and the total funding cap for the Essex National Heritage Area; to the Committee on Natural Resources.

By Ms. PORTER (for herself and Ms. DELAURO):

H.R. 5442. A bill to amend title XXVII of the Public Health Service Act and title XVIII of the Social Security Act to require pharmacies to disclose any differential between the cost of a prescription drug based on whether certain individuals use prescription drug coverage to acquire such drug, 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 Ms. SCANLON (for herself and Mr. EMMER):

H.R. 5443. A bill to amend title XIX of the Social Security Act to clarify that the provision of home and community-based services is not prohibited in an acute care hospital, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself and Mr. SIRES):

H.J. Res. 81. A joint resolution recognizing the 75th anniversary of the Battle of the Bulge during World War II; 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. MCHENRY:

H.R. 5434.

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.'' Because the federal government has extended Article I, Section 8, Clause 3 beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. GRIJALVA:

H.R. 5435.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

U.S. Cont. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rule and Regulations respecting the Territory of other Property belonging to the United States;

By Miss GONZÁLEZ-COLÓN:

H.R. 5436.

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 3 and 18 of the U.S. Constitution, which provide as follows:

The Congress shall have Power To [. . .]

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; [. . .]—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 Mrs. BUSTOS:

H.R. 5437.

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 18 of the United States Constitution .

By Mr. COX:

H.R. 5438.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. HICE:

H.R. 5439.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which states that Congress has the power ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;'' Article I, Section 8, Clause 18, which states that 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 in any Department or Officer thereof.''

By Mr. MEADOWS:

H.R. 5440.

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 . . . .

ARTICLE I, SECTION 8, CLAUSE 1

By Mr. MOULTON:

H.R. 5441.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Ms. PORTER:

H.R. 5442.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. SCANLON:

H.R. 5443.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SMITH:

H.J. Res. 81.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 94: Ms. WILSON of Florida.

H.R. 139: Mr. CARSON of Indiana, Ms. KELLY of Illinois, and Mr. KRISHNAMOORTHI.

H.R. 510: Mr. GOTTHEIMER.

H.R. 562: Mr. GOTTHEIMER.

H.R. 587: Mr. COSTA.

H.R. 873: Mr. COLE.

H.R. 934: Mrs. HAYES.

H.R. 1055: Mr. NEAL.

H.R. 1111: Mr. LOWENTHAL.

H.R. 1130: Ms. KELLY of Illinois.

H.R. 1140: Mr. COSTA and Mr. RODNEY DAVIS of Illinois.

H.R. 1243: Mr. DEUTCH.

H.R. 1360: Mr. GOTTHEIMER.

H.R. 1379: Mr. GOMEZ.

H.R. 1398: Mr. PHILLIPS and Mr. LAWSON of Florida.

H.R. 1636: Ms. SPANBERGER.

H.R. 1648: Mr. GOTTHEIMER.

H.R. 1692: Mr. HIGGINS of New York.

H.R. 1763: Mr. CRIST and Mr. SOTO.

H.R. 1880: Ms. MCCOLLUM, Mr. LOWENTHAL, Mrs. DEMINGS, and Ms. KAPTUR.

H.R. 1931: Mr. VAN DREW and Ms. FRANKEL.

H.R. 2062: Mr. HUDSON.

H.R. 2137: Mr. GROTHMAN and Ms. DAVIDS of Kansas.

H.R. 2150: Mr. GARAMENDI, Mrs. KIRKPATRICK, and Mr. CARTWRIGHT.

H.R. 2249: Mr. GOTTHEIMER.

H.R. 2322: Mr. GOTTHEIMER.

H.R. 2388: Mr. GOTTHEIMER.

H.R. 2599: Ms. DEGETTE.

H.R. 2628: Mr. GOTTHEIMER.

H.R. 2650: Ms. SPANBERGER.

H.R. 2683: Ms. JACKSON LEE.

H.R. 2731: Mr. MULLIN and Ms. BLUNT ROCHESTER.

H.R. 2733: Mr. STAUBER.

H.R. 2771: Mr. BUTTERFIELD.

H.R. 2782: Mr. STEIL.

H.R. 2850: Mrs. NAPOLITANO, Mr. KHANNA, Mr. MEEKS, and Mr. COOPER.

H.R. 2895: Ms. STEFANIK and Mr. THOMPSON of Mississippi.

H.R. 3040: Mr. HUFFMAN.

H.R. 3062: Mr. SMUCKER and Mr. SCHWEIKERT.

H.R. 3065: Mr. GOTTHEIMER.

H.R. 3103: Mr. GOTTHEIMER and Mr. STEIL.

H.R. 3120: Mrs. DINGELL.

H.R. 3225: Mr. VAN DREW.

H.R. 3248: Mrs. NAPOLITANO.

H.R. 3441: Mr. PHILLIPS.

H.R. 3473: Mr. LEVIN of California.

H.R. 3534: Mr. MURPHY of North Carolina.

H.R. 3576: Mr. MCGOVERN and Mr. COHEN.

H.R. 3580: Mr. ADERHOLT.

H.R. 3584: Mrs. HARTZLER, Mr. RODNEY DAVIS of Illinois, Mr. HICE of Georgia, Mr.

PETERSON, Mrs. BEATTY, and Mr. RUTHERFORD.

H.R. 3772: Mrs. WATSON COLEMAN.

H.R. 3774: Mr. GOTTHEIMER.

H.R. 3843: Mr. PHILLIPS.

H.R. 3953: Ms. SCHAKOWSKY.

H.R. 3961: Mr. LEVIN of California, Ms. JAYAPAL, and Mr. BACON.

H.R. 3971: Mr. GOTTHEIMER.

H.R. 4065: Mr. HUFFMAN.

H.R. 4086: Mr. GOTTHEIMER.

H.R. 4107: Mr. KHANNA, Mr. TAKANO, Mr. GRIJALVA, and Mr. THOMPSON of California.

H.R. 4138: Mr. TRONE.

H.R. 4177: Ms. NORTON.

H.R. 4227: Mr. O'HALLERAN.

H.R. 4331: Mr. ENGEL and Mr. BERA.

H.R. 4339: Mr. KILDEE and Mr. JEFFRIES.

H.R. 4348: Mr. LYNCH, Mr. RASKIN, and Ms. SCANLON.

H.R. 4447: Mr. WELCH.

H.R. 4526: Mr. GALLEGO, Ms. NORTON, and Ms. TLAIB.

H.R. 4817: Mr. SHIMKUS, Mr. YOUNG, Mr. LATTA, and Mr. WALDEN.

H.R. 4928: Mr. CORREA.

H.R. 4980: Mr. TED LIEU of California and Ms. PINGREE.

H.R. 5044: Mrs. LESKO.

H.R. 5127: Ms. ESHOO.

H.R. 5138: Ms. NORTON.

H.R. 5151: Mr. ESPAILLAT and Ms. NORTON.

H.R. 5169: Mr. RYAN.

H.R. 5170: Mr. CARSON of Indiana and Mr. HARDER of California.

H.R. 5185: Ms. CLARKE of New York.

H.R. 5200: Mr. BUTTERFIELD.

H.R. 5297: Mr. MURPHY of North Carolina.

H.R. 5362: Mr. DAVID SCOTT of Georgia.

H.R. 5420: Mr. RUSH, Ms. UNDERWOOD, Ms. SCHAKOWSKY, Mr. CASTEN of Illinois, Mr. KRISHNAMOORTHI, and Mr. RODNEY DAVIS of Illinois.

H. J. Res. 22: Mr. HILL of Arkansas.

H. J. Res. 35: Mr. LIPINSKI.

H. J. Res. 79: Ms. DAVIDS of Kansas.

H. Con. Res. 74: Ms. DAVIDS of Kansas.

H. Res. 109: Ms. MOORE.

H. Res. 174: Mr. HUDSON.

H. Res. 743: Mr. CÁRDENAS.

H. Res. 746: Mr. REED, Mr. KELLY of Pennsylvania, Mrs. WALORSKI, Mr. EVANS, Mr. HILL of Arkansas, and Mr. SMITH of Nebraska.

H. Res. 752: Mr. ZELDIN, Mr. GONZALEZ of Texas, and Mr. FITZPATRICK.

H. Res. 754: Ms. SHALALA and Mr. CHABOT.

PETITIONS, ETC.

Under clause 3 of rule XII,

72. The SPEAKER presented a petition of House of Representatives of the Commonwealth of the Northern Mariana Islands, relative to House Joint Resolution 21–6, to request the Honorable GREGORIO KILILI CAMACHO SABLAN to introduce an amendment to Sect. 12616 from the Agriculture Improvement Act of 2018 (U.S. Public Law 115–334) to exempt the Commonwealth of the Northern Mariana Islands from the provisions that ban cockfighting activities; which was referred jointly to the Committees on Agriculture, the Judiciary, and Oversight and Reform.