The House met at noon and was called to order by the Speaker.

PRAYER

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

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

We give You thanks for the life and work of Justice Ruth Ginsburg. May all Americans be inspired to be their best selves because of her example. May she rest in peace.

Bless those throughout our Nation who are suffering from the pandemic, fires, hurricanes, and flooding. Their needs continue. Impel our political leaders to tend to those needs with speed and wisdom.

Help us to be people of faith and hope. Lord, have mercy.

May all that is done in the days to come be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 4(a) of House Resolution 967, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Wyoming (Ms. CHENEY) come forward and lead the House in the Pledge of Allegiance?

Ms. CHENEY 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.

EXPRESSING THE PROFUND SORROW OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE RUTH BADER GINSBURG

Mrs. DINGELL. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1123

Resolved, That the House has heard with profound sorrow of the death of the Honorable Ruth Bader Ginsburg, Associate Justice of the Supreme Court of the United States.

Resolved, That the House tenders its deep sympathy to the members of the family of the late Associate Justice in their bereavement.

Resolved, That the Clerk communicate these resolutions to the Senate and to the Supreme Court and transmit a copy of the same to the family of the late Associate Justice.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the late Associate Justice.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will enter upon postponed questions at a later time.

The resolution was agreed to.

The Speaker. The Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

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

CONFIRMING JULIE FISHER TO BE AMBASSADOR TO REPUBLIC OF BELARUS

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

Mr. SHIMKUS. Madam Speaker, Ms. Julie Fisher is our nominee to be the U.S. Ambassador to the Republic of Belarus. A confirmation vote is scheduled for tomorrow in the committee. Once confirmed, she leaves for her post.

Upon arrival, she is to present her credentials to the duly elected President of the Republic of Belarus.

Today, I am calling upon President Trump and Secretary of State Mike Pompeo to ensure that these credentials be presented to the duly elected President of the Republic of Belarus, Svetlana Tikhanovskaya.

A republic is a government having a chief of state who is not a monarch or a dictator and who, in modern times, is a president duly elected by the people. Svetlana clearly won the election, and her massive support continues to show itself by the peaceful protests numbering over 100,000 citizens.

Another option would be for her to present her credentials to the governing council, which will help transition the country to fair and free elections within 6 months.

Madam Speaker, I call upon all of our democratic allies to do the same.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. DINGELL). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

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

PRACTICAL REFORMS AND OTHER GOALS TO REINFORCE THE EFFECTIVENESS OF SELF-GOVERNMENT AND SELF-DETERMINATION FOR INDIAN TRIBES ACT OF 2019

Ms. HAALAND. Madam Speaker, I move to suspend the rules and pass the bill (S. 209) to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance for Indian Tribes, and for other purposes.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
The Clerk read the title of the bill. The text of the bill is as follows:

SEC. 101. TRIBAL SELF-GOVERNANCE.

(a) Definitions.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(1) to modify, limit, expand, or otherwise affect—

(A) the authority of the Secretary of the Interior, as provided for under the Indian Self-Determination and Education Assistance Act; or

(B) any treaty-reserved right or other right of any Indian Tribe as recognized by any other means, including treaties or agreements with the United States, Executive orders, statutes, regulations, or case law; or

(2) to authorize any provision of a contract or agreement that is not consistent with the terms of a Tribal water rights settlement.

(b) Establishment.—Section 401 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5361) is amended to read as follows:

"SEC. 401. DEFINITIONS.

"In this Act—

"(1) COMPACT.—The term ‘compact’ means a self-governance compact entered into under section 404.

"(2) CONSTRUCTION PROGRAM; CONSTRUCTION PROJECT.—The term ‘construction program’ or ‘construction project’ means a Tribal undertakings relating to the administration, planning, environmental determination, design, construction, repair, improvement, or expansion of roads, bridges, buildings, structures, systems, or other facilities for purposes of housing, law enforcement, detention, sanitation, water supply, education, administration, community, health, agriculture, conservation, flood control, transportation, or port facilities, or for other Tribal purposes.

"(3) DEPARTMENT.—The term ‘Department’ means the Department of the Interior.

"(4) FUNDING AGREEMENT.—The term ‘funding agreement’ means a funding agreement entered into under section 403.

"(5) GROSS MISMANAGEMENT.—The term ‘gross mismanagement’ means a significant violation, shown by a preponderance of the evidence, of a compact, funding agreement, or statutory or regulatory requirement applicable to Federal funds for a program administered by an Indian Tribe under a compact or funding agreement.

"(6) INHERENT FEDERAL FUNCTION.—The term ‘inherent Federal function’ means a Federal function that may not legally be delegated to an Indian Tribe.

"(7) NON-BIA PROGRAM.—The term ‘non-BIA program’ means any program, function, service, or activity that is administered by an agency or branch of the Department of the Interior other than—

(A) the Bureau of Indian Affairs;

(B) the Office of the Assistant Secretary for Indian Affairs; or

(C) the Office of the Special Trustee for American Indians.

"(8) PROGRAM.—The term ‘program’ means any program, function, service, or activity (or portion thereof) within the Department that is included in a funding agreement.

"(9) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

"(10) SELF-DETERMINATION CONTRACT.—The term ‘self-determination contract’ means a self-determination contract entered into under section 105.

"(11) SELF-GOVERNANCE.—The term ‘self-governance’ means the Tribal Self-Governance Program established under section 402.

"(12) TRIBAL SELF-GOVERNANCE.—The term ‘Tribal self-governance’ means the Indian Tribe is eligible under subsection (c) to participate in self-governance.

"(13) TRIBAL WATER RIGHTS SETTLEMENT.—The term ‘Tribal water rights settlement’ means any settlement, compact, or other agreement expressly ratified or approved by an Act of Congress that—

(A) applies to a Tribe or a group of Tribes that is recognized by the Secretary, as recognized by any other means, including treaties or agreements with the United States, Executive orders, statutes, regulations, or case law; or

(B) quantifies or otherwise defines any water right of a Tribe.

"(c) ESTABLISHMENT.—Section 402 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5362) is amended to read as follows:

"SEC. 402. TRIBAL SELF-GOVERNANCE PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish and carry out a program within the Department to be known as the ‘Tribal Self-Governance Program’.

"(b) SELECTION OF PARTICIPATING INDIAN TRIBES.—

(i) IN GENERAL.—

(1) A Tribe may participate in the program under this title, if the Secretary, acting through the Director of the Office of Self-Governance, determines that the Tribe may participate in the program.

(ii) Eligibility.—The Secretary, acting through the Director of the Office of Self-Governance, may select not more than 50 new Indian Tribes per year from those Tribes eligible under subsection (c) to participate in self-governance.

(iii) Joint Participation.—On the request of Tribes participating in this Program, 2 or more otherwise eligible Indian Tribes may be treated as a single Indian Tribe for the purpose of participating in self-governance.

(iv) AUTHORIZED INDIAN TRIBE OR TRIBAL ORGANIZATION.—If an Indian Tribe authorizes another Indian Tribe or a Tribal organization to plan for or carry out a program or project under this Program, the authorized Indian Tribe or Tribal organization shall have the rights and responsibilities of the Tribe for the purpose of participating in the self-governance program.

(v) JOINT PARTICIPATION AS ORGANIZATION.—Two or more Indian Tribes that are otherwise eligible under subsection (c) may be treated as a single Indian Tribe for the purpose of participating in self-governance as a Tribal organization if—

(A) each Indian Tribe so requests; and

(B) the Tribal organization itself, or at least one of the Tribes participating in the Tribal organization, is eligible under subsection (c).

(vi) TRIBAL WITHDRAWAL FROM A TRIBAL ORGANIZATION.—

(A) IN GENERAL.—An Indian Tribe that withdraws from participation in a Tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian Tribe is eligible under subsection (c).

(B) EFFECT OF WITHDRAWAL.—An Indian Tribe withdraws from participation in a Tribal organization, the Indian Tribe shall be entitled to its Tribal share of funds and resources supporting the programs that the Indian Tribe is entitled to carry out under the compact and funding agreement of the Indian Tribe.

(C) PARTICIPATION IN SELF-GOVERNANCE.—The withdrawal of an Indian Tribe of a Tribal organization shall not affect the eligibility of the Tribal organization to participate in self-governance on behalf of one or more other Indian Tribes, if the Tribal organization still qualifies under subsection (c).

(vii) WITHDRAWAL PROCESS.—

(A) IN GENERAL.—An Indian Tribe may, by Tribal resolution, fully or partially withdraw its Tribal share of any program in a funding agreement from a participating Tribal organization.

(B) EFFECT OF WITHDRAWAL.—If an Indian Tribe withdraws from participating in a Tribal organization, in whole or in part, the Tribal organization, in whole or in part, shall be entitled to its Tribal share of funds and resources supporting the programs that the Indian Tribe is entitled to carry out under the compact and funding agreement of the Indian Tribe.

(ii) NOTIFICATION.—The Indian Tribe shall provide a copy of the Tribal resolution described in clause (i) to the Secretary.

(iii) EFFECTIVE DATE.—

(i) IN GENERAL.—A withdrawal under clause (i) shall become effective not later than the date that is specified in the Tribal resolution and mutually agreed upon by the Secretary, the withdrawing Indian Tribe, and the Tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian Tribe or Tribal organization.

(ii) NO SPECIFIED DATE.—In the absence of a date specified in the resolution, the withdrawal shall become effective on—

(aa) the earlier of—

(1) 1 year after the date of submission of the request; and

(bb) the date on which the funding agreement expires; or

(iii) DISTRIBUTION OF FUNDS.—If an Indian Tribe or Tribal organization eligible to enter into a self-determination contract or a compact shall withdraw from participating in a Tribal organization, the withdrawing Indian Tribe—
“(i) may elect to enter into a self-determination contract or compact, in which case—

(1) the withdrawing Indian Tribe or Tribal organization shall be entitled to its Tribal share of unexpended funds and resources supporting the programs that the Indian Tribe will be carrying out under its own self-determination contract or compact and funding agreement (calculated on the same basis as the funds were initially allocated to the funding agreement of the Tribal organization);

(2) the funds referred to in subsection (i) shall be withdrawn by the Secretary from the fund pool to which those funds belonged and transferred to the withdrawing Indian Tribe, on the condition that sections 102 and 165(i), as appropriate, shall apply to the withdrawal of those funds; and

(3) may elect not to enter into a self-determination contract or compact, in which case all unexpended funds and resources associated with the withdrawing Indian Tribe’s returned programs (calculated on the same basis as the funds were initially allocated to the funding agreement of the Tribal organization) shall be returned by the Tribal organization to the Secretary for operation of the programs included in the withdrawal.

**(q) Return to mature contract status.—**If an Indian Tribe elects to operate all the programs included in the withdrawal, the Tribal organization (calculated on the same basis as the funds were initially allocated to the funding agreement of the Tribal organization) shall be returned by the Tribal organization to the Secretary for operation of the programs included in the withdrawal.

**(r) Planning phase.—**Planning phase shall—

(A) be conducted to the satisfaction of the Indian Tribe and

(B) include—

(i) legal and budgetary research; and

(ii) internal Tribal government planning, training, and organizational preparation.

**(s) Plans.—**In general.—Subject to the availability of appropriations, an Indian Tribe or Tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants—

(1) to plan for participation in self-governance, and

(2) to negotiate the terms of participation by the Indian Tribe or Tribal organization in self-governance, as set forth in a compact or agreement.

**(t) Receipt of grant not required.—**Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.

**(u) Funding agreements.—**Section 403 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3363) is amended—

(1) by striking subsection (a) and inserting the following:

(A) to striking subsection (a) and inserting the following:

(i) in the matter preceding subparagraph (A), by striking the Tribal organization and transferring to the withdrawing Indian Tribe or the Tribal organization in a manner consistent with—

(1) the trust responsibility of the Federal Government, the Office of the Assistant Secretary for Indian Affairs, and the government-to-government relationship between Indian Tribes and the United States; and

(2) subsection (b); and

(ii) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking the Tribal organization and transferring to the withdrawing Indian Tribe or the Tribal organization in a manner consistent with—

(1) the trust responsibility of the Federal Government, the Office of the Assistant Secretary for Indian Affairs, and the government-to-government relationship between Indian Tribes and the United States; and

(2) subsection (b); and

(B) in subparagraph (A), by striking the Indian Tribe having no unexpended funds and resources specified in the funding agreement.

(2) in paragraph (b)—

(A) in subparagraph (A), by striking the Tribal organization and transferring to the withdrawing Indian Tribe or the Tribal organization in a manner consistent with—

(1) the trust responsibility of the Federal Government, the Office of the Assistant Secretary for Indian Affairs, and the government-to-government relationship between Indian Tribes and the United States; and

(2) subsection (b); and

(B) in subparagraph (A), by striking the Indian Tribe having no unexpended funds and resources specified in the funding agreement.

(3) in paragraph (4)—

(A) in clause (i), by adding at the end the following:

(III) in paragraph (4) through (9); and

(3) in subsection (f)—

(A) in the subsection heading, by striking “for Review”;

(B) by striking “such agreement to—” and all that follows through “Indian tribe”;

(C) by striking “and” after the semicolon;

(D) by striking paragraphs (2) and (3); and

(E) in subsection (k), by striking “section 405(c)” and inserting “section 412(c)”;

(F) by adding at the end the following:

(19) In paragraph (2)—

(A) in clause (i), by adding at the end the following:

(II) in clause (i), as redesignated by clause (II), by striking the semicolon at the end and inserting “; and”; and

(B) in clause (ii), as so redesignated, by striking “and” after the semicolon;

(C) by redesigning subparagraphs (A) and (B) as subparagraph (B); and

(D) in subparagraph (B), as redesignated by clause (v), by striking the semicolon and inserting “; and”; and

(E) by adding at the end the following:

(1) by striking subsection 405(c) and inserting “section 412(c);”;

(2) by striking paragraphs (2) and (3); and

(3) in subsection (k), by striking “section 405(c)” and inserting “section 412(c);” and

(4) by adding at the end the following:

(m) Other provisions.—

(1) Excluded funding.—A funding agreement shall not authorize an Indian Tribe to carry out or receive Tribal share funding under any program that—

(A) is provided under the Tribally Controlled Colleges and Universities Assistance Act of 1976 (25 U.S.C. 1901 et seq.); or

(B) is provided for elementary and secondary schools under the formula developed under section 1127 of the Education Amendment of 1998 (20 U.S.C. 5313 et seq.);

(2) Services, functions, and responsibilities.—A funding agreement shall specify—

(3) by adding at the end the following:

(4) No waiver of trust responsibility.—A funding agreement shall not specify funding associated with a program described in subsection (b)(2) or (c) unless the Secretary agrees.

(5) No waiver of trust responsibility.—A funding agreement shall prohibit the Secretary from waiving, modifying, or diminishing in any way the trust responsibility of the United States with respect to Indian Tribal individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

(6) Amendment.—The Secretary shall not require or require additional terms in a new or subsequent funding agreement without the consent of the Indian Tribe, unless such terms are required by Federal law.

(7) Effective date.—A funding agreement shall become effective on the date specified in the funding agreement.

(8) Existing and subsequent funding agreements.—An Indian Tribe that was participating in self-governance under this title on the date of enactment of the PROGRESS for Indian Tribes Act shall have the option at any time after that date—

(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

(B) to negotiate a new funding agreement in a manner consistent with this title.

(9) Multiyear funding agreements.—An Indian Tribe that was participating in self-governance under this title on the date of enactment of the PROGRESS for Indian Tribes Act may, at the discretion of the Indian Tribe, negotiate with the Secretary for a multiyear funding agreement with a term that exceeds 1 year.”.

(e) General revisions.—Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5361 et seq.) is amended by striking sections 404 through 408 and inserting the following:
Section 404. Compacts.

(a) In General.—The Secretary shall negotiate and enter into a written compact with each Indian Tribe participating in self-governance under this title, in a manner consistent with the provisions of this title, that the Indian Tribe and the Secretary shall be required to:

(1) (A) the Secretary and the Indian Tribe shall be required.

(2) except that, with respect to the re-allocation, consolidation, and redesign of programs described in subsection (b)(2) or (c) of section 403, a joint agreement between the Secretary and the Indian Tribe shall be required.

(3) (L) The Secretary may, on written notice to the Indian Tribe and the United States, enter into a written compact with an Indian Tribe, in a manner consistent with the provisions of this title, that the Indian Tribe and the Secretary shall be required.

(4) (O) If the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a natural resource, the public health and safety caused by an act or omission of the Indian Tribe; and

(5) (P) the Secretary may, on written notice to the Indian Tribe and the United States, enter into a written compact with an Indian Tribe, in a manner consistent with the provisions of this title, that the Indian Tribe and the Secretary shall be required.

(b) Contents.—A compact under subsection (a) shall—

(1) specify and affirm the general terms of the government-to-government relationship between the Indian Tribe and the United States.

(2) include such terms as the parties intend shall control during the term of the compact.

(c) Amendment.—A compact under subsection (a) may be amended only by agreement of the parties.

(d) Effective Date.—The effective date of a compact under subsection (a) shall be—

(1) the date of the execution of the compact by the parties; or

(2) such date as is mutually agreed upon by the parties.

(e) Duration.—A compact under subsection (a) shall remain in effect—

(1) for so long as permitted by Federal law; or

(2) until termination by written agreement, retrocession, or reassertion.

(f) Existing Compacts.—An Indian Tribe participating in self-governance under this title shall have the option at any time before that date—

(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; and

(2) to negotiate a new compact in a manner consistent with this title.

Section 405. General Provisions.

(a) applicability.—An Indian Tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

(b) conflicts of interest.—An Indian Tribe participating in self-governance shall ensure that internal measures are in place to address, pursuant to Tribal law and procedures, the appearance of conflict of interest in the administration of programs.

(c) audits.—(1) In general.—The Audit Act.—Section 75 of title 31, United States Code, shall apply to a funding agreement under this title.

(2) cost principles.—An Indian Tribe shall maintain and adhere to the cost principles under the applicable Office of Management and Budget circular, except as modified by—

(A) any provision of law, including section 3105 of title 31, United States Code.

(B) any exemptions to applicable Office of Management and Budget circulars subsequentially granted by the Office of Management and Budget.

(3) federal claims.—Any claim by the Federal Government against an Indian Tribe relating to funds received under a funding agreement based on any audit under this subsection shall be subject to section 106(e).

(d) redesign and consolidation.—Except as provided in section 407, an Indian Tribe may negotiate or consolidate programs, or re-allocate funds for programs, in a compact or funding agreement in any manner that the Indian Tribe determines to be in the best interest of the Indian community being served—

(1) so long as the redesign or consolidation does not have the effect of denying eligibility for services to population groups otherwise eligible to be served under applicable Federal law; and

(2) except that, with respect to the re-allocation, consolidation, and redesign of programs described in subsection (b)(2) or (c) of section 403, a joint agreement between the Secretary and the Indian Tribe shall be required.

(e) retrocession.—(1) In general.—An Indian Tribe may fully or partially retrocede to the Secretary any program under a compact or funding agreement.

(2) effective date.—(A) Agreement.—Unless an Indian Tribe subjects a request for retrocession under paragraph (1), the retrocession shall become effective on the date the parties in the compact or funding agreement.

(B) no agreement.—In the absence of a specification of an effective date in the compact or funding agreement, the retrocession shall become effective on—

(i) the earlier of—

(1) 1 year after the date on which the request is submitted; and

(2) the date on which the funding agreement expires; or

(ii) such date as may be mutually agreed upon by the Secretary and the Indian Tribe.

(3) nonduplication.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is provided to an Indian Tribe under this title, the Indian Tribe—

(A) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian Tribe shall be eligible for new programs on the same basis as other Indian Tribes; and

(B) shall be responsible for the administration of programs in accordance with the compact or funding agreement.

(g) records.—(1) in general.—Unless an Indian Tribe specifies otherwise in the compact or funding agreement, records of an Indian Tribe shall not be considered to be Federal records for purposes of chapter 6 of title 5, United States Code.

(2) recordkeeping system.—An Indian Tribe shall—

(A) maintain a recordkeeping system; and

(B) on a notice period of not less than 30 days, provide the Secretary with reasonable access to the records to enable the Department to receive a copy of the final offer described in paragraph (1).

(ii) the later of—

(A) the Secretary first provides written notice and a hearing on the record to the Inspector General, as appropriate.

(B) the date on which the funding agreement expires; or

(iii) such date as may be mutually agreed upon by the Secretary and the Indian Tribe.

(3) exceptions.—(A) In general.—Notwithstanding paragraph (2), the Secretary may, on written notice to the Indian Tribe and the United States, immediately re-negotiate a compact if—

(i) the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a natural resource, or the public health and safety caused by an act or omission of the Indian Tribe; and

(ii) the Indian Tribe does not take corrective action to remedy the mismanagement of the funds or programs, or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

(4) inability to agree on compact or funding agreement.—

(1) final offer.—If the Secretary and a participating Indian Tribe are unable to agree, in whole or in part, on the terms of a compact or funding agreement (including funding levels), the Indian Tribe may submit a final offer to the Secretary.

(2) determination.—Not more than 60 days after the date of receipt of a final offer by one or more of the officials designated pursuant to paragraph (4), the Secretary shall review and make a determination with respect to the final offer, except that the 60-day period may be extended for up to 30 days for circumstances beyond the control of the Secretary, upon request by the Secretary to the Indian Tribe.

(3) extensions.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian Tribe and the Secretary.

(4) designated officials.—(A) In general.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

(B) no designation.—If no official is designated, the Director of the Office of the Executive Secretariat and Regulatory Affairs shall be the designated official.

(5) no timely determination.—If the Secretary fails to make a determination with respect to a final offer within the period specified in paragraph (2), including any extension agreed to under paragraph (3), the Secretary shall be deemed to have agreed to the offer, except that with respect to any compact or funding agreement provision concerning a program described under section 404, the Secretary shall be deemed to have rejected the offer with respect to such provision and the terms of clauses (ii) through (iv) of paragraphs (6)(A) shall apply.

(6) rejection of final offer.—(A) In general.—If the Secretary rejects a final offer (or one or more provisions or funding levels in a final offer), the Secretary shall—

(i) provide timely written notification to the Indian Tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—

(I) the amount of funds proposed in the final offer exceeds the applicable funding level determined under paragraph (4)(B); or

(II) the program that is the subject of the final offer is an inherent Federal function or...
is subject to the discretion of the Secretary under section 403(c).

‘‘(II) the Indian Tribe cannot carry out the program in a manner that would not result in a significant diminution of the public health or safety, to natural resources, or to trust resources;

‘‘(IV) the Indian Tribe is not eligible to participate in self-governance under section 402(c);

‘‘(V) the funding agreement would violate a law or statute or regulation; or

‘‘(VI) a program or portion of a program included in a final offer pursuant to section 403(b)(2), the program or the portion of the program is not otherwise available to Indian Tribes or Indians under section 102(a)(1)(E);

‘‘(ii) provide technical assistance to overcome any objections indicated in the notification required by clause (I);

‘‘(iii) provide the Indian Tribe with a hearing on the record with the right to engage in full discovery relevant to any issue raised in the matter, and the opportunity for appeal on the objections raised, except that the Indian Tribe may, in lieu of filing such appeal, directly initiate an action in a United States district court under section 110(a); and

‘‘(iv) provide the Indian Tribe the option of entering into the severance of the severable portions of a final proposed compact or funding agreement (including a lesser funding amount, if any), that the Secretary did not reject, subject to any conditions the Secretary believes necessary to transform the compact or funding agreement to the severed provisions.

‘‘(B) EFFECT OF EXERCISING CERTAIN OPTIONS.—For purposes of this section A, the Secretary exercises the option specified in subparagraph (A)(IV)—

‘‘(i) the Indian Tribe shall retain the right to appeal the rejection by the Secretary of the compact or funding agreement to the United States district court under section 110(a);

‘‘(ii) clauses (i), (ii), and (iii) of subparagraph (A) shall apply only to the portion of the proposed final compact or funding agreement that was rejected by the Secretary.

‘‘(d) BURDEN OF PROOF.—In any administrative action, hearing, appeal, or civil action brought under this section, the Secretary shall have the burden of proof—

‘‘(1) of demonstrating, by a preponderance of the evidence, the validity of the grounds for a determination pursuant to subsection (c); and

‘‘(2) of clearly demonstrating the validity of the grounds for rejecting a final offer made under subsection (c).

‘‘(e) IN GENERAL.—In the negotiation of compacts and funding agreements, the Secretary shall at all times negotiate in good faith to maximize implementation of the self-governance policy.

‘‘(f) SAVINGS.—

‘‘(1) IN GENERAL.—To the extent that programs or functions for the benefit of Indian Tribes and Tribal organizations under this title reduce the administrative or other responsibilities of the Secretary with respect to the operation of Indian programs and result in savings that have not otherwise been included in the amount of Tribal shares and other funds determined under section 408(c), except for funds and agreements entered into for programs under section 402(c), the Secretary shall make such savings available to the Indian Tribes or Tribal organizations for the provision of services to Tribal members and program beneficiaries in a manner equitable to directly served, contracted, and compacted programs.

‘‘(2) VOLUNTARY PROGRAMS OF SPECIAL SIGNIFICANCE.—For any savings generated as a result of the assumption of a program by an Indian Tribe under section 403(c), such savings shall be made available to that Indian Tribe.

‘‘(g) TRUST RESPONSIBILITY.—The Secretary may not waive, modify, or diminish in any way the trust responsibility of the United States with respect to Indian Tribes and their members to Indian Tribes that exist under treaties, Executive orders, other laws, or court decisions.

‘‘(h) DECISION MAKER.—A decision that constitutes final action and relates to an appeal within the Department conducted under subsection (c)(6)(A)(iii) may be made by—

‘‘(1) an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

‘‘(2) an administrative law judge.

‘‘(I) RULES AND REGULATIONS.—Subject to section 101(a) of the PROGRESS for Indian Tribes Act, each provision of this title and each provision of a compact or funding agreement that is subject to the discretion of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), section 101 of title III of title 54, United States Code, and related provisions of other laws and regulations that would apply if the Secretary were to undertake a construction project, by adopting a resolution—

‘‘(i) designating a certifying Tribal officer to represent the Indian Tribe and to assume the status of an identifiable Federal official under those Acts, laws, or regulations; and

‘‘(ii) accepting the jurisdiction of the United States courts for the purpose of enforcing the certifying Tribal officer assuming the status of a responsible Federal official under those Acts, laws, or regulations.

‘‘(J) SAVINGS CLAUSE.—Notwithstanding subsection (b), nothing in this section authorizes the Secretary to include in any compact or funding agreement duties of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), division A of subtitile III of title 54, United States Code, and other related provisions of law that are inherent Federal functions.

‘‘(K) CODES AND STANDARDS.—In carrying out a construction project under this title, an Indian Tribe shall—

‘‘(1) adhere to applicable Federal, State, local, and Tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

‘‘(2) use only architects and engineers who—

‘‘(A) are licensed to practice in the State in which the facility will be built; and

‘‘(B) are qualified to perform the work required by the specific construction involved;

‘‘(L) COMPLETION OF DESIGN.—On completion of design, the plans and specifications meet or exceed the applicable construction and safety codes.

‘‘(M) TRIBAL ACCOUNTABILITY.—

‘‘(1) IN GENERAL.—In carrying out a construction project under this title, an Indian Tribe shall assume responsibility for the successful completion of the construction project and of a facility that is usable for the purpose for which the Indian Tribe received funding;

‘‘(2) REQUIREMENTS.—For each construction project carried out by an Indian Tribe under this title, the Indian Tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

‘‘(A) the approximate start and completion dates for the project, which may extend over a period of one or more years;

‘‘(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions;

‘‘(C) the responsibilities of the Indian Tribe and the Secretary for the project;

‘‘(D) how project-related environmental considerations will be addressed;

‘‘(E) the amount of funds provided for the project;

‘‘(F) the obligations of the Indian Tribe to comply with the codes referenced in subsection (d)(1) and applicable Federal laws and regulations;

‘‘(G) an agreement of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction;

‘‘(H) the date that the Indian Tribe shall issue a certificate of occupancy, if requested by the Indian Tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian Tribe has secured upon completion the review and approval of the plans and specifications, sufficiency of design, life safety, and the conformance of the project to applicable codes and independent architects and engineers;

‘‘(I) FUNDING.—

‘‘(1) PRE-PROJECTS.—Funding appropriated for construction projects carried out under this title shall be included in funding agreements as annual or semiannual advance payments at the option of the Indian Tribe.

‘‘(2) ADVANCE PAYMENTS.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian Tribe shall be responsible for the management of such contingency funds.

‘‘(J) NEGOTIATIONS.—At the option of the Indian Tribe, construction project funding agreements shall be negotiated to the statutory process in section 105, and any resulting construction project agreement shall be incorporated into the funding agreement as addenda.

‘‘(K) FEDERAL REVIEW AND VERIFICATION.—

‘‘(1) IN GENERAL.—On a schedule negotiated by the Secretary and the Indian Tribe—

‘‘(A) the Secretary shall review and verify, to the satisfaction of the Secretary, that project planning and design documents prepared by the Indian Tribe for initial construction are in conformity with the obligations of the Indian Tribe under subsection (d); and

‘‘(B) before the project planning and design documents are implemented, the Secretary shall—

‘‘(i) review and verify to the satisfaction of the Secretary that project planning and design documents are in conformity with all Federal statutes and regulations, including the scope of work, references to design criteria, and other terms and conditions;

‘‘(ii) if necessary, assist the Indian Tribe in the preparation of construction documents; and

‘‘(iii) review and verify to the satisfaction of the Secretary that the project planning and design documents are in conformity with all Federal statutes and regulations, including the scope of work, references to design criteria, and other terms and conditions;

‘‘(2) COURTS.—The Indian Tribe shall provide the Secretary with project progress and financial reports not less than semiannually.

‘‘(3) OVERSIGHT VISITS.—The Secretary may conduct one or more oversight visits annually or on an alternate schedule agreed to by the Secretary and the Indian Tribe.
"(i) APPLICATION OF OTHER LAWS.—Unless otherwise agreed to by the Indian Tribe and except as otherwise provided in this Act, no provision of title 41, United States Code, the Federal Acquisition Regulation, or any other law or regulation pertaining to Federal procurement (including Executive orders) shall apply to any construction program or project funded under this title.

"(j) FUTURE FUNDING.—Upon completion of a facility constructed under this title, the Secretary shall include the facility among those that are eligible for improvement under title III and shall notify the Indian Tribe that the facility is eligible to receive funding support comparable to that provided for similar facilities funded by the Department as annual appropriations are available and the Secretary determines that the size and complexity and other factors do not exceed the funding formula criteria for comparable buildings.

"SEC. 406. PAYMENT.

"(a) IN GENERAL.—At the request of the governing body of an Indian Tribe and under the terms of an applicable funding agreement, the Secretary shall provide funding to the Indian Tribe to carry out the funding agreement.

"(b) ADVANCE ANNUAL PAYMENT.—At the option of the Indian Tribe, a funding agreement may provide for an advance annual payment to an Indian Tribe.

"(c) AMOUNT.—

"(1) IN GENERAL.—Subject to subsection (e) and sections 403 and 405, the Secretary shall provide funds to the Indian Tribe under a funding agreement for programs in an amount equal to the amount that the Indian Tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related to the provision by the Secretary of services and benefits to the Indian Tribe). The amount provided under this section shall reflect the organization level within the Department at which the programs are carried out.

"(2) SAVINGS CLAUSE.—Nothing in this section reduces programs, services, or funds of, or provided to, another Indian Tribe.

"(d) TIMING.—

"(1) IN GENERAL.—Pursuant to the terms of any funding agreement entered into under this title, the Secretary shall transfer to the Indian Tribe all funds provided for in the funding agreement, pursuant to subsection (c), within thirty calendar days after the date of enactment of the PROGRESS for Indian Tribes Act, as the length of time, as agreed upon by both the Secretary and the Indian Tribe.

"(2) NOTICE OF INSUFFICIENCY.—If at any time the Indian Tribe has reason to believe that the total amount provided for a specific activity under a compact or funding agreement is insufficient, the Indian Tribe shall provide reasonable notice of such insufficiency to the Secretary.

"(2) SUSPENSION OF PERFORMANCE.—If, after notification of paragraph (1), the Secretary does not increase the amount of funds transferred under the funding agreement, the Indian Tribe may suspend performance of the activity until such time as additional funds are transferred.

"(3) LIMITATION OF COSTS.—

"(1) IN GENERAL.—An Indian Tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement.

"(4) SAVINGS CLAUSE.—Nothing in this section reduces any programs, services, or funds of, or provided to, another Indian Tribe.

"(m) DISTRIBUTION OF FUNDS.—The Office of Self-Governance shall be responsible for distribution of all Bureau of Indian Affairs funds provided under this title unless otherwise agreed to by the parties to an applicable funding agreement.

"(n) APPLICABILITY.—Notwithstanding any other provision of this section, section 101(a) of the PROGRESS for Indian Tribes Act applies to subsections (a) through (m).

"SEC. 409. FACILITATION.

"(a) IN GENERAL.—Except as otherwise provided by law (including section 101(a) of the PROGRESS for Indian Tribes Act), the Secretary shall interpret any law and regulation in a manner that facilitates—

"(1) the inclusion of programs in funding agreements; and

"(2) the implementation of funding agreements.

"(b) REGULATION WAIVER.—

"(1) REQUEST.—An Indian Tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

"(A) an identification of the specific text in the regulation sought to be waived; and

"(B) the basis for the request.

"(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary of a request under paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian Tribe.

"(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian Tribe and the Secretary.

"(4) DESIGNATED OFFICIALS.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of each written request described in paragraph (1).

"(5) GROUNDS FOR DENIAL.—The Secretary may deny a request under paragraph (1) upon a specific finding by the Secretary that the identified text in the regulation may not be waived because such a waiver is prohibited by Federal law.

"(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to make a determination with respect to a waiver request within the period specified in paragraph (2) (including any extension granted under paragraph (3)), the Secretary shall be deemed to have agreed to the request, except that for a waiver request relating to programs eligible under subsection (c) of section 403(b) or section 403(c), the Secretary shall be deemed to have denied the request.
“(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

**SEC. 410. DISCRETIONARY APPLICATION OF PROVISIONS.**

“(a) In General.—Except as otherwise provided in section 201(d) of the PROGRESS for Indian Tribes Act, at the option of a participating Indian Tribe, any funds proposed to be included in funding agreements under this section shall be subject to, and shall not conflict with, section 101(a) of such Act.

“(b) Effect.—Each incorporated provision under subsection (a) shall—

“(1) have the force and effect as if set out in full in this title;

“(2) supplement or replace any related provision in this title; and

“(3) apply to any agency otherwise governed by this title.

“(c) EFFECTIVE DATE.—If an Indian Tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

“(1) be effective immediately; and

“(2) control the negotiation and resulting compact and funding agreement.

**SEC. 411. ANNUAL BUDGET LIST.**

The Secretary shall list, in the annual budget request submitted to Congress under section 565 of title 5, United States Code, any funds proposed to be included in funding agreements authorized under this title.

**SEC. 412. REPORTS.**

“(a) In General.—

“(1) REQUIREMENT.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

“(2) ANALYSIS.—Any Indian Tribe may submit to the Office of Self-Governance and to the appropriate committees of Congress a detailed report on the historical, cultural, or political provisions of each Indian Tribe or Tribal organization that have formally requested to include in a funding agreement at the request of a participating Indian Tribe; and

“(3) CONTENTS.—The report under subsection (a)(1) shall—

“(A) be compiled from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

“(B) (i) the relative costs and benefits of self-governance;

“(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian Tribes and members of Indian Tribes;

“(C) the dollar transfers to each Indian Tribe and the corresponding reduction in the Federal employees and workload; and

“(D) the funding formula for individual Tribes that are not part of the Central Office funds, together with the comments of affected Indian Tribes, developed under subsection (d);

“(E) before being submitted to Congress, be distributed to the Indian Tribes for comment (with a comment period of not less than 30 days);

“(F) include the separate views and comments of each Indian Tribe or Tribal organization; and

“(G) include a list of—

“(A) all such programs that the Secretary determines, in consultation with Indian Tribes participating in self-governance, are eligible for negotiation to be included in a funding agreement at the request of a participating Indian Tribe; and

“(B) all such programs which Indian Tribes have formally requested to include in a funding agreement under section 463(c) due to the special historical, cultural, or political significance of the program to the Indian Tribe, indicating whether each request was granted or denied, and stating the grounds for any denial.

“(c) REPORT ON NON-BIA PROGRAMS.—

“(1) IN GENERAL.—In order to optimize opportunities for Indian Tribes to participate in self-governance, the Secretary shall report to Congress on programs maintained by the Department in consultation with Indian Tribes participating in self-governance under this title, the Secretary shall review all programs administered by the Department through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, or the Office of the Special Trustee for American Indians, without regard to the agency or office concerned.

“(2) PROGRAMMATIC TARGETS.—The Secretary shall establish programmatic targets, after consultation with Indian Tribes participating in self-governance, to encourage bureaus of the Department to ensure that an appropriate portion of those programs are available to be included in funding agreements.

“(3) PUBLICATION.—The lists under subsection (b)(3) and targets under paragraph (2) shall be published in the Federal Register and made available to any Indian Tribe participating in self-governance.

“(4) ANNUAL REVIEW.—

“(A) In General.—The Secretary shall annually review and publish in the Federal Register, after consultation with Indian Tribes participating in self-governance, revised lists and programmatic targets.

“(B) CONTENTS.—In preparing the revised lists and programmatic targets, the Secretary shall consider all programs that were eligible for contracting in the original list published in the Federal Register in 1995, except for programs specifically determined not to be contractible as a matter of law.

**SEC. 413. REGULATIONS.**

“(a) IN GENERAL.—

“(1) PROMULGATION.—Not later than 90 days after the date of enactment of the PROGRESS for Indian Tribes Act, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5, United States Code, to negotiate and promulgate regulations as necessary to carry out this title.

“(2) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this title shall be published in the Federal Register not later than 21 months after the date of enactment of the PROGRESS for Indian Tribes Act.

“(3) LIMITATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire on the date that is 30 months after the date of enactment of the PROGRESS for Indian Tribes Act.

“(b) COMMITTEE.—

“(1) MEMBERSHIP.—A negotiated rulemaking committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its members only representatives of the Federal Government and Tribal government.

“(2) LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of Self-Governance shall be the lead agency for the Department.

“(3) ANNUAL REPORT.—The Secretary shall report to Congress in annual reviews and updates that fund the activities conducted under this title.

**TITLE II—INDIAN SELF-DETERMINATION**

**SEC. 201. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.**

**(a) Definitions.—**

“(1) IN GENERAL.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 462) is amended by striking subsection (j) and inserting the following:

“[(j) self-determination contract' means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a Tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian Tribes and members of Indian Tribes pursuant to Federal law, subject to the condition that, except as provided in section 106(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—

“(A) considered to be a procurement contract; or

“(B) except as provided in section 107(a)(1), subject to any Federal procurement law (including regulations);]

**(b) Technical Amendments.—**Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 462), as amended by paragraph (1), is further amended—

“(A) in subsection (e), by striking ‘‘Indian tribe’ means’ and inserting ‘‘Indian tribe’ or Tribal organization’;

“(B) in subsection (i), by striking ‘‘tribal organization’ means’ and inserting ‘‘Tribal organization’ means’;
organization’ or ‘tribal organization’ means’.

(b) REPORTING AND AUDIT REQUIREMENTS.—Section 5 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5306) is amended—

(1) in subsection (b)—

(A) by striking ‘‘after completion of the project referred to in the preceding subsection of this section’’ and inserting ‘‘after the retention period for the report that is submitted to the Secretary under subsection (a)’’; and

(B) by adding at the end the following:—

‘‘The retention period shall be defined in regulations promulgated by the Secretary pursuant to section 4(h) and—

(2) in subsection (o)(1), by inserting ‘‘if the Indian Tribal organization expends $500,000 or more in Federal awards during such fiscal year’’ after ‘‘under this Act’’.

(c) EFFECTIVE DATE.—The amendment made by subsection (b)(2) shall not take effect until 14 months after the date of enactment of this Act.

(d) APPLICATION OF OTHER PROVISIONS.—Sections 4, 5, 6, 7, 102(c), 104, 105(a)(1), 105(f), 110, and 111 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304, 5305, 5306, 5307, 5321(c), 5322(a)(1), 5324(f), 5331, and 5332) and section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101-312, 104 Stat. 1959), apply to compacts and funding agreements entered into under title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.).

SEC. 202. CONTRACTS BY SECRETARY OF THE INTERIOR.

Section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321) is amended—

(1) in subsection (c)(2), by striking ‘‘economic enterprises’’ and all that follows through ‘‘and inserting ‘‘economic enterprises (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 4152), except that’’; and

(2) by adding at the end the following:

‘‘(f) Good Faith Requirement.—In the negotiation of contracts and funding agreements, the Secretary shall—

(A) at all times negotiate in good faith to maximize implementation of the self-determination policy; and

(B) carry out this Act in a manner that maximizes the policy of Tribal self-determination, in a manner consistent with—

(i) the purposes specified in section 3; and

(ii) the progress for Indian Tribes Act.

(g) RULE OF CONSTRUCTION.—Subject to section 101(a) of the progress for Indian Tribes Act, each provision of this Act and each provision of a contract or funding agreement shall be liberally construed for the benefit of the Indian Tribe participating in self-determination, and any ambiguity shall be resolved in favor of the Indian Tribe.’’.

SEC. 203. ADMINISTRATIVE PROVISIONS.

Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324) is amended—

(1) in subsection (b), in the first sentence, by striking ‘‘pursuant to’’ and all that follows through ‘‘of this Act’’ and inserting ‘‘pursuant to sections 102 and 105’’; and

(2) by adding at the end the following:

‘‘(p) Interpretation by Secretary.—Except as otherwise provided by law, the Secretary shall interpret all Federal laws (including regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable, the implementation of self-determination contracts and funding agreements of—

(A) applicable programs, services, functions, and activities (or portions thereof); and

(B) funds associated with those programs, services, functions, and activities; and

‘‘(q)(1) Technical Assistance for Internal Controls.—In considering proposals for, amendments to, or in the course of a contract, or compact, or other agreements under titles IV and V of this Act, if the Secretary determines that the Indian Tribe lacks adequate internal controls to manage the contracted program or programs, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian Tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the Tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance. The inability of the Secretary to provide technical assistance or lack of a plan under this subsection shall not result in the assumption of an existing agreement, contract, or compact, or declination or rejection of a new agreement, contract, or compact.

(2) The Secretary shall prepare a report to be included in the information required for the reports under sections 412(b)(2)(A) and 514(b)(2)(A). The Secretary shall include in this report, in a description of the internal controls that were inadequate, the technical assistance provided, and a description of Secretarial actions taken to address any remaining inadequate internal controls after the provision of technical assistance and implementation of the plan required by paragraph (1).

SEC. 204. CONTRACT FUNDING AND INDIRECT COSTS.

Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5325(a)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ‘‘, and’’ and inserting ‘‘, and’’; and

(B) in clause (ii), by striking ‘‘expense related to the overhead incurred’’ and inserting ‘‘expense incurred by the governing body of the Indian Tribe on implementation and any overhead expense incurred’’;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

‘‘(B) in calculating the reimbursement rate for expenses described in subparagraph (A), not less than the expenses described in subparagraph (A)(i) that are incurred by the governing body of an Indian Tribe or Tribal organization relating to a Federal program, or activity carried out pursuant to the contract shall be considered to be reasonable and allowable.’’

SEC. 205. CONTRACT OR GRANT SPECIFICATIONS.

Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5329) is amended—

(1) in subsection (a)(2), by inserting ‘‘subject to subsections (a) and (b) of section 102, before ‘‘contain’’;

(2) in subsection (f)(2)(A)(ii) of the model agreement contained in subsection (c), by inserting ‘‘subject to subsections (a) and (b) of title II of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)’’ after ‘‘before’’; and

(3) in subsection (b)(7)(C) of the model agreement contained in subsection (c), in the second sentence of the matter preceding clause (i), by inserting ‘‘two performance monitoring visit’’ and inserting ‘‘two performance monitoring visits’’.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. CHEENEY) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. HAALAND. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous 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. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 209, the PROGRESS for Indian Tribes Act, introduced by Senator Hoeven of North Dakota, will enhance the Department of the Interior’s self-governance process and provide Indian Tribes with greater flexibility.

The Indian Self-Determination and Education Assistance Act is one of the most important legislative acts affecting Indian Country in the last 40-plus years as a key driver to improving the Tribal communities. Enacted in 1975, the act was a Nixon-era initiative signed into law by President Gerald Ford yet strongly supported by Democrats at the time.

Pursuant to the act, Tribes are able to enter into self-governance contracts, Tribal compacts with the Indian Health Service, the IHS, through the Department of Health and Human Services.

There are more than 350 self-governance Tribes in the country, and the vast majority of them manage programs within both DOI and IHS and have achieved great success. In my home State of New Mexico, there are six pueblos engaged in self-governance: Sandia, Santa Clara, Taos, Cochiti, Jemez, and Ohkay Owingeh.

The Tribal self-governance programs are successful in their acknowledgment that Tribes have the right to govern themselves with minimal Federal oversight and maximum flexibility to meet local Tribal needs. However, significant differences between the title IV and title V amendments have forced self-governance Tribes to operate under two separate sets of legislative and administrative requirements.

H4556 CONGRESSIONAL RECORD — HOUSE September 21, 2020
Ms. HAALAND. Madam Speaker, I yield myself such time as I may consume.

As I stated before, this legislation is a result of over a decade of bipartisan, bicameral negotiations. Since self-governance was first enacted in 1994, there have been no assumptions by Tribes of Bureau of Reclamation projects—none. Under the 1994 law, the conditions, requirements, and limitations mitigating against any such Tribal assumption of a Bureau of Reclamation project have resulted in no such assumptions.

S. 209 does not change the 1994 authority in this regard. This is why the gentlewoman’s concerns are completely unfounded and why we defeated an amendment on this in committee in the first place.

More so, S. 209 already contains a lengthy disclaimer specifically stating that it does not affect, in any way, the ability of Tribes to take over programs or projects of Interior agencies other than the BIA.

Unless I’m not privy to yet another department reorganization, the Bureau of Reclamation is not part of the BIA. The House’s bill is critical to the furtherance of self-governance and improvements in Tribal communities. I strongly urge my colleagues to do the right thing and support this legislation.

Madam Speaker, versions of this bipartisan bill have lain before this House and the Senate for nearly 2 decades, passing each body several times. It is time to finally push this legislation across the finish line so that Tribes can finally move to effectively-managed programs for their people.

I urge my colleagues to show their support for Tribal self-governance and Tribal sovereignty by passing S. 209, the PROGRESS for Indian Tribes Act.

I yield back the balance of my time.

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

Madam Speaker, this is a very important bill. Unfortunately, the way that it is currently written raises some significant concerns.

As the Representative of Tribal communities in Wyoming, I share very much the notion and the concept of helping to increase self-determination, but I believe that this bill, as it is currently written, unfortunately, leaves unresolved some major issues with respect to, in particular, Bureau of Reclamation water projects that could affect both Tribal as well as non-Tribal interests.

In our Western States where water is a scarce and precious commodity, water management interests must be carefully balanced, and I am concerned that S. 209 does not strike that balance.

Over the last several Congresses, House Republicans have offered solutions to the reclamation projects issues without the need for courts to step in to sort this out. Unfortunately, this effort was most recently defeated on a party-line vote with little discussion from the Democrat majority.

Unfortunately, we still face today, faced with a situation where we have got a worthy goal that this legislation is attempting to achieve, but it doesn’t quite get there.

Given these unresolved concerns, I must urge rejection of the measure as written and ask for a “no” vote.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Blackwater Trading Post Land Transfer Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) BLACKWATER TRADING POST LAND.—The term “Blackwater Trading Post Land” means the approximately 55.3 acres of land as depicted on the map in subsection (a).

(2) COMMUNITY.—The term “Community” means the Gila River Indian Community of Arizona.

(3) MAP.—The term “map” means the map entitled “Results of Survey, Ellis Property, A Portion of the West 1/2 of Section 12, Township 5 South, Range 7 East, Gila and Salt River Meridian, Pinal County, Arizona” and dated October 15, 2012.

(4) RESERVATION.—The term “Reservation” means the land located within the exterior boundaries of the reservation created under sections 3 and 4 of the Act of February 28, 1859 (11 Stat. 401, chapter LXVI), and Executive Orders of August 31, 1876, June 14, 1879, May 5, 1882, November 15, 1883, July 31, 1911, June 2, 1913, August 27, 1914, and July 19, 1915, and any other lands placed in trust for the benefit of the Community.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. LAND TAKEN INTO TRUST FOR BENEFIT OF THE GILA RIVER INDIAN COMMUNITY.

(a) IN GENERAL.—The Secretary shall take the Blackwater Trading Post land into trust for the benefit of the Community, after the Community—

(1) conveys to the Secretary all right, title, and interest of the Community in and to the Blackwater Trading Post Land;

(2) submits to the Secretary a request to take the Blackwater Trading Post Land into trust for the benefit of the Community;

(3) conducts a survey (to the satisfaction of the Secretary) to determine the exact acreage and legal description of the Blackwater Trading Post Land, if the Secretary determines a survey is necessary; and

(4) pays all costs of any survey conducted under paragraph (3).

(b) AVAILABILITY OF MAP.—Not later than 180 days after the Blackwater Trading Post Land is taken into trust under subsection (a), the map shall be on file and available for public inspection in the appropriate offices of the Secretary.

(c) LANDS TAKEN INTO TRUST PART OF RESERVATION.—After the date on which the Blackwater Trading Post Land is taken into trust under subsection (a), the land shall be treated as part of the Reservation.

(d) GAMING.—Class II and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall be allowed at any time on the land taken into trust under subsection (a).

(e) DESCRIPTION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall cause the full meter-and-bounds description of the Blackwater Trading Post Land to be published in the Federal Register. The description publication, constitute the official description of the Blackwater Trading Post Land.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. CHEYENNE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.
Ms. HAALAND. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous 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. Madam Speaker, I yield myself such time as I may con

Madam Speaker, H.R. 3160, introduced by our colleague, Representative TOM O’HALLERAN of Arizona, authorizes the United States to place 55.3 acres of historically and culturally signi

ificant land into trust on behalf of the Gila River Indian Community of Arizona.

This parcel of land is commonly referred to as the Blackwater Trading Post Land because it once contained the Ellis family’s Blackwater Trading Post, which sold goods to members of the Gila River Indian Community since the 1930s.

After purchasing the trading post in 2010, the community found around 1,000 cultural artifacts on the property, including 126 Akimel O’odham baskets. Following this discovery, the community decided to apply to take the parcel of land into trust.

However, legislation is required for this exchange, as the community’s 2004 water rights settlement explicitly re

quires that any lands located outside of the community’s existing reservation boundaries be taken into trust through Congressional action.

Passage of H.R. 3160 will ultimately allow the community to preserve a piece of their heritage by incorporating this contiguous parcel of land into its reservation land base.

Madam Speaker, I want to thank Representative O’HALLERAN for his work on this legislation, and urge my colleagues to support the bill, and I re

serve the balance of my time.

Ms. CHERNEY. Madam Speaker, I yield myself such time as I may con

sume.

Madam Speaker, I rise in support of H.R. 3160, the Blackwater Trading Post Land Transfer Act. This bill would place, as my colleague said, approxi

mately 55 acres of land in Arizona into trust for the Gila River Indian Community.

These lands and the former Blackwater Trading Post have a his

toric connection to the Tribe, as the trading post served many Tribal mem

bers since at least the 1930s.

In 2010, the Tribe purchased the Blackwater Trading Post and sur

rounding lands after the former owners retired.

Under the 2004 Arizona Water Rights Settlement Act, the Tribe cannot ac

quire off-reservation lands into trust absent an act of Congress. Therefore, we need to pass this legislation.

Madam Speaker, I urge the adoption of this measure and I urge my col

leagues to support the legislation. Madam Speaker, I yield back the balance of my time.

Ms. HAALAND. Madam Speaker, I urge my colleagues to support the legis

lation and I yield back the balance of my time.

The SPEAKER pro tempore. 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.

### REPUBLIC OF TEXAS LEGATION MEMORIAL ACT

Ms. HAALAND. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3349) to authorize the Daugh

ters of the Republic of Texas to estab

lish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3349

SEC. 2. AUTHORIZATION TO ESTABLISH COM

MEMORATIVE WORK.

(a) IN GENERAL.—The Daughters of the Rep

ublic of Texas may establish a commemora

tive work on Federal land in the District of Columbia and its environs to commemorate and honor those who, as representatives of the Republic of Texas, served in the District of Columbia as diplomats to the United States and made possible the annexation of Texas as the twenty-eighth State of the United States.

(b) COMPLIANCE WITH STANDARDS FOR COM

MEMORATIVE WORK. Before the establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ‘‘Memorative Works Act’’).

(c) PROHIBITION ON THE USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) RESPONSIBILITY OF THE DAUGHTERS OF THE REPUBLIC OF TEXAS.—The Daughters of the Republic of Texas shall be solely responsible for acceptance of contributions for, and the payment of the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—

(1) IN GENERAL.—If upon payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a bal

ance of funds received for the establishment of the commemorative work, the Daughters of the Republic of Texas shall transmit the amount to the Secretary of the Interior for deposit in the account pro

vided for in section 8906(b)(3) of title 40, United States Code.

(2) ON EXPIRATION OF AUTHORITY.—If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Daughters of the Republic of Texas shall transmit the amount to the Secretary of the Interior for deposit in the account pro

vided for in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(2) or (3) of title 40, United States Code.

### SEC. 3. DETERMINATION OF BUDGETARY EF

FOCTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be deter

mined by reference to the latest statement titled ‘‘Budgetary Effects of PAYGO Legisla

tion’’ 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 gentlewoman from Wyoming (Ms. CHERNEY) each will control 20 minutes.

Chair recognizes the gentlewoman from New Mexico.

### GENERAL LEAVE

Ms. HAALAND. Madam Speaker, I thank Representative DOGGETT for his role their Texas legations played in independence from Mexico, financial assistance, and support of the Republic of Texas, served in the District of Columbia as diplomats to the United States.

These lands and the former Blackwater Trading Post and sur

rounding lands after the former owners retired.

Under the 2004 Arizona Water Rights Settlement Act, the Tribe cannot ac

quire off-reservation lands into trust absent an act of Congress. Therefore, we need to pass this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentle

woman from New Mexico?

There was no objection.

Ms. HAALAND. Madam Speaker, I yield myself such time as I may con

sume.

Madam Speaker, I rise in support of H.R. 3349, the Republic of Texas Legation Memorial Act, introduced by Rep

resentative LLOYD DOGGETT.

This bill would authorize the Daugh

ters of the Republic of Texas to estab

lish a commemorative work to honor the representatives of the Republic of Texas who served here in the District of Columbia as diplomats to the United States.

Shortly after Texas declared its independence from Mexico in 1836, the Rep

ublic of Texas sent diplomats to sev

eral countries to represent the Repub

lic’s interests. Among other things, these diplomats advocated for protection from Mexico, financial assistance, and annexation by the United States.

London and Paris have each erected commemorative works to recognize the role their Texas legations played in their countries, and it seems only fitting to install one here in the capital of the country proud to claim Texas as its own.

Madam Speaker, I would like to thank Representative DOGGETT for his efforts to elevate this unique and often untold story of our Nation’s history, and urge my colleagues to support this bill.

Madam Speaker, I reserve the bal

ance of my time.
Ms. CHENEY. Madam Speaker. I yield myself such time as I may con-
sume.

Madam Speaker, I rise in support of this legislation. H.R. 3349 would au-
thorize the Daughters of the Republic of Texas Legation Memorial on Federal land in the District of Columbia, com-
memorating those who, as representa-
tives of the Republic of Texas, served in Washington, D.C., as diplomats to the United States, and made possible the annexation of Texas as the 28th State.

Texas legation sites in Paris and London have been recognized with histori-
cal markers for many years, but never here in Washington, D.C. The Texas diplomatic ministers who came to Washington worked out of the boarding houses in which they lived. Eight boarding houses have been iden-
tified with varying degrees of sup-
porting evidence. This bill would allow the Daughters of the Republic of Texas to place memorial plaques in honor of these diplomats.

Madam Speaker, I urge the adoption of this measure, and I reserve the bal-
ance of my time.

Ms. HAALAND. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, I rise in support of this bill, which I hope will be adopted to authorize the Daughters of the Republic of Texas to establish this commemorative work here in the Dis-

tric of Columbia honoring the Repub-
lic of Texas Legation.

This is a bipartisan effort supported by a number of my colleagues from Texas, as well as Representative HOLMES NORTON, who represents the area where the memorial will reside. And it has the approval, initially, of the subcommittee which my colleague, Ms. HAALAND, chairs.

The history of the Texas Legation and its significance to American his-
tory is as broad as the pride held by present-day Texans over a time when we were once an independent Republic. The district that I now represent in-
cludes the historic Alamo in San Antio-


With the battle cries of “Remem-
ber the Alamo,” and “Remember Goliad,” Texas won its independence on March 2, 1836. And as most Texans are aware, for almost a decade there-
after, Texas was a whole other country, an independent Nation with the same independent spirit that pervades our State today.

What are frequently less discussed are the diplomatic efforts stretching over almost a decade by this young new Nation, sending emissaries to Eu-


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. 3349, as amended.

The question was taken; and (two-


FALLEN JOURNALISTS MEMORIAL ACT

Ms. HAALAND. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3465) to authorize the Fallen Journalists Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, as amended.

A motion to reconsider was laid on the table.

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

SECTION 1. SHORT TITLE.
This Act may be cited as the “Fallen Journalists Memorial Act”.

SEC. 2. AUTHORIZATION TO ESTABLISH COM-
MEMORATIVE WORK.

(a) IN GENERAL.—The Fallen Journalists Memorial Foundation may establish a com-
memorative work on Federal land in the Dis-

tric of Columbia and its environs to com-
memorate America’s commitment to a free press by honoring journalists who sacrificed their lives in service to that cause.

(b) COMPLIANCE WITH FEDERAL LAWS FOR COM-
MEMORATIVE WORKS.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

c) PROHIBITION ON USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this sec-


(2) RESPONSIBILITY OF THE FALLEN JOURNALIST MEMORIAL FOUNDATION.—The Fallen Journalists Memorial Foundation shall be solely responsible for acceptance of contribu-

tions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—

(1) IN GENERAL.—If upon payment of all ex-


(2) AMOUNT OF THE BALANCE.—The Secretary of the Interior shall deposit the amount of the balance with the Memorial Foundation, which shall be in accordance with chapter 89 of title 40, United States Code.
Madam Speaker, H.R. 3465 would authorize the Fallen Journalists Memorial Foundation to establish a commemorative work on Federal land to commemorate the sacrifices made by journalists for a free and independent press.

This bill requires the Fallen Journalists Memorial Foundation to follow the standard legal framework established by the Commemorative Works Act for the placement of commemorative works on Federal land in the District of Columbia.

According to the Committee to Protect Journalists, 1,382 journalists have been killed since 1992 as a result of their work in combat or crossfire or while carrying out dangerous assignments. Hundreds more each year are attacked, imprisoned, and tortured.

Threats and attacks against journalists are not new, but today journalists face an increasingly hostile environment. H.R. 3465 was introduced 1 year after an important reminder of the First Amendment and the vital importance of a free and independent press plays in defending all of our rights. I urge adoption of the measure, and I yield back the balance of my time.

Ms. HAALAND. Madam Speaker, I urge my colleagues to support the legislation to establish a memorial to honor the reporters, photojournalists, producers, editors, and countless others who have lost their lives while performing their jobs.

Every day, journalists at home and abroad place their lives at risk in pursuit of the truth and in defense of our First Amendment right to a free and independent press.

In 2018 alone, nearly 80 journalists from around the world were murdered in the line of work. Yet, with the closure of the Newseum earlier this year, there is no memorial that commemorates those who have paid the ultimate sacrifice while fulfilling their duty to deliver the news.

The memorial envisioned in H.R. 3465 would be a fitting tribute to their sacrifices and an affirmation of our Nation’s commitment to a free press.

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

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.
(III) in paragraph (2), by inserting “Indian organizations,” after “tribal organizations,”;
(iv) in paragraph (3)—
(I) by inserting “and technical assistance” after training; and
(II) by striking “and to tribal organizations” and inserting “Tribal, and urban Indian”;
and
(vi) by amending paragraph (5) to read as follows:
(a) develop model intergovernmental agreements between Tribes and States, and other materials that provide examples of agreements between Tribes and States, and
develop training and technical assistance materials, and
developing intergovernmental agreements relating to family violence, child abuse, and neglect involving Native children and families.; and
(E) in subsection (e)—
(i) in the heading, by striking “MULTIDISCIPLINARY” and inserting “team”;
(ii) in the text before paragraph (1), by striking “Each multidisciplinary” and inserting “The”;
and
(F) by amending subsections (f), (g), and (h) to read as follows:
(1) CENTER ADVISORY BOARD.—The Secretary may contract an advisory board to advise and assist the National Indian Child Resource and Family Services Center in carrying out its activities under this section. The advisory board shall consist of 12 members appointed by the Secretary from Indian Tribes, Tribal organizations, and urban Indian organizations with expertise in child abuse and child neglect. Members shall serve without compensation, but may be reimbursed for travel and other expenses while carrying out the duties of the board. The advisory board shall assist the Center in coordinating programs, identifying training and technical assistance materials, and developing intergovernmental agreements relating to family violence, child abuse, and child neglect.
(2) APPLICATION OF INDIAN SELF-DETERMINATION ACT TO THE CENTER.—The National Indian Child Resource and Family Services Center shall be subject to the provisions of the Indian Self-Determination Act. The Secretary may also contract for the operation of the Center with a nonprofit Indian organization governed by an Indian-controlled board of directors that have substantial experience in tribal organizations, and urban Indian organizations.
IV. Indian Child Resource and Family Services Center
A. Establishment of the Center
There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2021 through 2026.:
(1) in section 411 (25 U.S.C. 3210)—
(A) in subsection (d)—
(I) in paragraph (1)—
(II) by striking “and child neglect” and inserting “abuse, neglect, and child neglect”;
(III) in subparagraph (B), by striking “Tribal, and urban Indian Organizations” and inserting “Tribal, and urban Indian Organizations”;
and
(IV) in paragraph (2), by inserting “urban Indian organizations,” after “tribal organizations,”;
(b) in subparagraph (A), by inserting “in culturally appropriate ways” after “incidents of family violence”;
(c) in paragraph (4)—
(I) by inserting “and neglect” after “abuse;” and
(II) by striking “cases, to the extent practicable,” and inserting “and neglect cases”;
(d) in subparagraph (B), by striking “and child neglect.”

V. Federal Grants
There are authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2021 through 2026.:
(a) in paragraph (1)—
(I) in subparagraph (A), by inserting “using culturally appropriate ways” after “to assist States”;
(II) in subparagraph (B), by inserting “that may include culturally appropriate programs” after “training programs”; and
(III) in paragraph (3)—
(I) in subparagraph (A), by inserting “and neglect” after “abuse;” and
(II) in subparagraph (B), by striking “cases, to the extent practicable,” and inserting “and neglect cases”;
(b) in subsection (c)—
(1) a description of treatment and services for which grantees have used funds awarded under this section; and
(2) any other information that the Secretary of the Interior requires.; and
(c) by amending subsection (g) to read as follows:
(1) REPORT.—Not later than 2 years after the date of the enactment of the Native American Child Protection Act, in consultation with Indian Tribes, appropriate caseload standards and staffing requirements which are comparable to standards developed by the National Association of Social Workers, the Child Welfare League of America and other professional associations in the field of social work and child welfare and inserting “develop, not later than one year after the date of the enactment of the Native American Child Protection Act, in consultation with Indian Tribes, appropriate caseload standards and staffing requirements”;
(2) in paragraph (3)(D), by striking “sexual abuse” and inserting “abuse and neglect, high incidence of family violence”;
(3) by amending paragraph (4) to read as follows:
(1) The formula established pursuant to this subsection shall provide funding necessary to support not less than one child protective services or family violence case-worker, including fringe benefits and support costs, for each Indian Tribe.; and
(4) in paragraph (2)—
(1) by striking “tribes” and inserting “Tribal, urban Indian Tribes”;
and
(2) by amending subsection (k) to read as follows:
(k) AUTHORIZATION OF APPROPRIATIONS.—
(B) in paragraph (1), by striking “Department of the Treasury” and inserting “Secretary.”;
and
(i) in paragraph (2), by striking “and to tribal organizations” and inserting “Tribal, and urban Indian Organizations”;
and
C. Authorization of Appropriations
There are authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2026.:
(1) a description of treatment and services for which grantees have used funds awarded under this section; and
(2) any other information that the Secretary of the Interior requires.;
and
(D) by amending subsection (i) to read as follows:
(i) AUTHORIZATION OF APPROPRIATIONS.—
(A) These authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2026.;
(B) The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentelman from Wyoming (Ms. Cheney) each will control 20 minutes.
The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE
Ms. HAALAND. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous 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. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4957, introduced by Representative Ruben Gallego from Arizona, amends and reauthorizes several programs within the Indian Child Protection and Family Violence Prevention Act in order to improve the prevention, investigation, treatment, and prosecution of family violence, child abuse, and child neglect involving Native American children and families.

There is an enormous need for family violence prevention and treatment resources in Tribal communities. Native children experience child abuse and neglect at an elevated rate, which leads many to require special education services, to be more likely to be involved in the juvenile and criminal justice systems, and to have long-term mental health needs.

The passage of H.R. 4957 will create technical assistance grants for urban Indian organizations to partner with Tribal governments, and ensure culturally competent care.

I thank subcommittee Chair Ruben Gallego for introducing and championing this vitally important legislation, and I urge my colleagues to support H.R. 4957.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 4957 reauthorizes three programs that are intended to prevent cases within our Indian communities of child abuse, neglect, family violence, and trauma, as well as providing treatment for victims of Indian child sexual abuse.

I urge my colleagues to support the legislation for these three programs expired in 1997. This bill also makes important underlying technical changes to the statute, requiring agency reports on past awards.

Madam Speaker, while the Indian Child Protection and Family Violence Prevention Act is one of the only federally dedicated child abuse prevention and victim treatment programs providing funding for Tribal governments, Congress has only appropriated approximately $5 million for this program.

I am grateful to the sponsor for bringing our attention to this important issue as we all work together to end abuse, neglect, and violence across our States and our reservations.

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

Ms. Haaland. Madam 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, H.R. 4597, 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.

NATIVE AMERICAN BUSINESS INCUBATORS PROGRAM ACT

Ms. HAALAND. Madam Speaker, I move to suspend the rules and pass the bill (S. 294) to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

The Clerk read the title of the bill.

The text of the bill is as follows:

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Native American Business Incubators Program Act”.

SEC. 2. FINDINGS. Congress finds that—

(1) entrepreneurs face specific challenges when transforming ideas into profitable business enterprises;

(2) entrepreneurs that want to provide products and services in reservation communities face an additional set of challenges that requires special knowledge;

(3) a business incubator is an organization that assists entrepreneurs in navigating obstacles that prevent innovative ideas from becoming viable businesses by providing services that include—

(A) workspace and facilities resources;

(B) access to capital, business education, and counseling;

(C) networking opportunities;

(D) mentoring opportunities; and

(E) an environment intended to help establish and expand business operations;

(4) the business incubator model is suited to accelerating entrepreneurship in reservation communities because the business incubator model promotes collaboration to address shared challenges and provides individually tailored services for the purpose of overcoming obstacles unique to each participating business; and

(5) business incubators will stimulate economic development in Indian reservation communities.

SEC. 3. DEFINITIONS. In this Act—

(1) BUSINESS INCUBATOR.—The term “business incubator” means an organization that—

(A) provides physical workspace and facilities resources to startups and established businesses; and

(B) is designed to accelerate the growth and success of businesses through a variety of business support resources and services, including—

(i) access to capital, business education, and counseling;

(ii) networking opportunities; and

(iii) mentorship opportunities; and

(iv) other services intended to aid in developing a business.

(2) ELIGIBLE APPLICANT.—The term “eligible applicant” means an applicant eligible to apply for a grant under this Act.

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

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) NATIVE AMERICAN; NATIVE.—The terms “Native American” and “Native” have the meaning given the term “Indian” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) NATIVE BUSINESS.—The term “Native business” means a business concern that is at least 51-percent owned and controlled by 1 or more Native Americans.

(7) NATIVE ENTREPRENEUR.—The term “Native entrepreneur” means an entrepreneur who is a Native American.

(8) PROGRAM.—The term “program” means the program established under section 4(a).

(9) RESERVATION.—The term “reservation” has the meaning given the term in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

(10) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(11) TRIBAL COLLEGE OR UNIVERSITY.—The term “tribal college or university” has the meaning given the term “Tribal College or University” in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

SEC. 4. ESTABLISHMENT OF PROGRAM. (a) IN GENERAL.—The Secretary shall establish a program in the Office of Indian Energy and Economic Development under which the Secretary shall provide financial assistance in the form of competitive grants to eligible applicants for the establishment and operation of business incubators that serve reservation communities by providing business incubation and other business services to Native businesses and Native entrepreneurs.

(b) ELIGIBLE APPLICANTS.—(1) To be eligible to receive a grant under the program, an applicant shall—

(A) be—

(i) an Indian tribe;

(ii) a tribal college or university;

(iii) an institution of higher education; or

(iv) a private nonprofit organization or tribal nonprofit organization that—

(I) provides business and financial technical assistance; and

(II) will commit to serving 1 or more reservations or other Indian communities.

(B) be able to provide the physical workspace, equipment, and connectivity necessary for Native businesses and Native entrepreneurs to collaborate and conduct business on a local, regional, national, and international level; and

(C) in the case of an entity described in clauses (ii) through (iv) of subparagraph (A), have been operational for not less than 1 year before receiving a grant under the program.

(2) JOINT PROJECT.—(A) IN GENERAL.—Two or more entities may submit a joint application for a project that combines the resources and expertise of those entities through a physical location dedicated to assisting Native businesses and Native entrepreneurs under the program.

(B) CONTENTS.—A joint application submitted under paragraph (1) shall—

(i) contain a certification that each participant of the joint project is one of the eligible entities described in paragraph (1)(A); and

(ii) demonstrate that together the participants meet the requirements of subparagraphs (B) and (C) of paragraph (1).

(c) APPLICATION AND SELECTION PROCESS.—(1) APPLICATION REQUIREMENTS.—Each eligible applicant desiring a grant under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, in including—

(A) a certification that the applicant—

(i) is an eligible applicant; and

(ii) will designate an executive director or program manager, if the program manager has not been designated, to manage the business incubator; and

(B) a description of the 1 or more reservation communities to be served by the business incubator;

(C) a 3-year plan that describes—

(i) the number of Native businesses and Native entrepreneurs to be participating in the business incubator; and

(ii) the business incubator will focus on a particular type of business or industry;

(D) a detailed breakdown of the services to be offered to Native businesses and Native entrepreneurs participating in the business incubator; and

(E) a detailed breakdown of the services, if any, to be offered to Native businesses and Native entrepreneurs not participating in the business incubator;

(F) information demonstrating the effectiveness and experience of the eligible applicant in—

(i) conducting financial, management, and marketing assistance programs designed to educate or improve the business skills of current or prospective businesses;

(ii) working in providing business services to Native American communities;

(iii) providing assistance to entities conducting business in reservation communities;

(iv) providing technical assistance under Federal business and entrepreneurial development programs for which Native businesses and Native entrepreneurs are eligible; and

(v) managing finances and staff effectively; and

(G) a site description of the location at which the eligible applicant will provide physical workspace, including a description of the technologies, equipment, and other resources that will be available to Native businesses and Native entrepreneurs participating in the business incubator.

(2) EVALUATION CONSIDERATIONS.—(A) IN GENERAL.—In evaluating each application, the Secretary shall consider—

(i) the ability of the eligible applicant—

(I) to operate a business incubator that effectively imparts entrepreneurship and business skills to Native businesses and Native entrepreneurs, as demonstrated by the experience and qualifications of the eligible applicant; and

(II) to commence providing services within a minimum period of time, to be determined by the Secretary; and

(B) to provide quality incubation services to a significant number of Native businesses and Native entrepreneurs;
(ii) the experience of the eligible applicant in providing services in Native American communities, including in the 1 or more reservation communities described in the application; and

(iii) the proposed location of the business incubator.

(B) PRIORITY—

(I) IN GENERAL.—In evaluating the proposed location of the business incubator under subparagraph (A)(iii), the Secretary shall—

(i) consider the program goal of achieving broadly based business distribution of business incubators; and

(ii) except as provided in clause (ii), give priority to the application of the eligible applicant that will provide business incubation services on or near the reservation of the 1 or more communities that were described in the application.

(ii) The Secretary shall give priority to an eligible applicant that is not located on or near the reservation of the 1 or more communities that were described in the application if the Secretary determines that—

(I) the location of the business incubator will not prevent the eligible applicant from providing business incubation services to Native businesses and Native entrepreneurs from the 1 or more reservation communities to be served; and

(II) the business incubator in the identified location will serve the interests of the 1 or more reservation communities to be served.

(3) SITE EVALUATION.—

(A) IN GENERAL.—Before making a grant to an eligible applicant, the Secretary shall conduct a site visit, evaluate a video submission, or evaluate a written site proposal (if the applicant is not yet in possession of the proposed site) to determine whether the eligible applicant continues to be eligible for the program and the site, and the Secretary shall conduct the site visit or evaluate a written site proposal, the Secretary shall conduct a site visit or evaluate a video submission of the proposed site to ensure the proposed site meets the requirements de- scribed in paragraph (1)(E) and contain—

(i) sufficient detail for the Secretary to ensure in the absence of a site visit or video submission that the proposed site will permit the eligible applicant to meet the requirements of the program; and

(ii) a timeline describing when the eligible applicant will be—

(I) in possession of the proposed site; and

(II) operating the business incubator at the proposed site.

(B) WRITTEN SITE PROPOSAL.—A written site proposal shall meet the requirements described in paragraph (1)(E) and contain—

(i) the results of the annual evaluations of the eligible applicant under subsection (f)(1);

(ii) the performance of the business incubator of the eligible applicant, as compared to the performance of other business incubators receiving assistance under the program; and

(iii) the eligible applicant continues to be eligible for the program;

(iv) the evaluation considerations for initial awards under subsection (c)(2);

(B) NON-FEDERAL CONTRIBUTIONS FOR RE- NEWALS.—An eligible applicant that receives a grant renewal under subparagraph (A) shall provide non-Federal contributions in an amount equal to not less than 33 percent of the total amount of the grant.

(5) NO DUPLICATIVE GRANTS.—An eligible applicant shall not be awarded a grant under the program that is duplicative of existing Federal funding from another source.

(e) PROGRAM REQUIREMENTS.—

(1) USE OF FUNDS.—An eligible applicant receiving a grant under the program may use grant amounts—

(A) to provide physical workspace and facilities for Native businesses and Native entre- preneurs participating in the business incubator;

(B) to establish partnerships with other in- stitutions and entities to provide com- prehensive business incubation services to Native businesses and Native entrepreneurs participating in the business incubator; and

(C) for any other use typically associated with business incubators that the Secretary determines to be appropriate and consistent with the purposes of the grant.

(2) MINIMUM REQUIREMENTS.—Each eligible applicant receiving a grant under the program shall—

(A) offer culturally tailored incubation services to Native businesses and Native entre- preneurs;

(B) use a competitive process for selecting Native business and Native entrepreneurs to participate in the business incubator;

(C) provide physical workspace that per- mits Native businesses and Native entre- preneurs to conduct business and collaborate with other Native businesses and Native entre- preneurs;

(D) provide entrepreneurship and business skills training and education to Native busi- nesses and Native entrepreneurs including—

(i) financial education, including training and counseling in—

(I) applying for and securing business credit and investment capital;

(ii) preparing and presenting financial statements; and

(iii) market analysis, cash flow and other financial operations of a business;

(ii) management education, including training and counseling in planning, organizing, directing, and controlling each major activity or function of a business or startup; and

(iii) marketing education, including training and counseling in—

(I) identifying and segmenting domestic and international market opportunities;

(II) preparing and executing marketing plans;

(III) locating contract opportunities;

(IV) negotiating contracts; and

(V) using varying public relations and ad- vertising techniques;

(E) provide direct mentorship or assistance finding mentors in the industry in which the Native business or Native entrepreneur operates or intends to operate; and

(F) provide access to networks of potential investors, professionals in the same or simi- lar fields, and other business owners with similar businesses.

(3) TECHNOLOGY.—Each eligible applicant shall leverage technology to the maximum extent practicable to provide Native busi- nesses and Native entrepreneurs with access to the connectivity tools needed to compete and thrive in 21st-century markets.

(f) OVERSIGHT.—

(1) ANNUAL EVALUATIONS.—Not later than 1 year after the date on which the Secretary awards a grant to an eligible applicant under the program, and annually thereafter for the duration of the grant, the Secretary shall conduct an evaluation of, and prepare a re- port on, the eligible applicant, which shall—

(A) describe the performance of the eligible applicant; and

(B) be used in determining the ongoing eligi- bility of the eligible applicant.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date on which the Secretary awards a grant to an eligible applicant under the program, and annually thereafter for the du- ration of the grant, each eligible applicant receiving an award under the program shall submit to the Secretary a report describing the services the eligible applicant provided under the program during the preceding year.

(B) REPORT CONTENT.—The report described in subparagraph (A) shall include—

(i) a detailed breakdown of the Native busi- nesses and Native entrepreneurs receiving services from the business incubator, includ- ing, for the year covered by the report—

(I) the number of Native businesses and Native entrepreneurs participating in or re- ceiving services from the business incubator;

(II) the types of services from the business incubator provided to Native businesses and Native entrepreneurs; and

(III) the number of Native businesses and Native entrepreneurs established and jobs created or maintained, and

(III) the performance of Native businesses and Native entrepreneurs while participating in the business incubator and after gradua- tion or departure from the business incu- bator; and

(ii) any other information the Secretary may require to evaluate the performance of a grant covered by the report.

(C) LIMITATIONS.—To the maximum extent practicable, the Secretary shall not require an eligible applicant to report under sub- paragraph (A) information provided to the Secretary by the eligible applicant under other programs.

(D) COORDINATION.—The Secretary shall co- ordinate with the heads of other Federal agencies to ensure that, to the maximum ex- tent practicable, the report content and form used under paragraphs (A) and (B) are con- sistent with other reporting requirements for Federal programs that provide business and entrepreneurial assistance.

(3) ELIGIBILITY DEFINED.—(A) IN GENERAL.—Not later than 2 years after the date on which the Secretary first
Ms. HAALAND. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 294, introduced by Senator Tom Udall from the great State of New Mexico, will establish a business incubator program within the Department of the Interior to promote entrepreneurship and economic development on Indian reservations.

Indian Tribes face many unique obstacles, including to bring indigenous economic development on In-

country. The end result is an increased cost of doing business in Indian Country, which stifles outside investment.

Moreover, every entrepreneur faces challenges when transforming ideas into a profitable business. However, there are specific and unique challenges associated with establishing a business in Indian Country that put Native entrepreneurs at a disadvantage.

For example, much of the land in Indian Country is held in trust by the Federal Government. Consequently, the Secretary of the Interior must approve activities on these lands as part of the General Levee, which creates added expenses and uncertainty for Native entrepreneurs and their potential business partners.

Additionally, since trust land cannot be alienated and cannot be used as collateral to obtain financing, Native entre-

preneurs must look to other methods of raising capital to start and grow their businesses.

Finally, many Indian nations and reservations are located in rural, often remote, areas. The lack of infrastructure in these areas, including access to high-speed broadband, is another roadblock that prevents Native entre-

preneurs from succeeding.

Enactment of S. 294 will enhance In-

dian Country’s ability to become more self-reliant by giving Native entre-

preneurs the tools they need to develop their businesses and create jobs in res-

ervation communities.

These business incubators will provide essential services, such as a workspace, a collaborative environment, comprehensive business skills training, and networking as-

sistance, business incubators have been a reliable and consistent solution to many of the challenges startup busi-

nesses face around the country and to the unique challenges that continue to plague Indian Country.

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

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

Madam Speaker, because I won't be here this afternoon, I would like to take a moment to speak on two signifi-

ant challenges facing Native American women, which have been proven to be so successful for the Native American Caucus, Representatives from Nevada, and I urge my colleagues to support this legislation, and I yield back the balance of my time.

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

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

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ant challenges facing Native American women, which have been proven to be so successful for the Native American Caucus, Representatives from Nevada, and I urge my colleagues to support this legislation, and I yield back the balance of my time.

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

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

Ms. CHENEY. Madam Speaker, I thank the major-

ity leader, Mr. HOYER, for ensuring these bills are heard today and high-

lighting this critical issue that has been overlooked for too long.

First, S. 982, the Not Invisible Act, introduced by Senator Cortez Masto of Nevada, will help combat the long-

standing missing and murdered indigenous women crisis. This bill will establish an advisory group to violent crime to make recommendations to the Department of the Interior and Depart-

ment of Justice to establish best practices to combat the epidemic of missing persons, murder, and trafficking of Native Americans and Alaska Natives. It will also create a point person within the Bureau of Indian Affairs charged with improving coordination of violent crime prevention efforts across Federal agencies.

All this work will be undertaken with an understanding of the unique challenges faced by Tribal communities when combating crime, violence, and human trafficking. The advisory committee will be comprised of local law enforcement, Federal partners, service providers, and, most importantly, survivors and Tribal leaders.

This bill is about including indige-

nous voices by putting Native American survivors in the driver’s seat on the crisis of missing and murdered indi-

genous women that has plagued Tribal communities for centuries. The Not Invisible Act is about elevating indige-

nous voices, because survivors of these
horrific crimes and Tribal leaders know what is best for their own communities.

Throughout history, the Federal Government has told Tribes and Native people how they should approach issues on Tribal lands without intentionally including their voices. Often these one-sided solutions have fallen short or no real action was taken. I am here today to tell you that photo ops and empty promises are no longer enough.

While there are many Federal programs and resources that can be used to combat violent crimes in Indian Country, there is no overarching plan or strategy to do so. There is little awareness or coordination of services, and Federal resources may not consider the actual needs of American Indians and Alaska Natives. These unique cultural considerations and the complex framework of criminal jurisdiction on Tribal lands simply cannot be navigated by a one-size-fits-all approach. More importantly, a real solution will never be found without the voices of indigenous survivors, which is what is so special about this bill.

The crisis of missing, murdered, and trafficked Native women has devastated families and communities but has gone unaddressed throughout history. These losses are an open wound in our Tribal communities and add to the generational trauma facing Native American families that many of us have experienced.

That is why my dear friends and colleagues, Representatives Tom Cole, Sharice Davids, and Markwayne Mullin, helped me introduce this bill in the House as the first bill in history to be sponsored by four federally recognized Tribal members of the Pueblo of Laguna, the Chickasaw Nation, the Ho-Chunk Nation, and the Cherokee Nation, respectively.

Endorsed S. 832 will be one step toward finally acknowledging the pain that our families have felt and giving our survivors the platform that they need to begin healing the open wound that Native American people, especially our women, have felt in this country for so long.

My hope is that, together, we can use the Not Invisible Act to do just that: not be invisible anymore.

The second bill that I would like to highlight is S. 227, Savanna’s Act. This bill was introduced by Senator Murkowski and is named in honor of Savanna Greywind, who was a 22-year-old member of the Spirit Lake Tribe.

Savanna was 8 months pregnant when she was tragically murdered in August of 2017. At the time of her death, she had recently gotten a job as a nursing assistant and was looking forward to starting her family by welcoming her first child with her partner, Ashton Matheny, and her daughter, Haisley Jo, who turned 3, 1 month ago today. I would like to send my sincerest condolences to the Matheny family and to all of Savanna’s loved ones, which is crucial, because many times no efforts are made to update families currently.

To the former partner of Savanna, Ashton Matheny, and her daughter, Haisley Jo, who turned 3, 1 month ago today, I would like to send my sincerest condolences to their family. While the passage of this bill will never make up for their devastating loss, I hope that it brings honor to Haisley’s mother, and know that it will impact generations to come.

I am proud to be the sponsor and colead of the House versions of S. 982, the Not Invisible Act, and S. 227, Savanna’s Act, to help address the crisis of missing and murdered indigenous women.

Madam Speaker, I urge my colleagues to join me in supporting both of these bills.

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

The SPEAKER pro tempore. 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.

NULLIFYING SUPPLEMENTAL TREATY BETWEEN UNITED STATES OF AMERICA AND CONFEDERATED TRIBES AND BANDS OF INDIANS OF MIDDLE OREGON

Ms. HAALAND. Madam Speaker, I move to suspend the rules and pass the bill (S. 832) to nullify the Supplemental Treaty Between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon, concluded on November 15, 1865.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. Cheney) each will control 20 minutes.

Ms. HAALAND. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous 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. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 832, introduced by Senator MERKLEY of Oregon, will nullify the supplemental treaty of 1865 between the United States and the Confederated Tribes and Bands of Indians of Middle Oregon.

The Warm Springs Confederated Tribe signed a treaty with the United States in 1855 in which they relinquished millions of acres of their land but reserved the Warm Springs Reservation for their exclusive use, as well as offreservation fishing, hunting, and gathering rights.

After the treaty’s signing, the Tribes maintained their accustomed practice of traveling regularly to the Columbia River to harvest salmon. However, non-Indian settlers in the area convinced the Oregon Superintendent of Indian Affairs to pursue efforts to keep the Tribes away.
As a result, in 1865, a small number of Warm Springs members were fraudulently made to sign a supplemental treaty that claimed to strip the Tribe’s off-reservation rights and to prohibit their members from leaving the reservation without written permission issued by the Federal Indian agent. Both the Indians of the Warm Springs Reservation and the United States Government recognized that this was a deceptive action and have consistently opposed the 1865 agreement while also reaffirming the Tribe’s off-reservation treaty rights. Passage of S. 832 will finally officially correct this historic injustice and nullify the 1865 treaty.

Madam Speaker, I thank and congratulate Senator Merkley for his work on moving this bill through the Senate. I also want to thank our colleagues from Oregon, Representative Gnei Walden, for his work on the House version of the legislation.

Madam Speaker, I urge quick adoption of this bill, and I reserve the balance of my time.

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

Madam Speaker, I rise in support of S. 832.

As my colleague has described, the bill would nullify an 1865 supplement to the Confederated Tribes of the Umatilla Reservation. It was signed after the original 1855 treaty. This supplemental treaty further restricted the rights of Tribal members to the extent that, among other things, they could not leave the reservation without written permission from the Federal agency superintendent.

According to the Tribe, this supplemental treaty was in response to non-Indian settler concerns with Tribal members using their usual and accustomed areas to hunt and fish.

The State of Oregon has indicated it has no intention of enforcing this antiquated and discriminatory treaty, but it does remain on the books. Madam Speaker, and I support the Tribe’s request to have it struck.

Madam Speaker, I thank the sponsor of the House companion of this bill, Energy and Commerce Committee Ranking Member Walden, for his efforts to see this offensive provision removed.

Madam Speaker, I urge the adoption of this measure, and I yield back the balance of my time.

Ms. Haaland. Madam 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) and the gentlewoman from Wyoming (Ms. Cheney) each will control 20 minutes.

The Speaker recognizes the gentleman from New Mexico.

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

Madam Speaker, I rise in support of H.R. 139, the Springfield Race Riot Study Act, introduced by Representative Rodney Davis of Illinois. In August 1908, Springfield, Illinois, was the site of a multiday riot, with violence directed at the African-American community.

The mob shot innocent people, burned almost 50 homes, looted and destroyed two dozen stores, and mutilated and lynched two elderly Black men who were merely innocent bystanders.

All of this violence came about because two other African-American men were wrongly accused; one accused of attacking a White woman who, not long after the riots, admitted that her attacker was a White man; and one accused on slight evidence of attacking a White girl and of murdering her father.

In part, as a response to the riot, the NAACP was formed to work to end segregation, discrimination, and ensure African Americans are provided their constitutional rights.

This was the one bright light that emerged out of that dark moment in our history, and it is an origin story that certainly resonates today as the Nation continues to grapple with race relations and social justice.

This bill will authorize the National Park Service to conduct a full, special resource study to determine the most appropriate method to preserve, interpret, and protect the resources associated with the riot and the founding of the NAACP.

I want to thank Representative Davis for his efforts on this bill, and I urge all of my colleagues to support its adoption.

I reserve the balance of my time.

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

Mr. Speaker. H.R. 139, the Springfield Race Riot Study Act, which was sponsored by our colleague, Congressman Rodney Davis, authorizes the Secretary of the Interior to conduct a special resource study of the site of the Springfield race riots of 1908.

As my colleague has just described, on the evening of August 14, 1908, racial tensions ignited in the Illinois capital of Springfield. The riot was incited by a White mob who wanted to Lynch two Black inmates housed at the county jail. One had been charged with murdering a White man, the other with raping a White woman, an allegation that was later recanted.

After the two inmates were spirited away for their safety, the mob destroyed Black neighborhoods and lynched two innocent Black men. Soon after this horrific weekend of violence and racial strife, a prominent group of social reformers came together in February 1909 and established the National Association for the Advancement of Colored People.
Recently, archeologists uncovered the physical remains of five houses and their associated artifacts that burned in the 1908 riot. Last year, the National Park Service completed a reconnaissance survey of the site and concluded it was likely the site that would meet criteria for inclusion in the National Park System if fully analyzed through a congressionally authorized special resources study.

In August, Secretary of the Interior David Bernhardt visited the site of the 1908 riot to determine if part of the recently established African American Civil Rights Network. One goal of this network is to ensure that we accurately tell the complete and often painful story of the struggle for civil rights in our country.

I commend Representative DAVIS on his work to highlight this tragic event in our Nation’s history. I urge adoption of the measure, and 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 (Mr. TAKANO). 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. 139, 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 direct the Secretary of the Interior to conduct a special resource study of the site associated with the 1908 Springfield Race Riot in the State of Illinois.”

A motion to reconsider was laid on the table.

FREE VETERANS FROM FEES ACT

Ms. HAALAND. Mr. Speaker, I move to suspend and pass the bill (H.R. 1702) to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on Federal land, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1702
Be it enacted by the Senate and House of Representa
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Free Veterans from Fees Act”.

SEC. 2. WAIVER OF SPECIAL USE PERMIT APPLICATION FEE FOR VETERANS’ SPECIAL EVENTS.

(a) WAIVER.—The application fee for any special use permit solely for a veterans’ special event at war memorials on Federal land was to be waived.

(b) DEFINITIONS.—In this section:
(1) DISTRICT OF COLUMBIA AND ITS ENVIRONS.—The term “the District of Columbia and its environs” has the meaning given that term in section 8002(a) of title 40, United States Code.
(2) GOLD STAR FAMILIES.—The term “Gold Star Families” includes any individual described in section 102(f) of title 38, United States Code.
(3) SPECIAL EVENT.—The term “special event” has the meaning given that term in section 101(2) of title 38, United States Code.
(4) VETERAN.—The term “veteran” has the meaning given that term in section 766 of title 38, Code of Federal Regulations.
(5) VETERANS’ SPECIAL EVENT.—The term “veterans’ special event” means a special event of which the majority of attendees are veterans or Gold Star families.
(6) WAR MEMORIAL.—The term “war memorial” means any memorial or monument which has been erected or dedicated to commemorate a military unit, military group, war, conflict, victory, or peace.

(c) APPLICABILITY.—This section shall apply to any special use permit application submitted after the date of the enactment of this Act.
(d) APPLICABILITY OF EXISTING LAWS.—Permits issued under the Act shall be subject to all other laws, regulations, and policies regarding the application, issuance and execution of special use permits for a veterans’ special event at war memorials administered by the National Park Service in the District of Columbia and its environs.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. CHEYENNE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. HAALAND. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their reminders 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, I rise in support of H.R. 1702, the Free Veterans from Fees Act introduced by Representative Greg STEUBE.

This bill seeks to honor the sacrifices made by our veterans and their families by waiving application fees for veterans’ special events at war memorials in our Nation’s Capital for veterans and Gold Star families.

Although the National Park Service has a longstanding practice of waiving application fees for special use permits for most veterans’ events at war memorials, oftentimes veterans’ organizations have to pay administrative fees and other processing costs related to visiting memorials that have been built not only as a testament of their sacrifice, but also to honor those who paid the ultimate sacrifice for our nation.

To help foster a culture in America in which all veterans are valued for their service to our nation, we need to do our part to assist those who have served in our military. One way we can honor our nation’s heroes is to assist them when they visit national war memorials as they remember all those who fought and are not here today.

Throughout the year, several veterans’ groups and Gold Star Families visit national war memorials here in Washington, D.C. by honor buses and honor flights through various veterans’ organizations. To obtain a permit for their visit, oftentimes veterans’ groups must pay administrative fees and other processing costs related to visiting memorials that have been built not only as a testament of their sacrifice, but also to honor those who paid the ultimate sacrifice for our nation.

This common sense bill would waive the application fee for any special use permits for veterans’ demonstration and special events at war memorials on land administered by the National Park Service in the District of Columbia.

I reserve the balance of my time.

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

Mr. Speaker, in recognition of the significant and unparalleled sacrifices veterans have made for our country, I urge my colleagues Mr. STEUBE introduced H.R. 1702 to waive the application fee associated with special use permits for veterans’ organizations and our Gold Star families at war memorials on Federal lands.

Special use permits are required by the National Park Service for activities that provide a benefit to an individual group or organization and for activities that require the use of a designated park location for a specific purpose and length of time.

When those who have served our Nation, Mr. Speaker, including Gold Star families, want to hold an event whose primary purpose is to commemorate or honor the service of veterans, they should not be subject to application fees. This bill removes that barrier and ensures our veterans are not discouraged from planning, hosting, or organizing events on our public lands.

With this bill, Mr. Speaker, we show in one more way our respect for our Nation’s veterans, and we support the special events that honor the men and women of our Armed Forces.

I commend my colleague Congresswoman STEUBE for his work on behalf of our servicemen and -women.

Mr. Speaker, this bill’s sponsor, Congressman STEUBE, was unable to be here today to speak on his bill because of commitments in his district.

Mr. Speaker, I urge adoption of this measure and since I have no further speakers, 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.

Mr. STEUBE. Mr. Speaker, I urge my colleagues in the House to vote in favor of my bill, H.R. 1702, the Free Veterans from Fees Act of 2019.

To help foster a culture in America in which all veterans are valued for their service to our nation, we need to do our part to assist those who have served in our military. One way we can honor our nation’s heroes is to assist them when they visit national war memorials as they remember all those who fought and are not here today.

Throughout the year, several veterans’ groups and Gold Star Families visit national war memorials here in Washington, D.C. by honor buses and honor flights through various veterans’ organizations. To obtain a permit for their visit, oftentimes veterans’ groups must pay administrative fees and other processing costs related to visiting memorials that have been built not only as a testament of their sacrifice, but also to honor those who paid the ultimate sacrifice for our nation.

This common sense bill would waive the application fee for any special use permits for veterans’ demonstration and special events at war memorials on land administered by the National Park Service in the District of Columb.
The Free Veterans from Fees Act has bipartisan support and has been endorsed by AMVETS, a veteran organization that represents 250,000 members nationwide.

I thank the House Committee on Natural Resources for holding a hearing on this bill and I am pleased to see it on the legislative calendar. You may also remember this bill was passed through the Committee and through suspension on the House floor last Congress, and we hope that we can get this bill passed under suspension this Congress.

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. 1702, 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 waive the application fee for any special use permit for veterans’ special events at war memorial lands administered by the National Park Service in the District of Columbia and its environs, and for other purposes.”

A motion to reconsider was laid on the table.

B–47 RIDGE DESIGNATION ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (S. 490) to designate a mountain ridge in the State of Montana as “B–47 Ridge”.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 490
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 “B–47 Ridge Designation Act”.

SEC. 2. DESIGNATION OF B–47 RIDGE, MONTANA.
(a) DESIGNATION.—
(1) IN GENERAL.—The unnamed mountain ridge located at 45°14′40.89" N., 110°43′38.75" W. that runs south and west of Emigrant Peak in the Absaroka Range in the State of Montana, which is the approximate site of a crash of a B–47, shall be known and designated as “B–47 Ridge”.

(b) AUTHORIZATION FOR PLAQUE.—
(1) IN GENERAL.—The Secretary of Agriculture may authorize the installation and maintenance of a plaque on B–47 Ridge that—
(A) memorializes the 1962 crash of the B–47 aircraft at the site; and
(B) may include the names of the victims of the crash.

(2) AUTHORIZED TERMS AND CONDITIONS.—The Secretary of Agriculture may include any terms and conditions in the authorization for a plaque under paragraph (1) that the Secretary of Agriculture determines to be necessary.

(3) FUNDING.—No Federal funds may be used to design, procure, install, or maintain the plaque authorized under paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. CHENEY) each will control 20 minutes.

Mr. Speaker, I urge adoption of this measure, and 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. 490.

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.

TRIBAL SCHOOL FEDERAL INSURANCE PARITY ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 895) to allow tribal grant schools to participate in the Federal Employee Health Benefits program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 895
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 “Tribal School Federal Insurance Parity Act”.

SEC. 2. AMENDMENT TO THE INDIAN HEALTH CARE IMPROVEMENT ACT.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. CHENEY) 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 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, I urge adoption of this measure, and 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. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentlewoman from Wyoming (Ms. CHENEY) 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 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. 895, introduced by Representative DUSTY JOHNSON of South Dakota, authorizes Indian Tribes and Tribal educational and vocational education programs of Tribally controlled schools the ability to access the Federal Employees Health Benefits Program.
Prior to 2010, tribal employees generally lacked access to the FEHB program. To fix this, Congress passed the Indian Healthcare Improvement Act in 2010.

However, eligibility for Federal health insurance benefits is granted only to the Tribal nations that utilized the Indian Self-Determination and Education Assistance Act, leaving behind the tribally controlled schools that operate pursuant to the Tribally Controlled School Act.

This gap has resulted in significant financial strains on 126 tribally controlled schools and has made it difficult for them to recruit and maintain quality educators. Passage of H.R. 895 will remove this disparity and ensure that all BIE-operated and BIE-funded tribally operated schools’ employees have access to the FEHB program.

Mr. Speaker, I want to thank our colleague, Representative JOHNSON, for championing this legislation. I urge my colleagues to support H.R. 895, and I reserve the balance of my time.

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

Mr. Speaker, I am in support of H.R. 895. As my colleague from New Mexico described it, this bill would enable Tribal grant school employees to participate in the Federal Health Benefits Program.

Under current law, the Bureau of Indian Education employees and tribally managed schools operating under a self-determination contract are already eligible for this benefit. It is time that we helped Tribal grant schoolteachers.

This bill will not only provide parity for the benefits that employees receive at other schools serving Native children, but it will help keep essential moneys focused on education itself.

I want to thank the sponsor of this legislation, my colleague Congressman DUSTY JOHNSON, for his thoughtful leadership on this issue.

This stand-alone legislation will go a long way to help Tribal grant schools during the COVID–19 recovery period and beyond.

I am disappointed, however, Mr. Speaker, that the Democrat majority has refused to act on S. 886, the Indian Water Rights Settlement Extension Act. S. 886 includes the text of this bill and would also help Tribes in one of the hardest hit COVID–19 regions of the country, the Navajo Nation, which has cited lack of water as a complication during the COVID–19 recovery period and beyond.

S. 886 addresses this very issue by ensuring better access to water for the Tribes, the majority of which have refused to act on this bill. It has been 90 days since the Senate passed this bipartisan bill. Despite repeated requests for its consideration, the Democrats have taken no action to see this critical agreement enacted into law.

Mr. Speaker, I include in the RECORD a letter from Navajo President Nez asking Speaker PELOSI to schedule a vote on final passage on S. 886.

The Navajo Nation recognizes that there is more to be done for Indian Country and stands ready to assist you on this work, but S. 886 is ready for final passage. The House’s inaction on S. 886 or sending it back to the Senate for further consideration will only delay addressing the basic human needs of the Navajo people. Therefore, we respectfully request that you schedule a vote on final passage of S. 886 before the House recesses in August.

Sincerely,

JONATHAN NEZ, President.
MYRON LIZER, Vice President.

Ms. CHENEY. Again, Mr. Speaker, we support the passage of Congressman JOHNSON’s bill. H.R. 895, and would also prefer to enact this provision into law along with the Senate. However, that will help the Navajo Nation with their broader water shortages.

Mr. Speaker, I yield 4 minutes to the gentleman from South Dakota (Mr. JOHNSON).

Mr. JOHNSON of South Dakota. Mr. Speaker, I will begin by thanking Ranking Member CHENEY and Congresswoman HAALAND for their support and for their warm words of support for this measure.

They are right. H.R. 895 is about fairness; it is about equity; and it is about improving Tribal school outcomes across this country. Now, I don’t know that it matters where you live in this country, and I don’t know that it matters where you are in the political spectrum, it seems like one of the things you should be able to recognize is that one of our most difficult and most important challenges in this country is ensuring quality education for our Native students.

Unintentionally, a few years ago, Congress complicated those efforts. We passed the Indian Healthcare Improvement Act. As a part of that act, we made it clear that section 638 Tribal schools could access the Federal employee health insurance benefits. But why did that happen? Again, unintentionally—for the 297 schools. In the decade since we have done that, millions of dollars have flown out of the classroom and, instead, toward these health insurance benefits.

Our bill, my bill, the Tribal School Federal Insurance Parity Act, fixes that oversight, closes that loophole, and addresses this problem without costing our Federal Government a nickel.

I have visited Tribal grant schools, most recently just a few weeks ago. I will tell you, Mr. Speaker, Superintendent Whirlwind Horse and her team work hard every single day. They are at Wounded Knee School on the Pine Ridge Indian Reservation in South Dakota. They work hard to provide these educational opportunities even with incredibly scarce resources.

They tell me that in South Dakota, the president of the Oglala Lakota Nation Education Consortium, understands those challenges, which is why she has been focused on this issue for a long time.

As we pass this bill, we will make their jobs just a little bit easier as they work to shift those dollars into the classroom to focus them on student education, to focus them on student outcomes, and to focus them on improving the lives of young people in Indian Country.

So, I ask my colleagues, Mr. Speaker, for a “yes” vote, and I ask us all to work with the Senate to pass H.R. 895 before the end of this 116th Congress.

Mr. CHENEY. 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 gentleman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill, H.R. 895.

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.

JUSTICE FOR JUVENILES ACT

Ms. SCANLON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5053) to exempt juveniles from the requirements for suits by prisoners, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5053

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assem-bled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice for Juveniles Act.”

SEC. 2. EXEMPTION OF JUVENILES FROM THE REQUIREMENTS FOR SUITS BY PRISONERS.

Section 7 of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e) is amended—

(1) in subsection (b), by striking “sentencers or administrated delinquent for,” and inserting “or sentenced for”; and

(2) by adding at the end the following:

“(1) EXEMPTION OF JUVENILE PRISONERS.—This section applies to an action pending on the date of enactment of the Justice for Juveniles Act or filed on or after such date if such action is—

“(1) brought by a prisoner who has not attained 22 years of age; or

“(2) brought by any prisoner with respect to a prison condition that occurred before the prisoner attained 22 years of age.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Ms. SCANLON) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentle-woman from Pennsylvania.

Ms. SCANLON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extra-nous material on the bill under considera-tion.

The SPEAKER pro tempore. Is there objection to the request of the gentle-woman from Pennsylvania?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5053, the Justice for Juveniles Act. This bipartisan bill, which I introduced along with my colleagues Mr. ARMSTRONG, Mr. RESCHENTHALER, and Mr. JEFFRIES, would eliminate the administrative exhaustion requirement for incarcerated youth before they may file a lawsuit challenging deficiencies in conditions of confinement.

This bill recognizes the same conclusion that has been embraced by the Supreme Court and experts for decades—that incarcerated young people have different cognitive abilities than adults, that they are less mature, and that they have a higher chance of being assaulted while incarcerated.

In recent years, our Nation has finally come to the realization that youth and adults have fundamentally different decisionmaking abilities. The Court and experts have cited adolescents’ lack of maturity as a reason why they are not as culpable as adults for their actions or able to recognize either certain consequences or dangers. Yet, in current law, there are no allowances for these differences in cognitive abilities to address deficiencies in conditions of confinement.

Pursuing claims under the Prison Litigation Reform Act, which requires an understanding of detailed grievance procedures and timelines, is nearly impossible for incarcerated youth, particularly when courts have been exacting in their requirements that the exhaustion requirements be followed, no matter how sympathetic the situation. Unjust demands for more detailed grievances process has made even more challenging by the educational deficits faced by a substantial number of incarcerated juveniles. According to one study, among incarcerated youth, 85 percent of incarcerated juveniles have at least one learning disability. Youth are, furthermore, less likely than adults to recognize as risks the circumstances they face in a correctional facility.

Compounding these challenges, incarcerated youth, as a group, experience extraordinarily high rates of mental illness. Nearly 50 percent of incarcerated 16- to 18-year-olds suffer from a mental illness. Juveniles housed with adults are 10 times more likely to have psychotic episodes and have a suicide rate that is 7.7 times higher than those housed in juvenile facilities.

In recent years, public has become more aware of the many dangers that lurk in correctional facilities. Hurricanes have flooded facilities; cold snaps have left prisoners freezing to death; and heat waves have killed prisoners when they lack proper ventilation or air-conditioning.

Of course, the 2019 expose by The Philadelphia Inquirer exposed a long-standing pattern of abuse of adolescents committed to the Glen Mills School, which was thereafter closed.

Inmate survey data in 2017 showed that 30 percent of youth—a special danger to youth who often don’t have the ability to experience or recognize that they are in immediate danger. Adolescents incarcerated with adults are also more prone to both physical and mental abuse. Youth are 50 percent more likely to be physically assaulted when they are housed in adult facilities than in juvenile facilities.

Taken together, incarcerated youth are simply not able to recognize or to effectively communicate when their prison conditions become dangerous or unconstitutionally deficient. There remains little doubt that the current process needs to be changed.

That is why this bill proposes a modest reform to the Prison Litigation Reform Act. It simply exempts youth in correctional facilities from having to comply with technical grievance procedures before they can go to court to challenge the unconstitutional conditions of their confinement.

While I would like to see us do much, much more, this bill is a necessary first step, which I ask that my colleagues support today.

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

The SPEAKER pro tempore. Without objection, the gentleman from North Dakota (Mr. ARMSTRONG) will control the minority’s time.

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5053, the Justice for Juveniles Act. This bill eliminates some of the obsta-
ces to juvenile prisoners seeking re-

relief from our correctional facilities in Federal court.

Juvenile offenders often lack the knowledge to pursue and exhaust all the complex administrative rules and grievance procedures in our correctional facilities. H.R. 5053 will provide juvenile offenders quicker access to courts when they feel they are being abused or mistreated.

President Trump has been a leader on criminal justice reform. He signed into law the bipartisan First Step Act in December 2018. The President has also commuted the lengthy prison sentences of several nonviolent offenders and, more recently, pardoned Alice Johnson, who served 22 years of a life sentence for nonviolent drug trafficking.

This bill is another important step in criminal justice reform. I was honored to help the Republicans lead on this bill. It was a pleasure to work with Ms. SCANLON from Pennsylvania, the bill’s primary sponsor.

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

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

I thank Mr. ARMSTRONG for his help in moving this bill forward.

Mr. Speaker, the legislation is supported by a bipartisan coalition of groups, including, #cut50, the Campaign for Youth Justice, the Juvenile Law Center, the National Legal Aid and Defender Association, and R Street Institute. These organizations, as well as health and legal experts, acknowledge that simplifying the legal process and making it less complex is consistent with the developmental needs of adolescents.

Therefore, H.R. 5053 was developed as a bipartisan bill to protect young people from abuse in institutions by exempting them from the administrative grievance requirements that stand in the way of their getting relief from abusive practices.

Mr. Speaker, I ask my colleagues to join me in supporting this legislation today, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committees on the Judiciary and Homeland Security, and on the Congressional Black Caucus, and as a cosponsor, I rise in strong support of H.R. 5053, the "Justice for Juveniles Act," introduced by Congresswoman SCANLON which I am proud to co-sponsor.

I want to thank Chairman NADLER for his tremendous leadership during this Congress and the past several months of hardship, stress, and disruption not only of the regular normalized operations of this Committee but of the Congress and more importantly, the lives of the American people.

It has been said of Americans that we do the difficult immediately, and the impossible takes a little longer.

The legislative session today is a testament to the determination of this Committee that despite the pandemic which has claimed the life of over 200,000 Americans, that legislation to improve the lives of the people we represent and the communities we serve will not be halted.

The problems facing ordinary Americans due to flaws and inequities in the criminal justice system, the immigration system, the health care system, the economy, the trademark system and others do not take a timeout because of the pandemic and neither does this Congress, and for that I commend Speaker PELOSI and Democratic leadership, and my colleagues on both sides of the aisle.

The bipartisan H.R. 5053, the Justice for Juveniles Act protects young people from abuse in institutions by exempting them from the administrative grievance provision of the Prison Litigation Reform Act (PLRA) by enabling them to file a lawsuit concerning physical injury, sexual assault or mental abuse without first having to file an administrative grievance.

The proposed legislation is supported by a bipartisan coalition of groups including #cut50, Campaign for Youth Justice, Juvenile Law Center, National Legal Aid & Defender Association, and R Street Institute.

The administrative grievance procedure, established by the Prison Litigation Reform Act (PLRA), requires inmates at federal, state, and local facilities to file administrative complaints through the prison in which they are detained.

Under the Justice For Juveniles Act, youth could initiate legal action to address prison conditions without first filing administrative complaints.

The PLRA was designed to address the problem of the large numbers of pro se prisoner lawsuits that were being filed and inundating the federal courts.

Before the enactment of the PLRA, the overwhelming majority of prisoner cases were civil rights cases filed by state prisoners in federal district courts and were filed prose.

The vast majority of the pre-PLRA pro se cases were filed under 42 U.S.C. § 1983; incarcerated juveniles filed very few lawsuits. Generally, to establish a claim under 42 U.S.C. § 1983, a plaintiff must show that a person acting under color of state law deprived him of a right secured by the Constitution or the laws of the United States. Pursuant to the changes brought about by the PLRA, before an incarcerated individual can file a lawsuit, he or she must take the complaint through all levels of a correctional facility's grievance system.

If a person failed to comply with these requirements, including missing a filing deadline that can be as short as a few days, he or she may no longer be able to bring a lawsuit.

This administrative remedy requirement is a high burden for a juvenile to meet, as it requires a sophisticated understanding of how to navigate technical procedures.

Held to an adult standard, minors are unprepared from filing their abuses and thus deprived of a critical tool for improving their conditions of incarceration.

Moreover, the PLRA has made it worse because grievance procedures tend to rely on written communication and juveniles in the justice system typically have serious education deficits.

Cases from around the country make clear that juveniles facing serious harm are deprived of legal protections because of the PLRA exhaustion requirements.

For example, in Hunter v. Corr. Corp., a 17-year-old was sexually assaulted in an adult facility but the court ruled he should have exhausted his administrative remedies first.

In another case, from Kentucky, a juvenile filed a lawsuit alleging that staff had hit him, shocked him with a stun gun, and then led him down the hall by his testicles to an isolation cell.

Although the juvenile's lawyer had discussed the incident with the jail administrator, the Federal Bureau of Investigation, the State Police, and the Kentucky Department of Juvenile Justice, that this did not satisfy the PLRA and the suit was dismissed for failure to exhaust administrative remedies. Mr. Speaker, exempting youth from administrative grievances acknowledges that children do not know how to protect themselves from practical or conduct that is unconstitutional.

The Justice For Children Act makes it easier for juveniles who are physically assaulted or abused to seek immediate redress in federal court.

In addition, simplifying the legal process and making it more readily available to these juveniles is also in keeping with the Supreme Court's conclusions regarding the developmental needs of adolescents.

I strongly support this legislation and urge all Members to join me in voting for its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Pennsylvania (Ms. SCANLON) that the rules be suspended and the bill, H.R. 5053. 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.

COMPETITIVE HEALTH INSURANCE REFORM ACT OF 2020

Ms. SCANLON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1418) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1418

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 “Competitive Health Insurance Reform Act of 2020”.

SEC. 2. RESTORING THE APPLICATION OF ANTI-TRUST LAWS TO THE BUSINESS OF HEALTH INSURANCE.

(a) AMENDMENT TO MCCARRAN-FERGUSON ACT.

Section 3 of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act, is amended by adding at the end the following:

"(c)(1) Nothing contained in this Act shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance (including the business of dental insurance and limited-scope dental benefits)."

"(2) Paragraph (1) shall not apply with respect to making a contract, or engaging in a combination or conspiracy—"

"(A) to collect, compile, or disseminate historical loss data;"

"(B) to determine a loss development factor applicable to historical loss data;"

"(C) to perform actuarial services if such contract, combination, or conspiracy does not involve a restraint of trade; or"

"(D) to develop or disseminate a standard insurance policy form (including a standard addendum to an insurance policy form and standard terminology in an insurance policy form) if such contract, combination, or conspiracy does not involve a restraint of trade; or"

"(E) for purposes of this subsection—"

"(i) the business of life insurance (including annuities); or"

"(ii) the business of property or casualty insurance, including, but not limited to—"

"(I) any insurance defined as "excepted benefits" under paragraph (1), subparagraph (B) or (C) of paragraph (2), or

"(II) the business of health insurance (including the business of dental insurance and limited-scope dental benefits)."
paragraph (3) of section 9832(c) of the Internal Revenue Code of 1986 (26 U.S.C. 9832(c)) whether offered separately or in combination with insurance or benefits described in paragraph (1) of such section; and

"(C) the term ‘historical loss data’ means information respecting claims paid, or reserved for claims reported, by any person engaged in the business of insurance; and

"(D) the term ‘loss development factor’ means an adjustment to be made to reserves held for losses incurred for claims reported by any person engaged in the business of insurance because of bringing such reserves to an ultimate paid basis.

(b) Related Provision.—For purposes of section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section applies to unfair methods of competition, section 3(c) of the McCarran-Ferguson Act shall apply with respect to the business of health insurance without regard to whether such business is carried on for profit, notwithstanding the definition of “Corporation” contained in section 4 of the Federal Trade Commission 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 Pennsylvania (Ms. SCANLON) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. SCANLON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1418, the Competitive Health Insurance Reform Act.

This commonsense legislation repeals a longstanding antitrust exemption for the health insurance industry under the McCarran-Ferguson Act. It does so for price-fixing, bid-rigging, and market allocation—the most egregious kinds of anticompetitive conduct. There is absolutely no justification for this broad antitrust exemption for the business of health insurance.

Congress passed the McCarran-Ferguson Act in response to a 1944 Supreme Court decision finding that the antitrust laws were inadequate to regulate the business of insurance. Both insurance companies and the States expressed concern about that decision. Insurance companies worried that it could jeopardize certain collective practices, like joint rate-setting and the pooling of historical data, and the States were concerned about losing their authority to regulate and tax the business of insurance.

To address these issues, McCarran-Ferguson provides that Federal antitrust laws apply to the business of insurance only to the extent that it is not regulated by State law. Unfortunately, subsequently, it delegates it to the States revenue concerns, rather than the vital goals of protecting competition and consumers, were the primary drivers of the act.

In passing McCarran-Ferguson, Congress initially intended to provide only a temporary exemption and, unfortunately, gave little consideration to competition concerns. Not surprisingly, there is broad support for ending this safe harbor for antitrust violations that are criminally illegal. As the Antitrust Modernization Commission Report noted in 2007, the McCarran-Ferguson exemption should be eliminated because it has outlived any utility it may have had and is among the most ill-conceived and egregious examples.

Furthermore, it is far from clear that the McCarran-Ferguson antitrust exemption was ever justified in the first place. Antitrust exemption should be exceedingly rare and should be enacted only where there are strong policy reasons for such exemption.

Carving out an entire part of a healthcare system from the antitrust laws should be unthinkable, particularly when healthcare costs are so high for many families. That is why it is time to repeal the special exemption for the insurance industry.

Mr. Speaker, I thank my colleague, Chairman DeFazio, for his leadership on this important legislation. I urge my colleagues to support this bill, which prevents insuring in the House with an overwhelming bipartisan vote of 416–7, and I reserve the balance of my time.

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

Mr. Speaker, under current law, the health and dental insurance industries are exempt from some Federal competition laws and related enforcement actions.

Congress established this exemption in 1945 at a time when Federal antitrust law was less developed and more likely to disrupt procompetitive practices in the insurance industry under State laws.

H.R. 1418 would update antitrust law and apply it to the business of health insurance in ways designed to better protect consumers. At the same time, H.R. 1418 would still permit the health insurance industry to engage in pro-competitive collaboration that benefits customers.

Mr. Speaker, this bill represents an uphill battle for competitive collaboration that benefits customers. As the Antitrust Modernization Commission Report observed, ‘competition concerns.

It is time to end.

And it is time to end.

America’s healthcare system. I encourage my colleagues to support this bill, and I reserve the balance of my time.

Ms. SCANLON. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. DeFAZIO).

Mr. DeFAZIO. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, this bill, H.R. 1418, has 51 cosponsors in the House: 26 Democrats, 25 Republicans. It is endorsed by 23 national organizations, including Consumer Reports, which estimates it will save consumers billions of dollars a year in health insurance costs, other consumer rights groups, the American Dental Association, Hospital Association, and more.

There are only two for-profit industries in America that have an exemption from antitrust law: One is professional baseball, dating from the 1920s, and the other is the vital area of health insurance, dating to the 1940s. This bill will take away that exemption.

What does that mean? Well, right now, insurance companies can do and get together and collude. Before COVID, they would go to some fancy resorts, get together, and say: How about you stay out of North Dakota; we will all stay out of Oregon? You stay out of Washington. Let’s divide up the pie here. You decide where you are selling, and we will decide where we are selling. Oh, and by the way, here are the things we don’t want to cover. Here are the people we want to redline and exclude. That is all legal. That is all legal.

What does it do? It drives up the cost and the availability is diminished for Americans. And now here we are in the midst of COVID and the estimates are that 5 million people have lost their health insurance during COVID—5 million people—yet, last year, the health insurance industry made an eye-popping $33 billion in profits. This year, those profits are in Latin. They are not doing even better, with more and more people uninsured.

How are they doing that? Well, they are jacking up copays. They are jacking up deductibles. They are excluding all sorts of treatments from coverage. And it is all legal, and they can all get together and say: Hey, if you won’t cover this, we won’t cover it. That way we won’t lose customers; you won’t lose customers.

What a sweet deal. What a sweet deal.

Well, one in four Americans hesitated to go to the doctor—people who were insured—or to fill a prescription, get needed treatment because of the extraordinary copays and high deductibles. So a lot of people are paying 2,000, 3,000, 4,000, 5,000 bucks before they get any coverage on these so-called policies.

What is this about? It is about greed.

And it is time to act.

This is a vital service for the American people. This bill was part of the original Affordable Care Act in the House—my provision. It was stripped
out in the Senate at the behest of a former insurance executive—good old Senate—so it didn’t get into the final version of ACA. They took out a lot of other good things, too. The House bill was way preferable with national exchange, not-for-profit, et cetera. But, in any case, it was stripped out.

So the House held another vote after the passage of the Affordable Care Act in 2010. Tom Perriello, then-Representative Gosar, introduced the bill on the floor and it passed by 406–19.

What kind of bills pass 406–19? And then my colead on the bill, Representative Gosar, introduced the bill in 2017, and it passed 416–7 in the most bitterly partisan atmosphere in Congress since post-Civil War—416–7.

It is time to get this done.

Finally, we are seeing some action in the Senate. Senator Leahy has introduced a bill, ranking member of the Committee on the Judiciary, and Senator Daines. So there are three Democrats, three Republicans on the bill. Hopefully, the Senate will see the wisdom in helping Americans afford health insurance, lowering their deductibles, lowering their copays, lowering their exclusions on prescription drugs.

Mr. Speaker, even under Medicare Part D, they are always jacking people around: Oh, sorry, you can’t have that medication anymore. We just took it off the list last week. They can do it any time they want. And they can talk to the other insurers, and say: Hey, we are taking that drug off our list. Will you take it off your list, because we don’t want people to switch to your plan. That is all legal now.

Mr. Speaker, after this bill passes, it will no longer be legal. This will be a tremendous service to the American people at any time in history, but particularly now in times of COVID and crisis.

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

Mr. Armstrong. Mr. Speaker, this is a good bill. I urge my colleagues to support it, and I yield back the balance of my time.

Ms. Scanlon. Mr. Speaker, I move to suspend the rules and pass the bill (S. 227) to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

The SPEAKER pro tempore. 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.

Savanna’s Act

Ms. Scanlon. Mr. Speaker, I move to suspend the rules and pass the bill (S. 227) to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as “Savanna’s Act”.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to clarify the responsibilities of Federal, State, Tribal, and local law enforcement agencies with respect to responding to cases of missing or murdered Indians; and

(2) to increase coordination and communication among Federal, State, Tribal, and local law enforcement agencies, including medical examiner and coroner offices.

(3) to empower Tribal governments with the resources and information necessary to effectively respond to cases of missing or murdered Indians; and

(4) to increase the collection of data related to missing and murdered Indian men, women, and children, regardless of where they reside, and the sharing of information among Federal, State, and Tribal officials responsible for responding to and investigating cases of missing or murdered Indians.

SEC. 3. DEFINITIONS.

In this Act:

(1) CONFER.—The term “confer” has the meaning given the term in section 514 of the Indian Health Care Improvement Act (25 U.S.C. 166d-1).

(2) DATABASES.—The term “databases” means—

(a) The National Crime Information Center database;

(b) the Combined DNA Index System;

(c) the Next Generation Identification System; and

(d) any other database relevant to responding to cases of missing or murdered Indians, including that under the Violent Crime Apprehension Program and the National Missing and Unidentified Persons System.

(3) INDIAN.—The term “Indian” means a member of an Indian Tribe.

(4) INDIAN COUNTRY.—The term “Indian country” has the meaning given the term in section 1151 of title 18, United States Code.


(6) 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. 3304).

(7) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means a Tribal, Federal, State, or local law enforcement agency.

SEC. 4. IMPROVING TRIBAL ACCESS TO DATABASES.

(a) TRIBAL ENROLLMENT INFORMATION.—The Attorney General shall provide training to law enforcement agencies regarding how to record the Tribal enrollment information or affiliation, as appropriate, of a victim in Federal databases.

(b) CONSULTATION.—

(1) CONSULTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in cooperation with the Secretary of the Interior, shall complete a formal consultation on how to further improve Tribal data relevance and access to databases.

(2) INITIAL CONFERENCE.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Secretary of the Interior, shall confer with Tribal organizations and urban Indian organizations on how to further improve American Indian and Alaska Native data relevance and access to databases.

(3) ANNUAL CONSULTATION.—Section 903(b) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (34 U.S.C. 2703) is amended—

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

“(2) enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, homicide, stalking, and sex trafficking;”;

(B) in paragraph (3), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(4) improving access to local, regional, State, and Federal crime information databases and criminal justice information systems.”

(d) NOTIFICATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall—

(1) develop and implement a dissemination strategy to educate the public of the National Missing and Unidentified Persons System; and

(2) conduct specific outreach to Indian Tribes, Tribal organizations, and urban Indian organizations regarding the ability to publicly enter information, through the National Missing and Unidentified Persons System or other non-law enforcement sensitive portals, regarding missing persons, which may include family members and other known acquaintances.
SEC. 5. GUIDELINES FOR RESPONDING TO CASES OF MISSING OR MURDERED INDIANS.

(a) IN GENERAL.—Not later than 60 days after the date on which the consultation described in section 4(b)(1) is completed, the Attorney General shall direct United States attorneys regionally appropriate guidelines to respond to cases of missing or murdered Indians that shall include—

(1) inter-jurisdictional cooperation among law enforcement agencies at the Tribal, Federal, State, and local levels, including inter-jurisdictional enforcement agencies and their partners and detailing specific responsibilities of each law enforcement agency;

(2) best practices in conducting searches for missing Indians and off Indian lands;

(3) standards on the collection, reporting, and analysis of data and information on missing persons and unidentified human remains, and information on cultural appropriate identification and handling of human remains identified as Indian, including guidance stating that all appropriate information related to missing or murdered Indians be entered in a timely manner into applicable databases;

(4) guidelines on which law enforcement agency is responsible for inputting information into appropriate databases under paragraph (3) if the Tribal law enforcement agency does not have access to those appropriate databases;

(5) guidelines on improving law enforcement agency response rates and follow-up responses to cases of missing or murdered Indians; and

(6) guidelines on ensuring access to culturally appropriate victim services for victims and their families.

(b) CONSULTATION.—United States attorneys shall develop the guidelines required under paragraph (a) in consultation with Indian Tribes and other relevant partners, including—

(1) the Department of Justice;

(2) the Federal Bureau of Investigation;

(3) the Department of the Interior;

(4) the Bureau of Indian Affairs;

(5) Tribal, State, and local law enforcement agencies;

(6) medical examiners;

(7) coroners;

(8) Tribal, State, and local organizations that provide victim services; and

(9) national, regional, or urban Indian organizations with relevant expertise.

(c) VICTIM PRIVACY.

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the United States attorneys shall implement, by incorporating into office policies and procedures, the guidelines developed under subsection (a).

(2) MODIFICATION.—Each Federal law enforcement agency shall modify the guidelines, policies, and protocols of the agency to incorporate the guidelines developed under subsection (a).

(d) TERMINATION.—Not later than the end of each fiscal year beginning after the date the guidelines are established under this section and incorporated under this subsection, upon the request of a Tribal, State, or local law enforcement agency, the Attorney General shall determine whether the Tribal, State, or local law enforcement agency seeking recognition of compliance has incorporated guidelines into their respective guidelines, policies, and protocols.

(e) DISCLOSURE.—Not later than 30 days after compliance determinations are made each fiscal year in accordance with subsection (c)(3), the Attorney General shall—

(1) disclose and publish, on the website of the Department of Justice, the name of each Tribal, State, or local law enforcement agency that the Attorney General has determined has incorporated guidelines in accordance with subsection (c)(3); and

(2) disclose and publish, on the website of the Department of Justice, the name of each Tribal, State, or local law enforcement agency that has requested a determination in accordance with subsection (c)(3) that is pending.

(f) GUIDELINES FROM INDIAN TRIBES.—

(1) IN GENERAL.—Indian Tribes may submit their own guidelines to respond to cases of missing or murdered Indians.

(2) MODIFICATION.—The Attorney General shall, at the request of any Indian Tribe, modify the guidelines developed under subsection (a) so as to incorporate the guidelines of the Tribe.

(g) GUIDELINES FROM OTHER PARTNERS.—

(1) IN GENERAL.—The Attorney General shall include in the annual Indian Country Investigations and Prosecutions report to Congress information that—

(A) includes known statistics on murdered Indians in the United States, available to the Department of Justice, including—

(i) the current number of open cases per State;

(ii) the total number of closed cases per State each calendar year, from the most recent 10 calendar years;

(iii) other relevant information the Attorney General determines is appropriate.

(2) INCLUSION.—The Attorney General shall, at the request of any Indian Tribe, include in the annual report the number of cases of missing or murdered Indians that occurred within Indian Country for which the Tribe has jurisdiction.

SEC. 6. ANNUAL REPORTING REQUIREMENTS.

(a) ANNUAL REPORTING.—Beginning in the first fiscal year after the date of enactment of this Act, the Attorney General shall include in its annual Indian Country Investigations and Prosecutions report to Congress information that—

(1) includes known statistics on missing Indians in the United States, available to the Department of Justice, including—

(A) age;

(B) gender;

(C) Tribal enrollment information or affiliation, if available;

(D) the current number of open cases per State;

(E) the total number of closed cases per State each calendar year, from the most recent 10 calendar years;

(F) other relevant information the Attorney General determines is appropriate.

(2) INCLUSION.—The Attorney General shall include in its annual report the number of cases of missing or murdered Indians that occurred within Indian Country for which the Tribe has jurisdiction.

(b) COMPLIANCE.—Beginning in the first fiscal year after the date of enactment of this Act, and annually thereafter, the Attorney General shall request and receive from each Tribal, State, and local law enforcement agency the names of each Tribal, State, or local law enforcement agency that—

(1) has incorporated the guidelines issued under subsection (a) into their respective enforcement agencies;

(2) is responsible for inputting information into appropriate databases;

(3) has modified the guidelines developed under subsection (a) so as to incorporate the guidelines of the Tribe;

(4) includes—

(A) a description of how the law enforcement agency that the Attorney General has determined has incorporated guidelines in accordance with subsection (c)(3); and

(B) recommendations on how data collection on missing or murdered Indians may be improved.

(c) ACCOUNTABILITY.—Not later than 30 days after the date of enactment of this Act, the Attorney General shall, at the request of any Indian Tribe, forward a copy of the information requested under paragraph (a) for the fiscal year in which the report was published.

(d) INCLUSION OF GENDER IN MISSING AND UNIDENTIFIED PERSONS STATISTICS.—Beginning in the first calendar year after the date of enactment of this Act, and annually thereafter, beginning in the first calendar year after the date of enactment of this Act, the Attorney General shall include gender in its annual statistics on missing and unidentified persons published on its public website.

SEC. 7. IMPLEMENTATION AND INCENTIVE.

(a) Grant Authority.—Section 2015(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 1045b(a)) is amended by adding at the end the following:—

“(24) To compile and annually report data to the Attorney General related to missing or murdered Indians, as described in section 6 of Savanna’s Act.”.

(b) Grants to Indian Tribal Governments.—Section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10452(a)) is amended—

(1) in paragraph (9), by striking “and” at the end of the paragraph; and

(2) by adding at the end the following:

“(12) To compile and annually report data to the Attorney General related to missing or murdered Indians, as described in section 6 of Savanna’s Act.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Pennsylvania (Ms. SCANLON) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

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

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

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

Mr. Speaker. S. 227, Savanna’s Act, responds to the epidemic of missing and murdered Native Americans. This crisis is appalling and threatens millions of innocent people living both on Tribal lands and beyond.

This bill is a bipartisan effort introduced by Alaska Senator Lisa Murkowski and passed by the Senate by unanimous consent last March.

I want to especially commend the leadership of Representative Norma Torres, who introduced the House companion in 2019 and has been a constant champion for Savanna’s Act here in the House.

The available data indicates that violence against Native Americans is particularly high. In some Tribal communities, Native American women experience murder rates that are more than 10 times the national average. This is unacceptable.

Savanna’s Act is named in honor of Savanna LaFontaine-Greywind, a member of the Spirit Lake Tribe, who vanished from her apartment in Fargo, North Dakota, while 8 months pregnant. Eight days after she disappeared, her body was found wrapped in plastic in the Red River.

This legislation empowers Tribal governments with the resources and information necessary to respond to cases of murdered or missing Native Americans like Savanna and to increase the collection of data in such cases. It also increases coordination and communication among the Federal, State, and Tribal officials responsible for investigating these cases in a variety of ways.

This legislation provides best practices in conducting searches for missing persons on and off Native American land; establishes standards on the collection, maintenance, and analysis of data and information on missing persons and unidentified human remains; and will lead to the culturally appropriate identification and handling of human remains identified as Native Americans.

Savanna’s Act provides guidance on which law enforcement agency is responsible for inputting information into databases, guidance on improving agency response rates and followup to cases of murdered or missing Native Americans, and guidance on ensuring access to culturally appropriate victim services.

Lastly and most importantly, Savanna’s Act adds two new purpose areas to two existing grant programs administered by the Department of Justice, specifically, allowing grantees to use funds to implement protocols, training, and technical assistance to Tribes and law enforcement agencies, and our communities can work together to address this violence.

Mr. Speaker, I rise in support of S. 227, Savanna’s Act.

Savanna’s Act is named in honor of Savanna LaFontaine-Greywind, a 22-year-old member of the Spirit Lake Tribe, who was murdered in my district in August of 2017. Her disappearance and murder devastated the community and the entire State of North Dakota.

Tragically, Savanna was found dead 8 days after she was reported missing. Thankfully, her baby was found alive, despite being cut from Savanna’s womb. Savanna’s story brought to light the fact that the data regarding missing and murdered indigenous people, particularly women and girls, is scattered across various government databases, if it even exists at all.

Savanna’s heartbreaking story, unfortunately, is not unique. A woman named Olivia Lone Bear disappeared from the Crow Reservation in Southern North Dakota just a month later, in October of 2017. She was found in a submerged truck in Lake Sakakawea in July of 2018.

These are just two recent examples from my State. There are hundreds more across the Nation.

Savanna’s Act will begin to help address this crisis of missing and murdered indigenous people. The bill will establish guidelines and best practices for law enforcement agencies across the country. It will also improve coordination amongst those agencies. Finally, it will enhance reporting, recordkeeping, and communication for law enforcement and families of victims.

This legislation is needed because Native American and Alaska Native women face a murder rate 10 times higher than the national average. Shockingly, 84 percent of women in these communities experience some form of violence in their lifetime. Eighty-four percent of women in these communities experience some form of violence in their lifetime.

The rural nature of most Native American communities, increased levels of poverty and addiction, and other circumstances pose unique challenges. Because of outdated databases and lack of coordination between law enforcement agencies, particularly agencies that rely on reliable and well-coordinated data to accurately know how many indigenous women actually do go missing each year.

Savanna’s Act addresses this disturbing increase in missing and murdered Native American women by creating new guidelines for investigation of these cases and by incentivizing the implementation of these new guidelines.

I urge my colleagues to join me in supporting S. 227, and I reserve the balance of my time.

Ms. SCANLON. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. Torres).

Mrs. TORRES of California. Mr. Speaker, I stand here today in honor of Savanna LaFontaine-Greywind and the Native American women missing and murdered with no justice in sight.

Savanna was just 22, a member of the Spirit Lake Tribe. She was 8 months pregnant and expecting her baby any day when she was murdered in August of 2017. A neighbor in her apartment building lured her next door and attacked her. When her body was found, the coroner could not determine if the cause of death was strangulation from the vicarious wounds on her body or strangulation from the rope around her neck.

Instead of getting to hold her brand-new baby in her arms and imagining a bright future for herself and her little one, Savanna’s future was cut short.

Savanna’s death shines a light on a horrific reality in this country where Native American women face a murder rate 10 times higher than the national average.

The statistics should shock everyone listening to this debate. Eighty-four percent of Native women experience some form of violence in their lifetime—84 percent. Think of your 50 closest friends and family members, and now imagine 42 out of those 50 experiencing some type of violence.

We cannot stand silent. We stand together, heartbroken, disgusting, and horrified, but we cannot stand back and do nothing.

I introduced the House version of Savanna’s Act to address the disturbing rates of missing and murdered Native American women, and was very honored to have the opportunity to work with my good friend, Ms. HAALAND, across the aisle with Mr. NEWHOUSE, and with Senator MURkowski and Senator Cortez Masto on the Senate version. We came together as Democrats and Republicans. We met many, many times to discuss this bill. There was a bill that all of our colleagues could stand for and support and right a wrong for Native American women.

To date, there is no reliable way of knowing how many Native women go missing each year because the databases that hold statistics of these cases are outdated. A lack of coordination between law enforcement agencies only adds to the confusion, and, as a result, murderers get away with killing Native American women.

This bill will finally ensure the Department of Justice, State and local law enforcement agencies, and our communities can work together to address this violence.

For the purpose of this bill, the Department of Justice will develop regionally appropriate guidelines for response to cases of missing and murdered Native Americans, and the DOJ will provide training and technical assistance to Tribes and law enforcement agencies for implementation of the developed guidelines.

In addition, this bill will authorize grants to ensure that all members of...
our community are effectively working together to stop the kidnapping and murdering of Native women.

Native women have endured horrific rates of assault, rape, and murder for far too long, and I hope this bill brings some Savanna's family and the countless family members in Native communities who live with the pain of a lost loved one every day.

Let me be clear: It is their unwavering advocacy that made this day a reality, and an untold number of lives will be saved as a result.

Mr. ARMSTRONG. Mr. Speaker, I yield 10 minutes to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, this is a monumental day. I am proud to rise alongside my colleagues on both sides of the aisle to speak out in support of our legislation, which aims to address a crisis afflicting our Nation: that of missing and murdered indigenous women.

I hail from the State of Washington, and I am very familiar with how Native American Tribes are deeply integrated into the culture of the Pacific Northwest, as well as our whole country.

I was just across the Cowlitz River from the Yakama Nation reservation in central Washington, but I have got to say, I, like many others, was not aware of the disproportionate murder rate indigenous women suffer, 10 times the national average.

At the end of 2018, this crisis and the need for a solution was brought to me by the Tribal communities that I represent, and I was made aware of just how devastating the shortfalls of our justice system are for Native American and Alaska Native women and girls.

While the statistics we have are absolutely staggering—and you have heard them—the fact of the matter is we don’t even know the full extent of the crisis. In my home State of Washington, Native Americans make up about 2 percent of the State’s population, but a recent report by the Washington State Patrol shows that indigenous women account for 7 percent of the State’s reported missing women. The families of dozens of women still await answers as cases of missing or murdered indigenous women remain open or turn cold.

Yet this crisis has gone on for decades, with little to no action by the Federal Government. Complicated law enforcement jurisdictions have caused many problems throughout these investigations, and far too many Tribal law enforcement agencies lack the resources or access to critical databases to help solve these cases, which is why, when Savanna’s Act failed to receive a vote on the House floor in the 115th Congress, I was determined to bring forward solutions in order to get this bill signed into law.

I was very proud to work with Representatives Torres and Haaland and others, in collaboration with Tribes, the Department of Justice, and many others, to improve upon that legislation. The product is a broadly bipartisan bill that has passed unanimously in both the House Judiciary Committee as well as the United States Senate.

We worked to create legislation that will bring focus to this crisis and improve coordination between Federal, State, local, and Tribal law enforcement agencies.

This legislation aims to provide a sense of hope to the loved ones of these women by developing guidelines and best practices for Tribes and law enforcement agencies across the country, by enhancing reporting and record-keeping of crimes against indigenous women, and by improving communication between law enforcement and the families of these victims.

This bill and its effort to bring awareness to the missing and murdered Native women across the country will go a long way to finally delivering justice to our communities.

Tribes across the country, including those that I represent, have thrown their support behind this legislation. In fact, last year, I walked alongside the then-chairman of the Yakama Tribe, as well as Councilwoman Lottie Sam, through the halls of Congress, visiting Chairman Grijalva, Subcommittee Chairman Gallego, as well as Subcommittee Chairwoman Bass. These Yakama Nation officials traveled across the country, Mr. Speaker, more than 2,500 miles, to advocate for the passage of Savanna’s Act and other legislation to address this crisis.

The bill is named, as you have heard the story, in honor of Savanna LaFontaine-Greywind, who was a 22-year-old Yakama Nation woman, Rosenda Strong, were found on the reservation. Her horrific murder, today, remains unsolved.

Thankfully, justice was served upon Savanna’s murderers. We owe the same justice to all of the missing and murdered indigenous women across this country.

The passage of this bill today will demonstrate a long-awaited and necessary change. As I mentioned, this crisis has been going on for decades. Politicians on both sides of the aisle have promised action and failed to deliver.

I have been asked: What is different now? Why do you think progress can be made?

And I can honestly tell you, the main difference I have seen is that our Native communities are leading the charge. They have had enough, and they no longer will suffer in silence.

Throughout central Washington and across the country, the families of loved ones of thousands of missing or murdered indigenous women are awaiting justice.

It is because of their voices and their strong advocacy that I am here today, urging my colleagues throughout this legislative body to support passage of Savanna’s Act. And, finally, Mr. Speaker, we can send this legislation to President Trump’s desk to be signed into law.

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

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

Mr. Speaker, I thank Mrs. Torres, Mr. Newhouse, and my colleagues in the Senate, Senator Cramer and Senator Hoeven. This is not the first time in my short time in Congress that I have been on the floor talking about this bill, and I think it is also important to remember people who came before us. Senator Heitkamp was a champion of this in the last Congress. And through this process we have gotten a more targeted and workable solution.

This bill allows U.S. Attorneys in Indian Country more autonomy and authority that is important to law enforcement, and that is particularly important for missing cases. And I think it is also important to recognize that these don’t always happen in rural areas or actually on the reservation.

Savanna Greywind, while a member of the Spirit Lake Tribe, was in Fargo, North Dakota, the largest city in my State when this incident occurred. So this is a good bill, it has been a long time coming, and I really appreciate everybody’s hard work. With that, I recommend we pass it, and I yield back the balance of my time.

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

Mr. Speaker, Savanna’s Act is an important measure to ensure the safety of Native American women and men in communities across the United States, for all of the reasons discussed here today.

We are so grateful to Representative Torres, Representative Newhouse, Representative Armstrong, and Representative Haaland, for moving this legislation forward.

Mr. Speaker, I urge my colleagues to join in supporting this bipartisan 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 Pennsylvania (Ms. Scanlon) that the House suspend the rules and pass the bill, S. 227.

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.

EFFECTIVE ASSISTANCE OF COUNSEL IN THE DIGITAL ERA ACT

Ms. SCANLON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5546) to regulate monitoring of electronic communications between an incarcerated person in a Bureau of Prisons facility and that person’s attorney or other legal representative, and for other purposes.
The Clerk read the title of the bill. The text of the bill as follows:

H.R. 5546

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 “Effective Assistance of Counsel in the Digital Era Act”.

SEC. 2. ELECTRONIC COMMUNICATIONS BETWEEN AN INCARCERATED PERSON AND THE PERSON’S ATTORNEY.

(a) PROHIBITION ON MONITORING.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall create a program or system, or modify any program or system that exists on the date of enactment of this Act, through which an incarcerated person sends or receives an electronic communication, to exclude from monitoring the contents of any privileged electronic communication. In the case that the Attorney General creates a program or system in accordance with this subsection, the system shall, among other things, enable an incarcerated person for whom such contents are retained to be accessed by a person other than the incarcerated person for whom such contents are retained under the following circumstances:

(1) participating in a legal proceeding in which an individual who sent or received an electronic communication from which such contents are retained under subsection (b) is a defendant; or

(2) sharing the retained contents with an attorney who is participating in such a legal proceeding.

(b) ACCESSING RETAINED CONTENTS.—Constitution provides the right to consult with the counsel of one’s own choosing in a criminal case. The Sixth Amendment to the U.S. Constitution provides the right to counsel to assist in the defense of those accused of criminal offenses. In order to represent their clients in an effective manner, defense attorneys must have the ability to communicate candidly with their clients.

The attorney-client privilege, which keeps communications between individuals and their attorneys confidential, exists in part to foster this sort of open communication.

This privilege, of course, does not protect communications between a client and an attorney made in furtherance of, or in order to cover up a crime or fraud, also known as the crime-fraud exception. But to ensure an open communication between individuals and their attorneys—a fundamental component of the effective assistance of counsel guaranteed by the Constitution—other communications between them may remain private.

It goes without saying that defendants who are not in custody are less constrained in their ability to have candid conversations with their attorneys than those defendants who are in custody.

Generally speaking, out-of-custody defendants can go to their attorneys’ offices, speak with them freely on the phone, or write letters back and forth with their attorneys without fear of interference. To an extent, in-custody defendants also have these protections: Bureau of Prisons regulations ensure that inmates are able to meet with their attorneys without auditory supervision, and that they can talk on the phone and exchange letters with their attorneys without monitoring. But these same protections do not apply to email communications for the nearly 150,000 individuals currently in the Bureau of Prisons’ custody, many of whom are in pretrial detention and have not been convicted of any crime.

Since 2009, email communications have been available to Bureau of Prisons inmates through a system known as TRULINCS. TRULINCS requires inmates to consent to monitoring, however, even in the case of communications between inmates and their attorneys.

Over a decade ago, BOP clearly recognized the growing importance of email for purposes of efficiency and speed of communication between inmates and their outside contacts. Over time, email has rapidly grown into a primary means of communication between inmates and their attorneys, but without a system in place to maintain attorney-client privilege. Without that system, the Bureau of Prisons risks severely hindering the effective representation of inmates. It is even more important for us to enable these confidential communications at this point in time, given that the pandemic has severely hampered the ability of attorneys to meet with their clients in person.

It is well past time to rectify this problem. I am pleased that H.R. 5546 would do just that, by requiring BOP to put in place a system that will exempt inmates from...
from monitoring any privileged electronic communications between incarcerated individuals and their attorneys or legal representatives.

The bill also includes additional protections, including the requirement that the contents of electronic communications be destroyed when an inmate is released from prison, as well as authorizing the suppression of evidence obtained or derived from access to information in violation of provisions set forth in this bill.

This is an important bill, and one that has been needed for quite some time. I commend our colleagues, Representatives Hakeem Jeffries and Doug Collins, for their efforts and leadership in developing this bipartisan piece of legislation.

Mr. Speaker, I urge all of my colleagues to join me in support of this bill today, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 5546, the Effective Assistance of Counsel in the Digital Era Act.

As a defense attorney, I cannot over-emphasize the importance of protecting attorney-client privilege. The ability to have confidential discussions with a client for the purpose of providing legal advice is foundational to providing effective assistance of counsel.

This bill will help modernize our criminal justice system by extending attorney-client privilege to electronic communications sent or received through the Bureau of Prisons’ email system.

This will allow incarcerated individuals to communicate with their attorneys efficiently and privately. And it would prohibit the Bureau of Prisons from monitoring privileged email communications.

We all agree that attorney-client privilege is a vital component of our legal system, as it helps to ensure that a criminal defendant has an effective advocate in the courtroom.

Emails between incarcerated individuals and their attorneys should absolutely fall under attorney-client protections. This bill would protect the rights of incarcerated men and women to speak openly and honestly with their attorneys via email without fear that the prosecution is monitoring those communications.

Other methods of communication, such as in-person meetings and letters, can be particularly burdensome and time consuming. Even if an attorney is in close proximity to the incarcerated client, it could take hours to travel to a detention facility and visit with that client.

H.R. 5546 requires the Attorney General to ensure that BOP’s email system excludes the contents of electronic communications between an incarcerated person and his or her attorney.

The bill stipulates that the protections and limitations associated with attorney-client privilege, including the crime-fraud exception, apply to electronic communications. It does permit BOP to retain electronic communications until the incarcerated person is released but specifies that the contents may only be accessed under very limited circumstances.

Finally, it allows a court to suppress evidence obtained or derived from access to the retained contents if such access were granted in violation of the act.

Congress must continually address the application of existing law to emerging technology. This is a common sense application of existing law to a technology that is decades old. It is time we act.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 5546, and I reserve the balance of my time.

Ms. Scanlon. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. Jeffries).

Mr. Jeffries. Mr. Speaker, I thank the distinguished gentlewoman from Pennsylvania for her leadership and for yielding.

Mr. Speaker, I rise in support of H.R. 5546, the Effective Assistance of Counsel in the Digital Era Act.

The Sixth Amendment to the United States Constitution provides that in all criminal prosecutions the accused shall have the assistance of counsel for his defense.

To effectively represent a client and provide the best possible legal advice, an attorney must be fully informed about the facts of the case. But this can only be achieved through confidential communication between the attorney and their client. That is why the attorney-client privilege is so critical.

The Supreme Court stated in Lanza v. New York that “even in a jail, or perhaps especially there, the relationships which the law has endowed with particularized confidentiality must continue to receive unceasing protection.”

There are nearly 127,000 individuals currently in BOP custody, many of whom are in pretrial detention and have not been convicted of a crime. These Americans are innocent until proven guilty. Like any person involved in a criminal proceeding, these individuals need to be able to confidentially communicate with their attorneys in order to vindicate their rights under law.

The bipartisan Effective Assistance of Counsel in the Digital Era Act will enable incarcerated individuals to communicate with their legal representatives privately, efficiently, and safely by prohibiting the Bureau of Prisons from monitoring privileged electronic communications.

While BOP regulations place protections on attorney visits, phone calls, and traditional mail, no such protections currently exist in the context of email communications sent through BOP’s electronic mail service, the Trust Fund Limited Inmate Computer System, otherwise known as TRULINCS. The TRULINCS email system has become the easiest, fastest, and most efficient method of communication available to incarcerated individuals and their attorneys.

These limitations can take hours, as the distinguished gentleman from North Dakota pointed out, hours out of an attorney’s day when you include travel and wait times. Confidential phone calls are often subject to these limitations and are not usually scheduled immediately.

Postal mail can take an especially long time to reach an incarcerated individual because it must first be opened and screened. These delays should be unnecessary in a prison system that currently permits electronic communications and would be if the attorney-client privilege was not the traditional method of communication.

The situation has become even more urgent in light of BOP’s decision to suspend legal visits as part of its COVID-19 Modified Operations Plan.

To solve this challenge, H.R. 5546 would require the Attorney General to suspend legal visits as part of its COVID-19 Modified Operations Plan. The effective assistance of counsel would be left to email communication.

The bill also includes additional protections, including the requirement that BOP’s email system excludes from monitoring the contents of electronic communications between an incarcerated person and their attorney. BOP would, of course, be allowed to retain the contents of those messages up until the incarcerated person is released, but they would be accessible only under very limited circumstances.

The bill also allows a court to suppress evidence that is obtained or derived from illegal access to the retained contents.

Our criminal justice system depends on the attorney-client privilege to ensure that lawyers are able to effectively represent their clients. That is why this legislation is so critical.

I thank my good friend, Representative Doug Collins, Chairman Jerry Nadler, and Ranking Member Jim Jordan for their leadership and for yielding.

I also thank the ACLU, the American Bar Association, Americans for Prosperity, #cut50, Due Process Institute, Faith and Freedom Coalition, Families Against Mandatory Minimums, Federal Defenders, FreedomWorks, National Action Network, National Association of Criminal Defense Lawyers, Prison Fellowship, and Right on Crime for their support of this legislation.

Mr. Speaker, I urge my colleagues to vote “yes” on H.R. 5546.

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

I do appreciate this bill, and the only question I sometimes have is that it seems like email has been around for a long time, and we are just getting to it, but better late than never.

But I also think it is really important to recognize some of these cases are public defense cases. You will have public defenders who have bigger case loads than we would like sometimes.
CONGRESSIONAL RECORD — HOUSE
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and clients that don’t necessarily trust the system.

This is good for defendants. This is good for lawyers. This is good for overall faith in the criminal justice system. It protects people, and it doesn’t just protect the client who that public defender is recognizing. It helps all of his other clients if he or she can communicate with all of their clients quicker and more efficiently.

This is a really good bill. I urge everybody to support it, and I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, H.R. 5546 is an important measure to reinforce the attorney-client privilege, an issue that is essential to the fair administration of our criminal justice system and one that is even more urgent in this pandemic.

For all the reasons discussed here today, I urge my colleagues to join me in supporting this bipartisan 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 Pennsylvania (Ms. SCANLON) that the House suspend the rules and pass the bill, H.R. 5546.

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.

NOT INVISIBLE ACT OF 2019

Ms. SCANLON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 982) to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 982

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 “Not Invisible Act of 2019”.

SEC. 2. DEFINITIONS. In this Act—

(1) the term “Commission” means the Department of the Interior and the Department of Justice Joint Commission on Reducing Violent Crime Against Indians under section 4;

(2) the term “human trafficking” means act or practice described in paragraph (9) or paragraph (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

(3) the term “Indian” means a member of an Indian tribe;

(4) the terms “Indian lands” and “Indian tribe” have the meanings given the terms in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302); and

(5) the terms “urban centers” and “urban Indian organization” have the meanings given the terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

SEC. 3. COORDINATOR OF FEDERAL EFFORTS TO COMBAT VIOLENT CRIME AGAINST NATIVE PEOPLE.

(a) COORDINATING DESIGNATION.—The Secretary of the Interior shall designate an official within the Office of Justice Services in the Bureau of Indian Affairs who shall—

(1) coordinate efforts, grants, and programs related to the murder of, trafficking of, and missing Indians across Federal agencies, including—

(A) the Bureau of Indian Affairs; and

(b) the Department of Justice, including—

(i) the Office of Justice Programs;

(ii) the Office of Violence Against Women;

(iii) the Office of Community Oriented Policing Services;

(iv) the Federal Bureau of Investigation; and

(v) the Office of Tribal Justice;

(2) ensure prevention efforts, grants, and programs of Federal agencies related to the murder of, trafficking of, and missing Indians consider the unique challenges of combasting crime, violence, and human trafficking of Indians and on Indian lands faced by Tribal communities, urban centers, the Bureau of Indian Affairs, Tribal law enforcement, Federal law enforcement, and State and local law enforcement;

(3) work in coordination with outside organizations with expertise in working with Indian tribes and Indian Tribes to provide victim centered, culturally relevant training to tribal law enforcement, Indian Health Service health care providers, urban Indian organizations, Tribal community members and businesses, on how to effectively identify, respond to and report instances of missing persons, murder, and trafficking within Indian lands and of Indians; and

(4) report directly to the Secretary of the Interior.

(b) REPORT.—The official designated in subsection (a) shall submit to the Committee on Indian Affairs and the Committee on the Judiciary of the Senate and the Committee on Natural Resources and the Committee on the Judiciary of the House of Representatives a report to provide information on Federal coordination efforts accomplished over the previous year that includes—

(1) a summary of all coordination activities undertaken in compliance with this section;

(2) a summary of all trainings completed under subsection (a); and

(3) recommendations for improving coordination across Federal agencies and of relevant Federal programs.

SEC. 4. ESTABLISHMENT OF THE DEPARTMENT OF INTERIOR AND THE DEPARTMENT OF JUSTICE JOINT COMMISSION ON REDUCING VIOLENT CRIME AGAINST INDIANS.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Interior, in coordination with the Attorney General, shall establish and appoint all members of a joint commission on violent crime on Indian lands and against Indians.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of members who represent diverse experiences and backgrounds that provide balanced points of view with regard to the duties of the Commission from diverse geographic areas and of diverse sizes.

(2) DIVERSITY.—To the greatest extent practicable, the Secretary of the Interior shall ensure that the Commission includes Tribal Indian representation, representatives from urban centers, and representatives from diverse geographic areas and of diverse sizes.

(3) APPOINTMENT.—The Secretary of the Interior, in coordination with the Attorney General, shall designate representatives to the Commission, including representatives from—

(A) tribal law enforcement;

(B) the Office of Justice Services of the Bureau of Indian Affairs;

(C) State and local law enforcement in close proximity to Indian lands, with a letter of recommendation from a local Indian Tribe;

(D) the Victim Services Division of the Bureau of Indian Affairs;

(E) the Department of Justice’s Human Trafficking Prosecution Unit;

(F) the Office of Violence Against Women of the Department of Justice;

(G) the Office of Victims of Crime of the Department of Justice;

(H) a United States attorney’s office with expertise in cases related to missing persons, murder, or trafficking; and

(i) the Administration for Native Americans of the Office of the Administration for Children & Families of the Department of Health and Human Services;

(j) the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services;

(k) a Tribal judge with experience in cases related to missing persons, murder, or trafficking;

(l) not fewer than 3 Indian Tribes from diverse geographic areas, including 1 Indian Tribe located in Alaska; and

(m) from nominations submitted by the Indian Tribe;

(n) not fewer than 2 health care and mental health practitioners and counselors and public safety officers or law enforcement officers with expertise in working with Indian survivors of trafficking and sexual assault, with a letter of recommendation from a local tribal chair or tribal law enforcement officer;

(o) not fewer than 3 national, regional, or urban Indian organizations focused on violence against women and children on Indian lands or against Indians;

(p) at least 2 Indian survivors of human trafficking;

(q) at least 2 family members of missing Indian people;

(r) the National Institute of Justice; and

(s) the Indian Health Service.

(3) PERIODS OF APPOINTMENT.—Members shall be appointed for the duration of the Commission.

(4) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made and shall not affect the powers or duties of the Commission.

(5) COMPENSATION.—Commission members shall serve without compensation.

(6) TRAVEL EXPENSES.—The Secretary of the Interior, in coordination with the Attorney General, shall consider the provision of travel expenses, including per diem, to Commission members when appropriate.

(c) DUTIES.—

(1) IN GENERAL.—The Commission may hold such hearings, meet and act at times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section.

(2) RECOMMENDATIONS FOR THE DEPARTMENT OF INTERIOR AND DEPARTMENT OF JUSTICE.—

(A) IN GENERAL.—The Commission shall develop recommendations to the Secretary of the Interior and Attorney General on actions the Federal Government can take to help combat violent crime against Indians and tribal Indian lands, including the development and implementation of recommendations for—

(i) identifying, reporting, and responding to instances of missing persons, murder, and human trafficking on Indian lands and of Indians;

(ii) tribal law enforcement;

(iii) the Office of Justice Services of the Bureau of Indian Affairs;

(iv) State and local law enforcement in close proximity to Indian lands, with a letter of recommendation from a local Indian Tribe;
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shall be exempt from the Federal Advisory
woman from Pennsylvania.
myself such time as I may consume.
objection to the request of the gentle-
neous material on the bill under con-
unanimous consent that all Members
lands and of Indians;
and human trafficking offenses on Indian
iers;
coordinating tribal, State, and Federal
resources to increase prosecution of murder
and human trafficking offenses on Indian
lands and of Indians; and
increasing information sharing with
tribal governments on violent crime inves-
tigations and prosecutions in Indian lands
that were terminated or declined.
Summers.—not later than 18 months
after the enactment of this Act, the Commis-
sion shall make publicly available and sub-
mit all recommendations developed under
this program to—
(i) the Secretary of the Interior;
(ii) the Attorney General;
(iii) the Committee on the Judiciary of the
Senate;
(iv) the Committee on Indian Affairs of
the Senate;
(v) the Committee on Natural Resources of
the House of Representatives; and
(vi) the Committee on the Judiciary of the
House of Representatives.
C) SECRETARIAL RESPONSE.—Not later than 90
days after the date on which the Secretary
of the Interior and the Attorney General re-
ceive the recommendations under paragraph
(2), the Secretary and the Attorney General
shall jointly make publicly available and sub-
mit a written response to the recommenda-
tions to—
(i) the Commission;
(ii) the Committee on the Judiciary of the
Senate;
(iii) the Committee on Indian Affairs of
the Senate;
(iv) the Committee on Natural Resources of
the House of Representatives; and
(v) the Committee on the Judiciary of the
House of Representatives.
FACA EXEMPTION.—The Commission shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).
(e) SUNSET.—The Commission shall termi-
nate on the date that is 2 years after the
date of enactment of this Act.
The SPEAKER pro tempore. Pursuant
to the rule, the gentleman from Pennsylvania (Ms. SCANLON) and the
gentleman from North Dakota (Mr. ARMSTRONG) each will control 20
minutes.
The Chair recognizes the gentle-
woman from Pennsylvania.

Ms. SCANLON. Mr. Speaker, I ask unanimous consent that all Members
have 5 legislative days to revise and ex-
tend their remarks and include extra-
neous material on the bill under con-
sideration.
The SPEAKER pro tempore. Is there
objection to the request of the gentle-
woman from Pennsylvania?
There was no objection.
Ms. SCANLON. Mr. Speaker, I yield
myself such time as I may consume.
S. 982, the Not Invisible Act of 2019,
introduced by Nevada Senator CATHI-

ERINE CORTEZ MASTO and passed by the Senate last March, addresses the crisis of violence and sexual violence com-
mitted against American Indian and
Alaska Native women and men in two
concrete ways, by directing the ap-
pointment within the Bureau of Indian
Affairs of a coordinator of Federal ef-
torts to combat violence against Native
people and by establishing a commis-
sion on reducing violent crime against
Indians.
I commend my colleague, Representa-
tive IHHAA HALAND from New Mex-
ico, for introducing the companion bill
here in the House and for her efforts in
advancing this important legislation.
For decades, Native American and
Alaska Native communities have
struggled with high rates of assault,
abduction, and murder of women. Com-
munity advocates describe the crisis as
a legacy of generations of government
policies promoting forced removal,
land seizures, and violence inflicted on
Native people.
Advocates and victims’ families also
complain, and rightly so, that the in-
vestigation and monitoring of dis-
appearances and killings of members of
their communities have gotten lost in
an intergovernmental bureaucracy gener-
sed by a system that lacks clarity on whether local or Federal agencies should investigate. The Federal Government must do
something to address these problems.
The statistics on violence in Native
American and Alaska Native communities are staggering. More than four in five American Indian
and Alaska Native women have experi-
enced violence in their lifetime, includ-
ing 56.1 percent who have experienced
sexual violence. American Indian and
Alaska Native men also have high vic-
timization rates, with 81.6 percent hav-
ing experienced violence in their life-
time. This problem is, in large part,
the result of decades of neglect by the
Federal Government.
This crisis has particularly affected
Native American women, scores of which have gone missing and have been
found murdered. Recently, these wom-
en’s stories have begun to be told to a
wider audience. But these stories are not
new, and it is long overdue that we
address them.
The Not Invisible Act of 2019 is an
important step for the Federal Govern-
ment in finding an adequate response
to the problem of violence against Na-
tive Americans. By making a perma-
nent position within the Bureau of In-
dian Affairs that reports directly to
the Secretary of the Interior and who
will submit an annual report to Con-
gress, we will greatly improve the Fed-
eral response to combating violence in
Native communities.
Significantly, this bill also directs
the BIA coordinator to take into con-
sideration the unique challenges faced
by Native American communities, both
on and off Tribal lands, and to work in
cooperation with Tribal community
organizations to train Tribal law enforce-
ment, Indian Health Service care provid-
ers, and other Tribal community members on
identifying, responding to, and report-
ning on cases of missing persons, mur-
der, and human trafficking.
For 2 years, a joint commission on
reducing violent crimes against Indians
will be tasked with preparing rec-
ommendations on concrete actions the
Department of the Interior and the De-
partment of Justice can take to help
combat violent crimes against Native
Americans and on Native American
lands. These include the development
and implementation of strategies for
identifying, reporting, and responding
to instances of missing persons, mur-
der, and human trafficking; tracking
and reporting relevant data; and in-
creasing prosecutions in this neglected
arena. These are long-overdue critical
measures.
It is well past the time to help rec-
tify these problems, and I am pleased
that the Not Invisible Act will go a
long way in that process. Therefore, I
urge all of my colleagues to join me in
support of this bill today.
Mr. Speaker, I reserve the balance of
my time.
Mr. ARMSTRONG. Mr. Speaker, I
yield myself such time as I may con-
sume.

I rise in support of S. 982, the Not In-
visible Act of 2019.
We just discussed the appalling ex-
tent of missing and murdered indige-
nous women and how Savanna’s Act
will begin to address this issue. The
Not Invisible Act is another step to
solve this abhorrent problem.
This bill provides an opportunity for
the Federal Government to improve its
efforts to combat the growing crisis of
murder and trafficking and the dis-
appearance of indigenous men and
women.
While there are many Federal pro-
grams tasked with addressing violent
crime, the agencies that operate these
programs do not have an overarching
strategy to properly deploy these re-
sources in Indian Country and in urban
Indian communities. Program imple-
mentation often takes place without
considering the unique needs of Native
American communities in this context.
S. 982 will require the appropriate
agencies to coordinate prevention ef-
forts, grants, and programs across the
Bureau of Indian Affairs and the De-
partment of Justice, among other
stakeholders.
I urge my colleagues to join me in
supporting S. 982, and I reserve the bal-
ance of my time.
Ms. SCANLON. Mr. Speaker, I re-
serve the balance of my time.
Mr. ARMSTRONG. Mr. Speaker, I
yield 18 minutes to the gentleman from
Washington (Mr. NEWHOUSE), my good
friend.
Mr. NEWHOUSE. Mr. Speaker, I
thank my friend from North Dakota
(Mr. ARMSTRONG) for yielding to me
on this important issue, and respond-
ing to the request of the gentle-
man from Pennsylvania.
that we know is plaguing our Native communities across the country.

Despite unparalleled rates of violence, there is still no reliable way of knowing how many indigenous women go missing each year nor whose fate hangs in the balance of an unsolved murder case.

My congressional district in central Washington has been particularly affected by this crisis. Since the year 2013, there have been 13 cases of missing or murdered indigenous women on or around the Yakama Reservation alone.

This number accounts only for the land surrounding one of the 29 federally recognized Tribes in Washington State, let alone the hundreds of others across the country. This information is available only due to the efforts and activism of local communities.

Tribal and community leaders have held multiple marches, vigils, and community forums to raise awareness and demand to be heard.

The diligent reporting of the Yakima Herald-Republic, our local newspaper, has highlighted the response and activism on the ground by creating an online hub to list open cases involving missing and murdered women and providing resources for the community to report such disappearances.

Recently passed State laws in Olympia have enhanced data collection and improved communication between Tribal leaders, law enforcement, and various State agencies.

These local leaders have given a voice to the crisis, and I am heartened to see that the Federal Government is finally taking action. For too long, indigenous women and Native communities have faced this crisis all alone and suffered in silence.

The Trump administration has worked to bring this crisis to light, creating an interagency task force between the Departments of Justice and the Interior called Operation Lady Justice.

I was proud to welcome Assistant Secretary for Indian Affairs Tara Sweeney to central Washington last December, where she highlighted the administration’s effort to deliver justice to Native American communities. But Secretary Sweeney echoed the concerns of local leaders and myself by pointing out the need for congressional action.

By sending this bill to President Trump’s desk, we are signaling that we have heard them and that they are no longer invisible.

As Congress takes long-overdue action to address the crisis of missing and murdered indigenous women, I urge my colleagues to join me in supporting the Not Invisible Act.

Mr. ARMSTRONG. Mr. Speaker, I don’t think I could close any better than that, so I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, the Not Invisible Act does precisely what its title aims to do. It ensures that the Federal Government dedicates proper attention and gives visibility to the crisis of violence and sexual violence committed against American Indian and Alaska Native men and women. Indeed, these communities have been subjected to invisibility and neglect for far too long.

Mr. Speaker, I urge my colleagues to support this important bipartisan 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 Pennsylvania (Ms. SCANLON) that the House suspend the rules and pass the bill, S. 982.

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.

DEFENDING THE INTEGRITY OF VOTING SYSTEMS ACT

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1321) to amend title 18, United States Code, to prohibit interference with voting systems under the Computer Fraud and Abuse Act.

The Clerk read the title of the bill.

The text of the bill is as follows: S. 1321

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 “Defending the Integrity of Voting Systems Act”.

SEC. 2. PROHIBITION ON INTERFERENCE WITH VOTING SYSTEMS.

Section 103(e) of title 18, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by adding “or” at the end; and

(C) by adding at the end the following:

“(C) that—

(1) is part of a voting system; and

(2) is used for the management, support, or administration of a Federal election;

(II) has moved in or otherwise affects interstate or foreign commerce;

(2) in paragraph (11), by striking “and” at the end;

(3) in paragraph (12), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

“(13) the term ‘Federal election’ means any election (as defined in section 301(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(1))) for Federal office (as defined in section 301(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(3))); and

(14) the term ‘voting system’ has the meaning given the term in section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21031(b)).”.

The SPEAKER pro tempore. The motion to suspend the rules was agreed to by the Yeas and Nays: The Yeas were as follows: 1430

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include additional material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of S. 1321, the Defending the Integrity of Voting Systems Act.

We are on the verge of a significant, historic, and, really, life-or-death Presidential Federal election. This is an important legislative initiative. This important and timely legislation would strengthen Federal criminal laws related to interfering with voting systems used in a Federal election.

All of us want a fair and just election system. Voting is an essential part of our democracy. We must ensure that our citizens have confidence in our election systems.

As we know too well from the last Presidential election and from evidence that we continue to learn, our adversaries, Russians and others, are conducting cyber operations to interfere with our law enforcement. We are well aware of the Russian bots that interfered with the elections in 2016. We need to do all that we can to protect voting machines and the related infrastructure as we head to November.

The integrity and legitimacy of our elections is at stake. That is why this bill was developed: to ensure that our law concerning the unauthorized accessing of computer systems can also be used to prosecute those who hack into computer voting machines.

Led by Senator BLUMENTHAL and by our former colleague Mr. Ratcliffe in the House, this bipartisan legislation responds to a concerning report by the Justice Department’s Cyber-Digital Task Force in 2018. The report concluded that current law is inadequate, given all the potential threats to our Nation’s election security and voting systems. Specifically, the report identified a gap in current Federal criminal law relating to hacking of voting machines, especially when the machines are offline.

The Computer Fraud and Abuse Act is a key tool for the prosecution of computer crimes and the protection of property rights and computers, but the law is generally limited to certain devices connected to the internet. However, researchers have repeatedly demonstrated that ballot recording machines and other voting systems are susceptible to tampering based on physical or false accesses.

In order to reduce the risk of attack, more jurisdictions are adopting important and recommended measures to deal with such threats.
keep these voting systems off the internet. Therefore, S. 1321, this Senate bill, would expand the definition of the term "protected computer" under the Computer Fraud and Abuse Act to include computers, even if offline, that are a part of any voting system used in a Federal election.

It is so crucial that the American people know that we have taken this action today to protect them and to ensure the sanctity of the process of voting and democracy. By expanding the definition of computers that are protected under current law, we will enhance the ability of law enforcement and prosecutors to bring appropriate charges in instances in which computer voting systems are hacked.

The Senate passed this legislation with unanimous support, and it is now our turn to join our colleagues to adopt this important bill so that it may become law as quickly as possible. Therefore, Mr. Speaker, I ask all of my colleagues today to join me in this bipartisan, crucial legislation which upholds democracy and assures the sanctity of one vote, one person.

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

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

Mr. Speaker, I rise in support of S. 1321, the Defending the Integrity of Voting Systems Act.

This bill will protect our Nation’s most sacred democratic process by making it a Federal crime to hack any voting system used in a Federal election.

Protecting our Nation’s election process from bad actors must be a top priority of Congress.

In 2018, the Department of Justice’s Cyber-Digital Task Force issued a report finding that election systems were not adequately protected by Federal law. This bill is a bipartisan response to address the problems identified by the task force.

Bad actors who attempt to interfere in our elections must be punished for their actions. As someone who spends a lot of time here talking about where crimes fit in the State and Federal jurisdiction, we need it to do.

Again, let me remind my colleagues how important this change is. It doesn’t speak to mistakes or innocent mistakes, but what it does is make sure that a computer that is offline is subject to the laws of hacking that may occur when a computer is online or active.

We know how creative those who want to undermine and distract from a fair, just election are. They may not just have an inclination to hack an active computer. So under the Computer Fraud and Abuse Act, this is to include computers, even if they are offline, that are part of a voting system used in a Federal election.

Again, we understand how many people are engaged in making sure we have a secure and just election, and we know that this legislation focuses on the bad actors, and that is what we want to do.

The Integrity of Voting Systems Act will continue or start in many jurisdictions already. We know many States are engaged in early voting, where millions of people will be voting. This is an important initiative that needs to be signed immediately into law.

We need to do all that we can to address current threats and to ensure public confidence in our elections. This legislation will help advance that goal. That is why I ask all of my colleagues to join me in supporting passage of S. 1321 today.

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

The SPEAKER pro tempore. Is there objection to the motion offered by the gentleman from Texas (Ms. JACKSON LEE) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes?

The Chair recognizes the gentleman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

S. 1380, the Due Process Protection Act, introduced by Senators DAN SULLIVAN and DICK DURBIN and passed by unanimous consent in the Senate this past May, is a narrowly tailored, bipartisan bill that would reinforce the government’s already existing constitutional obligation to disclose exculpatory evidence. Sometimes, of course, that evidence can be the difference between innocence and conviction and fairness to both the government and the defendant.

The Due Process Clause of the United States Constitution requires that prosecutors disclose to the accused all favorable evidence that is material. Unfortunately, at this time, there are inadequate safeguards in Federal law to ensure that this practice is followed across the country.

According to the National Registry of Exonerations, from 1989 to 2017, prosecutors concealed exculpatory evidence at trial in half of all murder exonerations. Although this statistic includes State prosecutions, we know that exculpatory evidence is concealed in Federal cases as well.

Mr. Speaker, I have been involved in criminal justice reform for a very long time, and I have seen the damage that
not exposing or disclosing exculpatory evidence can do and how it is an imbalance as it relates to defendants who happen to be Brown or Black. That is unfair, and I know the America that I have come to know and love understands that justice should be equal for all.

Again, one prominent example of the failure to disclose exculpatory evidence was in the 2008 trial of then-Senator Ted Stevens. When it was later revealed that the Justice Department had committed misconduct by failing to turn over exculpatory evidence, the judge in that case concluded that he could not sanction the prosecutors because he had not issued a direct writen court order requiring them to abide by their constitutional obligations to disclose favorable evidence.

Many of us who knew that case, who knew Senator Stevens, knew, of course, that he had experienced an injustice.

Policing the Stevens case, in June 2018, the District Court for the District of Columbia, where the case was tried, amended its local rules to require prosecutors to comply with their disclosure obligations. Other Federal districts had already and have since issued specific local rules or standing orders that govern these obligations.

A 2011 survey by the Federal Judicial Center indicated that 38 of the 94 Federal districts had a local rule or standing order confirming the government’s obligation to disclose exculpatory and/or questioning the credibility of witnesses, which is known as impeachment, material.

To address this issue, the Due Process Protections Act would do three things, three very vital things to the scales of justice: One, amend the Federal Rules of Criminal Procedure to require that a judge issue an order to prosecution and defense counsel that confirms the disclosure obligation of the prosecutors in every criminal case; Two, require each judicial council in which a district court is located to issue a model order that its courts can use at their discretion; and, Three, leave it to the courts in each district to detail the parameters of their order.

Mr. Speaker, I have had the opportunity to meet with our Federal judges in our jurisdiction over the years, and I know that our discussions always fall on how we can enhance justice and be fair to all parties in the courthouse.

Criminal justice winds up with the defendant, if convicted, to lose their due process rights. Clearly, this is an important and significant legislation that protects all parties, but particularly when someone is subject to losing their due process rights or their freedom.

And so I support this legislation because, significantly, the bill would not impose any new requirements on prosecutors. It would simply require them to follow the Constitution or risk being sanctioned by the court.

It is a breath of fresh air to see the Constitution being raised over and over again for the good aspects of what American democracy is all about. The pillars upon which it is built are clearly that of justice and equality and fairness in our judicial system. Accordingly, this is a straightforward and bipartisan measure that would help our criminal justice system operate in a more effective and fair manner.

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

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

Mr. Speaker, I rise in support of S. 1380, the Due Process Protections Act. This is a commonsense, bipartisan bill that will reinforce constitutional protections for criminal defendants. This bill amends the Federal Rules of Criminal Procedure to require a judge to issue a Brady order, reminding prosecutors of their obligation to disclose all evidence material to the case, especially exculpatory evidence.

Although some judges already have a practice of issuing Brady orders, this bill will require all judges to issue it in all criminal proceedings. Our criminal justice system falls short when key evidence is withheld by prosecutors and revealed years later at a conviction. Due process is a fundamental right of all Americans; so is the right to a fair trial, protected by the Constitution and this bill helps guarantee that right.

I urge my colleagues to join me in supporting this bill, and I yield back the balance of my time.

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

I thank my friend and colleague from North Dakota for his leadership.

I thank, again, the chairman and ranking members of the committee, the subcommittee chairpersons and ranking members.

Mr. Speaker, let me just say that, as I indicated, it is with an enormous sense of pride and recognition and a breath of fresh air when we talk about the Constitution in this hallowed place, because this House and the other body are grounded in our appreciation and adherence to the Constitution.

The First Amendment, the Fourth Amendment, the Fifth Amendment and the Sixth Amendment, the Bill of Rights, and the right to due process that we find in the 14th Amendment and the Fifth Amendment. So I am delighted that the Due Process Protections Act is now recognized, and it is a commonsense bipartisan measure.

How much better we will be when all of the judicial districts require exculpatory evidence to be presented, because then you know that you have given all parties their fair chance, and someone who might lose their liberty, you give them a fair chance by putting forward all of the evidence that may be exculpatory.

So it is narrowly tailored to ensure that Federal prosecutors simply follow the law, as they already should, in every case.

I strongly urge my colleagues to support this breath of fresh air in the recounting of the Constitution, a document that continues to live in 2020 so that it will become law and order.

Again, I ask my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 1380.

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.

DOMESTIC TERRORISM PREVENTION ACT OF 2020

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5602) to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terror- rism, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5602
Be it enacted by the Senate and House of Rep- resentatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Domestic Terrorism Prevention Act of 2020”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Recent reports have demonstrated that White supremacy and far-right extremism are among the greatest domestic security threats facing the United States, including—

(A) a February 22, 2019, New York Times op-ed, by a Trump Administration United States Department of Justice official, who wrote that “White supremacy and far-right extremism are among the greatest domestic security threats facing the United States. Regrettably, over the past 25 years, law enforcement, at both the Federal and State levels, has been slow to respond to the killings committed by individuals and groups associated with far-right extremist groups have risen significantly.”;

(B) an April 2017 Government Accountability Office report on the significant, lethal threat posed by domestic violent extremists, which—

(i) explained that “[s]ince September 12, 2001, the number of fatalities caused by domestic violent extremists has ranged from 1 to 49 in a given year.”; and

(ii) noted that “[f]atalities resulting from attacks by far-right wing violent extremists have exceeded those caused by radical Islamist violent extremists in 10 of the 15 years, and were the single most deadly domestic terrorism incidents since September 12, 2001. Of the 85 violent extremism incidents that resulted in death
since September 12, 2001, far right wing violent extremist groups were responsible for 62 (73 percent) while radical Islamist violent extremists were responsible for 25 (27 percent). (c) An unclassified May 2017 joint intelligence bulletin from the Federal Bureau of Investigation and the Department of Homeland Security found that White supremacist extremism poses (a) persistent threat of lethal violence," and that White supremacists "were responsible for 49 homicides and 289 attacks from 2000 to 2016... more than any other domestic extremist movement.

2. Recent domestic terrorist attacks include:
(A) The August 5, 2012, mass shooting at a Sikh gurdwara in Oak Creek, Wisconsin, in which a White supremacist shot and killed 6 members of the gurdwara; (B) The April 13, 2014, mass shooting at a Jewish community center and a Jewish assisted living facility in Overland Park, Kansas, in which a neo-Nazi shot and killed 3 civilians, including a 14-year-old teenager; (C) The June 8, 2014, ambush in Las Vegas, Nevada, in which 2 supporters of the far-right-wing "patriot" movement shot and killed a police officer and wounded 2 civilians; (D) The June 17, 2015, mass shooting at the Emanuel AME Church in Charleston, South Carolina, in which a White supremacist shot and killed 9 members of the church; (E) The November 27, 2015, mass shooting at a Planned Parenthood clinic in Colorado Springs, Colorado, in which an anti-abortion extremist shot and killed a police officer and 2 civilians; (F) The March 20, 2017, murder of an African-American man in New York City, allegedly committed by a White supremacist who reportedly traveled to New York "for the purpose of killing black men"; (G) The May 26, 2017, attack in Portland, Oregon, in which a White supremacist allegedly murdered 2 men and injured a third after the men defended 2 young women whom the individual had targeted with anti-Muslim hate speech; (H) The August 12, 2017, attacks in Charlottesville, Virginia, in which—
(i) a gunman killed one and injured nineteen after driving his car through a crowd of individuals protesting a neo-Nazi rally, and of which former Attorney General Jeff Sessions described Lieutenant Hasson as a "domestic terrorist" in his statute; and
(ii) a group of 6 men linked to militia or White supremacist groups assaulted an African-American man who had been protesting the neo-Nazi rally in a downtown parking garage; (I) The July 2018 murder of an African-American woman from Kansas City, Missouri, allegedly committed by a White supremacist who reportedly bragged about being a member of Ku Klux Klan; (J) The October 24, 2018, shooting in Jefferstown, Kentucky, in which a White man allegedly murdered 2 African Americans at a gas station while attempting to enter a church with a predominantly African-American congregation during a service; (K) The October 27, 2018, mass shooting at the Tree of Life Congregation in Pittsburgh, Pennsylvania, in which a White nationalist allegedly shot and killed 11 members of the congregation; (L) On April 27, 2019, shooting at the Chabad of Poway synagogue in California, in which a man yelling anti-Semitic slurs allegedly killed a member of the congregation and wounded 3 others; (M) The August 3, 2019, mass shooting at a Walmart in El Paso, Texas, in which a White supremacist with anti-immigrant views killed 22 people and injured 26 others; (N) The December 10, 2019, shooting at a Kosher supermarket in Jersey City, New Jersey, in which a White supremacist killed 3 people in the store and a law enforcement officer in an earlier encounter; and (O) The December 28, 2019, machete attack at a house in Monsey, New York, in which a man who had expressed anti-Semitic views stabbed 5 individuals.

3. In November 2019, the Federal Bureau of Investigation released a domestic hate crime incident report, which found that in 2016, violent hate crimes reached a 16-year high. Though the overall number of hate crimes increased slightly over the last 6 years of these reports, the incident report found that a 4-percentage increase in aggravated assaults, a 1 percentage increase in simple assaults, and a 13-percentage increase in intimidation. There was also a nearly 6-percentage increase in hate crimes directed at LGBTQI individuals and a 14-percentage increase in hate crimes directed at Hispanic and Latino individuals. Nearly 60 percent of the religion-based hate crimes reported targeted American Jews and Jewish institutions. The previous year's report found that in 2015, hate crimes increased by 7 percent. The 2015 increase reflected a 23-percentage increase in religion-based hate crimes, an 18-percentage increase in race-based crimes, and a 15-percentage increase in crimes directed at LGBTQI individuals. The report analyzing 2016 data found that hate crimes increased by almost 5 percent that year, including a 19-percentage rise in hate crimes against American Muslims. Similarly, the report analyzing 2017 data found that hate crimes increased by 6 percent that year. Much of the 2015 increase came from a 68-percentage rise in attacks on American Muslims and a 9-percentage rise in attacks on American Jews. In all 4 reports, race-based crimes were the most numerous, and those crimes most often targeted African Americans. (4) On March 15, 2019, a White nationalist was arrested and charged with murder after allegedly killing 50 Muslim worshippers and injuring more than 40 in a massacre at the Al Noor Mosque and Linwood Mosque in Christchurch, New Zealand. The alleged shooter was one of the authors of a distancing manifesto that detailed his White nationalist ideology before the massacre. Prime Minister Jacinda Ardern labeled the massacre a terrorist act.

3. In January 2017, a right-wing extremist who had expressed anti-Muslim views was charged with murder for allegedly killing 6 people during a mass shooting and terror attack at a mosque in Quebec City, Canada. It was the first-ever mass shooting at a mosque in North America, and Prime Minister Trudeau labeled it a terrorist act.

4. On February 15, 2019, Federal authorities arrested U.S. Coast Guard Lieutenant Christopher Paul Hasson, who was allegedly planning to target prominent journalists, professors, judges, and "leftists in general." In court filings, prosecutors described Lieutenant Hasson as a "domestic terrorist" and "a domestic extremist" who also identified himself as a White Nationalist for over 30 years and advocated for "focused violence" in order to establish a white homeland.

5. On December 2, 2019, a man who authorities say was among masked Antifa supporters attacking conservatives at a June demonstration in Portland, Oregon, was arrested after police said he had been present in prison in connection with a conviction for aggravated assault. Gage Halupowski pleaded guilty to second-degree assault after authorities accused him of fighting with a conservative demonstrator who suffered blows to the head that the victim claims left him with a concussion and cuts that required 25 staples to close.

6. On December 12, 2019, an assailant involved in the prolonged firefight in Jersey City, New Jersey, that left six people dead, including one police officer, was linked on Wednesday to the Black Hebrew Israelite movement, and had public anti-Semitic posts online, a law enforcement official said.

7. On February 8, 2020, A gunman stormed a NYPD precinct after firing at police van, wounding 2. The police commissioner called the Bronx man a "domestic terrorist" and "a domestic terrorist act," on law enforcement.

8. In August 2020, a juvenile armed with a semi-automatic rifle heeded the online call to arms by a self-proclaimed militia group on Facebook to confront protesters in Kenosha, Wisconsin. He allegedly shot and killed two protestors and wounded a third. After the shootings, local police officers waved the alleged murderer through their lines, even after bystanders identified him as the shooter. The armed juvenile then traveled across State lines to his home.

2. SEC. 3. DEFINITIONS. In this Act—
(1) the term "Director" means the Director of the Federal Bureau of Investigation; and
(2) the term "domestic terrorism" has the meaning given in section 2331 of title 18, United States Code, except that it does not include acts of individuals associated with or inspired by—
(A) a foreign person or organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);
(B) an individual or organization designated under Executive Order 13224 (50 U.S.C. 13224 note); or
(C) a state sponsor of terrorism as defined by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2373).

3. (3) the term "Domestic Terrorism Executive Committee" means the committee within the Department of Justice tasked with assessing and sharing information about ongoing domestic terrorism
(4) the term "hate crime incident" means an act described in section 241, 245, 247, or 249 of title 18, United States Code, or in section 505 of the Civil Rights Act of 1968 (42 U.S.C. 2000a).

4. (5) the term "Secretary" means the Sec- retary of Homeland Security; and
(6) the term "uniformed services" has the meaning given in section 101(a) of title 10, United States Code.

SEC. 4. OFFICES TO COMBAT DOMESTIC TERRORISM.

(a) AUTHORIZATION OF OFFICES TO Monitor, Analyze, Investigate, and Prosecute Domestic Terrorism.

1. (1) DOMESTIC TERRORISM UNIT.—There is authorized a Domestic Terrorism Unit in the Office of Intelligence and Analysis of the Department of Homeland Security, which shall be responsible for monitoring and analyzing domestic terrorism activity.

2. (2) DOMESTIC TERRORISM OFFICE.—There is authorized a Domestic Terrorism Office in the Counterterrorism Section of the National Security Division of the Department of Justice—
(A) which shall be responsible for investigating and prosecuting incidents of domestic terrorism; and
(B) which shall be headed by the Domestic Terrorism Counsel.

3. (3) DOMESTIC TERRORISM SECTION OF THE FBI.—There is authorized a Domestic Terrorism Section within the Counterterrorism
Division of the Federal Bureau of Investigation, which shall be responsible for investigating domestic terrorism activity.

(4) STAFFING.—The Secretary, the Attorney General, and the Director shall each ensure that each office authorized under this section in their respective agencies shall:

(A) have adequate number of employees to perform their duties;

(B) have not less than 1 employee dedicated to ensuring compliance with civil rights and civil liberties laws and regulations; and

(C) require that all employees undergo annual anti-bias training.

(5) EXEMPTIONS.—The offices authorized under this subsection shall terminate on the date that is 10 years after the date of enactment of this Act.

(b) JOINT REPORT ON DOMESTIC TERRORISM.—

(1) BIANNUAL REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act and each 6 months thereafter for the 10-year period beginning on the date of enactment of this Act, the Secretary of Homeland Security, the Attorney General, and the Director of the Federal Bureau of Investigation shall submit a joint report authored by the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) to—

(A) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, the Select Committee on Intelligence of the Senate; and

(B) the Committee on the Judiciary, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include:

(A) a description of the domestic terrorism threat posed by White supremacists and neo-Nazis, including White supremacist and neo-Nazi infiltration of Federal, State, and local law enforcement agencies and the uniformed services; and

(B)(i) in the first report, an analysis of incidents or attempted incidents of domestic terrorism that have occurred in the United States since April 19, 1995, including any White-supremacist-related incidents or attempted incidents; and

(ii) in each subsequent report, an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding 6 months, including any White-supremacist-related incidents or attempted incidents; and

(C) a quantitative analysis of domestic terrorism for the preceding 6 months, including—

(i) the number of—

(A) domestic terrorism-related assessments initiated by the Bureau of Investigation, including the number of assessments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy and how many preliminary investigations resulted from assessments;

(B) domestic terrorism-related preliminary investigations initiated by the Federal Bureau of Investigation, including the number of preliminary investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy and how many preliminary investigations resulted from preliminary investigations and assessments;

(C) domestic terrorism-related full investigations initiated by the Federal Bureau of Investigation, including the number of full investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy and how many full investigations resulted from full investigations and assessments; and

(D) domestic terrorism-related incidents, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy and how many attacks, deaths and injuries resulting from each incident, and a detailed explanation of each incident;

(V) Federal domestic terrorism-related arrests, including the number of arrests from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy, and a detailed explanation of each arrest;

(VI) Federal domestic terrorism-related indictments, including the number of indictments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy, and a detailed explanation of each indictment;

(VII) Federal domestic terrorism-related prosecutions, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy, and a detailed explanation of each prosecution;

(VIII) Federal domestic terrorism-related convictions, including the number of convictions from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy, and a detailed explanation of each conviction; and

(IX) Federal domestic terrorism-related weapons recoveries, including the number of each type of weapon and the number of weapons from each classification and subcategory, with a specific classification or subcategory for those related to White supremacy, and a detailed explanation of each weapons seizure;

(3) HATE CRIMES.—In compiling a joint report under this subsection, the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall, in consultation with the Civil Rights Division of the Department of Justice and the Civil Rights Unit of the Federal Bureau of Investigation, review incidents reported during the preceding 6 months to determine whether the incident also constitutes a domestic terrorism-related incident.

(4) CLASSIFICATION AND PUBLIC RELEASE.—Each report submitted under paragraph (1) shall be—

(A) unclassified, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public websites of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

(5) NONDUPLICATION.—If two or more provisions of this subsection or any other law impose requirements on an agency to report or analyze information on domestic terrorism that are substantially similar, the agency shall construe such provisions as mutually supplemental, so as to provide for the most extensive reporting or analysis, and shall comply with each such requirement as fully as possible.

(c) DOMESTIC TERRORISM EXECUTIVE COMMITTEE.—There is authorized a Domestic Terrorism Executive Committee, which shall—

(1) meet on a regular basis, and not less than once each biennium, to coordinate with United States Attorneys and other key public safety officials across the country to promote information sharing and ensure an effective, responsive, and organized joint effort to combat domestic terrorism; and

(2) be co-chaired by—

(A) the Domestic Terrorism Counsel authorized under subsection (a)(2)(B);

(B) a United States Attorney or Assistant United States Attorney;

(C) a member of the National Security Division of the Department of Justice; and

(D) a member of the Federal Bureau of Investigation.

(d) Federal Bureau of Investigation Focus on Greatest Threats.—The domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall maintain limited resources on the most significant domestic terrorism threats, as determined by the number of domestic terrorism-related incidents from each category and subcategory in the joint report for the preceding 6 months required under subsection (b).

SEC. 5. TRAINING TO COMBAT DOMESTIC TERRORISM.

(a) REQUIRED TRAINING AND RESOURCES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and each 6 months thereafter, the Attorney General, and the Director shall review the anti-terrorism training and resources of their respective agencies that are provided to Federal, State, local, and Tribal law enforcement agencies, including the State and Local Anti-Terrorism Program fund established by the Bureau of Justice Assistance of the Department of Justice, and ensure that such programs include training and resources for the most significant domestic terrorism threats, as determined by the quantitative analysis in the joint report required under section 4(b).

(2) REQUIREMENT.—Any individual who provides domestic terrorism training required under this section shall have—

(1) expertise in domestic terrorism; and

(2) relevant academic, law enforcement, or other community-based experience in matters related to domestic terrorism.

(b) REPORT.—In GENERAL.—Not later than 6 months after the date of enactment of this Act and twice each year thereafter, the Attorney General, the Director, and the Secretary shall submit a biannual report to the appropriate committees of Congress described in section 4(b) on the domestic terrorism training implemented by their respective agencies and the results of the joint committee of Congress described in section 4(b)(1) on the domestic terrorism training implemented by their respective agencies.

(c) SEC. 6. INTERAGENCY TASK FORCE.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Attorney General, the Director, the Secretary, and the Secretary of Defense shall establish an interagency task force that analyzes and combats White supremacist and neo-Nazi infiltration of the uniformed services and Federal law enforcement agencies.

(b) In General.—(1) IN GENERAL.—Not later than 1 year after the interagency task force is established
There was no objection.

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

First, I certainly want to thank all of the sponsors of this bill, and I thank Mr. Schiff for all of the important work that has been done on this legislation.

With the consideration of H.R. 5602, the Domestic Terrorism Prevention Act, the House takes affirmative steps in this time to address the rising menace of domestic terrorism and white supremacy.

This bill creates three offices, one each within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to monitor, investigate, and prosecute cases of domestic terrorism.

These newly created offices would focus their resources based on data collected on the most significant threats with specific white supremacist terrorism. Additionally, pursuant to this bill, DOJ and DHS would issue joint biennial reports to Congress assessing the state of domestic terrorism threats.

Let me say, Mr. Speaker, that this legislation is not based on a whim. It is not based on someone’s taste or dis-taste; likes or dislikes. This is based on facts. And as we continue to view the modeling of domestic terrorism, we will begin to continue to respond to it legislatively. But now we have a solid base of information dealing with the issues of growing white supremacy.

The creation of these offices and congressional reporting are much-needed measures to refocus the Federal Government’s domestic terrorism efforts on the greatest threat to the American people: white supremacy and white nationalism.

In April of last year, the Judiciary Committee held a hearing titled: ‘‘Hate Crimes and the Rise of White Nationalism.’’ Sadly, since then there have been countless domestic terrorism attacks.

The shooting spree at a Walmart in El Paso, Texas, in August of 2019 was the deadliest attack in modern times against the Latino community in the United States and the third deadliest act of violence by domestic terrorism extremists in more than 50 years.

I joined my colleagues who represented the community that they experienced was without compassion. I went to a funeral. I went to the memorial. I went to where the place was that had been set up as a temporary place of honor. The pain was un-ceasing in that community. And just a few months ago, they had to com-memorate the bitterness of 1 year.

I also went to the hospital and visited individuals who had put them-selves in the line of fire to protect oth-ers. I think since that time one person, in particular, has passed away.

This was a painful experience, and I can imagine that it will be painful for a very long time.

In the last decade, places of worship, a Sikh temple in Milwaukee, the Emanuel African Methodist Episcopal Church, Mother Emanuel, where the victims who remained alive actually forgave the perpetrator who came and sat down and prayed; sat among people who were mourning who welcomed him. They lost a distinguished pastor and people who were so kind. People could not understand why they lost their lives. Thousands came to the memorial, and, of course, our President at the time, President Obama, said how painful it was for this Nation.

Then, of course, Pittsburgh’s Tree of Life synagogue. I visited Pittsburgh, Pennsylvania, and met individuals who had been impacted by this horrific tragedy. In the midst of Rosh Hasha-nah, to our friends who are in the midst of their holiday, it is more than fitting that we acknowledge how domestic terrorism can divide so many communities, so many innocent communities, whether it be of a particular faith, a particular ethnicity, or a particular status.

We have seen all of this become tragic symbols of deadly threats a white supremacist poses even to the faith communities.

Just last Thursday in a committee that I participated in, FBI Director Christopher Wray—the Homeland Security Committee—one again stated that white supremacists constitute the largest portion of racially motivated violent extremists.

In the same vein, before the House Homeland Security Committee, Director Wray testified that antigovernment and anti-authority groups have been responsible for the most lethal attacks this year. We know that. So we want to be sure that we are protecting the American people.

None of us adhere to extremism or violence. We understand peaceful pro-cess, and we stand by the principles of democracy of this Nation that has kept us a democracy for all of these many years.

Just a few weeks ago our Nation was reminded how dangerous violent extremism can be. A rightwing militia boasting 3,000 members promoted an event on Facebook calling for patriots willing to take up arms and travel to Kenosha, Wisconsin, to confront protesters.

Tragically, hours later, a 17-year-old youth heeded the call, traveled across State lines, and is alleged to have murdered two protesters and injured a third. He has yet to be brought to justice because he is still waiting on an extradition procedure who didn’t find him. Local police allowed this young man to safely pass through their lines and go home, despite the fact that bystanders had identified him as the shooter. That was one incident.

We have seen law enforcement take up the issues of protecting our neighbors across the Nation and in those instances, of course, we recognize good policing and we thank them for it.
The tragic events in Kenosha are yet another example of how rightwing militia groups continue to pose a present threat. Indeed, over the last decade, rightwing extremists have been responsible for 76 percent of all domestic extremist-related murders. The time for Congress to act is now.

The key elements of the Domestic Terrorism Prevention Act seek to address fundamental deficiencies highlighted at the April 2019 Judiciary Committee hearing in the Federal Government’s response to domestic terrorism and specifically white supremacy.

Let me be very clear. We want a comprehensive response to terrorism. We want to rely upon our intelligence communities as it relates to international terrorism.

We have done so because I have been on the Homeland Security Committee for a very long time and, as well, have seen the work of the Judiciary Committee. But we must be comprehensive in looking at terrorism; we must be responsive; and we must secure and make sure that the American people are safe.

Currently, the Federal Government has a number of statutory authorities to bring charges against domestic terrorists, including those who are white supremacists. Yet, it is clear that the Department of Justice has not initiated a sufficient number of these prosecutions. H.R. 5602 creates offices within the DOJ and DHS aimed at pooling the resources from all parts of each respective Department to focus them on the greatest threat of white supremacy.

The reporting elements of this bill aim to keep Congress better informed of the domestic terrorism threats presented so that Congress can more readily assess what resources and authorities are necessary to protect the country against domestic terrorist activities.

I am well aware of the work that was done in the last administration of trying to neutralize the idea of radicalizing individuals who were dealing with ISIS, al-Qaida, and others. Unfortunately, even that has been taken away from the work that we have been doing. This may be a time that that work begins to rise up as it relates to white supremacy and white nationalism.

This legislation is a necessary and measured response to the real threats this country faces.

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

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

Mr. Speaker, at a time when violent extremists are destroying cities nationwide, our Democratic colleagues here in the House continue to ignore this violence. The chairman of the Judiciary Committee even called Antifa violence a myth and imaginary. Instead of addressing violent leftwing extremism head-on, my colleagues across the aisle only want to use this bill for political purposes. They are not interested in passing legislation that would make any real difference in rooting out violent extremists.

Democrats are unable to call out the violent anarchists who are burning down cities all around the country. Instead, they seem to want to paint a picture that ties only conservatives to domestic terrorism. Only this bill blatantly politicizes its face, but it increases our already bloated bureaucracy by adding three new separate offices to do the exact same thing. That is the very definition of duplication and government waste.

We already have dedicated law enforcement who fight domestic terrorism every day, and we should recognize them, commend them, and let them do their jobs. Unfortunately, my colleagues across the aisle likely will not do that either.

Democrats must end the partisan charades. Democrats must stop ignoring the leftwing violence and crime that has taken over American cities. Instead of this biased approach in this bill, we should pass legislation that roots out all kinds of domestic terrorism, not just the type that is politically convenient for Democrats.

Mr. Speaker, I urge my colleagues to join me in opposing this bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, just one point that I want to make as I yield to the author and leader on this bill is that we are continuously fighting a known, recognized domestic terrorism. This vital bill will provide the reporting for a roadmap to do the right thing. That is what the Federal Government is challenged and charged to do.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. SCHNEIDER). Congressmen SCHNEIDER is a member of the Judiciary Committee and is the author of this legislation.

Mr. SCHNEIDER. Mr. Speaker, I thank my friend, the gentlewoman from Texas, for yielding.

Mr. Speaker, I am proud to rise in support of my bill, H.R. 5602, the Domestic Terrorism Prevention Act of 2020.

White supremacists and other far-right extremists are the most significant domestic terrorism threat facing the United States. Don’t take my word for it. Making that point last week in testimony to the House Homeland Security Committee, FBI Director Christopher Wray stated that domestic violence extremists, DVEs, “pose a steady and evolving threat of violence and economic harm to the United States.”

He notes in his next paragraph: “The threat from domestic violent extremists stems from those we identify as racially/ethnically motivated violent extremists (RMVE).”

RMVEs were the primary source of ideologically motivated lethal incidents and violence in 2018 and 2019. From the Tree of Life synagogue to Walmart in El Paso, Texas, we have all tragically seen the deadly effect.

According to the Southern Poverty Law Center, the number of white nationalist groups rose by 55 percent since 2017. Last November, the FBI reported violent hate crimes reached a 15-year high in 2018, and that number went up in 2019.

Groups like the boogaloo, Rise Above Movement, and white nationalist militias across the country are organizing, and so must we. Therefore, we must be equipped to combat this threat. H.R. 5602 creates offices to do the exact same thing. It requires them to report to Congress twice a year on the assessment of the threats, ranking them and allocating the resources based on their assessed threats.

Congress must, with a single voice, definitively state that if you or your group is plotting violence or taking weapons—be they guns or knives or otherwise—into a crowd to intimidate or coerce others to further your ideological goals, you are a terrorist and will be treated as such.

This is not a partisan issue but one that affects all Americans’ personal and economic security. This bill passed out of committee with bipartisan support overwhelmingly, 24-2.

Mr. Speaker, I urge all of my colleagues to vote “yes.” This bill will make a real difference. Again, I thank the chairman and the Speaker for bringing my bill to the House today.

Ms. JACKSON LEE. Mr. Speaker, I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. CONGRESSIONAL RECORD — HOUSE H4587 Mr. SCHNEIDER), the ranking member of the Judiciary Committee.

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

Mr. Speaker, Republicans denounce all violent extremism. Why won’t the Democrats? Weeks ago in the committee, the Attorney General of the United States asked the chairman of the Judiciary Committee, asked the Democrats, why won’t you speak out against the mob? Why won’t you speak out against the violence that is taking place in our great cities all across the country this past summer?

Guess what he got. Total, total silence.

We have a bill on domestic terrorism, but a bill that barely mentions Antifa, otherwise.

Mr. Speaker, do you know why the one reference is in there? Because Republicans on the committee, through
Mr. STEUBE, offered an amendment in the committee.

Not mentioned in the bill are two things that have happened in the last 30 days. The cold-blooded murder of a Trump supporter by an Antifa member was not mentioned in the resolution, and it was also not mentioned in the bill. Not mentioned in the bill is the assassination attempt on two police officers sitting in their patrol car just 2 weeks ago.

Let's condemn all violent extremism. Maybe they won't do that because, as my good friend from North Dakota said, the chairman of the House Judiciary Committee, the committee with that storied history of defending the rule of law, maybe because that individual said that Antifa is imaginary and that Antifa is a myth.

Ask Andy Ngo that, Mr. Speaker. Ask the journalist who was attacked by Antifa a year ago. Ask the people in Portland, Oregon. For over 100 days, their city has been under siege. There has been a siege on the Federal court building there by Antifa, but one reference only in their legislation, and that is only there because Mr. STEUBE offered the amendment in committee.

Portland, Oregon. For over 100 days, this organization has been targeting the business owners, the people, and the residents in Portland, Oregon, and in other cities around our country. Democrats can call what has been happening to our cities all manner of peaceful protest but calling rioting, looting, and arson peaceful protests doesn’t make it so.

Let's condemn all of it. We should speak out against all domestic terrorism. We should denounce the violence—the rioting, the looting, and the arson—that is taking place in our cities. We should not have another political messaging bill, which is exactly what this is.

Ms. JACKSON LEE. Mr. Speaker, would you share the time remaining, please.

The SPEAKER pro tempore. The gentlewoman from Texas has 8 minutes remaining.

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

Mr. Speaker, let me thank my good friend from Ohio for bringing to our attention something that I think is very important. It allows me to say that I don't know one single person in this body who condones violent protests. I have not run into anyone in the Judiciary Committee, and I have not seen anyone on the floor on either side of the aisle. That is why this legislation is laying us on a pathway of getting facts and information so that we can do what is right to secure the American people.

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

Mr. ARMSTRONG. Mr. Speaker, I was in the committee when we did this and when we accepted Republican amendments and garnered some support from the other side of the aisle in committee. I have no doubt that my friends on the other side of the aisle condemn all kinds of violence, but somewhere between committee and here things got added to the bill.

Mr. Speaker, do you know what didn't get added? Not one mention of the horrific attack against two police officers shot at pointblank range in their patrol car. The bill did not mention the murder of a Trump supporter in Portland. But it did mention the incident in Kenosha.

So, while the gentlewoman says she supports a certain thing or nobody condemns certain things, their actions on how this occurs show us where their priorities are. The priorities are political because we could have added all of these things.

I find it interesting and odd on the same day that we are talking about due process, rights to effective assistance of counsel, justice for juveniles, and all the election integrity and voting, we don't condemn the burning down of the post office in Minneapolis. We don't talk about these other things, but we will make sure we mention a juvenile offender in Kenosha prior to any of his court hearings being held.

We can talk about delaying justice and the administration of justice, but that is not how it reads in the bill, and that is not how it was spoken to on the floor.

Mr. Speaker, if we are going to do this, all I ask is that we are consistent. The gentlewoman can stand here and say that we condemn all forms of violent extremism, but only once it was added to the bill after committee. That is because it fits a particular political narrative, and we have no interest in actually rooting out domestic terrorism wherever it exists. We want to make sure it fits a particular narrative. That is not what this bill is about, and that is why we should oppose it.

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

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

I thank the gentleman for his commentary, but I am going to rise and ask my colleagues to support this legislation in a bipartisan manner.

As indicated—I would correct my friend's interpretation—Mr. STEUBE's amendment was added in the markup and the findings at that time addressed antigovernment actors and violence against police. We made it very clear, and it was bipartisan, that we condemn violence of any kind.

But what I would say as well is that the simple addition as it relates to Kenosha was in sharp contrast to the visual, the video, of a direct skin contact shooting of an individual whose back was turned, and then the call across the Nation for white supremacists and white nationalists to come and defend.

Defend what?

There was law enforcement there. I think the governor had even asked for the Wisconsin National Guard to safeguard everyone.

But here was someone that came—a teenager. I am grateful that he remained alive; grateful. But he walked with guns, and is alleged to have wounded at least, never was confronted by officers, of course, to our knowledge, and got home to sleep in his bed.

On the other hand, Jacob Blake, whose father I met, wound up in ICU, and I have not heard any Member of this body who condoned in the strongest terms, the shooting of Los Angeles dep- uties and are pleased to hear that they are recovering.

I would just indicate that we need to adhere to that right. This legislation is laying us on a pathway of getting facts and information so that we can do what is right to secure the American people.

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

Mr. Speaker, I remember in this legislation the commitment when the committee added Mr. STEUBE's—"a Republican's—amendment at markup that included findings that addressed antigovernment actors and violence against police. We did add that in a bipartisan way. I want to remind my colleagues that the legislation itself was passed in a bipartisan manner.

We have seen what happens when we undermine coordination. We see what happens when the pandemic office was dismissed out of the White House that was coordinating with agencies on COVID-19 or other pandemics. We see the confusion that we have.

This legislation is simply trying to make sure that our very fine public servants who are fighting domestic terrorism are fighting it with the best informational tools they can get.

How do they do that? With this very fine legislation that allows us to be able to get the right kind of data. I want to just indicate a lot of things have been happening. I have watched peaceful protesters be subjected to violence. My heart goes out. Those are someone's children; they are young people; they have children to pro- testing. They have a right, as our dear beloved colleague has always said, to speak up. John Robert Lewis always said to speak up and get into good trouble to make this Nation better.

I have not heard any Member of this body not condemn, in the strongest terms, the shooting of Los Angeles dep- uties and are pleased to hear that they are recovering.

I thank the gentleman for his comments. That is why this legislation was passed in a bipartisan manner.

As indicated—I would correct my friend's interpretation—Mr. STEUBE's amendment was added in the markup and the findings at that time addressed antigovernment actors and violence against police. We made it very clear, and it was bipartisan, that we condemn violence of any kind.

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Defend what?
do, and that we don’t get a young man from Illinois versus another young man from Ohio, who was 12 years old—Tamir Rice—who didn’t get to go home. We want to make sure that we have fairness.

Mr. Speaker, as I said, I am very concerned about the shootings of these individuals, the Los Angeles deputies. We don’t know the motives of the assailants. It remains unknown. But we continue to seek justice for them, and we want to make sure that the threat of white supremacist and domestic terrorism is known.

Mr. Speaker, this bill directs directly and I think it will provide for a very important tool for our law enforcement—unbiased—without any effort to try and stigmatize anyone.

Mr. Speaker, in closing, domestic terrorism is a serious threat to our country. We must take real action to address the rise of hate crimes and white supremacy. This legislation would address the rising tide of white supremacy without impinging on constitutional rights.

It reflects a careful balance between empowering the investigatory agencies of the Government to curb hateful and dangerous incidents of domestic terrorism and protecting the rights of free speech and assembly.

Mr. Speaker, I thank Representative BRAD SCHNEIDER for his leadership and his diligent work on this important legislation during this Congress. We will be better for the passage of this legislation. The Nation will be better. It is critical that we adopt this bill.

Mr. Speaker, I ask my colleagues to support this bipartisan legislation, passed out of the Committee on the Judiciary in a bipartisan vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. JACKSON LEE) that the House suspend the rules and pass the bill, H.R. 5602, 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.

STRENGTHENING THE OPPOSITION TO FEMALE GENITAL MUTILATION ACT OF 2020

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5600) to amend title 18, United States Code, to clarify the criminalization of female genital mutilation, and for other purposes, as amended.

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

H.R. 5600

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 “Strengthening the Opposition to Female Genital Mutilation Act of 2020” or the “STOP FGM Act of 2020”.

SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.

The Congress finds the following:

(1) Female genital mutilation is recognized internationally as a human rights violation and a form of child abuse, gender discrimination, and child exploitation.

(2) Female genital mutilation is a global problem whose eradication requires international cooperation and enforcement at the national level. The United States should demonstrate its commitment to the rights of women and girls by leading the way in the international community in banning this abhorrent practice.

(3) Congress has previously prohibited the commission of female genital mutilation on minors. Female genital mutilation is a heinous practice that often inflicts excruciating pain on its victims and causes them to suffer grave physical and psychological harm.

(4) Congress has the power under article I, section 8 of the Constitution to make all laws which shall be necessary and proper for carrying into execution treaties entered into by the United States.

(5) Congress also has the power under the Commerce Clause to prohibit female genital mutilation. An international market for the practice exists, and persons who perform female genital mutilation in other countries typically earn a living from doing so.

(6) Those who perform this conduct often rely on a connection to interstate or foreign commerce, such as interstate or foreign travel, the transmission or receipt of communications in interstate or foreign commerce, the use of instruments traded in interstate or foreign commerce, or payments of any kind in furtherance of this conduct.

(7) Amending the statute to specify a link to interstate or foreign commerce would confirm that Congress has the affirmative power to prohibit this conduct.

SEC. 3. AMENDMENTS TO CURRENT LAW ON FEMALE GENITAL MUTILATION.

Section 166C of title 18, United States Code, is amended—

(1) by adding subsection (a) to read as follows:

(a)(1) Except as provided in subsection (b), whoever, in any circumstance described in subsection (d), knowingly—

(1) performs, attempts to perform, or conspires to perform female genital mutilation on another person who has not attained the age of 18 years;

(2) being the parent, guardian, or caretaker of a child under the age of 18 years facilitates or consents to the female genital mutilation of such person; or

(3) transports a person who has not attained the age of 18 years for the purpose of the performance of female genital mutilation on such person, shall be fined under this title, imprisoned not more than 10 years, or both.

(2) by adding subsection (c) to read as follows:

(c) It shall not be a defense to a prosecution under this section that female genital mutilation is required as a matter of religion, custom, tradition, ritual, or standard practice.

(3) by striking subsection (d); and

(4) by adding at the end the following:

(d) For the purposes of subsection (a), the circumstances described in this subsection are that:

(1) the defendant or victim traveled in interstate or foreign commerce, or traveled using a means, channel, facility, or instrumentality of interstate or foreign commerce in furtherance of or in connection with the conduct described in subsection (a);

(2) the defendant used a means, channel, facility, or instrumentality of interstate or foreign commerce in furtherance of or in connection with the conduct described in subsection (a);

(3) any payment of any kind was made, directly or indirectly, in furtherance of or in connection with the conduct described in subsection (a) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in or affecting interstate or foreign commerce;

(4) the defendant transmitted in interstate or foreign commerce any communication relating to or in furtherance of the conduct described in subsection (a) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means or in manner, including by computer, telephone, wire, or electromagnetic transmission;

(5) any instrument, item, substance, or other object that has traveled in interstate or foreign commerce was used to perform the conduct described in subsection (a);

(6) the conduct described in subsection (a) occurred within the special maritime and territorial jurisdiction of the United States, or any territory or possession of the United States; or

(7) the conduct described in subsection (a) otherwise occurred in or affected interstate or foreign commerce.

(e) For purposes of this section, the term ‘female genital mutilation’ means any procedure performed on non-medical reasons that involves partial or total removal of, or other injury to, the external female genitalia, and includes—

(1) a clitoridectomy or the partial or total removal of the clitoris or the prepuce of the clitoris;

(2) excision or the partial or total removal (with or without excision of the clitoral hood);

(3) infibulation or the narrowing of the vaginal opening (with or without excision of the labia minora or the labia majora, or both);

(4) other procedures that are harmful to the female genital area, including pricking, incising, scraping, or cauterizing the genital area.

SEC. 4. REPORT.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the Attorney General, in consultation with the Secretary of Homeland Security, the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Education, shall submit to Congress a report that includes—

(1) an estimate of the number of women and girls in the United States at risk of or who have been subjected to female genital mutilation;

(2) the protections available and actions taken, if any, by Federal, State, and local agencies to protect women and girls; and

(3) the actions taken by Federal agencies to educate and assist communities and key stakeholders about female genital mutilation.

SEC. 5. SENSE OF THE CONGRESS.

It is the sense of the Congress that the United States District Court for the Eastern District of Michigan erred in invalidating the prior version of such section 116 (See United States v. Nagarwala, 350 F. Supp. 3d 613, 631 (E.D. Mich. 2018)). The commercial nature of female genital mutilation (herein-after in this section referred to as “FGM”) is “self-evident,” meaning that the “absence of
particularized findings” about the commercial nature of FGM in the predecessor statute did not “call into question Congress’s authority to legislate” (Gonzales v. Raich, 545 U.S. 21, 2005). Nevertheless, the Congress has elected to amend the FGM statute to clarify the commercial nature of the conduct that this statute regulates. But, by doing so, Congress deliberately ratified the district court’s erroneous interpretation in Nagaurwa.

SEC. 6. 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 Texas (Ms. JACKSON LEE) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this bill is a long time in coming. And I extend a general thank you for all of the legislative bills on the Committee on the Judiciary that have come today, and the staff, and the excellent work they have done. And let me particularly thank the Subcommittee on Crime for the great work they have done on this legislation, strengthening the opposition to Female Genital Mutilation Act. And it should ratify the STOP FGM Act, to amend current law to ensure that the horrific practice of female genital mutilation is Federally prohibited consistent with constitutional restraints.

Let me indicate that we have been asked to engage. It is always good to know that the Congress can do things to fix a skewed system that harms individuals every single day, and in this instance, it is many young people.

Mr. Speaker, this bill would ensure that it is a Federal crime to: One, perform, attempt to perform, or conspire to perform female genital mutilation of FGM on a minor; Two, while being a parent, guardian, or caretaker of a minor, facilitate or consent to the female genital mutilation of the minor; or Three, transport a minor for the purpose of the performance of female genital mutilation of the minor.

The bill would also increase the statutory maximum term of imprisonment for a violation of the statute from 5 years to 10 years, though these are not mandatory minimums.

The bill is necessary because a district court in Michigan recently dismissed the first Federal prosecution under the existing statute, finding that the prohibited did not have a significant nexus to interstate commerce. We had to engage in fixing this issue.

Mr. Speaker, H.R. 6100 addresses this issue by ensuring that one or more of the following circumstances must exist. The defendant or victim’s travel in interstate or foreign commerce, the defendant’s use of means of interstate or foreign commerce, payment of any kind made using any means, channel, facility or instrumentality of interstate or foreign commerce, and the defendant’s use of a means of communication affecting interstate or foreign commerce, and the defendant’s prohibition of a means of communication affecting interstate or foreign commerce. We are therefore confident that this updated prohibition is constitutional and it is critical that we take these steps to update this statute.

Mr. Speaker, the one thing I will say is, we cannot let what is a technical, legal act by the court to continue to provide the deferral for young, innocent victims. In the United States, approximately 500,000 women and girls were at risk for FGM or its consequences, and more than 3 million girls are estimated to be at risk for FGM annually, worldwide.

The U.S. Government has acknowledged the international implications of FGM. For instance, in 2018 U.S. Immigration and Customs Enforcement initiated Operation Limelight USA, an outreach program designed by ICE’s Homeland Security Investigations Human Rights Violators and War Crimes Unit, and I thank them for their work to educate travelers on the dangers and consequences of FGM.

In one case, in the United States, in pockets around the Nation, where these women are mutilated for life. These girls, at a very young age, are mutilated for life in the United States, where we have been discussing on this floor your due process, the sanctity of your own body, your privacy rights under the Ninth Amendment.

In addition, both the FBI and the Human Rights and Special Prosecutions Section of the Criminal Division of the Department of Justice work domestically to prosecute and investigate cases involving FGM. We want to give them the tools that they can use to get it right.

Federal law enforcement agencies acknowledge that FGM is a global issue and they work with international partners to eliminate this horrific practice. FGM, therefore, is considered to have a substantial effect on interstate commerce because, although illegal, there is an established interstate and international market for the practice.

I include in the RECORD an article about female genital mutilation.
can report their experience or suspicions. But as several advocates told CNN, the most important conversations may be happening in homes and places of worship, as survivors share their stories and work to end FGM.

"This thing," Aron said, "needs to be talked about."

"SPECIAL GIRLS' TRIP"
The FBI started looking into the Detroit-area case when investigators learned that female genital mutilation was being performed at the Burhani Medical Clinic. Investigators in February learned that two young girls from Minnesota went to the clinic with their mothers for a "special girls' trip" that they weren't to tell anyone about, documents show. One girl told the FBI the physician took them to music because "our tummies hurt" and a doctor would "get the germs out."

There were three people in the office, "one to clean up and two to hold (the child's) hands," the girl later told investigators. The FBI says they were local emergency room physician Dr. Jumana Nagarwala, clinic director Dr. Fakhruddin Attar and his wife. Farida Attar, who managed the office in Livonia, Michigan, court records show.

"The girl said she took off her pants and underwear, and she was put on an exam table with her knees near her chest and legs spread apart, documents show.

Nagarwala then gave her a "little pinch" in the area "where we go pee." She said the doctor told her and her friend "no bikes and no splits for three days," and the day after the procedure, the area "hurt a lot."

"The girl said she and her friend got cake afterward because "they were doing good," documents show. An exam found the girl's labia minora were altered, her clitoral hood looking abnormal, plus scar tissue and small healing cuts, court records show.

The Attars and Nagarwala each face two counts of female genital mutilation, one count of conspiracy to commit female genital mutilation, and one count of conspiracy to obstruct an official proceeding. The physicians could face life in prison if convicted.

"This brutal practice is conducted on girls for one reason: to control them as women," Daniel Lemisch, acting US Attorney for the Eastern District of Michigan, said in a statement. "FGM will not be tolerated in the United States.

But survivors for the accused say their clients are being persecuted for practicing their religion. Nagarwala has pleaded not guilty on all counts; the Attars have not entered pleas, but their attorneys argue they are not guilty of any crimes.

CLEANSING RITUAL NOT ILLLEGAL, LAWYER SAYS
Nagarwala acknowledges performing a procedure on both girls, her lawyer, Shannon Smith, said. But it wasn't female genital mutilation, she said, according to court documents; it was a non-invasive, religious cleansing ritual in the Dawoodi Bohra tradition, rooted in India.

Nagarwala has been terminated from her job at Henry Ford Health System in light of this case, claims she used a long scalpel-like tool to wipe a small portion of mucous membrane from the girls' clitorises, then put the membrane onto gauze for their parents to bury, Smith said, adding that her client's "personal issue and says there was no blood, documents show.

The political environment surrounding the federal prosecution concerns Dina Francesca Haynes, a Haitian immigrant who has worked on hundreds of FGM cases.

"During a time when vigilantism and xenophobia (are) high, the likelihood that doctors of past origins would be heretofore seems to also be an additional risk," Haynes told CNN. "It makes me uncomfort-

able that the first prosecution here looks like it's focusing on a particular community of people."

Haynes doesn't like when "my human rights issues are used for a bigger agenda," she said.

Leaders of the Dawoodi Bohra mosque in Michigan, one of several hubs of the sect in the United States, are concerned that the government officials who were "trained to help investigators."

"Any violation of US law is counter to in-
structions to our community members," they said in a statement. "This Dawoodi Bohras that we respect the laws of the land, wherever we live. This is precisely what we have done for several generations in America. We have encouraged our members regularly of their obligations."

CNN's calls to mosques attended by the girls' parents and the defendants were not returned.

"NEVER TALK ABOUT IT"

This case has caught the attention of FGM survivors across the country, who share a common story. They were cut at a young age and told not to speak of it.

In 1947, Renee Bergstrom was 3, living with her white, fundamentalist Christian family in the rural Minnesota town where her mother saw her toddler touching herself, she worried. "So, she took me to a doctor who said, 'I can fix that,' and removed my clitoris," Bergstrom said. But it wasn't female genital mutilation, she said, according to court documents.

"This was done (to me) in white America and it's an extremely violent thing that was done to me, but it's also such a complicated form of violence," Bergstrom said. "Children tend to rally around their parents and wouldn't think to report any kind of abuse until later."

"Children tend to rally around their parents and wouldn't think to report any kind of abuse until later."

"Then, I remember, I was on the floor and my dress was pushed in," Taher recalled. "I right away thinking something sharp and crying afterwards. One of the older women gave me a soda. That's all I remember of it."

Taher, now 34, said it wasn't until she was a teenager that she realized she had FGM in Africa and realized what had happened to her. Her scarring was minimal. All the same, she said, it was a violation. "FGM is such a childhood, it's really hard for me to talk about this," she said. "I feel that people paint me as the picture of a victim, and I hate that. Yes, that's what happened to me, but it's also such a complicated form of violence."

"Taher, whose mother and grandmother also endured cutting, lives in Massachusetts and co-founded Sassy, an organization that works to end the practice in the Dawoodi Bohra community. She helps women tell their stories—or being cut, of deciding not to cut, of pretending to have been cut in order to fit in—through social media.

Years later, she also has realized perhaps the most personal achievement of her work: She convinced her mother to oppose FGM.

"We've had continual conversations," Taher said. "I've never blamed her."

JACKSON LEE has the power under the Commerce Clause to prohibit FGM, and that is why I was very glad to be the author and sponsor of this legislation by introducing this—what the cosponsors and I believe—is an important bipartisan bill.

My former colleague, Congressman Crowley of New York, worked with me on this for many, many years. Our goal is to protect all women and girls from the practice of FGM and to provide the Justice Department with an effective means of prosecuting those who commit this terrible act. That is why I support this legislation and authored this legislation at the same time.

Mr. Speaker, as a senior member of the Committees on the Judiciary and on Home,

la, I hope, and as the bill sponsor, I rise in strong support of H.R. 6100, the "Strength-
ening the Opposition to Female Genital Mutila-
Act of 2020," which I introduced with the Congressmen BACON of Nebraska, the lead cosponsor.

I want thank Chairman NADLER for his tre-
mendous leadership during this Congress and the past several months of hardship, stress, and disruption not only of the regular normalized operations of this Committee but of the Congress and more importantly, the lives of the American people.

It has been said of Americans that we do the difficult immediately, and the impossible takes a little longer.

The legislative session today is a testament to the determination of this Committee that de-
spite the coronavirus, has declined the life of over 200,000 Americans, that legislation to improve the lives of the people we represent and the communities we serve will not be halted.

The problems facing ordinary Americans due to laws and inequities in the criminal jus-
tice system, the immigration system, the health care system, the economy, the trade-
mark system and others do not take a time-
out because of the pandemic and neither does..."
Mr. Speaker, female genital mutilation (FGM) is an abhorrent practice and a recognition of international human rights violation. The U.S. Department of Justice then prosecuted a Michigan doctor who performed this brutal act on several minors.

Mr. Speaker, according to the World Health Organization (WHO) there are no positive health benefits from practice of FGM and the Organization (WHO) there are no positive health benefits from practice of FGM and the organization every year.

Mr. Speaker, I rise in support of H.R. 6100, the STOP FGM Act of 2020. This bill outlaws a practice that is recognized internationally as a human rights violation, and even torture. It is an extreme form of discrimination against women and girls. Unfortunately, half a million girls and women worldwide are subject to this torture or at risk for it. I am sure most people assumed that FGM was already illegal. It was. In 1996, Congress prohibited the practice of FGM. But in 2018, a Federal judge in Michigan dismissed charges against a doctor and others from a local Indian Dawoodi Bohra community involved in the mutilation of nine young girls. The judge ruled that the Federal Government does not have the power to regulate FGM.

Mr. Speaker, I yield myself such time as I may consume. Since that time, the Justice Department has been able to stop these acts of violence against America's young girls.

Mr. Speaker, I think all my colleagues can come together and support this important bipartisan bill, and I urge my colleagues to join me in supporting H.R. 6100.

Mr. Speaker, I yield back the balance of my time.
SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Throughout United States history, society has used (in conjunction with skin color) hair texture and hairstyle to classify individuals on the basis of race.

(2) Like one's skin color, one's hair has served as a basis of race and national origin discrimination.

(3) Racial and national origin discrimination can and do occur because of longstanding racial and national origin biases and stereotypes associated with hair texture and style.

(4) For example, routinely, people of African descent are deprived of educational and employment opportunities because they are adorned or protected with protective hairstyles in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, or Afros.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Federal Government should acknowledge that individuals who have hair texture or wear a hairstyle that is historically associated with race or national origin are subjected to discrimination in schools, workplaces, and other contexts based on longstanding race and national origin stereotypes and biases; and

(2) a clear and comprehensive law should address the adverse effects of racial and national origin discrimination in education, training, employment, and other opportunities on the basis of race and hairstyle that are commonly associated with race or national origin.

(3) clear, consistent, and enforceable legal standards must be provided to redress widespread incidences of race and national origin discrimination on the basis of hair texture and hairstyle that are commonly associated with race or national origin; and

(4) it is necessary to prevent educational, employment, and other decisions, practices, and policies generated by or reflecting negative biases and stereotypes related to race or national origin; and

(5) the Federal Government must play a key role in enforcing Federal civil rights laws in a way that secures equal educational, employment, and other opportunities for all individuals regardless of their race or national origin.

(6) the Federal Government must play a central role in enforcing the standards established under this Act on behalf of individuals who suffer race or national origin discrimination based upon hair texture and hairstyle.

(7) it is necessary to prohibit and provide remedies for the harms suffered as a result of race or national origin discrimination on the basis of hair texture and hairstyle; and

(8) it is necessary to mandate that school, workplace, and other applicable standards be applied in a nondiscriminatory manner and that such adoption or implementation of grooming requirements that disproportionately impact people of African descent.

(c) PURPOSE.—The purpose of this Act is to institute definitions of race and national origin for Federal civil rights laws that facilitate the comprehensive scope of protection Congress intended to be afforded by such laws and Congress' objective to eliminate race and national origin discrimination in the United States.

SEC. 3. FEDERALLY ASSISTED PROGRAMS.

(a) IN GENERAL.—No individual in the United States shall be subjected to a practice prohibited under section 604 of the Civil Rights Act of 1964 (42 U.S.C. 2000e) or section 1977 of the Revised Statutes (42 U.S.C. 2000e) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual, on the basis of race or national origin, whether or not such individual's race or national origin, including a hairstyle in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, or Afros.

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in title II of the Civil Rights Act of 1964, and as if a violation of subsection (a) was treated as if it was a violation of section 201, 202, or 203, as appropriate, of such Act.

(c) DEFINITION.—In this section, the terms "race" and "national origin" mean, respectively, "race" within the meaning of the term in section 201 of that Act (42 U.S.C. 2000e) and "national origin" within the meaning of the term in section 201.

SEC. 4. EMPLOYMENT.

(a) IN GENERAL.—No person in the United States shall be subjected to a practice prohibited under section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e) or section 1977 of the Revised Statutes (42 U.S.C. 2000e) based on the person's hair texture or hairstyle, if that hairstyle or race or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in the Fair Housing Act (42 U.S.C. 3602); and as if such subsection was treated as if it was a discriminatory housing practice.

(c) DEFINITION.—In this section—

(1) the term "employment practice" and "person" have the meanings given the terms in section 602 of the Fair Housing Act (42 U.S.C. 3602), and

(2) the terms "race" and "national origin" mean, respectively, "race" within the meaning of the term in section 201 of that Act (42 U.S.C. 2000e) and "national origin" within the meaning of the term in that section.

SEC. 5. PUBLIC ACCOMMODATIONS.

(a) IN GENERAL.—No person in the United States shall be subjected to a practice prohibited under section 804 of the Civil Rights Act of 1964 (42 U.S.C. 2000e) or section 1977 of the Revised Statutes (42 U.S.C. 2000e) based on the person's hair texture or hairstyle, if that hairstyle or that hair texture is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in title II of the Civil Rights Act of 1964, and as if a violation of subsection (a) was treated as if it was a violation of section 201, 202, or 203, as appropriate, of such Act.

(c) DEFINITION.—In this section, the terms "race" and "national origin" mean, respectively, "race" within the meaning of the term in section 201 of that Act (42 U.S.C. 2000e) and "national origin" within the meaning of the term in that section.

SEC. 6. EDUCATION.

(a) IN GENERAL.—It shall be an unlawful employment practice for an employer, employment agency, labor organization, or joint labor-management committee controlling apprenticeship or training (including on-the-job training programs) to fail or refuse to hire or to discharge any individual or otherwise to discriminate against any individual on the basis of race or national origin, whether or not such individual's race or national origin, including a hairstyle in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, and Afros.

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in title VII of the Civil Rights Act of 1964, and as if a violation of subsection (a) was treated as if it was a violation of section 703 of that Act (42 U.S.C. 2000e-3).

(c) DEFINITION.—In this section, the terms "person", race", and "national origin" have the meanings given the terms in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e).

SEC. 7. EQUAL RIGHTS UNDER THE LAW.

(a) IN GENERAL.—No person in the United States shall be subjected to a practice prohibited under section 201, 202, or 203 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), or the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and as if such section was treated as if it was a discriminatory housing practice based on the person's hair texture or hairstyle, if that hairstyle or that hair texture is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, and Afros).
had dreadlocks. Apparently, the school district could not find title VII. did not understand the law, and he did not experience the benefit of the law, being suspended and not being able to graduate. That was a dastardly action, and we are all sufferers for that happening to that young man who didn’t deserve it.

This legislation will leave no ambiguity, in key areas where Federal law prohibits race and national origin discrimination, discrimination based on a hair texture or hairstyle, if they are commonly associated with a particular race or national origin, is unlawful.

The history of discrimination based on race and national origin in this country is, sadly, older than the country itself, and we are still living with the consequences today.

Congress took a pivotal step in the fight against racism and discrimination when it passed the Civil Rights Act of 1964. Title VII, which addresses discrimination on the basis of race and national origin, as well as other characteristics in key areas of life.

This law did not eliminate discrimination entirely. One cannot legislate away the historical and cultural roots of prejudice and discrimination. It is, however, one of the most effective laws we have to address this issue.

Even Dr. Martin Luther King said that we can never gain the ability to change hearts, but he could change laws. This is what we are doing today.

We cannot fool ourselves into thinking that discrimination is no longer alive and well; however, the recent protests over police brutality, systemic racism, and institutional racism have forced many who would rather look the other way to confront the continuing and pervasive legacy of racism in our country.

While racism and discrimination still take many blatantly obvious forms, they also manifest themselves in more subtle ways. One form is discrimination based on natural hairstyles and hair textures associated with people of African descent.

I think you can take a national survey, go across the country in all 50 States and find someone who is of African descent, and they will tell you about the response to either their hairstyles, as relates to men, and to women and their hairstyles.

According to a 2019 study of Black and non-Black women conducted by the JOY Collective, Black people are disproportionately burdened by policies and practices in public policies, including the workplace, that target, profile, or single them out for natural hairstyles and other hairstyling traditions associated with their race, like braids, locks, and twists.

Often, these hair styles are protective hairstyles—hairstyles that tuck the ends of one’s hair away and minimize manipulation and exposure to the weather—and can play an important role in helping to keep one’s hair healthy. They can be utilitarian, and we are denied that right to have a hairstyle that is utilitarian. That may be dreadlocks and braids and various other hairstyles that are neatly placed on one’s head, the crown.

These findings are bolstered by numerous reports of incidents in recent years showing that this form of discrimination is common. For example, in 2017, a Banana Republic employee in Delaware was fired by a manager who had violated the company’s dress code because her box braids were too urban and unkempt.

A year later, a New Jersey high school student was forced by a White referree to either have his dreadlocks cut or forfeit a wrestling match, ultimately leading to a league official humiliatingly cutting the student’s hair in public immediately before the match.

Let me just pause for a moment. Any of us who raised children, a son or a daughter, has that image in our heart, in our DNA. That picture has gone viral. It is still there. That young man can be 30 or 40 or 50, and you will see him wrestling. He will be a man. He will be a hero. And in the public eye, he is having one of the most sacred parts of anyone’s experience—your hair—being cut publicly for the world to view. I just feel a pain right now seeing that young man do that. His parents were not there, or had no ability to respond, but he had the courage to get it done so that he could compete with his teammates.

In that same year, an 11-year-old Black girl was asked to leave class at a school near New Orleans because her braided hair extensions violated the school’s policy.

Unfortunately, research shows that such discrimination is pervasive. The JOY Collective study found that Black women are more likely than non-Black women to have received formal grooming policies in the workplace and that Black women’s hairstyles were consistently rated to be lower or “less ready” for job performance than non-Black hairstyles by substantial margins.

In view of these disturbing facts, seven States—California, New York, New Jersey, Virginia, Colorado, Washington, and Maryland—have enacted State versions of the CROWN Act, in every case with bipartisan support, sometimes even with unanimous support of both parties. I know my State is finally going to attempt to do so in the next legislative session in the State house.

While I applaud these States for taking this necessary step, this is a matter of basic justice that deals with Federal law, civil rights, title VII, that demands a national solution by this Congress. I am glad that we are where we are today.

Additionally, the United States military has recognized the racially disparate impact of seemingly neutral
grooming policies on persons of African ancestry, particularly Black women. For this reason, in 2017, the Army repealed a grooming regulation prohibiting women servicemembers from wearing their hair in dreadlocks, and, in 2015, the Marine Corps issued regulations allowing hair and beard styles. None of that impacts your service to this Nation.

I thank the gentleman from Louisiana, Representative Cedric Richmond, for introducing and championing this important bill and for his leadership on this issue.

I urge my colleagues to pass H.R. 5309, and I reserve the balance of my time.

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

I watched the wrestling video and I hear the stories from a school in Texas or Banana Republic, and I find these things so hard, I don’t think you can find any Member in this Chamber who doesn’t find racial discrimination to be repugnant and inconsistent with basic standards of human decency.

What Democrats and Republicans also agree on is that using hairstyles as an excuse for engaging in racial discrimination is wrong and is already illegal under Federal civil rights law, and I think that is where we come to a little bit of a disagreement. If a school administrator in Texas can’t find title VII, then I am going to find this language in addition to title VII.

In 1973, the Supreme Court held that using a pretextual reason as cover for undertaking an action prohibited by Federal civil rights laws is, nonetheless, a violation of Federal civil rights laws. As early as 1976, Federal courts held that discrimination on the basis of a hairstyle associated with a certain race or national origin may constitute racial discrimination.

Looking at both this bill and the law, it appears to me that the behavior that we are seeking to make illegal is already illegal. However, both at markup and on the floor, our colleagues have made impassioned arguments about why this bill is necessary, even though we all agree that the activity that we are already talking about is already illegal.

That doesn’t take anything away from the discrimination or the embarrassment of those young men or women have felt in any of those incidents, but I am not sure the bill solves the problem, and that is why I wish the committee had taken time to examine whether the bill is either redundant or necessary.

Our committee should have held a hearing with alleged victims of the sort of discrimination that the Democrats argue this bill is designed to help. Our committee should have had a hearing to determine if this bill will achieve what it is intended to do.

Schools, employers, and other entities covered by Federal civil rights laws can have race-neutral policies that everyone must follow. They can also have race-neutral policies that have a disparate racial impact, and those are the places we need to address. The bill doesn’t get to the heart of our problem.

Our committee should have examined how this bill would affect the ability of schools, employers, and other entities to maintain such policies. But we never had a hearing; we just had a markup.

Chairman Nadler brought this bill straight to markup, and now we are on the floor today without any legislative hearing.

I am not even sure it is a bad idea. But I would like to know if it is not redundant and I would like to know what the unintended consequences are. And there are real reasons why, when you are dealing with civil rights law, particularly on something that has already been agreed upon that is illegal, enforcement and legality are two different things, and we just don’t know enough about what we are doing or why it is necessary.

So, I would ask that we oppose this bill, and I reserve the balance of my time.

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

Mr. Speaker, let me indicate that I want to thank the previous speaker for raising his concerns.

I think what I would like to offer to him is that people have been suffering these indignities for decades. Natural hair is coming back. We called it Afros. And anyone who wore an Afro in a certain era was really confronted and looked at. There were vast numbers of people wearing Afros, whether males or females, individuals of African descent. I am a living witness, and we are living witnesses to that.

So I do want to make the point that it is not redundant. I will make this point again. But in 2016, the Eleventh Circuit rejected the EEOC’s argument that existing law prohibits hair discrimination as a proxy for race discrimination.

What I did say, as we worked together, Mr. Armstrong—I appreciate his commentary and his leadership—is that we are here to fix things, and here we have that the Eleventh Circuit would not accept that.

I thank the gentleman for raising the concern, and I think Chairman Nadler looked at this carefully and subcommittee chairpersons looked at this carefully and knew that we had to proceed.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. Lee), who is a distinguished senior member on the Appropriations Committee but, more importantly, has, I think, had her own life experience and has fought throughout her life for civil rights, civil justice, and ensuring that the most vulnerable will have a voice.

Ms. Lee of California. Mr. Speaker, I thank Representative Jackson Lee for yielding and also for her tremendous work advancing the floor, and also to Chairman Nadler and his support for this legislation. Also, I want to thank and acknowledge Representatives Richmond, Fudge, and Pressley for their tremendous leadership and vision for putting this bill together, and I am in strong support of it.

Mr. Speaker, this morning I thought about our beloved John Lewis and how he moved mountains. He was a humble man. He was an original cosponsor of this bill, and this bill is an example of how we make good trouble to end discrimination.

This bill will prohibit, finally, discrimination based on an individual’s style or texture of hair, commonly associated with the race or national origin in the definition of racial discrimination. It is really hard for me to believe that we have to introduce this bill in the 21st century, and so I just want to thank our advocates who have worked so hard to bring this bill to the floor.

As one who has worn her hair as I choose, including natural, I have had many unpleasant encounters with people who told me I did not look like a Member of Congress because of my hair, over and over again. Discrimination against African Americans in schools and in the workplace is real, and it is a continued barrier to equality in our country.

Black men and women continue to face workplace stereotypes and are pressured to adopt White standards of beauty and professionalism. Our daughters are penalized in school for natural hairstyles deemed as messy and unruly in juxtaposition to the treatment of their White counterparts. That is a fact.

Students have been humiliated and suspended for having beautifully braided extensions or forced to cut their locks before a high school wrestling match because it was a violation of some dress code. And across the country, people of African descent have been required to cut or change the natural style or texture of their hair just to get a job.

Now, when I was in college, in the day, I was told that I looked too militant and should change my hairstyle if I wanted to be successful in the workplace.

In 2014, the women of the Congressional Black Caucus urged the Army to rescind Army regulations—and Congress was quick to act on my letter—this was regulation 670-1, which prohibited many hairstyles worn by African-American women and other
women of color. After months of building support, I led an amendment and it was included in the fiscal year 2015 Defense Appropriations Bill to ban funding for this discriminatory rule. A few years later, the United States Navy removed this discriminatory policy.

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

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, with reference to the amendment that I got into the fiscal year 2015 Defense Appropriations Bill funding, to deny funding for this discriminatory rule. We moved forward, and later the U.S. Navy removed their discriminatory policy. They knew it was discriminatory, and finally permitted women, specifically women of color, to wear their hair in dreadlocks, large buns, braids, and ponytails.

The gentleman laid the groundwork for my home State, California, to become the first State to ban discrimination against African Americans for wearing natural hairstyles at school or in the workplace with the passage of California's first Black hairstyles discrimination act. And I am proud and so proud of Senator Holly Mitchell and so proud of Senator Michelle Wu for getting this done.

We owe it to our children to take action in Congress to break down these barriers and make sure that they know that, yes, Black is still beautiful. And, yes, Mr. Speaker, Ms. JACKSON LEE’s crown and braids are beautiful.

Our young people see that with this bill we don’t want them to be penalized. And they are being penalized if they wear their hair like I wear my hair or like Congresswoman JACKSON LEE wears her hair, they are penalized.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I want to make the point how important this is to let our young children know that it is okay and that we honor them for being who they are by wearing their hair the way that they choose. They won’t be penalized. They won’t be kicked out. They won’t be humiliated or demeaned by just doing that. It is finally time, in this 21st century, to say enough is enough.

Mr. ARMSTRONG. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. JORDAN), the ranking member of the Judiciary Committee.

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

Mr. Speaker, a few minutes ago we had a bill on domestic terrorism, Democrats wouldn’t add language about an assassination attempt on two police officers just 2 weeks ago, but now we have a bill to Federalize hairstyles. Federalize hairstyles.

Democrats are doing nothing to address the violence and unrest in the streets of our cities, attacks on law enforcement officers across the country. Portland and other cities continue to surrender their streets to violent left-wing agitators, placing their residences and businesses at risk—residents and businesses owned across the country from—you have got Asian Americans, African Americans, you got all kinds—all Americans—can’t deal with that, but we can Federalize hair. Racial discrimination is terrible, it is wrong, and it is already illegal under the law, as the gentleman from North Dakota pointed out. You go ask any American right now, September 2020: What should the United States House of Representatives be focused on? Lots of important issues we have got to deal with.

But a policy that I think is redundant, as the gentleman pointed out, that is already covered under Federal law. We don’t want any discrimination and we should rightly deal with it when it raises its ugly head. But this, come on. We can’t add language to a domestic terrorism bill about two terrible things that have happened in the last month, but we are going to spend time on Federalizing a hairstyle.

Mr. Speaker, I think we should vote against this.

Ms. JACKSON LEE. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, in closing, I will say that the stories we hear, and the things are terrible, but this is a problem of education and not legislation. And it is more than that.

Without having these hearings, without understanding this, without understanding where in our current law that we don’t already make this conduct and this pretextual racial conduct illegal, we essentially are saying that we are—I mean, making something illegal twice isn’t going to change somebody’s mind if it was already illegal once, and I think that is the mistake we are making here. It is not about the conduct or the underlying conduct and those types of things, it is about what we are trying to accomplish, how we are doing it, and the process in which we do it.

The sentiment is there, and I can’t disagree with the underlying conduct. I just don’t think this bill solves the problem they are trying to solve. And I don’t think we have nearly enough evidence to show that it does. So with that, I would urge my colleagues to vote against this legislation, and I yield back the balance of my time.

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

Mr. Speaker, I appreciate the comments of my good friend from North Dakota, and even my good friend from Ohio. But as I close, let me, first of all, indicate this couldn’t be a more important bill. I heard on the floor someone talk about this being a proxy for race discrimination. Whenever we can have civil rights, equal rights, and equality as being redundant, then America is doing the right thing. Whenever we can clarify the 11th Circuit that rejected the argument that this is a law prohibiting hair discrimination as a proxy for race discrimination, whenever we can clarify that—we can save the dignity, the hurt, and sometimes the ruination of people who simply because of the color of their skin and the kind of hair that they have, ruins their life or disallows them from graduating or have a public shedding of their hair for the world to see so that they can support their team.

Whenever we are able to fix this on the floor of the House, I think we should do it.

And I take issue with my good friend from Ohio, we have the legislative remedies. We have done this before. We have condemned this violence against law enforcement officers, and we mourn and ensure that the world knows that we are praying for and have indicated our condemnation of the shooting of the two officers in California and wish for their speedy recovery. And, as well, I want to make sure that all those who are shown to have done this are quickly brought to justice. That is in the legislative history.

We also recognize that the issues dealing with Kenosha are unique and, therefore, we are sorry that Tamir Rice did not get the opportunity as a young boy, just as this 17-year-old, who was clearly engaged with white supremacy and white nationalism, came to this place to do harm, which he did. Tamir Rice was just a 12-year-old boy in a park.

So I don’t think you can equate the two, and I don’t think you can suggest that we are not supposed to respond to domestic terrorism.

So let me indicate, Mr. Speaker, that I do want to thank Mr. RICHMOND, Ms. FUDGE, Ms. PRESSLEY, and as my colleague mentioned, the late John Robert Lewis, who was always looking for good trouble and to do what is right as a cosponsor of this legislation.

H.R. 5309 is an important piece of legislation that will continue to ensure that hairstyles and hair extremes commonly associated with a particular race or national origin cannot be used as proxies for race or national origin discrimination.

Hair discrimination should already be prohibited by Federal civil rights statutes, but unfortunately some Federal courts have interpreted these statutes so narrowly as to effectively permit using hair discrimination as a proxy for race or national origin discrimination. H.R. 5309 corrects this erroneous interpretation and further extends justice and equality for all.
Mr. Speaker, I just want to put into the RECORD the plight of two students in the Barbers Hill Independent School District in my State where these two outstanding students, athletes, good academic students, were humiliated because of their tradition was to wear dreadlocks, and they were suspended. And one or maybe two of them were not able to walk with their class. Humiliation. Discrimination that never got corrected. So today, for them, we corrected. Mr. Arnold, we correct it. We acknowledge that you deserve your civil rights.

Mr. Speaker, I urge the House to pass H.R. 5309, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FUDGE. Mr. Speaker, I rise today in support of H.R. 5309, the Creating a Respectful and Open World for Natural Hair Act—also known as the C.R.O.W.N. Act.

Too often African Americans are required to meet unreasonable standards of grooming in the workplace and in the classroom with respect to our hair. Most of those standards are cultural norms that coincide with the texture and style of Black hair.

In 2014, my Congressional Black Caucus colleagues and I successfully pushed the U.S. military to reverse its rules classifying hairstyles often worn by female soldiers of color as "unauthorized". The military’s regulation used words like "unkempt" and "matted" when referring to traditional African American hairstyles.

To require anyone to change their natural appearance to further their career or education is a clear violation of their civil rights.

A 2019 study by Dove found Black women are 30 percent more likely to receive a formal grooming policy in the workplace and in the classroom with respect to our hair. Most of those standards are cultural norms that coincide with the texture and style of Black hair.

A 2019 study by Dove found Black women are 30 percent more likely to receive a formal grooming policy in the workplace. Black women are also 1.5 times more likely to report being forced to leave work or know of a Black woman who was forced to leave work because of her hair.

This is unacceptable.

Seven states agree, including California, New York, New Jersey, Virginia, Washington, and Maryland. All have enacted laws banning racial hair discrimination. It is past time we ban the practice at the federal level.

The CROWN Act does that—by federally prohibiting discrimination based on hair styles and hair textures commonly associated with a particular race or national origin.

I was proud to introduce this bill with my friend Congressman Richard Thompson. This bill ensures African Americans no longer have to be afraid to show up to work or the classroom as anything other than who they are.

I urge my colleagues to vote in favor of the CROWN Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, H.R. 5309, 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.

MESSAGE FROM THE PRESIDENT
A message in writing from the President of the United States was communicated to the House by Ms. Wanda Neiman, one of his secretaries.

Ensuring Diversity in Community Banking Act of 2019

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5322) to establish or modify requirements relating to minority depository institutions, community development financial institutions, and impact banks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Ensuring Diversity in Community Banking Act".

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "Ensuring Diversity in Community Banking Act".

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Sense of Congress on funding the bank-loan loss reserve fund for small dollar loans.
Sec. 3. Definitions.
Sec. 4. Inclusion of women’s banks in the definition of minority depository institution.
Sec. 5. Establishment of impact bank descriptive grant program.
Sec. 6. Minority Depositories Advisory Committee.
Sec. 7. Federal deposits in minority depository institutions.
Sec. 8. Minority Bank Deposit Program.
Sec. 9. Diversity report and best practices.
Sec. 10. Investments in minority depository institution impact banks.
Sec. 11. Report on covered mentor-protégé programs.
Sec. 12. Custodial deposit program for covered minority depository institutions and impact banks.
Sec. 13. Streamlined community development financial institution application and reporting requirements.
Sec. 14. Task force on lending to small business concerns.
Sec. 15. Discretionary surplus funds.
Sec. 16. Demonstration and regulatory effects.

SEC. 2. SENSE OF CONGRESS ON FUNDING THE LOAN-LOSS RESERVE FUND FOR SMALL DOLLAR LOANS.

The sense of Congress is as follows:

(1) The Community Development Financial Institutions Fund (the "CDFI Fund") is an agency of the Department of the Treasury, and was established by the Riegle Community Development and Regulatory Improvement Act of 1994. The mission of the CDFI Fund is to expand economic opportunity for underserved people and communities by supporting the growth and capacity of a national network of community development lenders, investors, and financial service providers.

(2) A community development financial institution (a "CDFI") is a specialized financial institution serving low-income communities and a Community Development Entity (a "CDE") is a domestic corporation or partnership that is an intermediary vehicle for the provision of loans, investments, or financial counseling in low-income communities.

(3) The CDFI Fund certifies CDFIs and CDEs. Becoming a certified CDFI or CDE allows organizations to participate in various CDFI Fund programs as follows:

(A) The Bank Enterprise Award Program, which provides FDIC-insured depository institutions awards for a demonstrated increase in lending and investments in distressed communities and CDFIs.

(B) The CDFI Program, which provides financial and technical assistance awards to CDFIs to reinvest in the CDFI, and to build the capacity of the CDFI community to provide financial product development and loan loss reserves.

(C) The Native American CDFI Assistance Program, which provides CDFIs and sponsoring entities financial and technical assistance awards to increase lending and grow the number of CDFIs owned by Native Americans to help build capacity of such CDFIs.

(D) The New Market Tax Credit Program, which provides tax credits for making equity investments in CDFIs that enable capital investments in low-income communities.

(E) The Capital Magnet Fund, which provides awards to CDFIs and nonprofit affordable housing organizations to support affordable housing solutions and related economic development activities.

(F) The Bond Guarantee Program, a source of long-term, patient capital for CDFIs to expand lending and investment capacity for community and economic development purposes.

(2) The Department of the Treasury is authorized to create multi-year grant programs designed to encourage low-to-moderate income individuals to establish accounts at insured banks, and low-to-moderate income individuals’ access to such accounts on reasonable terms.

(3) Under this authority, grants to participating CDFIs are used for loan-loss reserves and to establish small-dollar loan programs by subsidizing related losses. These grants also allow for the providing recipients with the financial counseling and education necessary to conduct transactions and manage their accounts. These loans provide low-cost alternatives to payday loans and other forms of financing that often impose excessive interest rates and fees on borrowers, and lead millions of Americans to fall into debt traps. Small-dollar loans can be made pursuant to terms, conditions, and practices that are reasonable for the individual consumer obtaining the loan.

(4) Participation in the program is restricted to eligible institutions, which are limited to organizations listed in section 501(c)(3) of the Internal Revenue Code and exempt from tax under section 501(a) of such Federal insured depository institutions, community development financial institutions and State, local, or Tribal government entities.

Since its founding, the CDFI Fund has awarded over $3,300,000,000 to CDFIs and CDEs, allocated $54,000,000,000 in tax credits,
and $1,510,000,000 in bond guarantees. According
to the CDI Fund, some programs attract
as much as $10 in private capital for every $1 invested by the CDI Fund. The Ad-
mnistration, the Treasury, and the Consumer Financial Protection Bureau
would prioritize appropriation of funds for the loan loss reserve fund and technical assistance programs administered by the Community Development Financial Institution Fund.

SEC. 3. DEFINITIONS.
In this Act:
(1) COMMUNITY DEVELOPMENT FINANCIAL INTI-
STITUTION.—The term "community development financial institution" means any institution that is designated as an impact bank.
(2) MINORITY DEPOSITORY INSTITUTION.—The
term "minority depository institution" means the meaning given under section 308 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702).

SEC. 4. INCLUSION OF WOMEN'S BANKS IN THE DEFINITION OF MINORITY DEPOSI-
TORY INSTITUTION.
Section 308(b)(1) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended—
(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;
(2) by striking "means" and inserting the following: "means—
"(A) any"; and
(3) in clause (ii) as redesignated, by striking the period at the end and inserting "; and"

SEC. 5. ESTABLISHMENT OF IMPACT BANK DESIGN.
(a) IN GENERAL.—Each Federal banking agency shall establish a program under which an insured depository institution with total consolidated assets of less than $10,000,000,000 may elect to designate itself as an impact bank if the total dollar value of the loans extended by the institution to low-income borrowers is greater than or equal to 50 percent of the assets of such bank.
(b) NOTIFICATION OF ELIGIBILITY.—Based on data and information gathered from examinations of depository institutions, the appropriate Federal banking agency shall notify a depository institution that the institution is eligible to be designated as an impact bank.
(c) APPLICATION.—Regardless of whether or not it has received a notice of eligibility under subsection (b), a depository institution may apply to the appropriate Federal banking agency—
(1) requesting to be designated as an impact bank; and
(2) demonstrating that the depository institution meets the applicable qualifications.
(d) LIMITATION ON ADDITIONAL DATA RE-
QUIREMENTS.—The Federal banking agencies may only impose additional data collection requirements on a depository institution under this section if such data—
(1) necessary to process an application submitted under subsection (c); or
(2) with respect to a depository institution that is designated as an impact bank, nec-
essary to permit the depository institution's ongoing qualifications to maintain such designa-

(e) REMOVAL OF DESIGNATION.—If the ap-
proaching Federal banking agency deter-
mines that a depository institution designated as an impact bank no longer meets the requirement for designation, the appro-
appropriate Federal banking agency shall rescind the designation and notify the depository in-
stitution of such rescission.
(f) RECONSIDERATION OF DESIGNATION; AP-
PEALS.—Under such procedures as the Fed-
eral banking agencies may establish, a de-
pository institution may submit to the appropriate Federal banking agency a request to reconsider a determination that such depository institution no longer meets the criteria for designation; or
(2) file an appeal of such determination.
(g) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Federal banking agencies shall jointly rule on the requirements to carry out the requirements of this section, including by providing a definiti-
on of a low-income borrower.

(h) REPORTS.—Each Federal banking agency shall submit an annual report to the Con-
gress containing a description of actions taken to carry out this section.
(i) FEDERAL DEPOSIT INSURANCE ACT DE-
FINITIONS.—In this section, the terms "deposi-
tory institution", "applicable Federal banking agency", and "Federal banking agency" have the meanings given under section 308(b) of the Federal Deposit Insurance Act (12 U.S.C. 1313).

SEC. 6. MINORITY DEPOSITORIES ADVISORY CO-
COMMITTEE.
(a) ESTABLISHMENT.—Each covered regu-
lator shall establish an advisory committee to be called the "Minority Depositories Advisory Committee".
(b) DUTIES.—Each Minority Depositories Advisory Committee shall provide advice to the respective covered regulator on meeting the goals established by section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note).

SEC. 7. FEDERAL DEPOSITS IN MINORITY DEPOSI-
TORY INSTITUTIONS.
(a) IN GENERAL.—Section 308 of the Finan-
cial Institutions Reform, Recovery, and En-
forcement Act of 1989 (12 U.S.C. 1463 note) is amended—
(1) by adding at the end of the section the following new subsection:
"(4) IMPACT BANK.—The term 'impact bank' means an insured depository institution designated under section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note)."
(b) CREDITS.—The term "ins-
ured credit union" has the meaning given in
(c) TECHNICAL AMENDMENT.—Section 308(b)
of the Financial Institutions Reform, Recovery,
and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended by adding at the end the following new paragraph:
"(4) DUTIES.—The Secretary shall ensure that the Secretary of the Treasury shall ensure that such deposit made by Federal agencies in minority depository institutions and impact banks are collateralized or insured, as determined by the Secretary. Such deposits shall include reciprocal deposits as defined in section 336 of the Federal Deposit Insurance Act (12 U.S.C. 1831d) and an insured credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752))."

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SEC. 8. MINORITY BANK DEPOSIT PROGRAM.

(a) In General.—Section 1204 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) is amended to read as follows:

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SEC. 1204. EXPANSION OF USE OF MINORITY DEPOSITORY INSTITUTIONS.

(a) MINORITY BANK DEPOSIT PROGRAM.—

(1) ESTABLISHMENT.—There is established a program to be known as the ‘Minority Bank Deposit Program’ to expand the use of minority depository institutions.

(2) ADMINISTRATION.—The Secretary of the Treasury, acting through the Fiscal Service, shall—

(A) on application by a depository institution or credit union, certify whether such depository institution or credit union is a minority depository institution;

(B) maintain and publish a list of all depository institutions and credit unions that have been certified pursuant to subparagraph (A); and

(C) periodically distribute the list described in subparagraph (B) to—

(i) all Federal departments and agencies; and

(ii) interested State and local government agencies.

(3) INCLUSION OF CERTAIN ENTITIES ON LIST.—A depository institution or credit union that is a depository institution or credit union is a minority depository institution.

(b) EXPANDED USE AMONG FEDERAL DEPARTMENTS AND AGENCIES.

(1) IN GENERAL.—Not later than 1 year after the establishment of the program described in subsection (a), the head of each Federal department or agency shall develop and implement policies and procedures to prioritize, to the maximum extent possible as permitted by law and consistent with principles of sound financial management, the use of minority depository institutions to hold the deposits of each such department or agency.

(2) REPORT TO CONGRESS.—Not later than 2 years after the establishment of the program described in subsection (a), and annually thereafter, the head of each Federal department or agency shall submit to Congress a report on the actions taken to increase the use of minority depository institutions to hold the deposits of each such department or agency.

(c) DEFINITIONS.—For purposes of this section:

(1) CREDIT UNION.—The term ‘credit union’ has the meaning given the term ‘insured credit union’ in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

(2) DEPOSITORY INSTITUTION.—The term ‘depository institution’ has the meaning given in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(3) MINORITY DEPOSITORY INSTITUTION.—The term ‘minority depository institution’ has the meaning given that term under section 308 of this Act.

(b) CONFORMING AMENDMENTS.—The following provisions are amended by striking ‘128(b)(1)’ and substituting ‘128(b)(3)’:

(1) Section 808(b)(3) of the Community Reinvestment Act of 1977 (12 U.S.C. 2907(b)(3)).

(2) Section 40(g)(1)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1831g(1)(B)).

(3) Section 704(b)(4) of the Equal Credit Opportunity Act (15 U.S.C. 1691e-2(b)(4)).
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banks and the total amount of deposits received by covered banks under the program.

(e) Definitions.—In this section:
(1) Covered bank.—The term ‘‘covered bank’’ has—
(A) a minority depository institution that is well capitalized, as defined by the appropriate Federal banking agency; or
(B) a depository institution designated pursuant to section 5 of the Ensuring Diversity in Community Banking Act that is well capitalized, as defined by the appropriate Federal banking agency.

(2) Insured amount.—The term ‘‘insured amount’’ means the amount that is the greater of—
(A) the standard maximum deposit insurance amount (as defined in section 11(a)(1)(E) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(1)(E))); or
(B) such higher amount negotiated between the Secretary of the Treasury and the Federal Deposit Insurance Corporation under which the Corporation will insure all deposits of such higher amount.

(3) Federal banking agencies.—The terms ‘‘appropriate Federal banking agency’’ and ‘‘Federal banking agencies’’ have the meaning given those terms, respectively, under section 3 of the Federal Deposit Insurance Act.

(4) Qualifying account.—The term ‘‘qualifying account’’ means any account established in the Department of the Treasury that—
(A) is controlled by the Secretary; and
(B) is expected to maintain a balance greater than $200,000,000 for the 24-month period.

SEC. 13. STREAMLINED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION APPLICATIONS AND REPORTING.

(a) Application Processes.—Not later than 12 months after the date of the enactment of this Act and with respect to any person having assets under $3,000,000,000 that submits an application for deposit insurance with the Federal Deposit Insurance Corporation that could also become a community development financial institution, the Federal Deposit Insurance Corporation, in consultation with the Administrator of the Community Development Financial Institutions Fund, shall—
(1) develop systems and procedures to record necessary information to allow the Administrator to conduct preliminary analysis for such person to also become a community development financial institution; and
(2) develop procedures to streamline the application and annual certification processes and to reduce costs for such person to become, and maintain certification as, a community development financial institution.

(b) Implementation Report.—Not later than 18 months after the date of the enactment of this Act and with respect to any person having assets under $3,000,000,000 that submits an application for deposit insurance with the Federal Deposit Insurance Corporation that could also become a community development financial institution, the Federal Deposit Insurance Corporation, in consultation with the Administrator of the Community Development Financial Institutions Fund, shall submit to Congress a report on the findings of such preliminary analysis.

(c) Annual Report.—Not later than 12 months after the date of the enactment of this Act, the Federal Deposit Insurance Corporation shall submit to Congress a report on the systems and procedures required under subsection (a).

SEC. 14. TASK FORCE ON LENDING TO SMALL BUSINESS CONCERNS.

(a) In General.—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Small Business Administration shall establish a task force to examine methods for improving relationships between the Small Business Administration and community development financial institutions, minority depository institutions, and Impact Banks to increase the volume of loans provided by such institutions to small business concerns (as defined under section 3 of the Small Business Act (15 U.S.C. 632)).

(b) Report to Congress.—Not later than 18 months after the date of the establishment of such task force described in subsection (a), the Small Business Administration shall submit to Congress a report on the findings of such task force.

SEC. 15. DISCRETIONARY SURPLUS FUNDS.

(a) In General.—Section 7(a)(3) of the Federal Reserve Act (12 U.S.C. 1952(a)(3)(A)) is amended by reducing the dollar figure described in such subparagraph by $1,450,000,000.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on September 30, 2030.

SEC. 16. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go procedure, 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. Mr. BEYER of California, the gentleman from California (Mr. SHERMAN) and the gentleman from South Carolina (Mr. TIMMONS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extensive amendments thereon.

The SPEAKER pro tempore. Without objection, it is so ordered.

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

I rise in strong support of H.R. 5322, the Ensuring Diversity in Community Banking Act of 2019.

I would like to thank Mr. MEeks, the chairman of the Consumer Protection and Financial Institutions Subcommittee for his leadership on this important issue.

For over 22 years I have worked and watched Mr. MEeks as he has devoted prodigious quantities of his time and his considerable talents to the matters of the Financial Services Committee, and H.R. 5322 reflects that kind of skill and effort.

The Financial Services Committee under the chairmanship of Ms. WATERS and Chairman MEEKER of the Subcommittee on Domestic and International Monetary Affairs was prodigious in examining the important role of minority depository institutions, MDIs, and the role they play in our financial system, and we have worked on developing policies to support their efforts.

Over the course of a series of hearings in this Congress, the committee has engaged with bank and credit union CEOs, with consumer groups, with experts and regulators all about how Congress can help or reverse the decline in our Nation’s minority depository institutions, MDIs, particularly Black-owned banks.

This is important because the data shows that MDIs serve the credit needs of low-income areas and serve them well, because those areas have a high percentage of the unbanked and underbanked.

Unfortunately, these institutions have shrunk in numbers in recent years. The number peaked in 2008 at 215 banks. Now that number is just 143 MDI banks as of the second quarter of 2020, representing less than 3 percent of all FDIC-insured institutions.

In 2008 we had 41 Black-owned banks, and today we have 18. This calls for congressional action.

Furthermore, during this pandemic, low-income and minority communities have been hit the hardest. MDIs along with community development financial institutions, CDFIs, have delivered relief to these low-income communities during this pandemic. After Chairwoman WATERS and the other members of this committee fought hard to ensure that MDIs and CDFIs could participate in the Paycheck Protection Program, MDIs and CDFIs were able to provide some $16 billion of loans to over 220,000 small businesses and minority-owned businesses across the country.

But Congress must do more to support these institutions. Toward that end, H.R. 5322 provides a series of reforms that will preserve, grow, and encourage the chartering of new MDIs, as well as promote the effective engagement between MDIs and prudential regulators.

This bill will encourage investments in MDIs, in part by strengthening a minority bank deposit program so that Treasury deposits Federal funds, funds which it manages in MDIs and CDFIs were able to provide some $16 billion of loans to over 220,000 small businesses and minority-owned businesses across the country.

Furthermore, the bill encourages more partnerships between MDIs and large banks through the Department of Treasury’s mentor-protege program, which should promote information sharing and more investments in MDIs.

The bill also creates a new category of small banks called ‘‘impact banks’’ that provide most of their lending to
low-income borrowers and would also benefit from some of the bill’s provisions to ensure that we can do all we can to support low-income and minority communities.

We also appreciate the collaboration demonstrated by full committee Republicans, as this bill was voted out of the committee in December by a unanimous vote of 52-0.

This bill has broad support, including from the National Bankers Association, the Independent Community Bankers of America, the American Bankers Association, the Credit Union National Association, and the National Association of Federally-Insured Credit Unions.

Mr. Speaker, I urge Members to support H.R. 5322, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman from New York (Mr. MEEKS) for introducing this bill. He has worked in good faith with Republican Members over the past year to reach a bipartisan solution on this important issue.

The Financial Services Committee has held several hearings over the past year on the state of minority depositary institutions, or MDIs, and community development financial institutions, or CDFIs.

Both MDIs and CDFIs provide critical services to support their communities. Unfortunately, the number of these institutions has been declining at an alarming rate.

Burdensome regulations and a lack of access to capital have caused many of these MDIs to either consolidate or be forced to shut their doors for good. It is simply too hard for these smaller institutions to remain viable in the current environment.

The bill we are considering today promises policies and establishes programs to support MDIs and CDFIs and the customers and communities they serve.

Importantly, the bill seeks to promote engagement in the Department of the Treasury’s mentor-protege program to encourage collaboration between MDIs and institutions that act as financial agents for the Federal Government.

The bill also directs each of the Federal regulators to establish MDI advisory councils to ensure MDI voices are heard without weakening or duplicating current efforts.

The bill also allows banks to be designated as an impact bank. This allows any bank that serves a majority of low-income borrowers to be considered as an option to hold government deposits. This program will bolster the ability of banks to serve their communities.

Finally, the bill streamlines the application reporting requirements to become and remain a CDFI.

I appreciate the gentleman from New York for his willingness to work with committee Republicans so that we can bring a strong bipartisan bill to the floor that supports communities in need.

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

Mr. SHERMAN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MEEKS), the author of this legislation.

Mr. MEEKS. Mr. Speaker, I thank the gentleman for yielding. Let me just say how proud I am that the House is taking my bill today, the Ensuring Diversity in Community Banking Act.

I am especially grateful for the support from Financial Services Chairwoman MAXINE WATERS and for her guidance and for working with me to make sure that we progress and move this bill.

I am likewise eternally grateful to Ranking Member MCHENRY, who worked with us very closely to make sure that we had strong bipartisan support. As a result, it passed the House Financial Services Committee unanimously. Without that partnership, this would not have happened.

So, I thank both the chair and the ranking member, and all the members of this committee, for doing this. This bill passed in committee unanimously and has gained the support of consumer advocacy groups, civil rights organizations, and the financial services industry. We tried to bring everybody together on this, and we did come up with a consensus bill.

Communities of color have borne a disproportionate burden of the COVID pandemic, as measured by the infection and mortality rates, as well as jobs lost and wealth destroyed. This pandemic and the economic crisis it triggered devastated communities that had yet to fully recover from the financial crisis of 2008.

Minority banks, credit unions, and community development financial institutions have remained the bright spot during this pandemic, given their focus of providing financial services to communities of color and low- and moderate-income communities. However, despite their success serving these communities, minority depository institutions have been disappearing at an alarming rate, leading to expanding banking deserts and a growing share of the population vulnerable to payday lenders and other predatory financial institutions.

To address this, this bill does the following:

Number one, minority depository institutions are smaller than their peers, pose no credible systemic risk, and face overwhelming barriers to entry and funding. This bill makes it easier for MDIs that are community development organizations to raise capital from private investors and directs the Federal Government to deposit funds that are fully insured with these institutions which can on-lend the money in communities that need it.

Number two, the bill calls on regulators to take greater ownership of their own failings in the area of diversity by auditing the diversity of the bank examiner corps, publishing the data, and considering how their own lack of diversity and lack of special training harms their effectiveness.

Number three, the bill establishes a national minority bank division for those institutions that lend primarily to low-income communities and provides these banks access to the deposits programs established by this bill.

Number four, the bill also calls on the Congress to continue supporting the CDFI Fund of the Treasury Department.

The SPEAKER pro tempore. The gentleman from New York has expired.

Mr. MEEKS. Mr. Speaker, I yield an additional 1 minute to the gentleman from New York.

Mr. MEEKS. Mr. Speaker, the CDFI Fund leverages limited government funding to crowd-in significant private sector capital and foster innovation, investments, and market-oriented solutions to tackle some of our Nation’s most persistent challenges in poverty alleviation. This program has earned strong bipartisan support historically and proven itself immensely valuable during this pandemic.

I again say that what this does is it also helps our small businesses in the communities and helps create wealth in communities where it is not.

With the homeownership aspect, it encourages individuals to buy, to own the home and to rent the car because the home becomes an appreciating asset and the car the depreciating asset. It brings us all together so we can enjoy what has become the American Dream.

Let me close by once again thanking my colleagues for their bipartisan support for this important legislation. I thank all of my colleagues for working together to make this a better place, and I urge all of my colleagues to vote in support of this bill.

Mr. TIMMONS. Mr. Speaker, I urge my colleagues to support H.R. 5322, and I yield back the balance of my time.

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

MDIs face several challenges, including the ability to raise capital despite overall strong financial performance. They face challenges experienced as a result of servicing communities that are often first and hardest hit by economic downturns. This decline is contributing to a growing incidence of banking deserts in minority communities.

This bill will help turn this dangerous tide so that individuals in more ZIP Codes will have access to safe banking.

I again thank Mr. MEEKS for authoring this legislation and for all of his dedication to the Financial Services Committee. I also thank Chairwoman...
Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California (Mr. SHERMAN) and the gentleman from South Carolina (Mr. TIMMONS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. SHERMAN)

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The Chair recognizes the gentleman from California (Mr. SHERMAN)

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.
NRSROs, there are still companies left on the sidelines. This bill will ensure small and mid-sized businesses have access to the facilities that provide necessary support.

An open and transparent process is essential to the success of the emergency facilities. This bill supports that process.

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

Mr. SHERMAN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. DEAN), the author of this legislation.

Ms. DEAN. Mr. Speaker, I thank my colleague and friend for yielding, and I thank my colleague on the other side of the aisle for his support for this bill.

Mr. Speaker, I rise in support of H.R. 6934, the Uniform Treatment of NRSROs Act.

NRSROs are nationally recognized statistical rating agencies. This is a bipartisan bill that addresses businesses' need for greater access to Federal lending facilities in the time of COVID and a uniform treatment of credit rating agencies in the application process for these emergency loans.

In response to the economic crisis resulting from the COVID-19 pandemic, several lending facilities have been created to assist struggling businesses at this difficult time. The Federal Reserve and Treasury, however, have limited access to these facilities to businesses whose assets have been rated by only a select few credit rating agencies, making it unnecessarily difficult for many businesses to access much-needed resources.

In Pennsylvania alone, several small and mid-sized companies as well as municipal bond issuers have been excluded from the facilities or have their ratings from nonapproved rating agencies called into question by the market.

This legislation seeks to remove these barriers by amending the CARES Act to require that the Federal Reserve and Treasury accept ratings from any nationally recognized statistical rating organization, or NRSRO. This would have the effect of opening up access to the facilities to issuers with a rating from any duly recognized NRSRO that has been approved in the relevant asset class by the SEC.

The legislation would also require the Comptroller General to issue, within 1 year of enactment, a study on the quality of credit rating agencies across NRSROs, including during the 2008 crisis. The study would also explore the effect of competition on the quality of credit ratings and on the availability of small and mid-sized companies and financial institutions to access the capital markets.

At a time of unprecedented economic uncertainty, we need to make sure that small and mid-sized businesses have access to capital markets needed to survive and recover. By expanding eligible NRSROs, this legislation opens up access, transparency, and healthy competition, without compromising quality, at a time when it is needed most.

Mr. Speaker, I thank Chairwoman WATERS, the Financial Services Committee staff, and, importantly, my Republican colleague, Representative ANDY BARR, for their work on this legislation to help struggling businesses get the capital they need.

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

Mr. TIMMONS. Mr. Speaker, I am prepared to close on this legislation.

I would simply urge my colleagues to support H.R. 6934, and I yield back the balance of my time.

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

Mr. Speaker, I again would like to thank my colleague from Pennsylvania (Ms. DEAN) for introducing, supporting, and, in effect, passing this legislation here today. It will help qualified issuers have access to lending facilities; it will ensure that access to these facilities is granted on terms that are clear; and it will ensure that Congress' legislative intent is carried out and is consistent with the policy of Congress that we have focused on in the Investor Protection, Entrepreneurship, and Capital Markets Subcommittee to make sure that we are not overly reliant on just three credit rating agencies.

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. SHERMAN) that the House suspend the rules and pass the bill, H.R. 6934, 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.

STOPPING TRAFFICKING, ILLICIT FLOWS, LAUNDERING, AND EXPLOITATION ACT OF 2020

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7592) to require the Comptroller General of the United States to carry out a study on trafficking, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

SEC. 1. SHORT TITLE. This Act may be cited as the “Stopping Trafficking, Illicit Flows, Laundering, and Exploitation Act of 2020”.

SEC. 2. FINDINGS. The Congress finds the following:

(1) Trafficking is a national-security threat and an economic drain of our resources.

(2) As the U.S. Department of the Treasury’s recently released “2020 National Strategy for Combatting Terrorist and Other Illicit Financing” concludes, “While money laundering, terrorism financing, and WMD proliferation financing differ qualitatively and quantitatively, the illicit actors engaging in these activities also expose the same vulnerabilities and financial channels.”

(3) Among those are bad actors engaged in trafficking, whether they trade in drugs, arms, cultural property, wildlife, natural resources, counterfeit goods, organs, or, even, other humans.

(4) Their illegal (or “dark”) markets use similar and sometimes related or overlapping methods and means to acquire, move, and profit from their crimes.

In a March 2020 report from Global Financial Integrity, “Transnational Crime and the Developing World”, the global business of transnational crime was valued at $1.6 trillion to $2.1 trillion annually, resulting in crime, violence, terrorism, instability, corruption, and lost tax revenues worldwide.
Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 7592, the Stopping Trafficking, Illicit Flows, Laundering, and Exploitation of Human Rights (STIFLE) Act of 2020, bipartisan legislation that I introduced with my colleague, Representatives MCADAMS and GONZALEZ.

This bill would commission the Government Accountability Office to study and analyze the converging attributes of transnational trafficking networks. These shared or overlapping characteristics and methods, such as supply chains, facilitators, or gatekeepers, and the movement of finances make it possible for traffickers in a host of different areas to move their illicit proceeds and evade detection.

By better understanding the “business models” that underlie these networks, we can better combat their terrible toll on innocent victims and communities.

Mr. Speaker, I commend the members of the Financial Services Committee for focusing on this issue, since the linchpin, the Achilles heel, of many of these trafficking networks is their financial movements, their access to the financial system, and this may be the way to accomplish an awful lot to stop this illicit trafficking.

The STIFLE Act is part of the House Financial Services Committee’s bipartisan Counter-Trafficking Initiative, introduced in March to address this pervasive issue that is a threat to all of our constituents and communities.

Mr. Speaker, I urge my colleagues to support this important legislation.

I look forward to working with both of them as we continue in our efforts to end trafficking once and for all.

Mr. SHERMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. MCADAMS).

Mr. MCADAMS. Mr. Speaker, I rise in support of the Stopping Trafficking, Illicit Flows, Laundering and Exploitation of Human Rights (STIFLE) Act of 2020, bipartisan legislation that I introduced with my colleague, Representative ANTHONY GONZALEZ, from Ohio.

Illicit actors engaged in trafficking—whether in drugs, arms, wildlife, organs, or humans—use dark markets to finance and hide their horrific activities and their profits. We need to identify, disrupt, and prosecute these criminals networks to stop these abhorrent crimes. And that is what the STIFLE Act does.

The STIFLE Act activates tools, partnerships, and guidance of a number of Federal agencies to help financial institutions identify techniques and patterns of transactions that may involve the proceeds of trafficking.

Mr. SHERMAN. Mr. Speaker, I yield back the balance of my time.
whether it be illicit drugs, whether it be human trafficking, whether it be terrorism, et cetera—is fundamental to stopping transnational crime, and the harm that it causes and the victims it creates in communities worldwide.

The House Financial Services Committee’s bipartisan Counter-Trafficking Initiative is a comprehensive approach to this challenge and is a very important adjunct to the Foreign Affairs Committee’s work to stop illicit trafficking, particularly human trafficking.

We need to examine these illicit networks as a whole, whether they engage in narcotics, timber, endangered species, rare earths, or, tragically, human trafficking of men and women—modern slavery.

So I look forward to all of the committees of this Congress focusing on these criminal traffickers. H.R. 7592, the STIFE Act, is a significant piece of that effort, tapping into the knowledge from survivor and victim advocacy organizations, law enforcement, regulators, research organizations, and the private sector to be able to focus on the financial system and make sure that we keep these traffickers at bay and out of the financial system as much as possible.

Mr. Speaker, I urge my colleagues to support this legislation which is an important step to protecting our citizens, our economy, and our national security.

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

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules and pass the bill, H.R. 7592.

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6735) to establish the Consumer and Investor Fraud Working Group to help protect consumers and investors from fraud during the COVID–19 pandemic, to assist consumers and investors who have been adversely impacted by such fraud; and

(3) such other topics as the Working Group determines appropriate.

(c) COORDINATION WITH OTHER AGENCIES.—In carrying out the duties described under subsection (b), the Working Group shall coordinate and collaborate with other Federal and State government agencies, as appropriate.

(d) QUARTERLY REPORT.—The Working Group shall issue a quarterly report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate of the status of the Working Group and summarizing—

(1) the resources made publicly available to consumers by the Working Group;

(2) any public enforcement action taken jointly or individually by any member of the Working Group;

(3) the number and description of consumer complaints received by the Bureau of Consumer Financial Protection and the Securities and Exchange Commission regarding fraud related to the COVID–19 pandemic; and

(4) any other actions of the Working Group.

(e) SUNSET.—This section shall cease to have any force or effect on and after December 31, 2021.

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 gentleman from California (Mr. SHERMAN) and the gentleman from South Carolina (Mr. TIMMONS) each will control 20 minutes.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members revise and extend their remarks on this legislation and insert extraneous material thereon.

The SPEAKER pro tempore. The Clerk read the title of the bill.

The text of the bill is as follows:

COVID–19 FRAUD PREVENTION ACT

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6735) to establish the Consumer and Investor Fraud Working Group to help protect consumers and investors from fraud during the COVID–19 pandemic, to assist consumers and investors affected by such fraud, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6735

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 “COVID–19 Fraud Prevention Act”.

SEC. 2. CONSUMER AND INVESTOR FRAUD WORKING GROUP.

(a) ESTABLISHMENT.—Not later than the end of the 30-day period beginning on the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection and the Securities and Exchange Commission shall, jointly, establish a working group to be known as the “Consumer and Investor Fraud Working Group” (the “Working Group”).

(b) DUTIES.—The Working Group shall facilitate collaboration between the Bureau of Consumer Financial Protection, the Securities and Exchange Commission, et cetera, to—

(1) providing resources to consumers and investors to avoid fraud during the COVID–19 pandemic;

(2) providing resources, including information on the availability of legal aid resources, to consumers and investors who have been adversely impacted by such fraud; and

I support this legislation and I thank my colleague from Iowa for her leadership in bringing it forward. Congresswoman AXNE’s legislation will mark a major step in improving efforts to protect consumers and investors alike by requiring the Consumer Financial Protection Bureau, the SEC, and the Securities and Exchange Commission, the SEC, to establish a joint working group with the purpose of addressing and preventing predatory and deceptive financial practices during this COVID–19 crisis.

Under this bill, this joint CFPB-SEC working group will be required to consult and collaborate with other Federal and State agencies, where appropriate, to ensure fraud does not slip through the cracks during this COVID–19 pandemic and appropriately report their efforts to Congress.

As we know, unfortunately, in times of uncertainty like the one we face today, predatory actors can and have sought to take advantage and financial vulnerability, and to take advantage even of desperation from struggling consumers and struggling homeowners who need help. These actors cause even further damage to consumers by promoting schemes that are already hit by the crisis of the pandemic and the economic downturn.

The 2008 crisis is an example of how much financial devastation that predatory and deceitful actors can wreak on communities, especially when Federal regulators don’t have the tools to cooperate and put a stop to it. Families that are still impacted by that phase of uncheck toxic lending have yet another crisis to contend to as we must deal with the COVID crisis.

As chair of the Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets, I note that investors, too, are at risk of being defrauded and mislead by fraudulent investment schemes.

As during other times of crises, investors are at risk of being defrauded and mislead by so-called investment opportunities claiming to have some novel information, cures, or vaccines, but are really part of a pump-and-dump scheme where fraudsters intentionally use false and misleading information to boost the price of a stock or other investment and then sell the shares when the stock rises but before the manipulation is detected.

Congresswoman AXNE’s legislation will help ensure that the CFPB and the SEC, as well as other Federal and State agencies they work with, will work collaboratively to identify problematic patterns and work to prevent future schemes, especially when consumers and investors get ripped off.

I commend Mrs. AXNE for her work in drafting this legislation, and if I may be a little premature, I also commend the gentlewoman on getting this legislation passed through the House today.

I urge Members to support this legislation, and I reserve the balance of my time.
Mr. TIMMONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentlewoman from Iowa for introducing this bill.

At the beginning of the pandemic I was concerned about COVID-19-related fraud schemes, particularly those targeting seniors who have been disproportionately impacted by the virus.

The Federal regulators tasked with weeding out fraud and providing resources for consumers impacted by scams—the CFPB, SEC, and FTC—have been particularly supportive of consumers during this time.

To further support this coordinated effort, H.R. 6735 establishes the Consumer and Investor Fraud Working Group, which will include representatives from the CFPB and SEC, among others.

The working group will work to provide resources to consumers and investors to avoid fraud during the COVID-19 pandemic and to those who have been impacted by these types of scams. In addition, the working group is required to produce a quarterly report to the House Financial Services Committee and Senate Committee on Banking, Housing, and Urban Affairs so that Congress can monitor its actions and resources made available to the public.

Finally, the bill will ensure robust government coordination to protect consumers and investors from fraudsters looking to take advantage of the crisis.

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

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

Mr. Speaker, I thank the gentleman from South Carolina for his work on all of these bills and his work here today.

In closing, Congress must do more to ensure that communities are protected from deceitful actors during the COVID-19 period. As we have seen in our immediate past, bad actors often try to take advantage of people in crisis and the consequences can be significant unless the Federal Government, working with the States, actively monitors and prevents such deceitful practices.

H.R. 6735 will encourage key regulators to share information and work together to identify scams while keeping Congress informed as to how these agencies are addressing fraud during the pandemic.

This bill has the support of consumer and investor advocates, particularly those targeting seniors who have been disproportionately impacted by the virus.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SHERMAN) that the House suspend the rules and pass the bill, H.R. 6735, 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.

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6735) to direct the Secretary of the Treasury to instruct the United States Executive Directors at the international financial institutions on United States policy regarding international financial institution assistance with respect to advanced wireless technologies.

The Chair recognizes the gentleman from California for five minutes.

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

Mr. Speaker, I rise in support of H.R. 6735, the Promoting Secure 5G Act of 2020, which establishes that at the international financial institutions, known as IFIs, such as the World Bank, it will be U.S. policy that supports the financing for advanced wireless communication technologies, including next-generation 5G networks only if the technologies to be financed provide adequate security for users.

Cybersecurity has been an important concern of this House, and it is an important concern of this country. We see that in the recent action taken with regard to TikTok, we see that in the steps that this House is taking with regard to cybersecurity, and it makes sense that our voice and vote at the international financial institutions be used to ensure that the world moves forward with secure 5G networks.

This legislation establishes a U.S. position at the IFIs in support of infrastructure or policy reforms that facilitate the use of secure advanced wireless technologies; and (2) cooperate, to the maximum extent practicable, with member states of the institution, particularly with United States allies and partners, in order to strengthen international support for such technologies.

(b) WAIVER AUTHORITY.—The Secretary may waive subsection (a) on a case-by-case basis, on reporting to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate—

(1) will allow the United States to effectively promote the objectives of the policy described in subsection (a); or

(2) is in the national interest of the United States, with an explanation of the reasons therefor.

(c) PROGRESS REPORT.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the annual report required by section 1781 of the International Financial Institutions Act a description of progress made toward advancing the policy described in subsection (a) of this section.

(d) SUNSET.—The preceding provisions of this section shall have no force or effect after the earlier of—

(1) the date that is 7 years after the date of the enactment of this Act; or

(2) the date that the Secretary reports to the committees specified in subsection (b) that terminating the effectiveness of the preceding provisions is in the national interest of the United States, with a detailed explanation of the reasons therefor.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from South Carolina (Mr. TIMMONS) each will control 20 minutes.

The Chair recognizes the gentleman from California for five minutes.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials thereon.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 6735, the Promoting Secure 5G Act of 2020, which establishes that at the international financial institutions, known as IFIs, such as the World Bank, it will be U.S. policy that supports the financing for advanced wireless communication technologies, including next-generation 5G networks only if the technologies to be financed provide adequate security for users.

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This legislation establishes a U.S. position at the IFIs in support of infrastructure or policy reforms that facilitate the use of secure advanced wireless technologies; and (2) cooperate, to the maximum extent practicable, with member states of the institution, particularly with United States allies and partners, in order to strengthen international support for such secure technologies.

I support this legislation because I think it reflects a good policy goal and a good example of how central international cooperation is for our own economic and national security goals. This legislation seeks to use our voice at the IFIs to counter China’s efforts to expand its 5G influence internationally and to expand the use of Chinese technology with back doors and other devices that can be used by the Chinese Communist Party. This is especially important with regard to developing countries. By placing an import on advanced technologies, including next-generation 5G networks only if the technologies to be financed provide adequate security for users.

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cooperation is important for advancing a range of U.S. economic security and foreign policy interest, and I welcome that recognition.

5G is the next generation of wireless communications networks. It may very well be the most extraordinary remaking of the global landscape since the airwaves that make up today’s internet since the internet first came into existence. 5G networks, we are told, will transform the way we live.

In the global race for 5G, where the U.S. and China are among the main contenders, the competition is fierce, and from that frame certainly the core of this bill’s proposal—to have the international financial institutions support 5G infrastructure only if it is from trusted vendors—makes sense. We would not want to see this kind of policy cause problems for the missions of the IFIs if they get further caught up in any rivalry between the United States and China. But if our money is invested in these international financial institutions, then it needs to be American policy that those funds be used only to finance secure 5G networks.

That said, the success of such a U.S. policy at the IFIs will depend in large part on the state of U.S. leadership worldwide not only in those institutions but around the world. Let’s face it. Over the last 3 years America has squandered its role as a world leader, and we have stretched almost to the breaking point our alliances with our traditional allies.

I look forward to working with everyone in Congress over the next few years to recement our international alliances and put us in a position so that when we speak at the international financial institutions that we are listened to as a world leader and not mocked as a nation that has one tweet one day and another tweet another day.

Mr. Speaker, I look forward to the passage of this legislation, and I urge my colleagues to support H.R. 5798. I reserve the balance of my time.

Mr. TIMMONS. Mr. Speaker, I urge my colleagues when we think of 5G technology, we immediately think of our cell phones. What many of us do not think about is the impact 5G will have on the global economy once and for all deployed.

Fifth generation cellular technology, or 5G, will truly transform the way we live. It has the power to fuel self-driving autonomous vehicles, increase the use of artificial intelligence, replace Wi-Fi and broadband, and provide speeds expected to be as fast as 100 times greater than current 4G technology. Once widespread, 5G will touch nearly every aspect of our lives.

As with any new technology, there is a global race for 5G market share. In the race to 5G, it is not just economic challenges we face. There are also great national security concerns from foreign bad actors who seek to exploit the technology. This is why the United States must have sound policy when it comes to financing and protecting wireless technologies around the world.

My legislation before the House today, the Promoting Secure 5G Act, would establish a U.S. policy at all international financial institutions, including the IMF and World Bank. This policy would require all countries seeking any financing from those institutions for any purpose to prove their 5G network is secure.

Securing multilateral financing for 5G technology is the first step in facilitating equitable competition in the global economy. This will eliminate backdoor vulnerabilities that private companies and other nations may seek to exploit. One of the biggest offenders is Huawei, a Chinese-based company with direct links to China’s Communist Party.

It is not just the U.S. that shares these concerns regarding the security of 5G technology. Recently, the U.K. reversed course and outright banned Huawei by 2027. France announced it will no longer renew licenses for Huawei. Denmark and Singapore have taken steps to avoid the company, and Japan and India is moving in the same direction with the potential of an outright ban in the near future.

Our intelligence community has repeatedly warned of the consequences of allowing backdoor vulnerabilities in critical systems to Huawei and the CCP. We would be wise to heed their warning.

Combating aggression from the Chinese Communist Party will take a whole-of-government approach, and my Promoting Secure 5G Act is a good first step to ensuring every nation conforms to the standards of the global economy when it comes to 5G technology.

I want to thank Ranking Member McHENRY and my other colleagues who have joined me in this effort.

Mr. Speaker, I urge my colleagues to support this legislation to ensure the secure and competitive deployment of 5G technology around the world, and I reserve the balance of my time.

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

Mr. Speaker, I commend the gentleman from South Carolina for authoring this legislation. Also, again, I commend him for extending this afternoon to pass all the legislation that is here before us.

Mr. Speaker, the United States has often looked to the international financial institutions to meet strategic objectives at critical moments, and this legislation is a good example of that.

The World Bank and others are currently focused on helping developing nations deal with the coronavirus, but soon, they will return to other development goals. The basic principle of this legislation is important because it establishes not only what U.S. policy is going to be in a particular area, but it also directs the administration to pursue that policy. It provides flexibility in the implementation of that policy and keeps Congress informed.

It is important to keep in mind that our ability to influence the direction of the IFIs, the international financial institutions, and to prioritize global objectives in the areas that we think are critically important depend in large part on the degree to which the United States maintains and exercises strong leadership in these international financial institutions and in the world writ large.

We on the Foreign Affairs Committee have focused on the importance of rebuilding our relationships and rebuilding America’s status and leadership in the world, and we will only be as effective in carrying out the intent of this legislation as we are in rehabilitating America’s image.

For U.S. policy to be effectively advanced in the international financial institutions, other member states at these institutions need to believe that the policies we pursue are not based exclusively out of a narrow self-interest but are policies that will help the entire world move forward.

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

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

The SPEAKER pro tempore. The question was on the motion offered by the gentleman from California (Mr. SHERMAN) that the House suspend the rules and pass the bill, H.R. 5698.

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.

IMPROVING EMERGENCY DISEASE RESPONSE VIA HOUSING ACT OF 2020

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6294) to require data sharing regarding protecting the homeless from coronavirus, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows: H.R. 6294

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 Emergency Disease Response via Housing Act of 2020.

SEC. 2. DATA SHARING BETWEEN HUD AND HHS.

(a) In general.—For the purpose of increasing the ability of the Secretary of Health and Human Services to target outreach to populations vulnerable to contracting coronavirus, the Secretary of Housing and Urban Development shall share with the Secretary of Health and Human Services information regarding the location of projects for supportive housing for the elderly assisted under section 202 of the Housing Act.
Act of 1959 (12 U.S.C. 1701q) and the location of Continuums of Care with high concentration of unsheltered homelessness.

(b) REMOVAL OF PERSONALLY IDENTIFIABLE INFORMATION.—In sharing the information required under subsection (a), the Secretary of Housing and Urban Development shall ensure that appropriate administrative and physical safeguards are in place to remove all personally identifiable information.

(c) CONSULTATION.—The Secretary of Housing and Urban Development shall consult with the Secretary of Health and Human Services promptly after the date of the enactment of this Act to provide for the sharing of the information required under subsection (a).

(d) LIMITATION.—Information shared pursuant to this Act shall not be shared beyond the Department of Health and Human Services or used for purposes beyond those intended in the Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from South Carolina (Mr. TIMMONS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 6294, the Improving Emergency Disease Response via Housing Act, which will help the Federal Government better identify and serve populations particularly at risk from COVID–19.

This bill will require the Department of Housing and Urban Development, HUD, to share with the Department of Health and Human Services the locations of HUD senior housing properties and local continuums of care with high concentrations of people experiencing unsheltered homelessness. The bill also includes important protections to ensure people’s privacy and to prevent the misuse of this information.

Early in this pandemic, we learned the devastating impact COVID–19 has on seniors. Seniors often have underlying health conditions, which make them especially vulnerable to the virus. Making matters worse, many seniors live in large multifamily buildings, including HUD-subsidized properties, where the risk of contagion is particularly high.

This constellation of factors—close living quarters, advanced age, higher prevalence of underlying health conditions—puts this population at substantial risk for contracting and at a higher risk for dying from COVID–19.

According to The New York Times, as of last week, 40 percent of COVID–19-related deaths have occurred in senior communities, not just to those who have reached senior age but that subset of seniors who live in these senior communities.

People experiencing homelessness are also particularly vulnerable to COVID–19 because they are disproportionately likely to have underlying conditions and because they do not have the means to follow CDC guidelines around handwashing, social distancing, mask-wearing, et cetera.

People experiencing homelessness who contract COVID–19 are twice as likely to be hospitalized, two to four times as likely to require critical care, and two to three times as likely to die as others in the general public.

So, Mr. Speaker, I thank Mr. Tipton for introducing this bill to help us better protect some of this country’s most vulnerable populations, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 6294.

Back in the early days of COVID–19, the Republicans on the Committee on Financial Services anticipated some of the biggest threats the virus posed and moved to protect those who were most vulnerable. Representative Tipton introduced H.R. 6294 so that the Department of Health and Human Services and the Department of Housing and Urban Development would be better able to coordinate and target treatment to folks like the elderly and the disabled. We knew that these were going to be the highest risk, most vulnerable populations affected by the pandemic and wanted to make sure States had all the tools they needed to protect these citizens.

Sadly, in some places, we saw the disastrous effect of what happened when local officials failed to act quickly to make sure our seniors were kept safe from the preventable spread of the pandemic. To ensure that we do not repeat such mistakes, H.R. 6294 would allow for data-sharing between HHS and HUD regarding the location of section 202 affordable housing properties while keeping residents’ personal information protected.

Mr. Speaker, I commend Representative Tipton for his leadership in this area, and I will miss working with him. This is a commonsense bill to cut through red tape and allow for greater assistance to vulnerable populations.

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

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

Mr. Speaker, I again, thank my colleague, Mr. Tipton, for introducing this bill to help us better protect seniors and people experiencing homelessness from COVID–19.

We have lost too many people to this terrible virus. While it is important that we ensure the safety of those who are particularly vulnerable to the coronavirus, I hope that we can all work together this month to provide a comprehensive response to this public crisis, modeled after the HEROES Act, which this House passed in May of this year.

Our constituents want us to act on major legislation, but in the meantime, it is important that we pass this bill to help those who are particularly impacted by COVID.

Mr. Speaker, I urge my colleagues to join me in supporting 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 California (Mr. SHERMAN) that the House suspend the rules and pass the bill, H.R. 6294, 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.

NATIONAL SUICIDE HOTLINE DESIGNATION ACT OF 2020

Mr. MCNERNEY. Mr. Speaker, I urge my colleagues to join me in supporting this legislation, and I yield back the balance of my time.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2661

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 “National Suicide Hotline Designation Act of 2020.”

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the American Foundation for Suicide Prevention, on average, there are 129 suicides per day in the United States.

(2) To prevent future suicides, it is critical to transition the cumbersome, existing 10-digit National Suicide Hotline to a universal, easy-to-remember, 3-digit phone number and connect people in crisis with life-saving resources.

(3) It is essential that people in the United States have access to a 3-digit national suicide hotline across all geographic locations.

(4) The designated suicide hotline number will need to be both familiar and recognizable to all people in the United States.

SEC. 3. UNIVERSEAL TELEPHONE NUMBER FOR NATIONAL SUICIDE PREVENTION AND MENTAL HEALTH CRISIS HOTLINE SYSTEM.

(a) IN GENERAL.—Section 251(e) of the Communications Act of 1934 (47 U.S.C. 251(e)) is amended by adding at the end the following:

“(4) UNIVERSEAL TELEPHONE NUMBER FOR NATIONAL SUICIDE PREVENTION AND MENTAL HEALTH CRISIS HOTLINE SYSTEM.—9–8–8 is designated as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.”

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

CONGRESSIONAL RECORD — HOUSE

September 21, 2020

H4608
through the National Suicide Prevention Lifeline maintained by the Assistant Secretary for Mental Health and Substance Use under section 520F-3 of the Public Health Service Act (42 U.S.C. 251 et seq.) and through the Veterans Crisis Line maintained by the Secretary of Veterans Affairs under section 1720F(h) of title 38, United States Code.

(b) Reports.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of enactment of this Act.

(c) Definitions.—In this section:

(1) COMMERCIAL MOBILE SERVICE.—The term ‘commercial mobile service’ has the meaning given that term in section 252(d) of the Communications Act of 1934 (47 U.S.C. 302(d)).

(2) COMMUNICATIONS ACT OF 1934.—The term ‘Communications Act of 1934’ means the Communications Act of 1934 (47 U.S.C. 151 et seq.), or any successor enactment.

(3) FEDERAL REGULATIONS.—The term ‘Federal Regulations’ means the Federal Communications Commission regulations in sections 9.1 to 9.37 of the title 47 of the Code of Federal Regulations,

(4) IP-ENABLED VOICE SERVICE.—The term ‘IP-enabled voice service’ shall include—

(A) an interconnected VoIP service, as defined in section 9.3 of the Code of Federal Regulations, or any successor thereto; and

(B) a one-way interconnected VoIP service.

(5) LOCATION IDENTIFICATION REPORT.—The term ‘location identification report’ means a report that identifies the location of the calling party and information that would be conveyed with a 9–8–8 call, regardless of the technological platform, structure, or form used and including with calls from multi-line telephone systems (as defined in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2010 (47 U.S.C. 1471)).

(6) NATIONAL SUICIDE PREVENTION LIFELINE.—The term ‘National Suicide Prevention Lifeline’ means a toll-free number established pursuant to the National Suicide Prevention Improvement Act, which provides a 24-hour crisis intervention service for individuals, or members of other high-risk populations; and


(2) DISPATCHABLE LOCATION.—The term ‘dispatchable location’ means the street address of the location that would be conveyed with a 9–8–8 call, regardless of the technological platform, structure, or form used and including with calls from multi-line telephone systems (as defined in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2010 (47 U.S.C. 1471)).

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(A) an interconnected VoIP service, as defined in section 9.3 of the Code of Federal Regulations, or any successor thereto; and

(B) a one-way interconnected VoIP service.

(4) STATE.—The term ‘State’ has the meaning given that term in section 6502 of the Communications Act of 1934 (47 U.S.C. 1471).

(5) VILLAGE OR REGIONAL CORPORATION.—The term ‘village or regional corporation’ means a corporation serving a region established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that—

(6) COMMERCIAL MOBILE SERVICE.—The term ‘commercial mobile service’ has the meaning given that term in section 252(d) of the Communications Act of 1934 (47 U.S.C. 302(d)).

(7) VILLAGE OR REGIONAL CORPORATION.—The term ‘village or regional corporation’ means a corporation serving a region established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that—

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(3) FEDERAL REGULATIONS.—The term ‘Federal Regulations’ means the Federal Communications Commission regulations in sections 9.1 to 9.37 of the title 47 of the Code of Federal Regulations,
Critically, this measure paves the way to create a sustainable funding stream for our suicide prevention call-takers, something that we desperately need. These seemingly small changes will make finding help immensely easier for Americans who are experiencing suicidal thoughts or mental health crises.

The National Suicide Prevention Lifeline, which is accessible today by calling 1-800-273-TALK, received more than 2.2 million calls in 2018. As hard as it is to believe, that figure is expected to drop when 988 is fully implemented and becomes accessible to the public. But designating a short three-digit code that is easier to remember than a cumbersome 1-800 number is supposed to reach more people. That is the point. But that is also why it is so important that the lifeline be able to fund its operations.

Because of this legislation, it is likely that the lifeline will receive more calls and save more lives than it does today. The lifeline has an en track record, successfully deescalating almost 98 percent of interactions with callers experiencing suicidal or mental health crises.

We have no reason to expect different outcomes, only number changes to 988 because the bill ensures that the lifeline network call centers will have the resources necessary to handle the increase in volume that they are anticipating. It is undeniable one of the most effective tools at our disposal to address the crisis of suicide in America.

An analysis of 1,500 calls from just over 1,400 individuals showed that callers who utilized the lifeline’s assistance were significantly more likely to feel less depressed, less suicidal, less overwhelmed, and more hopeful by the end of the call. It is clear that people who can access help when they need it can have better outcomes than those who can’t.

That is why our immediate goal with this legislation is to reach the people who need help but aren’t getting it, and there are far too many folks who fit that description. More than 47,000 Americans died by suicide, and more than 1.4 million Americans attempted suicide in 2017. In 2018, 48,000 Americans died by suicide. Sadly, the numbers are even worse for certain at-risk populations.

More than 6,000 veterans died by suicide each year from 2008 to 2017. Young LGBTQ adults are four times more likely to contemplate suicide than their heterosexual peers, and 39 percent of LGBTQ youths reported seriously considering suicide in the past 12 months.

Mr. Speaker, that is why this bill ensures that the lifeline and the good people on the other end of the call have the tools and resources they need to reach people who need it the most.

Mr. Speaker, the National Suicide Hotline Designation Act is a necessary step to reducing suicide in the United States and will ultimately save lives. I thank Representatives MOULTON and STEWART for drafting this measure and the Senate for introducing a companion bill.

Mr. Speaker, I also thank the chairs and ranking members of the Communications and Technology Subcommittee and the full Committee on Energy and Commerce for their bipartisan work to bring this measure to the floor. I look forward to the legislation passing the House today and its signature by the President.

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

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

Mr. Speaker, I rise in support of the bill, S. 2661, the National Suicide Hotline Designation Act by Senators GARDNER, BALDWIN, MORAN, and REED. It is the Senate companion of legislation I introduced with Representatives STEWART, MOULTON, and EDDIE BERNICE JOHNSON.

It designates “988” as the universal telephone number for the National Suicide Prevention Lifeline system. This means no matter where you are in the country, just like when you call 911, when you call 988, you will be connected to mental health resources.

This legislation also authorizes States to collect a fee limited to supporting local crisis call centers that are affiliated with the national network of such services. It also sets a 1-year deadline to complete technical upgrades to enable the number.

Mr. Speaker, I am glad we have been able to work together on this measure and others to improve the network of services that make up the suicide prevention lifeline and to educate Americans about suicide prevention. These bills are badly needed by a Nation working to emerge from an unprecedented health and economic crisis, and it is badly needed in Montana where, tragically, we have one of the highest rates of suicide in the country.

Mr. Speaker, I ask my colleagues to come together here today to advance these bills, and I reserve the balance of my time.

Mr. McNERNEY. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank my colleague from Montana, as well as others who have supported this.

Mr. Speaker, the sad reality is, here in the United States, we are in the middle of an tragedy. It is a tragedy that is particularly painful for our youth and our veterans, as so many of them have experienced suicide and left tragedies behind for them and their families.

If you are in the middle of a mental health crisis and you need help, if you are worried about one of your children, your son, a daughter, a roommate, a friend, you need to know who to call. But the problem is, no one knows the number.

The second problem is, the number is different. If you are calling in Salt Lake City, it is a different number than if you are calling in New York or Whoever else is calling in a different place, or even another part of Utah.

This fixes it, which is why I rise to support the bill, S. 2661.

Mr. Speaker, I am so pleased, working with, again, my colleagues, that after 10 years of working on designing this three-digit number—legislation which, by the way, was based on something that we did in Utah about 4 years ago—we are finally going to pass this bill to do just that.

Imagine this: Every 11 minutes, somebody in the United States commits suicide—not attempts suicide, actually commits suicide—leaving behind devastation of broken hearts and broken families and friends. It used to be that you spoke to someone at 1-800-273-TALK and said, “How many of you have been impacted by someone you know or love and you care about who has attempted suicide or committed suicide?” 5 or 6 years ago, maybe a few hands would have gone up. Now, in those settings, almost everyone raises their hands.

That is good because we are more willing to acknowledge and recognize the problem and to discuss it. But the truth is, most of us have been affected in one way or another by someone we know, someone we care about.

It is heartbreaking, as I said, not only for the lives that are taken but the family and the friends who are left behind to mourn that terrible loss. Too many of us have been impacted by suicide and the very real need to do something about it, and this bill does.

By designating “988” as a nationwide hotline number, we increase the accessibility.

If your house is on fire, call 911.

If you need the police, call 911.

If you are in the middle of a mental health crisis, 988 is going to get you help. It is going to immediately give you someone to talk with and, in special cases where intervention is necessary, to give you that resource as well.

Mr. Speaker, I ask my colleagues here in the House, and I thank my colleagues in the Senate, to join with me in helping those people who need our help—the most vulnerable, again, as I started out by saying, particularly among our youth and our veterans.

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

Mr. Speaker, I thank the gentleman from Utah for his leadership. I urge adoption of this, and I yield back the balance of my time.

Mr. McNERNEY. Mr. Speaker, I thank the gentleman from Utah (Mr. STRICKLAND) for his leadership on this issue. It is an issue that can affect families and tear them apart, and I appreciate the work.
The National Suicide Hotline Designation Act is a necessary step in reducing suicide in the United States and will ultimately save lives.

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

Ms. JOHNSON of Texas. Mr. Speaker, today I rise in support of the National Suicide Hotline Designation Act, which I have led in the House with my colleagues Congressmen CHRIS STEWART, SETH MOULTON, and GREG GIANFORTE. I am so pleased that we are considering this critical legislation on the floor today, in honor of September as Suicide Prevention Month.

As a former chief psychiatric nurse, I have spent my legislative career advocating for more accessible mental health resources in our communities, especially considering the significant needs in these difficult times. The Centers for Disease Control and Prevention reported that in late June, 40 percent of American adults struggled with mental health or substance abuse during the COVID–19 pandemic. It reported that communities of color, essential workers, younger adults, and unpaid caregivers had disproportionately worse mental health outcomes and elevated suicidal ideation.

This is exactly why I am determined to pass this bill. It directs the Federal Communications Commission to designate 9–8–8 for the national suicide prevention and mental health crisis hotline system. It also provides the necessary state funding guidance, federal reporting, and specialized service training to effectively implement the new dialing code. This three-digit number—instead of a full ten-digit number—is much easier to remember, especially when you or a loved one are in a crisis and in need of help. As such, this redesigned and upgraded suicide prevention lifeline will save lives.

As the country’s mental health and suicide crises have worsened during the COVID–19 pandemic, Congress has an urgent responsibility to fulfill the promise of 9–8–8 and develop a modern mental health and suicide prevention crisis hotline system. I am especially proud of the efforts to expand and strengthen this legislation to support communities at higher risk of suicide, including veterans and LGBTQ+ youth. This new system will include the Veterans Crisis Line to specifically support veterans seeking mental health support. The bill also authorizes states to collect a fee designated solely to supporting the new dialing code. This funding will have the financial resources needed to expand their operations and serve all who are seeking help.

We must not allow the tragedies of this coronavirus to be compounded by preventable losses of life due to mental health distress. As a former mental health professional, I am proud to support the enactment of the National Suicide Hotline Designation Act, and I thank my colleagues for their collaboration on such a critical and timely effort. I urge my colleagues to vote in favor of this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McNERNEY) that the House suspend the rules and pass the bill, S. 2661.

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.

DIRECTING FEDERAL COMMUNICATIONS COMMISSION TO ISSUE REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM

Mr. McNERNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5918) to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting, as amended.

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

H.R. 5918

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

SECTION 1. REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM; IMPROVEMENTS TO NETWORK OUTAGE REPORTING.

(a) REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM.—

(1) PRELIMINARY REPORT.—Not later than 6 months after the activation of the Disaster Information Reporting System with respect to an event for which the System was activated for at least 7 days, the Commission shall issue a preliminary report on, with respect to such event and to the extent known—

(i) the number and duration of any outages of—

(A) broadband internet access service;

(B) interconnected VoIP service;

(C) commercial mobile service; and

(D) commercial mobile data service;

(ii) the approximate number of users or the amount of communications infrastructure potentially affected by an outage described in clause (i);

(iii) the number and duration of any outages at public safety answering points that prevent—

(A) the origination of 9–1–1 calls;

(B) the delivery of Automatic Location Information; or

(C) Automatic Number Identification;

(iv) any additional information determined appropriate by the Commission.

(2) DEVELOPMENT OF REPORT.—The Commission shall develop the report required by subparagraph (A) using information collected by the Commission, including information collected by the Commission through the System.

(b) INCLUSION OF CERTAIN INDIVIDUALS IN HEARINGS.—For each public field hearing held under subparagraph (A), the Commission shall consider including—

(i) representatives of State government, local government, or Indian Tribal governments in areas affected by such event;

(ii) residents of the areas affected by such event, or representatives of such areas;

(iii) providers of communications services affected by such event;

(iv) faculty of institutions of higher education;

(v) representatives of other Federal agencies;

(vi) electric utility providers;

(vii) communications infrastructure companies; and

(viii) first responders, emergency managers, or 9–1–1 call centers in areas affected by such event.

(c) FINAL REPORT.—Not later than 12 months after the activation of the Disaster Information Reporting System with respect to an event for which the System was activated for at least 7 days, the Commission shall issue a final report that includes, with respect to such event—

(A) the information described under paragraph (1)(A); and

(B) any recommendations of the Commission on how to improve the resiliency of affected communications or network outage efforts.

(d) DEVELOPMENT OF REPORT.—In developing a report required under this subsection, the Commission shall consider information collected by the Commission, including information collected by the Commission through the System, and any public hearing described in paragraph (2) with respect to the applicable event.

(e) PUBLICATION.—The Commission shall publish each report, excluding information that is otherwise exempt from public disclosure under the rules of the Commission, issued under this subsection on the website of the Commission upon the issuance of such report.

(f) IMPROVEMENTS TO NETWORK OUTAGE REPORTING.—Not later than the date of the enactment of this Act, the Commission shall conduct a proceeding and, after public notice and an opportunity for comment, adopt rules to—

(1) determine the circumstances under which to require service providers subject to the 9–1–1 regulations established under part 9 of title 47, Code of Federal Regulations, to provide a timely notification, (in an easily accessible format that facilities situational awareness) to public safety answering points regarding communications service disruptions within the assigned territories of such public safety answering points that prevent—

(A) the origination of 9–1–1 calls;

(B) the delivery of Automatic Location Information; or

(C) Automatic Number Identification;

(2) require such notifications to be made; and

(3) specify the appropriate timing of such notification.

(g) DELEGATIONS.—In this section:

(1) AUTOMATIC LOCATION INFORMATION; AUTOMATIC NUMBER IDENTIFICATION.—The terms "Automatic Location Information" and "Automatic Number Identification" have the meaning given those terms in section 9.3 of title 47, Code of Federal Regulations, or any successor regulation.

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

(3) COMMERCIAL MOBILE SERVICE.—The term "commercial mobile service" has the meaning given such term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 153).

(4) COMMERCIAL MOBILE DATA SERVICE.—The term "commercial mobile data service" has the meaning given such term in section 6001 of the Mahon and Tiah Yee Relief and Job Creation Act of 2012 (47 U.S.C. 1401).

(5) COMMUNICATIONS ACT OF 1934.—The term "Communications Act of 1934" means the Communications Act of 1934, as amended.

(6) INDIAN TRIBAL GOVERNMENT; LOCAL GOVERNMENT.—The terms "Indian Tribal government" and "local government" have the meaning given those terms in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121).

(7) INTERCONNECTED VOIP SERVICE.—The term "interconnected VoIP service" has the meaning given such term in section 3 of the Communications Act of 1934 (47 U.S.C. 152).
The term “public safety answering point” has the meaning given such term in section 222 of the Communications Act of 1934 (47 U.S.C. 222).

The Disaster Information Reporting System, or DIRS, was launched by the Federal Communications Commission, to adapt with the times. To update our playbook for communications systems which were affected by severe disasters, the FCC only activates the DIRS in times of crisis, Americans rely on communications systems to stay informed, check on loved ones, and access emergency assistance. In 2017, when the FCC activated DIRS, many 911 centers were affected by service outages. This bill would then require the FCC to hold a field hearing no later than 8 months after the Commission deactivates DIRS. By requiring the FCC to get out of Washington and see and hear real stories on the ground, the FCC will get an opportunity to examine these events, the outages they cause, and how we can prevent them from happening in the future.

Last week, the Subcommittee on Communications and Technology held a productive and informative FCC oversight hearing. At the hearing, Commissioner Jessica Rosenworcel stressed the need to update our playbook for communications in disasters. She is right, and this bill is how we move forward to get that goal.

We rely on our devices, and we count on having a signal or connection in our time of need. In fact, right now in California, folks are using their devices to track fast-moving wildfires, ready to drop everything and evacuate if there is an unexpected shift in the fire’s path.

In our world today, connectivity is not a luxury; it is essential to ensuring our collective safety. Often it can make a difference between life and death.

I commend Representative Doris Matsui for her leadership on this bill, especially as her constituents and mine all across California continue to grapple with these fires.

I also want to thank Ranking Member Walden and Subcommittee Ranking Member LaTta for working with us to move this bill through the Energy and Commerce Committee on a bipartisan basis. And, of course, I would like to thank Communications and Technology Subcommittee Chairman Mike Doyle and full committee Chairman Frank Pallone for their leadership in getting us all there.

This is a good bill that will help us make our communications systems more resilient in the future. I look forward to its consideration by the Senate and the President.

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

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

Mr. Speaker, I rise today in support of H.R. 5918, the Emergency Reporting Act, which was introduced by Representatives Matsui, Eshoo, Thompson, and Huffman.

Today’s legislation will allow 911 centers across the country to have access to confidential information on potential 911 outages, subject to appropriate safeguards.

In times of disaster, 911 public safety answering points do not always know that 911 calls may not be going through. The FCC currently collects information on the status of communications infrastructure and communications network outage information. They make that information available to the Department of Homeland Security to coordinate overall emergency response efforts within a State between State and local first responders.

Given the sensitive nature of this data to both national security and commercial competitiveness, this information is confidential. However, as first responders work to ensure the 911 system can seamlessly get back online and route calls to neighboring call centers, access to this confidential information is important.

This bill would help make timely outage information available to help first responders on the ground restore service as quickly as possible. The bill also requires the FCC to hold a field hearing in areas in which the Commission’s Disaster Information Reporting System was activated for 7 or more days and to provide an initial and final report on the status of communications networks.

The FCC only activates the DIRS system for significant natural disasters, such as Hurricane Sally or the wildfires out West. The bill limits these types of reports to only areas where damage was significant and sustained.

This is an important bill to the resilience of our public safety networks, and I urge my colleagues to support the measure.

Mr. Speaker, I reiterate my support for this bill, I urge adoption, and I yield back the balance of my time.

Mr. McNERNEY. Mr. Speaker, as California has grappled with devastating wildfires, we must do everything possible to help them stay connected during these events, when connectivity can mean the difference between life and death.

H.R. 5918 is a critical part of this effort. I urge my colleagues to support it, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 5918, the Emergency Reporting Act.

The human impacts of natural disasters are worsened when our communications infrastructure is not resilient, and this is an issue Congress has worked hard on.

On October 28, 2019, 874 cell towers were out in California, caused by wildfires and power outages. My constituents were worried they wouldn’t be able to call 9–1–1 during emergencies, receive emergency alerts, download evacuation maps, or check-in on loved ones. This horrific situation led my good friend, Congresswoman Matsui, and me to work on this legislation.
Mr. MCNERNEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to consider extraneous material on H.R. 5567.

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

Mr. Speaker, I rise today in support of H.R. 5567, the Measuring the Economics Driving Investments and Access for Diversity Act of 2020.

This bill promotes much-needed diversity in the communications marketplace. For example, the owners of broadcast and cable media outlets do not reflect our diverse population. These media outlets can influence people’s opinions and perceptions through educational, political, entertainment, and news programming.

Diversity in ownership of media outlets helps to ensure that programming offers different perspectives and that viewers have access to programming that is relevant to them.

Experts have also found that ownership diversity can provide financial and competitive benefits. But in a concentrated communications marketplace, barriers for entry still exist, and the Federal Communications Commission is already tasked with studying what those barriers are. This bill simply asks the FCC to also consider market entry barriers for socially disadvantaged individuals.

Creating ownership parity to reflect the country’s diversity is a worthy goal, and this bipartisan effort is just a small step that can have a genuine impact in identifying market entry barriers.

To be clear, there is so much more that we need to do, and the Energy and Commerce Committee, 2 weeks ago, reported out two additional bills that also take important steps to diversify our media market, one of which my Republican colleagues unfortunately objected to.

I would call on my Republican colleagues to support those measures as well when they come to the floor. This is no time to say that our work is done. We must recognize that Americans need transformative change to meet this moment.

While incremental steps are crucial, we must do more. These additional measures that were just reported by the committee, like this one, are modest changes that will help begin the task of comprehensive reform.

I am proud of the good work done by the members of that task force and I am proud of this bill. I hope we can come together as a committee and as a Congress and do the additional work that is needed.

Mr. Speaker, I urge all of my colleagues to support the MEDIA Diversity Act of 2020, and I reserve the balance of my time.
to communities that they serve. Many programs and initiatives have been established to promote opportunities for women, minorities, veterans, and other socially disadvantaged individuals to participate in the media marketplace.

Of course, the media industry is only one part of the vast communications marketplace that also includes mobile wireless providers, online video distributors, fixed broadband providers, and so on.

There are also new entrants in the technology industry who are providing additional opportunities for minorities, women, veterans, and underrepresented groups that make their voices heard. There is still work to do to make sure these voices and underserved communities are represented in traditional media and all other areas of the large communications marketplace, and this legislation will help.

I am glad to support this piece of bipartisan legislation that will allow the FCC to evaluate the market barriers social, economic, and educational individuals face in the communications marketplace.

Mr. Speaker, I urge my colleagues to support this important legislation to make sure all voices are heard, and I yield back the balance of my time.

Mr. McNerney. Mr. Speaker, H.R. 5567 promotes much needed diversity in the communications marketplace. As the Member who represents the most racially and ethnically diverse city in the country, Stockton, California, I want to make sure that the owners of broadcast and cable media outlets reflect our diverse population. H.R. 5567 is a step toward achieving that goal.

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

The SPEAKER pro tempore. The question was taken; and (two-thirds) was voted for, in the affirmative, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DON'T BREAK UP THE T-BAND ACT OF 2020

Mr. McNerney. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 451) to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum, as amended.

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

H.R. 451
Be it enacted by the Senate and House of Representa- tives of the United States of America in Congress assem- bled, SECTION 1. SHORT TITLE. This Act may be cited as the "Don't Break Up the T-Band Act of 2020".

SEC. 2. REPEAL OF REQUIREMENT TO REALLOC- ATE AND AUCTIO T-BAND SPECTRUM. (a) REQUIREMENT. Section 610 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1413) is repealed.

(b) EFFECTIVE DATE. —The table of contents in section 1(b) of such Act is amended by striking the item relating to said section.

SEC. 3. CLARIFYING ACCEPTABLE 9–1–1 OBLIGA- TIONS OR EXPENDITURES. Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a–1) is amended — (1) in subsection (f) — (A) in paragraph (1), by striking "as specified in the provision of State or local law that authorizes the charge" and inserting "consistent with the purposes and functions designated in the final rules issued under paragraph (3) as purposes and functions for which the obligation or expenditure of such a fee or charge is acceptable"; (B) in paragraph (2), by striking "any purpose other than the purpose for which any such fees or charges are specified" and inserting "any purpose or function other than the purposes and functions designated in the final rules issued under paragraph (3) as purposes and functions for the obligation or expenditure of any such fees or charges is acceptable"; and (C) by adding at the end the following: (3) ACCEPTABLE OBLIGATIONS OR EXPENDITURES. — (A) RULES REQUIRED. — In order to prevent diversion of 9–1–1 fees or charges, the Commission shall, not later than 2 years after the date of enactment of this Act, issue final rules designating purposes and functions for which the obligation or expenditure of a State or local government fee or charge is acceptable and providing that a State or local government fee or charge that fails to meet the requirements of this paragraph is not acceptable for purposes described in subparagraph (B) or (C). (B) PURPOSES AND FUNCTIONS. — The purposes and functions designated under subparagraph (A) shall be limited to the support and implementation of 9–1–1 services provided by or in the State or taxing jurisdiction imposing the fee or charge and operational expenses of public safety answering points within such State or taxing jurisdiction. In designing and implementing such purposes and functions, the Commission shall consider the purposes and functions that States and taxing jurisdictions specify as the intended purposes and functions of 9–1–1 fees, and provide for a demonstration that the purposes and functions are consistent with the purposes and functions designated in the final rules issued under paragraph (3) as purposes and functions for which the obligation or expenditure of any such fees or charges is acceptable.

SEC. 4. PROHIBITION ON 9–1–1 FEE OR CHARGE DIVERSION. (a) IN GENERAL. — If the Commission obtains evidence that suggests the diversion by a State or taxing jurisdiction of 9–1–1 fees or charges, the Commission shall, as a condition of receiving such grant, provide the information requested by the Commission to prepare the report required by paragraph (2).

(b) REPORT TO CONGRESS. — Beginning with the first report under section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a–1(f)(2)) that is required to be submitted after the date that is 1 year after the date of enactment of this Act, the Commission shall include in each report required under such section all evidence that suggests the diversion by a State or taxing jurisdiction of 9–1–1 fees or charges, including any information regarding the impact of any underfunding of 9–1–1 services in the State or taxing jurisdiction served by the interagency strike force established under subsection (c).

(c) INTRAGENCY STRIKE FORCE TO END 9–1–1 FEE OR CHARGE DIVERSION.— (1) ESTABLISHMENT. — Not later than 180 days after the date of enactment of this Act, the Commission shall establish an interagency strike force to study how the Federal Government can most expeditiously end diversion of 9–1–1 fees or charges. Such interagency strike force shall be known as the "Ending 9–1–1 Fee Diversion Now Strike Force." 

This section referred to as the "Strike Force".

(2) DUTIES. — In carrying out the study under paragraph (1), the Strike Force shall— (A) determine the effectiveness of Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints regarding how the Federal Government can most expeditiously end diversion of a State or taxing jurisdiction of 9–1–1 fees or charges;
(B) consider whether criminal penalties would further prevent diversion by a State or taxing jurisdiction of 9–1–1 fees or charges; and
(C) determine the impacts of diversion by a State or taxing jurisdiction of 9–1–1 fees or charges.
(3) MEMBERS.—The Strike Force shall be comprised of such representatives of Federal departments and agencies as the Commission considers appropriate, in addition to—
(A) State attorneys general;
(B) representatives of jurisdictions found not to be engaging in diversion of 9–1–1 fees or charges;
(C) States or taxing jurisdictions trying to stop the diversion of 9–1–1 fees or charges;
(D) State 9–1–1 administrators;
(E) public safety organizations;
(F) groups representing the public and consumers; and
(G) groups representing public safety answering point professionals.
(4) REPORT TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Strike Force shall publish on the website of the Commission 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 the findings of the study under this subsection, including—
(A) any recommendations regarding how to most expeditiously end the diversion by a State or taxing jurisdiction of 9–1–1 fees or charges, including actions that can be taken by Federal departments and agencies and appropriate changes to law or regulations; and
(B) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under subparagraph (A).
(f) FAILURE TO COMPLY.—Notwithstanding any other provision of law, any State or taxing jurisdiction identified by the Commission in the report required under section 6(f)(2) of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 654a–1(f)(2)) as engaging in diversion of 9–1–1 fees or charges shall be ineligible to participate or send a representative to serve on any committee, panel, or council established under section 620(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1425a) or any advisory committee established by the Commission.
§ 5. RULE OF CONSTRUCTION.
Nothing in this Act, the Wireless Communications and Public Safety Act of 1999 (Public Law 106–81), or any other Act, rule, or regulation shall be construed to prevent a State or taxing jurisdiction from requiring an annual audit of the books and records of a provider of 9–1–1 services concerning the collection and remittance of a 9–1–1 fee or charge.
§ 6. DEFINITIONS.
In this Act:
(1) 9–1–1 FEE OR CHARGE.—The term “9–1–1 fee or charge” has the meaning given such term in subparagraph (D) of paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act.
(2) 9–1–1 SERVICES.—The term “9–1–1 services” has the meaning given such term in section 136(e) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(e)).
(3) COMMISSION.—The term “Commission” means the Federal Communications Commission.
(4) DIVERSION.—The term “diversion” means, with respect to a 9–1–1 fee or charge, the obligation or expenditure of such fee or charge for a purpose or function other than the purposes and functions designated in the final rules issued under paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act, as purposes and functions for which the obligation or expenditure of such a fee or charge is acceptable.
(5) STATE OR TAXING JURISDICTION.—The term “State or taxing jurisdiction” has the meaning given such term in subparagraph (D) of paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act.
§ 7. DETERMINATION OF BUDGETARY EFFECTS.
The budgetary effects of this Act, for purposes of the Statutory Pay-As-You-Go Legislation 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 California (Mr. MCNERNEY) and the gentleman from Montana (Mr. GIANFORTE) each will control 20 minutes.
The Chair recognizes the gentleman from California.
G E N E R A L L E A V E
Mr. MCNERNEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any recommendations under subparagraph (A).
(f) R E P O R T TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Strike Force shall publish on the website of the Commission 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 the findings of the study under this subsection, including—
(A) any recommendations regarding how to most expeditiously end the diversion by a State or taxing jurisdiction of 9–1–1 fees or charges, including actions that can be taken by Federal departments and agencies and appropriate changes to law or regulations; and
(B) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under subparagraph (A).
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Nothing in this Act, the Wireless Communications and Public Safety Act of 1999 (Public Law 106–81), or any other Act, rule, or regulation shall be construed to prevent a State or taxing jurisdiction from requiring an annual audit of the books and records of a provider of 9–1–1 services concerning the collection and remittance of a 9–1–1 fee or charge.
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(2) 9–1–1 SERVICES.—The term “9–1–1 services” has the meaning given such term in section 136(e) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(e)).
(3) COMMISSION.—The term “Commission” means the Federal Communications Commission.
(4) DIVERSION.—The term “diversion” means, with respect to a 9–1–1 fee or charge, the obligation or expenditure of such fee or charge for a purpose or function other than the purposes and functions designated in the final rules issued under paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act, as purposes and functions for which the obligation or expenditure of such a fee or charge is acceptable.
(5) STATE OR TAXING JURISDICTION.—The term “State or taxing jurisdiction” has the meaning given such term in subparagraph (D) of paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act.
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The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCNERNEY) and the gentleman from Montana (Mr. GIANFORTE) each will control 20 minutes.
The Chair recognizes the gentleman from California.
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(f) R E P O R T TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Strike Force shall publish on the website of the Commission 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 the findings of the study under this subsection, including—
(A) any recommendations regarding how to most expeditiously end the diversion by a State or taxing jurisdiction of 9–1–1 fees or charges, including actions that can be taken by Federal departments and agencies and appropriate changes to law or regulations; and
(B) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under subparagraph (A).
§ 5. RULE OF CONSTRUCTION.
Nothing in this Act, the Wireless Communications and Public Safety Act of 1999 (Public Law 106–81), or any other Act, rule, or regulation shall be construed to prevent a State or taxing jurisdiction from requiring an annual audit of the books and records of a provider of 9–1–1 services concerning the collection and remittance of a 9–1–1 fee or charge.
§ 6. DEFINITIONS.
In this Act:
(1) 9–1–1 FEE OR CHARGE.—The term “9–1–1 fee or charge” has the meaning given such term in subparagraph (D) of paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act.
(2) 9–1–1 SERVICES.—The term “9–1–1 services” has the meaning given such term in section 136(e) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(e)).
(3) COMMISSION.—The term “Commission” means the Federal Communications Commission.
(4) DIVERSION.—The term “diversion” means, with respect to a 9–1–1 fee or charge, the obligation or expenditure of such fee or charge for a purpose or function other than the purposes and functions designated in the final rules issued under paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act, as purposes and functions for which the obligation or expenditure of such a fee or charge is acceptable.
(5) STATE OR TAXING JURISDICTION.—The term “State or taxing jurisdiction” has the meaning given such term in subparagraph (D) of paragraph (3) of section 6(f) of the Wireless Communications and Public Safety Act of 1999, as added by this Act.
other cases States use these fees for other public safety-type expenses that do not directly support 911 services. Those States are currently classified by the FCC as 911 fee diverters.

To clarify what is considered a diversion, and to consider what needs to be done to support 911 services, the bill directs the FCC to clarify its rules of what obligations or expenditures are acceptable. These rules would be crafted with input from States to ensure that appropriate 911 uses are included.

Additionally, if a State has expenditures that don’t fit squarely within the eligible uses determined by the Commission, but can provide documentation and receipts to show how those expenditures support public safety answering point functions and operations or the ability to dispatch emergency responders, then the States ought to have an opportunity to challenge the acceptable nature of those expenses, and this bill provides for that as well.

For the States that are truly bad actors, I think we can all agree that those States should be held accountable for the illegal practice of diverting 911 fees for programs completely unrelated to 911 services. Misleading the public on something this important to public safety is unacceptable.

To that end, this bill sets up a strike force of State law enforcement officers, public safety officials, and others to consider potential criminal penalties to end fee diversion at its source. This strike force will also study jurisdictional, budgetary, and other barriers to ending diversion.

Mr. Speaker, I want to thank Mr. ENGEL and Chairman PALLONE for working with us to add this important language to the bill. I would also like to thank FCC Commissioner Michael O’Rielly, for his work on the issue. He has been a steadfast champion on trying to address this issue and hold States to standards to share to the fullest extent of the law.

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

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

Mr. Speaker, I want to thank the minority manager, Mr. GIANFORTI, for his work this afternoon in managing the floor.

The T-Band is what our first responders and public safety personnel are used to. They don’t want to lose it. And letting them continue in that band saves the taxpayers up to $4 billion. That is why we must pass H.R. 451.

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

The SPEAKER pro tempore. The question ofH.R. 451 is now before the gentleman from California (Mr. McNERNEY) that the House suspend the rules and pass the bill, H.R. 451, 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. McNERNEY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered. Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

NATIONAL CENTERS OF EXCELLENCE IN CONTINUOUS PHARMACEUTICAL MANUFACTURING ACT OF 2020

Mrs. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4866) to amend the 21st Century Cures Act to provide for designation of institutions of higher education that provide research, data, and leadership on continuous manufacturing as National Centers of Excellence in Continuous Pharmaceutical Manufacturing, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4866

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 “National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2020”.

SEC. 2. NATIONAL CENTERS OF EXCELLENCE IN CONTINUOUS PHARMACEUTICAL MANUFACTURING.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs—

(1) shall solicit and, beginning not later than one year after the date of enactment of the National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2020, receive requests from institutions of higher education to be designated as a National Center of Excellence in Continuous Pharmaceutical Manufacturing (in this section referred to as a ‘National Center of Excellence’);

(2) to share data with the Food and Drug Administration regarding the institution continues to meet and make progress on the criteria listed in subsection (c).

(b) REQUEST FOR DESIGNATION.—A request for designation under subsection (a) shall be made to the Secretary in a manner, and containing such information as the Secretary may require. Any such request shall include a description of how the institution of higher education meets or plans to meet each of the criteria specified in subsection (c).

(c) CRITERIA FOR DESIGNATION DESCRIBED.—The criteria specified in this subsection with respect to an institution of higher education are that the institution has, as of the date of the submission of a request under subsection (a) by such institution—

(1) proves the technical and capacity for research and development of continuous manufacturing;

(2) manufacturing knowledge-sharing networks including the rationale for such termination.

(f) FUNDING.—The Secretary may terminate the designation of any National Center of Excellence designated under this section if the Secretary determines such National Center of Excellence no longer meets the criteria specified in subsection (c). Not later than 60 days before the effective date of such a termination, the Secretary shall provide written notice to the National Center of Excellence, including the rationale for such termination.

(e) CONDITIONS FOR DESIGNATION.—As a condition of designation as a National Center of Excellence under this section, the Secretary shall require that an institution of higher education enter into an agreement with the Secretary under which the institution agrees—

(1) to collaborate directly with the Food and Drug Administration to publish the reports required by subsection (g);

(2) to develop, along with industry partners (which may include large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract manufacturers) and another institution or institutions designated under this section, if any, a roadmap for developing a continuous manufacturing workforce; and,

(3) to provide an annual report to the Food and Drug Administration regarding best practices and research generated through the funding under subsection (f).

(i) IN GENERAL.—The Secretary shall award funding, through grants, contracts, or cooperatives, agreements, to the National Center of Excellence designated under this section for the purpose of studying and recommending improvements to continuous manufacturing, including such improvements as may enable the Centers—

(1) to support companies with continuous manufacturing in the United States;

(2) to support Federal agencies with technical assistance, which may include regulatory and quality metric guidance as applicable, for advanced manufacturing and continuous manufacturing;

(3) with respect to continuous manufacturing, to organize and conduct research and development activities needed to create new and more effective technology, capture and disseminate expertise, create intellectual property, and maintain technological leadership;

(4) to develop best practices for designing continuous manufacturing systems; and

(5) to assess and respond to the workforce needs for continuous manufacturing, including but not limited to training programs if needed.

(j) TERMINATION OF DESIGNATION.—The Secretary may terminate the designation of any National Center of Excellence designated under this section if the Secretary determines such National Center of Excellence no longer meets the criteria specified in subsection (c). Not later than 60 days before the effective date of such a termination, the Secretary shall provide written notice to the National Center of Excellence, including the rationale for such termination.

(k) CONDITIONS FOR DESIGNATION.—As a condition of designation as a National Center of Excellence under this section, the Secretary shall require that an institution of higher education enter into an agreement with the Secretary under which the institution agrees—

(1) to collaborate directly with the Food and Drug Administration to publish the reports required by subsection (g);

(2) to develop, along with industry partners (which may include large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract manufacturers) and another institution or institutions designated under this section, if any, a roadmap for developing a continuous manufacturing workforce; and,

(3) to provide an annual report to the Food and Drug Administration regarding best practices and research generated through the funding under subsection (f).

(l) IN GENERAL.—The Secretary shall award funding, through grants, contracts, or cooperatives, agreements, to the National Center of Excellence designated under this section for the purpose of studying and recommending improvements to continuous manufacturing, including such improvements as may enable the Centers—

(1) to support companies with continuous manufacturing in the United States;

(2) to support Federal agencies with technical assistance, which may include regulatory and quality metric guidance as applicable, for advanced manufacturing and continuous manufacturing;

(3) with respect to continuous manufacturing, to organize and conduct research and development activities needed to create new and more effective technology, capture and disseminate expertise, create intellectual property, and maintain technological leadership;

(4) to develop best practices for designing continuous manufacturing systems; and

(5) to assess and respond to the workforce needs for continuous manufacturing, including but not limited to training programs if needed.

SEC. 3.$reserved.

SEC. 4. RESERVE.
“(B) to expand capacity for research on, and development of, continuous manufacturing.

“(2) CONSISTENCY WITH FDA MISSION.—As a condition on receipt of funding under this subsection, the Secretary of Excellence shall agree to consider any input from the Secretary regarding the use of funding that would—

“(A) facilitate the advancement of continuous manufacturing through the National Center of Excellence; and

“(B) be relevant to the mission of the Food and Drug Administration.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $80,000,000 for the period of fiscal years 2021 through 2025.

“(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as precluding a National Center of Excellence designated under this section from receiving funds under any other provision of this Act or any other Federal law.

“(6) ANNUAL REVIEW AND REPORTS.—

“(1) ANNUAL REPORT.—Beginning not later than one year after the date on which the first designation is made under subsection (a), and annually thereafter, the Secretary shall—

“(A) submit to Congress a report describing the activities, partnerships and collaborations, Federal regulations and guidance, and continuous funding, and findings of, and any other applicable information from, the National Centers of Excellence designated under this section; and

“(B) make such report available to the public in an easily accessible electronic format on the website of the Food and Drug Administration.

“(2) REPORT ON NATIONAL CENTERS OF EXCELLENCE AND POTENTIAL DESIGNEES.—The Secretary shall periodically review the National Centers of Excellence designated under this section to determine whether such National Centers of Excellence continue to meet the criteria for designation under this section.

“(3) REPORT ON LONG-TERM VISION OF FDA ROLE.—Not later than 2 years after the date on which the first designation is made under subsection (a), the Secretary, in consultation with the National Centers of Excellence designated under this section, shall submit a report to the Congress on the long-term vision of the Department of Health and Human Services on the role of the Secretary in support of continuous manufacturing, including—

“(A) a national framework of principles related to the implementation and regulation of continuous manufacturing;

“(B) a plan for the development of Federal regulations and guidance for how advanced manufacturing and continuous manufacturing can be integrated into the development of pharmaceuticals and regulatory responsibilities of the Food and Drug Administration; and

“(C) appropriate feedback solicited from the public, which may include other institutions, large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract manufacturers.

“(b) DEFINITIONS.—In this section:

“(1) ADVANCED MANUFACTURING.—The term ‘advanced manufacturing’ means an approach for the manufacture of pharmaceuticals that incorporates novel technology, or uses an established technique or technology in a new or innovative way (such as continuous manufacturing where the input materials are continuously transformed within the process by two or more unit operations) that enhances drug quality or improves the manufacturing process.

“(2) CONTINUOUS MANUFACTURING.—The term ‘continuous manufacturing’—

“(A) means a process where the input materials are continuously fed into and transformed within the process, and the processed output materials are continuously removed from the system; and

“(B) consists of an integrated process that consists of a series of two or more unit operations.

“(3) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs.

“(5) TRANSITION RULE.—Section 3016 of the 21st Century Cures Act (21 U.S.C. 399h), as in effect on the day before the date of the enactment of this section, shall apply with respect to grants awarded under such section before such date of enactment.

“The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mrs. Dingell) and the gentleman from Montana (Mr. Gianforte) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENRAL LEAVE

Mrs. DINGELL. 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. 4866.

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

There was none.

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

Mr. Speaker, before I begin, I want to thank Chairman PALLONE and Ranking Member WALDEN for their bipartisan leadership on all of the legislation before us today. During this unprecedented public health crisis, and in spite of significant logistical challenges, the Energy and Commerce Committee has come together on a bipartisan basis on legislation to meaningfully address many public health issues we continue to face.

I would also like to commend many of my fellow committee members for their advocacy and efforts on the legislation before us today.

Mr. Speaker, I am proud to rise in support of H. R. 4866, the National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act.

COVID-19 has made clear that the United States is overly reliant on foreign manufacturers for critical products like personal protective equipment and pharmaceuticals. For far too long, we have relied on China and India to provide the medicines and the ingredients needed to make them. In times of crisis like COVID-19, access to critical medicines is even more critical.

While there are many things we must do to encourage drug manufacturing to come back to the United States, investing and supporting the use of efficient, innovative technologies like continuous manufacturing holds promise.

Continuous manufacturing allows manufacturers to make drugs more efficiently, thus increasing the quality of drugs while also reducing waste and the footprint needed that traditional drug manufacturing requires.

FDA has been working to support increased utilization of this technology because, as we have heard from the head of FDA’s drug center, Dr. Janet Woodcock, continuous manufacturing can help “increase the resilience of our domestic manufacturing base and reduce quality issues that trigger drug shortages or recalls.”

H. R. 4866 will help support this work by investing in centers of excellence at universities that can help us to further improve this technology, transfer it to drug manufacturers, and increase its use and capability in the United States. These centers of excellence would also be charged with helping to develop a domestic workforce that would be able to help manufacturers with the adoption of continuous manufacturing.

For States like mine, Michigan, centers of excellence supported by H. R. 4866 could help to leverage our manufacturing expertise to support the growth of a new generation of drug manufacturers in our backyard.

Now more than ever, we must work to bring drug manufacturing home to ensure that our critical medicines are available without interruption in public health emergencies or crises.

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

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

Mr. Speaker, I rise today in support of H. R. 4866, the National Centers of Excellence and Continuous Pharmaceutical Manufacturing Act introduced by Chairman PALLONE and Representative GUTHRIE.

This legislation would direct the FDA to designate higher education institutions as national centers of excellence, allowing the FDA to work with the centers and industry to create a national framework for implementation of continuous manufacturing technology.

Last October, the Committee on Energy and Commerce held a hearing on safeguarding the pharmaceutical supply chain. At this hearing, Dr. Janet Woodcock, Director of the Center for Drug Evaluation and Research at the FDA, spoke at length about the advantages of advanced manufacturing technology, such as continuous manufacturing.

This included the potential to reduce our dependence on foreign sources of active pharmaceutical ingredients, increase our manufacturing resiliency, and reduce quality issues that often trigger drug shortages. Increased adoption of these technologies could open the door to a revived U.S. manufacturing base and lower production costs, resulting in lower drug prices and a more stable drug supply.

Given the potential this technology holds, I am pleased we are moving forward with this bipartisan legislation to further advance this development. I
urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. GIANFORTE. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Mr. Speaker, I rise today in support of H.R. 4866, the National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act, a bill I introduced with my colleague, Energy and Commerce Committee Chairman FRANK PALLONE.

In 2016, I was proud to work with my fellow committee members on the 21st Century Cures Act, which included legislation to issue grants for institutions of higher education to study the process of continuous pharmaceutical manufacturing. H.R. 4866, which we are considering today, builds on this partnership established in the Cures Act.

Continuous production processes of pharmaceuticals is a new technology that allows for drugs to be produced in a continuous stream, helping drugs get into the market faster. This is something that has become increasingly important during the COVID–19 pandemic. It is time to ensure that our drug supply chain does not depend too heavily on other countries, such as China.

Mr. Speaker, I urge my colleagues to support H.R. 4866.

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

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

Mrs. DINGELL. Mr. Speaker, it is time for the United States to focus on bringing the production back home. I urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I rise in support of H.R. 4866, the National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act.

Continuous pharmaceutical manufacturing is the future of medicine. This bipartisan bill, which I introduced with Representative GUTHRIE last year, will foster the development of continuous manufacturing technology, a more nimble and efficient mode of pharmaceutical production. It does this by expanding opportunities for the Food and Drug Administration (FDA) to partner with universities across the country that are leading these efforts and create Centers of Excellence for Continuous Pharmaceutical Manufacturing. The partnerships created by the legislation will help develop continuous manufacturing technology and standardization, develop a continuous manufacturing workforce here in the United States, and make recommendations for how FDA, industry, and academia can expand the use of continuous manufacturing for drugs and biologics.

The COVID–19 pandemic has demonstrated how the outdated batch manufacturing process adds incredible potential for supply chain issues. During the early stages of the outbreak in New Jersey, I heard from health providers in my district about their inability to access commonly used and critically needed medication, including medication necessary for the use of ventilators, due to surges in demand. H.R. 4866 will help prevent supply chain interruptions like these by increasing domestic manufacturing and allowing manufacturers to more quickly adjust to sudden shifts in demand.

As Dr. Janet Woodcock, the Director for the Center for Drug Evaluation and Research at FDA told the Energy and Commerce Subcommittee on Health last year, advance manufacturing technologies—such as continuous manufacturing—can help to "reduce the Nation’s dependence on [active pharmaceutical ingredients], increase the resilience of our domestic manufacturing base, and reduce quality issues that trigger drug shortages or recalls.

In other words, by passing this bill and expanding continuous manufacturing in the United States, we can avoid future drug shortages and other supply chain interruptions, while bringing jobs back to the United States. This will help those on the frontlines battling COVID-19 and the patients who are depending on their medicines.

I want to thank Representative GUTHRIE for working with me on this bill and demonstrating the collegial and bipartisan spirit of the Energy and Commerce Committee. I urge all members to support this important legislation.

The SPEAKER. The question is on the motion offered by the gentlewoman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 4866, as amended.

A motion to reconsider was laid on the table.

STRENGTHENING AMERICA’S STRATEGIC NATIONAL STOCKPILE ACT OF 2020

Mr. GUTHRIE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7574) to amend the Public Health Service Act with respect to the Strategic National Stockpile, and for other purposes, as amended.

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

H.R. 7574

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Strengthening America’s Strategic National Stockpile Act of 2020".

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

Sec. 1. Title.
Sec. 2. General definition.
Sec. 3. Military assets.
Sec. 4. Equipment maintenance services.
Sec. 5.GAO study on the feasibility and benefits of a user fee agreement.
Sec. 6. Grants for State strategic stockpiles.
Sec. 7. Actuarial studies.
Sec. 8. Improved, transparent processes.
Sec. 9. Authorization of appropriations.

SEC. 2. REIMBURSABLE TRANSFERS.

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

SEC. 2. REIMBURSABLE TRANSFERS.

(a) SHORT TITLE.—This Act may be cited as the "Strengthening America’s Strategic National Stockpile Act of 2020".

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

Sec. 1. Title.
Sec. 2. General definition.
Sec. 3. Military assets.
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Sec. 5. GAO study on the feasibility and benefits of a user fee agreement.
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Sec. 8. Improved, transparent processes.
Sec. 9. Authorization of appropriations.
“(iv) managing, either directly or through cooperative agreements with manufacturers and distributors, domestic reserves established under this paragraph by refreshing and replenishing stock of such medical supplies.”

(b) REPORTING; SUNSET.—Section 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(f)), as amended by section 2 of this title, shall cease to be in effect on September 30, 2021.

(c) FUNDING.—Section 319F–2(f) of the Public Health Service Act (42 U.S.C. 247d–6b(f)) is amended by adding at the end the following:

“(2) any Federal costs attributable to such existing or replenishing stock of such medical supplies shall be available until expended.”

“(8) The authority to enter into cooperative agreements or partnerships pursuant to paragraph (3)(L) is in addition to any other amounts available for such purpose.”

“a. IN GENERAL.—For the purpose of carrying out subsection (a)(3)(A), there is authorized to be appropriated $500,000,000 for each fiscal year beginning on or after September 30, 2021, to remain available until expended.

“(b) CREATION.—Not later than January 1, 2022, the Secretary of Health and Human Services shall establish a pilot program consisting of awarding grants under this section to States or localities, Tribes, and territories for the purpose of expanding and maintaining a strategic stockpile of medical countermeasures, devices, personal protective equipment, and other materials requested by States, localities, Tribes, and territories.

“(c) FUNDING.—Section 319F–2(f) of the Public Health Service Act is amended by inserting after section 319F–2 for fiscal year 2020.

“(d) AUTHORIZATION; REPORTING.—Not later than January 1, 2022, the Secretary of Health and Human Services shall—

“(1) submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate with respect to the details of any cooperative agreement or partnership entered into under paragraph (3)(L), including the amount expended by the Secretary on each such cooperative agreement or partnership.

“(2) require the Secretary to submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, within 120 days after the date of the enactment of this Act, a report describing the extent to which the Secretary identified as relevant.

“(3) whether such user fees would provide additional funds to sustain the stockpile.

“(c) FUNDING REQUIREMENT.—The Secretary may not obligate or expend any funds to award grants or fund any previously awarded grants under this section for a fiscal year unless the total amount made available to carry out section 319F–2 for such fiscal year is equal to or greater than the total amount of funds made available to carry out section 319F–2 for fiscal year 2020.

“(d) MATCHING FUNDS.—

“(1) IN GENERAL.—With respect to the costs of expanding and maintaining a stockpile under this section, as a condition on receipt of the grant, a State shall make available (directly or through cooperative agreements or partnerships pursuant to subsection (a)) in cash toward such costs an amount that is less than equal to 25 percent of the amount of Federal funds provided to such State under this section.

“(2) WAIVER.—The Secretary may waive the requirement of paragraph (1) with respect to a State for the first two years of the State receiving a grant under this section if the Secretary determines that such waiver is needed for the State to establish a strategic stockpile described in subsection (a).

“(e) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States in establishing, expanding, and maintaining a stockpile described in subsection (a).

“(f) DEFINITION.—In this section, the term ‘drug’ has the meaning given to that term in section 201 of the Federal Food, Drug, and Cosmetic Act.

“(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $5,000,000,000 for each of fiscal years 2021 through 2023, to remain available until expended.

“(h) SUNSET.—The authority vested by this section terminates at the end of fiscal year 2023.

“SECTION 3. ACTION REPORTING.

(a) IN GENERAL.—The Secretary of Health and Human Services or the Assistant Secretary for Preparedness and Response, in consultation with the Administrator of the Federal Emergency Management Agency, shall—

“(1) not later than 30 days after the date of enactment of this Act, issue a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate regarding all State, local, Tribal, and territorial requests for supplies from the Strategic National Stockpile under section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) (in this section referred to as the “Stockpile”).

“(b) PROCESSES.—The processes developed under subsection (a) shall include—

“(1) the form and manner in which States, localities, Tribes, and territories are required to submit requests for supplies from the Stockpile.

“(2) the criteria used by the Secretary of Health and Human Services in responding to such requests, including the requirements for fulfilling or denying such requests;

“(3) what circumstances result in prioritization of distribution of supplies from the Stockpile to States, localities, Tribes, or territories;

“(4) clear plans for future, urgent communication between the Secretary and States, localities, Tribes, and territories;

“(5) any differences in the processes developed under subsection (a) for geographically related emergencies, special weather events, and national emergencies, such as pandemics.

“(c) CLASSIFICATION.—The processes developed under subsection (a) shall be unclassified and made consistent with national security. The Secretary of Health and Human Services may classify portions of such processes as necessary to protect national security.

“(d) REPORT TO CONGRESS.—Not later than January 1, 2023, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health,
Education, Labor, and Pensions of the Senate regarding the improved, transparent processes developed under this section; (2) include in such report recommendations for overall reimbursement for 2020 (by telebriefing, phone calls, or in-person meetings) between the Secretary and States, localities, Tribes, and territories regarding such inventory processes; and (3) submit such report in unclassified form to the greatest extent possible, except that the Secretary may include a classified appendix if necessary to protect national security.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

Section 319F-2(f)(1) of the Public Health Service Act (42 U.S.C. 247d-6v(f)(1)) is amended by striking "$610,000,000 for each of fiscal years 2019 through 2023" and inserting "$705,000,000 for each of fiscal years 2021 through 2023".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Montana (Mrs. GIANFORTE) and the gentleman from Montana (Mr. GIANFORTE) each will control 20 minutes.

Mr. Speaker, I yield the gentlewoman from Michigan.

MRS. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to review my remarks, which include extraneous material on H.R. 7574.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of the Strengthening America's Strategic National Stockpile Act of 2020.

This legislation incorporates a number of provisions to modernize the Strategic National Stockpile and to ensure that we are adequately prepared for future public health emergencies.

The current COVID–19 pandemic has shown the importance of ensuring that the United States has adequate manufacturing capacity and stockpiles of PPE and other medical equipment so that America's first responders and healthcare workers are prepared for public health emergencies.

In the early days of the pandemic, our frontline healthcare workers were forced to rely on deficient equipment from overseas manufacturers or expired equipment in the existing Strategic National Stockpile.

Even today, after months of efforts at the Federal, State, and local levels, we continue to face concerning deficiencies in PPE and other lifesaving medical equipment.

We must make robust long-term investments in our Nation's Strategic National Stockpile and manufacturing capability to better respond to future public health emergencies.

The Strengthening America’s Strategic National Stockpile Act meets this need by increasing the annual authorization of the SNS to $705 million. This will allow the Federal Government to mobilize appropriate resources toward future emergencies.

The legislation will also allow the SNS to refresh and replenish stocks of critical manufacturing supplies before they are expired.

It also includes a provision my colleague Congresswoman JACKIE WALORSKI and I authored to create incentives to geo graphically diversify the production of medical supplies and allow the SNS the flexibility to enter into leasing or joint ventures with manufacturers to quickly scale up production if needed.

The Strengthening America’s Strategic National Stockpile Act is the culmination of months of bipartisan work, and I thank Congresswoman SLOTKIN, my colleagues on the Energy and Commerce Committee, as well as both Democrat and Republican committee staff for their efforts.

Mr. Speaker, the Strengthening America’s Strategic National Stockpile Act is vital to both our public health and national security. I urge my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,

COMMITTEE ON ENERGY AND COMMERCE,


Hon. CAROLYN B. MALONEY,
Chairwoman, Committee on Oversight and Reform,
Washington, DC.


I appreciate you not seeking a subsequent referral of H.R. 7574 so that the bill may be considered expeditiously. I acknowledge that prolonging your bill does not give, reduce, or otherwise affect the jurisdiction of the Committee on Oversight and Reform over this legislation, or any appropriate legislation. I will appropriately consult and involve the Committee on Oversight and Reform as this bill progresses. I would support your effort to seek appointment of an appropriate number of conference from your committee to any House-Senate conference on this legislation.

I will ensure our letters on H.R. 7574 are entered into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman,

COMMITTEE ON OVERSIGHT AND REFORM,


Hon. FRANK PALLONE,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to you concerning H.R. 7574, the Strengthening America’s Strategic National Stockpile Act of 2020. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Oversight and Reform.

In the interest of permitting your Committee to proceed expeditiously on this bill, I am willing to waive this Committee’s right to sequential referral. With the understanding that by waiving consideration of the bill, the Committee on Oversight and Reform does not waive any future jurisdictional claim on the balance of matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name Members of this Committee to any conference committee which is named to consider such provisions.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective Committees.

Sincerely,

CAROLYN B. MALONEY,
Chairwoman.
H.R. 2271 (H.R. 2271) to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

**SEC. 1. SHORT TITLE.**

Part B of title XI of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in the part heading, by striking "SUDDEN INFANT DEATH SYNDROME" and inserting "SUDDEN UNEXPECTED INFANT DEATH, SUDDEN INFANT DEATH SYNDROME, and SUDDEN UNEXPECTED DEATH IN CHILDHOOD"; and

(2) by inserting before section 1122 the following:

**SEC. 1121. ADDRESSING SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD.**

(a) IN GENERAL.—The Secretary may develop, support, or maintain programs or activities to address sudden unexpected infant death and sudden unexpected death in childhood, including—

(1) continuing to support the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry of the Centers for Disease Control and Prevention and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood, as appropriate, including such systems supported by the Health Resources and Services Administration, in order to—

(A) increase the number of States and jurisdictions participating in such systems; or

(B) improve the utility of such systems, which may include—

(i) making summary data available to the public in a timely manner on the website of the Department of Health and Human Services (or a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

(ii) providing summary data available to researchers, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

(2) awarding grants or cooperative agreements to States, Indian Tribes, and Tribal organizations for purposes of—

(A) supporting fetal and infant mortality and child death review programs for sudden unexpected infant death and sudden unexpected death in childhood, including by establishing such programs at the local level; and

(B) improving data collection related to sudden unexpected infant death and sudden unexpected death in childhood, including by—

(i) completion of death scene investigations and comprehensive autopsies that include a review of clinical history and circumstances of death with appropriate ancillary testing; and

(ii) training medical examiners, coroners, death scene investigators, law enforcement personnel, emergency medical technicians, paramedics, and other health professionals, as appropriate, and others who perform death scene investigations with respect to the deaths of infants and children, as appropriate; and

(C) developing, and implementing best practices to reduce or prevent sudden unexpected infant death and sudden unexpected death in childhood, including procedures to reduce sleep-related infant deaths;

(D) increasing the voluntary inclusion, in fatality case reporting systems established for the purpose of conducting research on sudden unexpected infant death and sudden unexpected death in childhood, of samples of tissues or genetic materials that have been collected pursuant to Federal or State law; or

(E) disseminating information and materials to health care professionals and the public on risk factors that contribute to sleep-related sudden unexpected infant death or sudden unexpected death in childhood.

(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a)(2), a State, an Indian Tribe, or Tribal organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information on how such State will ensure activities conducted under this section are coordinated with other federally-funded programs to reduce infant mortality, as appropriate.

(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States, Indian Tribes, and Tribal organizations receiving a grant or cooperative agreement under subsection (a)(2) for purposes of carrying out activities funded through the grant or cooperative agreement.

(d) REPORTING FORMS.—

(1) IN GENERAL.—The Secretary shall, as appropriate, encourage the use of sudden unexpected infant death and sudden unexpected death in childhood reporting forms developed in collaboration with the Centers for Disease Control and Prevention to improve the quality of data submitted to the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry, and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood.

(2) UPDATE OF FORMS.—The Secretary shall assess whether updates are needed to the sudden unexpected infant death investigation reporting form used by the Centers for Disease Control and Prevention in order to improve the use of those forms by fatality case reporting systems supported by the Department of Health and Human Services, and shall make such updates as appropriate.

(e) STIPULATION.—

(1) IN GENERAL.—The Secretary, acting through the Administrator, shall award grants to national, regional, State, and local health departments, community-based organizations, and nonprofit organizations for the provision of support services to families who have had a child die of sudden unexpected infant death or sudden unexpected death in childhood.

(2) APPLICATION.—To be eligible to receive a grant under subsection (1), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(f) USE OF FUNDS.—Amounts received under a grant made pursuant to paragraph (1) may be used—

(A) to provide grief counseling, education, home visits, 24-hour access, and other services; or

(B) to ensure access to grief and bereavement services;

(C) to build capacity in professionals working with families who experience a sudden death; or

(D) to support peer-to-peer groups for families who have lost a child to sudden unexpected infant death or sudden unexpected death in childhood.

(g) AUTHORIZATION OF APPROPRIATIONS.—The term ‘sudden unexpected infant death’—

(A) means the sudden death of an infant under 1 year of age that, when first discovered, did not have an obvious cause; and

(B) includes—

(i) such deaths that are explained; and

(ii) such deaths that remain unexplained (which are known as sudden infant death syndrome).

(1) IN GENERAL.—The term ‘sudden unexpected infant death in childhood’—

(A) means the sudden death of a child who is at least 1 year of age but not more than 17 years of age that, when first discovered, did not have an obvious cause; and

(B) includes—

(i) such deaths that are explained; and

(ii) such deaths that remain unexplained (which are known as sudden unexplained death in childhood).

(2) SUDEN UNEXPECTED DEATH IN CHILDHOOD.—The term ‘sudden unexpected death in childhood’—

(A) means the sudden death of a child who is at least 1 year of age but not more than 17 years of age that, when first discovered, did not have an obvious cause; and

(B) includes—

(i) such deaths that are explained; and

(ii) such deaths that remain unexplained.

(3) A summary of such data by racial and ethnic group, and by State;

(B) aggregate information obtained from death scene investigation databases; and

(C) recommendations for reducing the incidence of sudden unexpected infant death and sudden unexpected death in childhood;

(2) an assessment of the extent to which various approaches of reducing and preventing sudden unexpected infant death and sudden unexpected death in childhood have been effective; and

(3) a description of the activities carried out under subsection (a) of the Public Health Service Act as added by section 2.

(b) DEFINITIONS.—In this section, the term ‘sudden unexpected infant death’ and ‘sudden unexpected death in childhood’ have the meaning given such terms in section 1121 of the Public Health Service Act (as added by section 2).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. Dingell) and the gentleman from Montana (Mr. Gianforte) each will control 20 minutes.

Mrs. Dingell. The Chair recognizes the gentlewoman from Michigan.

**GENERAL LEAVE**

Mrs. Dingell. Mr. Speaker, I ask unanimous consent that all Members
Mr. GIANFORTE. Mr. Speaker, I urge my colleagues to support this critical legislation.

Mr. Speaker, I rise today to express my strong support for H.R. 2271, the Scarlett’s Sunshine on Sudden Unexpected Death Act.

Mrs. DINGELL. Mr. Speaker, if we continue to work together, we can prevent these tragedies and ensure that our families never have to suffer through this horrific experience.

Mr. PALLONE. Mr. Speaker, I urge adoption of this important legislation, and I yield back the balance of my time.

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

Mr. PALLONE. Mr. Speaker, I rise today to express my strong support for H.R. 2271, the Scarlett’s Sunshine on Sudden Unexpected Death Act. This legislation is critical to improving our understanding of sudden unexpected infant death.

Tragically, sudden unexpected infant death is the leading cause of death for infants from one month to one year of age.

As we discuss the Scarlett’s Sunshine on Sudden Unexpected Death Act, I want to recognize all the parents who have turned their unimaginable grief into progress and whom I have had the immense pleasure of working with throughout the years.

This effort would not have been possible without parents like Laura Cralce, who tragically lost her daughter Maria, and John Kahan, who lost his son Aaron, to sudden unexpected infant death.

I have been working on the issue of sudden unexplained infant death and sudden unexplained death in childhood for years. In 2014, I was fortunate enough to stand shoulder to shoulder with courageous moms like Laura as Senate President Obama signed the Sudden Unexpected Death Data Enhancement and Awareness Act into law.

Today’s bill builds upon these longstanding efforts by further strengthening our existing understanding of sudden unexpected deaths in infants, facilitating greater data collection and analysis to improve prevention efforts, and supporting grieving parents and families who have lost their son or daughter.

This bill takes a comprehensive approach to addressing one of the most tragic issues facing families today, and will help develop and deploy critical services to support them in their time of need. I am proud of the efforts in this bill to not only further the science but also support the families who have been impacted.

While nothing can cure their pain, these programs will support families in their darkest hours.

I will continue to work on this issue until no more parents lose their child to SIDS, and I urge my colleagues to support this critical legislation.

Ms. MOORE. Mr. Speaker, I rise in strong support of the Scarlett’s Sunshine on Sudden Unexpected Death Act.

Mr. Speaker, I thank Chairman PALLONE, Ranking Member WALDEN, Subcommittee Chairwoman ESHOO, Subcommittee Ranking Member Dr. BURGESS, Congresswoman KUSTER, Congressman TOM COLE, Congresswoman JAMIE HERRERA BEUTLER, Congressman JOSH Gottheimer and so many others who have stepped up to the plate to help ensure that we can prevent these tragedies.

With permission of the families, these grants would also support genetic testing to research the causes of death.

Finally, the bill requires the Department of Health and Human Services to help States and local governments review 100 percent of all infant and child deaths and enter such reviews into a national reporting system to help health researchers combat these tragedies.

Mr. Speaker, I urge adoption of this important legislation, and I yield back the balance of my time.

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

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Today’s bill builds upon these longstanding efforts by further strengthening our existing understanding of sudden unexpected deaths in infants, facilitating greater data collection and analysis to improve prevention efforts, and supporting grieving parents and families who have lost their son or daughter.
the gentlewoman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 2271, 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.

MATERNAL HEALTH QUALITY IMPROVEMENT ACT OF 2020

Mrs. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4995) to amend the Public Health Service Act to improve obstetric care and maternal health outcomes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Maternal Health Quality Improvement Act of 2020.”

SEC. 2. INNOVATION FOR MATERNAL HEALTH. Part D of title III of the Public Health Service Act (42 U.S.C. 254g et seq.) is amended—

(1) in the section designation of section 330M of such Act (42 U.S.C. 254g–19) by inserting a period at the end of “330M” and

(2) by inserting after section 330M of such Act (42 U.S.C. 254g–19) the following:

SEC. 330N. INNOVATION FOR MATERNAL HEALTH.

“(a) IN GENERAL.—The Secretary, in consultation with experts representing a variety of clinical specialties, State, Tribal, or local public health officials, researchers, epidemiologists, statisticians, and community organizations, shall establish or continue a program to award competitive grants to eligible entities for the purposes of—

“(1) identifying, developing, or disseminating best practices to improve maternal health care quality and outcomes, eliminate preventable maternal mortality and severe maternal morbidity, and improve infant health outcomes, which may include—

“(A) identifying, developing, or disseminating postpartum practices to improve the quality and safety of maternal health care in hospitals and other health care settings of a State or health care system, including by addressing topics commonly associated with health complications or risks related to prenatal care, labor care, birthing, and postpartum care;

“(B) improving maternal health care based on data findings and reviews conducted by a State maternal mortality review committee that address topics of relevance to common complications or health risks related to prenatal care, labor care, birthing, and postpartum care; and

“(C) information on addressing determinants of health that impact maternal health outcomes for women before, during, and after pregnancy;

“(2) collaborating with State maternal mortality review committees to identify issues for the development and implementation of evidence-based practices to improve maternal health outcomes and reduce preventable maternal mortality and severe maternal morbidity;

“(3) providing technical assistance and supporting the implementation of best practices pursuant to paragraph (1) to entities providing health care services to pregnant and postpartum women; and

“(4) identifying, developing, and evaluating new models of care that improve maternal and infant health outcomes, which may include the integration of community-based services; and

“(b) ELIGIBLE ENTITIES.—To be eligible for a grant under subsection (a), an entity shall—

“(1) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

“(2) demonstrate in such application that the entity is capable of carrying out data-driven maternal safety and quality improvement initiatives in the areas of obstetrics and gynecology, or disseminate or disseminate best practices to improve perinatal care and outcomes; and

“(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $15,000,000 for each of fiscal years 2021 through 2025.

SEC. 3. TRAINING FOR HEALTH CARE PROVIDERS.

Title VII of the Public Health Service Act is amended by striking section 763 (42 U.S.C. 294p–7) and inserting the following:

SEC. 763. TRAINING FOR HEALTH CARE PROVIDERS.

“(a) GRANT PROGRAM.—The Secretary shall establish a program to award grants to accredited schools of allopathic medicine, osteopathic medicine, and nursing, and other health professional training programs for the training of health care professionals to reduce and prevent discrimination (including training related to implicit and explicit biases) in the provision of health care services related to prenatal care, labor care, birthing, and postpartum care.

“(b) ELIGIBILITY.—To be eligible for a grant under subsection (a), an entity described in such subsection shall—

“(1) identify, develop, and disseminate practices to improve perinatal care and outcomes; and

“(2) work with clinical teams: experts; State, local, and, as appropriate, Tribal public health officials; and stakeholders, including patients and families, to identify, develop, implement, and disseminate best practices to improve perinatal care and outcomes; and

“(c) REPORTING REQUIREMENT.—Each entity awarded a grant under this section shall—

“(1) identify and report on the status of activities conducted using the grant, including a description of the impact of such training on patient outcomes, as applicable;

“(2) best practices.—The Secretary may identify and disseminate best practices for the training of health care professionals to reduce and prevent discrimination (including training related to implicit and explicit biases) in the provision of health care services related to prenatal care, labor care, birthing, and postpartum care; and

“(3) authorization of appropriations.—To carry out this section, there are authorized to be appropriated $15,000,000 for each of fiscal years 2021 through 2025.

SEC. 4. STUDY ON TRAINING TO REDUCE AND PREVENT DISCRIMINATION.

Not later than 2 years after date of enactment of this Act, the Secretary of Health and Human Services shall, in consultation with an independent research organization, conduct a study and make recommendations to the Secretary, including—

“(a) a study on whether the training of health care professionals to reduce and prevent discrimination (including training related to implicit and explicit biases) in the provision of health care services related to prenatal care, labor care, birthing, and postpartum care;

“(b) a description of the best practices; and

“(c) recommendations for evidence-informed programs to develop and carry out the program, including—

“(1) a study on whether the training of health care professionals to reduce and prevent discrimination (including training related to implicit and explicit biases) in the provision of health care services related to prenatal care, labor care, birthing, and postpartum care;

“(2) the effectiveness of the program in reducing disparities (including such disparities associated with racial and ethnic minority populations); and

“(3) the extent to which the program improves health outcomes.

SEC. 5. PERINATAL QUALITY COLLABORATIVES.

Section 317(k)(2) of the Public Health Service Act (42 U.S.C. 247d–12(a)(2)) is amended by adding at the end the following:

“(2) To carry out part A of this section, through the Director of the Centers for Disease Control and Prevention and in coordination with other offices and agencies, as appropriate, shall establish or continue a competitive grant program for the establishment or support of perinatal quality collaboratives to improve maternal and infant health outcomes for pregnant and postpartum women and their infants. A State, Indian Tribe, or Tribal organization may use funds received through such program to support data collection, including data collection on health outcomes, which may include the use of data to provide timely feedback across hospital and clinical teams to inform responses, and to provide support and training to hospital and clinical teams for quality improvement, as appropriate.

“(ii) To be eligible for a grant under clause (i), an entity shall—

“(1) submit to the Secretary an application in such form and manner and containing such information as the Secretary may require;

“(2) in the section designation of section 330M of such Act, as added by section 2, the following:

SEC. 330M. INTEGRATED SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.

“(a) GRANTS.—Title III of the Public Health Service Act is amended by inserting after section 330N of such Act, as added by section 2, the following:

SEC. 330N. INTEGRATED SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.

“(a) In general.—The Secretary, in consultation with experts representing a variety of clinical specialties, State, Tribal, or local public health officials, researchers, epidemiologists, statisticians, and community organizations, shall establish or continue a program to award grants to States, Indian Tribes, and Tribal organizations for the purpose of establishing or operating evidence-based or innovative, evidence-informed programs to deliver integrated health care services to pregnant and postpartum women to optimize the health of women and their infants, including to reduce adverse maternal health outcomes, pregnancy-related deaths, and related health disparities (including such disparities associated with racial and ethnic minority populations), and, as appropriate, by addressing issues raised under subsection (b)(2) of section 379K.

SEC. 6. INTEGRATED SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.

“(a) In general.—A grant under subsection (a) may award grants to States, Indian Tribes, and Tribal organizations for the purpose of establishing or operating evidence-based or innovative, evidence-informed programs to deliver integrated health care services to pregnant and postpartum women to optimize the health of women and their infants, including to reduce adverse maternal health outcomes, pregnancy-related deaths, and related health disparities (including such disparities associated with racial and ethnic minority populations), and, as appropriate, by addressing issues raised under subsection (b)(2) of section 379K.

(b) INTEGRATED SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.

“(1) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State, Indian Tribe, or Tribal organization shall—

“(A) provide support and training to hospital and clinical teams for quality improvement, as appropriate;

“(B) develop and carry out the program, including—

“(i) a study on whether the training of health care professionals to reduce and prevent discrimination (including training related to implicit and explicit biases) in the provision of health care services related to prenatal care, labor care, birthing, and postpartum care;

“(ii) a description of the best practices; and

“(iii) recommendations for evidence-informed programs to develop and carry out the program, including—

“(1) a study on whether the training of health care professionals to reduce and prevent discrimination (including training related to implicit and explicit biases) in the provision of health care services related to prenatal care, labor care, birthing, and postpartum care;

“(2) the effectiveness of the program in reducing disparities (including such disparities associated with racial and ethnic minority populations); and

“(3) the extent to which the program improves health outcomes.

“(B) INTEGRATED SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.

“(1) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State, Indian Tribe, or Tribal organization shall—

“(A) State, Tribal, and local agencies responsible for Medicaid, social services, mental health, and substance use disorder treatment and services;

“(B) health care providers who serve pregnant and postpartum women;

“(C) community-based health organizations and health workers, including providers of home visiting services and individuals representing communities with disproportionately high rates of maternal mortality and severe maternal morbidity, and including individuals representing racial and ethnic minority populations;

“(2) TERMS.—

“(A) PERIOD.—A grant awarded under subsection (a) shall be made for a period of 5 years.

“(B) AMENDMENTS.—A grantee under subsection (a) may be made for a period of less than 5 years.

(2) Terms.—

(A) PERIOD.—A grant awarded under subsection (a) shall be made for a period of 5 years.
“(B) PREFERENCE.—In awarding grants under subsection (a), the Secretary shall—

(i) give preference to States, Indian Tribes, and Tribal organizations that have the highest rates of maternal mortality and severe maternal morbidity relative to other such States, Indian Tribes, or Tribal organizations, respectively; and

(ii) ensure that health disparities related to maternal mortality and severe maternal morbidity, including such disparities associated with racial and ethnic minority populations, are considered.

(C) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from up to 15 entities described in subparagraph (B)(i).

(D) EVALUATION.—The Secretary shall require grantees to evaluate the outcomes of the programs proposed under the grant.

(2) in subsection (b)(2)—

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

(B) by redesignating subparagraph (M) as subparagraph (N); and

(C) by inserting after subparagraph (L) the following:

“(M) an examination of the relationship between maternal and obstetric services in rural areas and outcomes in delivery and postpartum care; and

(d) OFFICE OF RESEARCH ON WOMEN’S HEALTH.—Section 271B of the Public Health Service Act (42 U.S.C. 276d) is amended—

(1) in subsection (b), by adding paragraph (3) as follows:

“(3) carry out paragraphs (1) and (2) with respect to—

(A) the aging process in women, with priority given to

(B) pregnancy, with priority given to
deads related to preventable maternal morbidity and severe maternal morbidity; and

(2) in subsection (d)(4)(A)(v), by inserting “, including preventable maternal morbidity and severe maternal morbidity” before the semicolon.

SEC. 8. RURAL OBSTETRIC NETWORK GRANTS.

The Public Health Service Act is amended by inserting after section 330A–1 (42 U.S.C. 254c–1a) the following:

“SEC. 330A–2. RURAL OBSTETRIC NETWORK GRANTS.

“(a) PROGRAM ESTABLISHED.—The Secretary shall award grants or cooperative agreements to establish collaborative improvement and innovation networks (referred to in this section as ‘rural obstetric networks’) to improve maternal and infant health and reduce preventable maternal morbidity and severe maternal morbidity by improving maternal care and access to care in rural areas, frontier areas, maternity care health professional target areas, or jurisdictions of Indian Tribes and Tribal organizations.

“(b) USE OF FUNDS.—Grants or cooperative agreements awarded pursuant to this section shall be used for the establishment or continuation of collaborative improvement and innovation networks to improve maternal health in rural areas by improving infant health and maternal outcomes and reducing adverse neonatal and maternal outcomes.

“(c) PRIORITY.—In awarding grants under this section, the term ‘rural area’ means a frontier county, as defined in section 1866(d)(3)(E)(ii)(III) of the Social Security Act.

“(d) INDIAN TRIBES; TRIBAL ORGANIZATION.—The terms ‘Indian Tribe’ and ‘Tribal organization’ have the meanings given the terms ‘Indian tribe’ and ‘tribal organization’, respectively, in section 4 of the Indian Self-Determination and Education Assistance Act.

“(e) MATERNITY CARE HEALTH PROFESSIONAL TARGET AREA.—The term ‘maternity care health professional target area’ has the meaning described in section 330A(2).

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2025. 

SEC. 9. TELEHEALTH NETWORK AND TELEHEALTH RESOURCE CENTERS GRANT PROGRAMS.

Section 330F of the Public Health Service Act (42 U.S.C. 254c–14) is amended—

(1) in subsection (f)(3), by adding at the end the following:

“(M) Providers of maternal care, including prenatal, labor care, birthing, and postpartum care services and entities operating obstetric care networks (referred to in this section as ‘telehealth networks’);

(2) in subsection (h)(1)(B), by inserting “labor care, birthing care, postpartum care,” before “or prenatal care”;

SEC. 10. RURAL MATERNAL AND OBSTETRIC CARE TRAINING DEMONSTRATION.

Subpart 1 of part E of title VII of the Public Health Service Act (42 U.S.C. 254z et seq.) is amended by adding at the end the following:

“SEC. 764. RURAL MATERNAL AND OBSTETRIC CARE TRAINING DEMONSTRATION.

“(a) IN GENERAL.—The Secretary shall award grants to accredited schools of allopathic medicine, osteopathic medicine, and nursing, and other appropriate health professions to establish a training demonstration program to support—

(1) training for physicians, medical residents, nurse practitioners, physician assistants, nurses, certified nurse midwives, relevant home visiting workforce professionals and paraprofessionals, or other professionals who meet relevant State training and licensing requirements, as applicable, to provide maternal health care services in rural community-based settings; and

(b) APPLICATION.—To be eligible to receive a grant under subsection (a), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) ACTIVITIES.—

(1) TRAINING FOR HEALTH CARE PROFESSIONALS.—A recipient of a grant under subsection (a) shall use the grant funds to plan, develop, and operate a training program to provide maternal health care services in rural areas; and

(B) may use the grant funds to provide additional and ongoing support for the program or to meet the costs of projects to establish, maintain, or improve faculty
network grants, as well as expanding the use of telehealth.

The legislation also promotes innovation in maternal healthcare by creating a new grant program to develop and disseminate best practices to improve health quality and outcomes and help eliminate racial and ethnic disparities in care.

Additionally, the Maternal Health Quality Improvement Act includes provisions targeting racial disparities in maternal health outcomes by funding training programs for healthcare professionals. It also includes allowing HHS to disseminate best practices to reduce and prevent discrimination.

Finally, the legislation authorizes funding for perinatal quality collaboratives, multi-State networks to improve health outcomes for pregnant and postpartum women and their infants, as well as creating a grant program to integrate services and reduce adverse maternal health outcomes.

Madam Speaker, these robust provisions represent a step toward addressing the ongoing health crisis facing America’s pregnant and postpartum women.

Madam Speaker, I thank my colleagues, Representatives Engel, Bucshon, Torres Small, Latta, Adams, and Stivers, for their tireless work on this legislation.

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

Mr. BUCSHON of Indiana. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 4995, the Maternal Health Quality Improvement Act, which was introduced by Representatives Engel, Bucshon, Torres Small, Latta, Adams, and Stivers, for their tireless work on this legislation.

This bipartisan legislation grants authority for developing and sharing maternal health best practices and training health professionals.

It also supports the Health Resources and Services Administration’s establishment of rural health networks to reduce maternal and child mortality rates and reduce inequities in health outcomes amongst different populations.

It also ensures obstetric care is an eligible service for telehealth grants.

Madam Speaker, I want to thank the American Hospital Association, the March of Dimes, the American Medical Women’s Association, and others for their support of this legislation.

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

Mrs. DINGELL of Michigan. Madam Speaker, I reserve the balance of my time.
lies across America. maternal mortality in our country and ensure the birth of healthy children. Committee. I urge all of my House colleagues to now pass H.R. 4995 to implement the provisions of my legislation that will reduce maternal mortality and related health disparities.

Specifically, our legislation provides $10 million to help develop and enact best practices to eliminate maternal mortality through improved maternal health access and quality. Additionally, our legislation provides $25 million over five years to establish a grant program to train health care professionals on ways to reduce and prevent racial discrimination in providing prenatal care, labor care, birthing, and postpartum care. Finally, our legislation provides $15 million in grants to help states deliver integrated health care services that reduce maternal mortality and related health disparities.

I am pleased that in November 2019, the House Energy and Commerce Committee included our Cures Act legislation into Rep. Engel’s larger legislative package, the Maternal Health Quality Improvement Act of 2019 and was unanimously approved by the Committee. I urge all of my House colleagues to now pass H.R. 4995 to implement the programs and reforms in my legislation that will help end the scourge of preventable maternal mortality in our country and ensure the birth of a child is a joyous and safe occasion for families across America.

The SPEAKER pro tempore (Ms. STEVENS). The question is on the motion offered by the gentlewoman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 4995, as amended.

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

Motion to reconsider was laid on the table.

PROTECTING PATIENTS TRANSPORTATION TO CARE ACT

Mrs. DINGELL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3935) to amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary services, as amended.

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

H.R. 3935

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 “Protecting Patients Transportation to Care Act”.

SEC. 2. MEDICAID COVERAGE OF CERTAIN MEDICAL TRANSPORTATION.

(a) CONTINUING REQUIREMENT OF MEDICAID COVERAGE OF NECESSARY TRANSPORTATION.

(1) REQUIREMENT.—Section 1902(a)(4) of the Social Security Act (42 U.S.C. 1396a(a)(4)) is amended—

(A) by striking “and including provision for” and inserting “including provision for”; and

(B) by inserting after “supervision of administration of the plan” the following: “, and, subject to section 1903(i), including a specification that the single State agency described in paragraph (5) will ensure necessary transportation for beneficiaries under the State plan to and from providers and a description of the methods that such agency will use to ensure such transportation”.

(2) APPLICATION WITH RESPECT TO BENCHMARK BENEFIT PACKAGES AND BENCHMARK EQUIVALENT COVERAGE.—Section 1937(a)(1) of the Social Security Act (42 U.S.C. 1396a(a)(1)) is amended—

(A) in subparagraph (A), by striking “subparagraph (E)” and inserting “subparagraphs (E) and (F)”;

and

(B) by adding at the end the following new subparagraph:

“(F) NECESSARY TRANSPORTATION.—Notwithstanding the preceding provisions of this paragraph, a State may not provide medical assistance to an individual with benchmark coverage or benchmark equivalent coverage under section 1902(a)(4) unless, unless, subject to section 1903(i)(9) and in accordance with section 1902(a)(4), the benchmark benefit package or benchmark equivalent coverage (or the State)—

“(i) ensures necessary transportation for individuals enrolled under such package or coverage to and from providers; and

“(ii) provides a description of the methods that will be used to ensure such transportation.”.

(3) LIMITATION ON FEDERAL FINANCIAL PARTICIPATION.—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended by inserting after paragraph (8) the following new paragraph:

“(9) with respect to any amount expended for non-emergency transportation authorized under section 1902(a)(4), unless the State plan provides for the methods and procedures required under section 1902(a)(30)(A); or”.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to transportation furnished on or after such date.

(b) MEDICAID PROGRAM INTEGRITY MEASURES RELATED TO COVERAGE OF NONEMERGENCY MEDICAL TRANSPORTATION.—

(1) GAO STUDY.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study of fraud and abuse to prevent improper payments with respect to non-emergency transportation to medically necessary services, including unique considerations for specific groups of Medicaid beneficiaries meriting particular attention, such as American Indian and Alaska Native patients and such other individuals as the Secretary may designate.

(2) GUIDANCE REVIEW.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services, through the Centers for Medicare & Medicaid Services, shall issue guidance with respect to Federal requirements for emergency transportation to medically necessary services under the Medicaid program under title XIX of the Social Security Act and update such guidance as necessary to ensure States have appropriate and current guidance in designing and administering coverage under the Medicaid program of nonemergency transportation to medically necessary services.

(3) NECESSARY TRANSPORTATION PROVIDER AND DRIVER REQUIREMENTS.—

(A) STATE PLAN REQUIREMENT.—Section 1902(a)(4) of the Social Security Act (42 U.S.C. 1396a(a)(4)) is amended—

(i) by striking “and” at the end of paragraph (85);

(ii) by striking the period at the end of paragraphs (86) and inserting “; and”; and

(iii) by inserting after paragraph (86) the following new paragraph:

“(87) provide for a mechanism, which may include patient advocates, that ensures that, with respect to any provider (including a transportation network company) or individual driver of nonemergency transportation to medically necessary services receiving payments under such plan (but excluding any public transit authority), at a minimum—
Mr. GIANFORTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 3935, the Protecting Patients Transportation to Care Act, introduced by Representatives CARTER and CÁRDENAS, and Representatives GRAVES and BISHOP of Georgia.

This legislation would require Medicaid to cover nonemergency medical transportation (NEMT). NEMT benefits have been a mandatory Medicaid benefit by regulation since the program’s beginning in 1966, and the benefits are clear. Transportation is one of the most common barriers to care for low-income patients, and reliable transportation to care can mean the difference between life and death.

Additionally, it allows seniors and Americans to remain in their homes and continue to live independently. The NEMT benefit is especially critical to beneficiaries seeking care during this current public health crisis, which has placed additional burdens and barriers to care.

Covering this transport can ensure these patients get the care they need, improving outcomes and reducing the need for expensive emergency room visits and hospitalizations.

In my home State of Montana, it can take 2 hours or more to get to a specialist. This important legislation will help ensure rural patients have the ability to get to their providers.

H.R. 3935 would also require States to ensure that NEMT providers are not on the excluded providers list; that each individual driver has a valid driver’s license; and that providers report and address violations of State law, including traffic violations.

It would require the Comptroller General to conduct a study on coverages of NEMT by State Medicaid programs, including the policies and programs in place to prevent waste, fraud, and abuse.

Finally, the bill would require the Secretary to analyze any NEMT data and report to Congress on his or her findings within one year of the date of enactment.

The legislation also requires State Medicaid programs to develop a utilization management process for the benefit.

Madam Speaker, I urge adoption of this important legislation, and I yield back the balance of my time.

Mrs. DINGELL. Madam Speaker, I, too, urge adoption of this important piece of legislation to remove barriers people are able to go to the doctor, and I urge my colleagues to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, H.R. 3935, as amended, was passed.

A motion to reconsider was laid on the table.

HELPING EMERGENCY RESPONDERS OVERCOME ACT

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

Madam Speaker, I rise today in support of H.R. 3935, the Protecting Patients Transportation to Care Act, introduced by Representatives CARTER and CÁRDENAS, and Representatives GRAVES and BISHOP of Georgia.

This legislation would require Medicaid to cover nonemergency medical transportation (NEMT). NEMT, N-E-M-T, benefits have been a mandatory Medicaid benefit by regulation since the program’s beginning in 1966, and the benefits are clear. Transportation is one of the most common barriers to care for low-income patients, and reliable transportation to care can mean the difference between life and death.

Additionally, it allows seniors and Americans to remain in their homes and continue to live independently. The NEMT benefit is especially critical to beneficiaries seeking care during this current public health crisis, which has placed additional burdens and barriers to care.

Covering this transport can ensure these patients get the care they need, improving outcomes and reducing the need for expensive emergency room visits and hospitalizations.

In my home State of Montana, it can take 2 hours or more to get to a specialist. This important legislation will help ensure rural patients have the ability to get to their providers.

H.R. 3935 would also require States to ensure that NEMT providers are not on the excluded providers list; that each individual driver has a valid driver’s license; and that providers report and address violations of State law, including traffic violations.

It would require the Comptroller General to conduct a study on coverages of NEMT by State Medicaid programs, including the policies and programs in place to prevent waste, fraud, and abuse.

Finally, the bill would require the Secretary to analyze any NEMT data and report to Congress on his or her findings within one year of the date of enactment.

The legislation also requires State Medicaid programs to develop a utilization management process for the benefit.

Madam Speaker, I urge adoption of this important legislation, and I yield back the balance of my time.

Mrs. DINGELL. Madam Speaker, I, too, urge adoption of this important piece of legislation to remove barriers people are able to go to the doctor, and I urge my colleagues to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, H.R. 3935, as amended, was passed.

A motion to reconsider was laid on the table.
"(1) The total number of suicides in the United States among all public safety officers in a given calendar year;

"(2) Suicide rates for public safety officers in a given calendar year, disaggregated by—

"(A) age and gender of the public safety officer;

"(B) State;

"(C) occupation; including both the individual’s role in their public safety agency and their primary occupation in the case of volunteer public safety officers;

"(D) the status of the public safety officer as volunteer, paid-on-call, or career; and

"(E) history of the public safety officer as active or retired.

"(c) CONSULTATION DURING DEVELOPMENT.—In developing the Public Safety Officer Suicide Reporting System, the Secretary shall consult with non-Federal experts to determine the best means to collect data regarding suicide incidence in a safe, sensitive, anonymous, and effective manner. Such non-Federal experts shall include, as appropriate, the following:

"(1) Public health experts with experience in developing and maintaining suicide registries;

"(2) Organizations that track suicide among public safety officers;

"(3) Mental health experts with experience in studying suicide and other profession-related traumatic stress.

"(d) CLINICAL EXPERIENCE.—In developing and maintaining the Public Safety Officer Suicide Reporting System, the Secretary shall ensure that all applicable Federal privacy and security protections are followed to ensure that—

"(1) the confidentiality and anonymity of suicide victims and their families are protected, including so as to ensure that data cannot be used to deny benefits; and

"(2) data is sufficiently secure to prevent unauthorized access.

"(e) REPORTING.—

"(1) ANNEXES.—Not later than 2 years after the date of enactment of the Helping Emergency Responders Overcome Act, and biennially thereafter, the Secretary shall report to the Congress on the suicide incidence among public safety officers. Each such report shall—

"(A) include the number and rate of such suicides based on age, gender, and race; and

"(B) identify characteristics and contributing circumstances for suicide among public safety officers;

"(C) disaggregate rates of suicide by—

"(i) occupation;

"(ii) status as volunteer, paid-on-call, or career;

"(iii) status as active or retired;

"(D) include recommendations for further study regarding the suicide incidence among public safety officers;

"(E) specify in detail, if found, any obstacles in collecting suicide rates for volunteers and include recommended improvements to overcome such obstacles; and

"(F) identify options for interventions to reduce suicide among public safety officers; and

"(G) describe procedures to ensure the confidentiality and anonymity of suicide victims and their families, as described in subsection (d)(1).

"(2) AVAILABILITY.—Upon the submission of each report to the Congress under paragraph (1), the Secretary shall make the full report publicly available on the website of the Centers for Disease Control and Prevention.

"(f) DEFINITION.—In this section, the term ‘public safety officer’ means—

"(1) a public safety officer as defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968; or


"(g) PROHIBITED USE OF INFORMATION.—Notwithstanding any other provision of law, if an individual is identified as deceased based on any information provided in the Public Safety Officer Suicide Reporting System, such information may not be used to deny or rescind life insurance payments or other benefits to a survivor of the deceased individual."

SEC. 3. PEER-SUPPORT BEHAVIORAL HEALTH AND WELLNESS PROGRAMS WITHIN FIRE DEPARTMENTS AND EMERGENCY MEDICAL SERVICE AGENCIES.

"(a) IN GENERAL.—The Secretary shall award grants to eligible entities for the purpose of establishing or enhancing peer-support behavioral health and wellness programs within fire departments and emergency medical services agencies.

"(b) PROGRAM DISCRIMINATION.—A peer-support behavioral health and wellness program funded under this section shall—

"(1) use available federal, state, local, and nonprofit organization with expertise and experience with respect to the health and life safety of members of fire and emergency medical services agencies;

"(2) provide training to members of career, volunteer, and combination entities to serve as peer counselors;

"(3) purchase materials to be used exclusively to provide such training; and

"(4) disseminate such information and materials as are necessary to conduct such training and provide such peer counseling.

"(c) DEFINITIONS.—In this section, the term ‘eligible entity’ means—

"(1) the culture of Federal, State, Tribal, and local career, volunteer, and combination fire departments and emergency medical services agencies;

"(2) the different stressors experienced by firefighters and emergency medical services personnel, supervisors, and emergency medical services personnel, and chief officers of fire departments and emergency medical services agencies;

"(3) challenges encountered by retired firefighters and emergency medical services personnel; and

"(4) evidence-based therapies for mental health issues common to firefighters and emergency medical services personnel within such departments and agencies.

"(d) CONSULTATION.—In providing resources under subsection (a), the Administrator of the United States Fire Administration, in consultation with the Secretary of Health and Human Services, shall develop and make publicly available resources that may be used by the Federal Government and other entities to educate mental health professionals about—

"(1) the culture of Federal, State, Tribal, and local career, volunteer, and combination fire departments and emergency medical services agencies;

"(2) the different stressors experienced by firefighters and emergency medical services personnel, supervisors, and emergency medical services personnel, and chief officers of fire departments and emergency medical services agencies;

"(3) challenges encountered by retired firefighters and emergency medical services personnel; and

"(4) evidence-based therapies for mental health issues common to firefighters and emergency medical services personnel within such departments and agencies.

"(e) REPORTING.—

"(1) ANNUAL REPORT.—Not later than 2 years after the date of enactment of the Helping Emergency Responders Overcome Act, and biennially thereafter, the Secretary shall report to the Congress on the suicide incidence among public safety officers. Each such report shall—

"(A) include the number and rate of such suicides based on age, gender, and State of employment;

"(B) identify characteristics and contributing circumstances for suicide among public safety officers;

"(C) disaggregate rates of suicide by—

"(i) occupation;

"(ii) status as volunteer, paid-on-call, or career;

"(iii) status as active or retired;

"(D) include recommendations for further study regarding the suicide incidence among public safety officers;

"(E) specify in detail, if found, any obstacles in collecting suicide rates for volunteers and include recommended improvements to overcome such obstacles; and

"(F) identify options for interventions to reduce suicide among public safety officers; and

"(G) describe procedures to ensure the confidentiality and anonymity of suicide victims and their families, as described in subsection (d)(1).

"(2) AVAILABILITY.—Upon the submision of each report to the Congress under paragraph (1), the Secretary shall make the full report publicly available on the website of the Centers for Disease Control and Prevention.

"(f) DEFINITION.—In this section, the term ‘public safety officer’ means—

"(1) a public safety officer as defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968; or


"(g) PROHIBITED USE OF INFORMATION.—Notwithstanding any other provision of law, if an individual is identified as deceased based on any information provided in the Public Safety Officer Suicide Reporting System, such information may not be used to deny or rescind life insurance payments or other benefits to a survivor of the deceased individual."
of whether such individual also serves as a firefighter or emergency medical services personnel.

SEC. 6. BEST PRACTICES AND OTHER RESOURCES FOR ADDRESSING POSTTRAUMATIC STRESS DISORDER IN PUBLIC SAFETY OFFICERS.

(a) DEVELOPMENT OF GUIDELINES.—The Secretary of Health and Human Services shall—

(1) develop and assemble evidence-based best practices and other resources to identify, prevent, and treat posttraumatic stress disorder, including disorders in public safety officers; and

(2) reassess and update, as the Secretary determines necessary, such best practices and resources, including based upon the options for interventions to reduce suicide among public safety officers identified in the annual reports required by section 317W(e)(1)(F) of the Public Health Service Act, as added by section 2 of this Act.

(b) CONSULTATION.—In developing, assembling, and updating the best practices and resources under subsection (a), the Secretary of Health and Human Services shall consult with, at a minimum, the following:

(1) public health experts.

(2) Mental health experts with experience in studying suicide and other profession-related traumatic stress.

(3) Clinicians with experience in diagnosing and treating mental health issues.

(4) Relevant national police, fire, and emergency medical services organizations.

(c) AVAILABILITY.—The Secretary of Health and Human Services shall make the best practices and resources under subsection (a) available to Federal, State, and local fire, law enforcement, and emergency medical services agencies.

(d) FEDERAL TRAINING AND DEVELOPMENT PROGRAMS.—The Secretary of Health and Human Services shall work with Federal departments and agencies, including the United States Fire Administration, to incorporate education and training on the best practices and resources under subsection (a) into Federal training and development programs for public safety officers.

(e) DEFINITION.—In this section, the term “public safety officer” means—

(1) a public safety officer as defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 15361); or

(2) a precommunicator described in section 3341 of title 42, United States Code.

We have seen the extraordinary actions of America’s first responders in recent months in helping to keep our Nation safe. From the courage and the bravery of firefighters in Western States as they confront an unprecedented fire season, to public safety and paramedics on the Gulf Coast, to the frontline health workers fighting COVID–19, we all owe them a tremendous debt of gratitude.

This includes supporting the mental health needs of these individuals. Exposure to stressful, life-threatening situations, and traumatic events can impact one’s mental health.

Unfortunately, we see this impact every day with first responders facing higher rates of suicide and other mental health issues. However, we still lack data on the full scope of the problem, as well as treatment strategies to address the unique stresses that our Nation’s first responders face.

The HERO Act would create a National Public Safety Officer Suicide Reporting System to help us better understand the prevalence of these tragedies within the public safety officer community regardless of their employment.

It would also establish a grant program for peer support, behavioral health, and wellness programs within fire departments and EMS agencies.

The legislation also will develop and disseminate information to educate health professionals about the unique mental health challenges facing our Nation’s first responders and evidence-based therapies to address these issues.

I would like to thank AMI BERA for his leadership and thoughtful advocacy on the HERO Act and urge my colleagues to support its passage.

I reserve the balance of my time.

Chairwoman, Committee on Science, Space, and Technology,


Hon. Frank Pallone, Jr.,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing you concerning H.R. 1646, the “Helping Emergency Responders Overcome Act of 2019,” which was referred to the Committee on Energy and Commerce and then to the Committee on Science, Space, and Technology (“Science Committee”) on March 8, 2019.

As a result of our consultation, I agree to work cooperatively on H.R. 1646 and in order expedite the bill the Science Committee will waive formal consideration of this legislation. However, this is not a waiver of any future jurisdictional issues that the Committee may consider over the subject matter contained in H.R. 1646 or similar legislation. I also request that you support my request to name members of the Science Committee to any conference committee to consider this legislation.

Additionally, thank you for your assurance to include a copy of our exchange of letters in any conference report for H.R. 1646 and in the Congressional Record during floor consideration thereof.

Sincerely,

Eugene Bernice Johnson,
Chairwoman, Committee on Science, Space, and Technology.
urge adoption, and I yield back the balance of my time.

Mrs. DINGELL. Madam Speaker, once more we thank our Nation’s first responders for all they are doing for us, and I urge my colleagues to support them by supporting this 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 Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 1446, 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.

SUICIDE PREVENTION LIFELINE

IMPROVEMENT ACT OF 2020

Mrs. DINGELL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4564) to amend the Public Health Service Act to ensure the provision of high-quality service through the Suicide Prevention Lifeline, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4564

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 “Suicide Prevention Lifeline Improvement Act of 2020”.

SEC. 2. SUICIDE PREVENTION LIFELINE.

(a) PLAN.—Section 520E–3 of the Public Health Service Act (42 U.S.C. 290bb–36c) is amended by inserting after subsection (c) of such section, as added by subsection (a) of this section, the following:

“(d) Guidelines to ensure that resources are available and distributed to individuals using the hotline who are not personally in a time of crisis but know of someone who is.

“(e) Guidelines to conduct periodic testing of the hotline, including at crisis centers and backup centers, during each fiscal year to identify and correct any problems in a timely manner.

“(f) Guidelines to operate in consultation with the State department of health, local governments, Indian tribes, and tribal organizations.

“(g) INITIAL PLAN; UPDATES.—The Secretary shall:

“(A) not later than 6 months after the date of enactment of the Suicide Prevention Lifeline Improvement Act of 2020, complete development of the initial version of the plan required by paragraph (1), before implementing all such plan, and make such plan publicly available; and

“(B) periodically thereafter, update such plan and make the updated plan publicly available.”.

(b) TRANSMISSION OF DATA TO CDC.—Section 520E–3 of the Public Health Service Act (42 U.S.C. 290bb–36c) is amended by inserting after subsection (e) of such section, as added by subsection (a) of this section, the following:

“(d) TRANSMISSION OF DATA TO CDC.—The Secretary shall formalize and strengthen agreements between the National Suicide Prevention Lifeline and the Centers for Disease Control and Prevention to transmit any necessary epidemiological data from the program to the Centers for Disease Control and Prevention, to assist the Centers in suicide prevention efforts.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Subsection (e) of section 520E–3 of the Public Health Service Act (42 U.S.C. 290bb–36c) is amended to read as follows:

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—To carry out this section, there are authorized to be appropriated $50,000,000 for each of fiscal years 2021 through 2023.

“(2) ALLOCATION.—Of the amount authorized to be appropriated by paragraph (1) for each of fiscal years 2021 through 2023, at least 80 percent shall be made available to crisis centers.”.

SEC. 3. PILOT PROGRAM ON INNOVATIVE TECHNOLOGIES.

(a) Pilot Program.—

(1) IN GENERAL.—The Secretary of Health and Human Services, acting through the Assistant Secretary for Mental Health and Substance Use, shall carry out such pilot program to research, analyze, and employ various technologies and platforms of communication (including social media platforms, texting platforms, and email platforms) for suicide prevention in addition to the telephone and online chat service provided by the Suicide Prevention Lifeline.

(2) AUTHORIZATION OF APPROPRIATIONS.—To carry out paragraph (1), there is authorized to be appropriated $5,000,000 for each of fiscal years 2021 through 2023.

(b) REPORT.—Not later than 24 months after the date on which the pilot program under subsection (a) commences, the Secretary shall submit to the Committee on Appropriations a report on the pilot program.

(1) The report shall include—

(A) a full description of the program;

(B) the number of individuals served by the program;

(C) the average wait time for each individual to receive a response;

(D) the cost of the program, including the cost per individual served; and

(E) any other information the Secretary determines appropriate.

SEC. 4. HHS STUDY AND REPORT.

Not later than 24 months after the Secretary of Health and Human Services begins implementation of the plan required by section 520E–3(c) of the Public Health Service Act, as added by section 2(a)(2) of this Act, the Secretary shall—

(1) complete a study on—

(A) the implementation of such plan, including the progress towards meeting the objectives identified pursuant to paragraph (2)(A)(i) of such section 520E–3(c) by the timeframes identified pursuant to paragraph (2)(A)(ii) of such section 520E–3(c), and

(B) any implementation and performance gaps in consultation with the Director of the Centers for Disease Control and Prevention, options to expand data gathering from calls to the Suicide Prevention Lifeline in order to better track aspects of usage such as repeat calls, consistent with applicable Federal and State privacy laws; and

(2) submit a report to the Congress on the results of such study, including recommendations on whether additional legislation or appropriations are needed.

SEC. 5. GAO STUDY AND REPORT.

(1) IN GENERAL.—Not later than 24 months after the Secretary of Health and Human Services begins implementation of the plan required by section 520E–3(c) of the Public Health Service Act, as added by section 2(a)(2) of this Act, the Comptroller General of the United States shall—

(1) complete a study on the Suicide Prevention Lifeline and

(2) submit a report to the Congress on the results of such study.

(b) ISSUES TO BE STUDIED.—The study required by subsection (a) shall address—

(1) the feasibility of geolocating callers to direct calls to the nearest crisis center;

(2) the capacity and operational shortcomings of the Suicide Prevention Lifeline;

(3) geographic coverage of each crisis call center;

(4) the call answer rate of each crisis call center;

(5) the call wait time of each crisis call center;

(6) the hours of operation of each crisis call center;

(7) funding avenues of each crisis call center;

(8) the implementation of the plan under section 520E–3(c) of the Public Health Service Act, as added by section 2(a) of this Act, including the progress towards meeting the objectives identified pursuant to paragraph (2)(A)(i) of such section 520E–3(c) by the timeframes identified pursuant to paragraph (2)(A)(ii) of such section 520E–3(c); and

(9) service to individuals requesting a foreign language speaker, including—

(A) the number of calls or chats the Lifeline receives from individuals speaking a foreign language;

(B) the capacity of the Lifeline to handle these calls or chats; and

(C) the number of crisis centers with the capacity to serve foreign language speakers, in house.

(c) RECOMMENDATIONS.—The report required by subsection (a) shall include recommendations for improving the Suicide Prevention Lifeline, including recommendations for legislative and administrative actions.

SEC. 6. DEFINITION.

In this Act, the term “Suicide Prevention Lifeline” means the suicide prevention hotline maintained pursuant to section 520E–3 of the Public Health Service Act (42 U.S.C. 290bb–36c).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from
Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4564, the Suicide Prevention Lifeline Improvement Act of 2020. This legislation will provide additional resources and authority for the National Suicide Prevention Lifeline, ensuring that it will have the infrastructure necessary to meet the current need and the increased volume of outreach expected when the 988 number is formally adopted.

The National Suicide Prevention Lifeline currently expects 12 million calls over the next 4 years, equivalent to the total number of calls from 2005 to 2017. Given this increased demand, the current authorization level of approximately $7.2 million per year is insufficient to meet the expected need for the lifeline’s critical services for those in crisis. This legislation increases the authorization for the lifeline to $50 million each year through fiscal year 2022, allowing it to effectively manage the increased call volume while reducing wait times.

Additionally, the Suicide Prevention Lifeline Improvement Act will create a new pilot program to deploy innovative technologies through social media, texting, and other platforms, connecting Americans where they are to the lifeline.

It will also establish a plan for maintaining the lifeline program and providing additional study and recommendations from HHS on ways to further strengthen access to this program.

I thank and appreciate Representatives Katko, Beyer, and Napolitano for their leadership in offering this legislation, and continuing to push for reforms to strengthen the National Suicide Prevention Lifeline.

Madam Speaker, I urge my colleagues to support this bipartisan effort to strengthen access to this critical resource for Americans in crisis. I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 4564, the Suicide Prevention Lifeline Improvement Act, introduced by Representatives Katko, Cardenas, and Representatives Graves and Bishop from Georgia.

This legislation will increase the authorization of the National Suicide Prevention Lifeline program to $50 million each year through fiscal year 2022. This bill ensures funding is available for the continued operation of the suicide hotline and the services critical to addressing the national crisis. Suicide prevention can be successful.

I know we will also consider several other pieces of legislation, including designating 988 as the extension for the national suicide hotline. With more individuals in crisis, more calls will come. We must increase awareness of this critical resource and make it easier to remember the number.

We must make sure the national suicide hotline is prepared to deal with those in crisis. This issue has been one of my top priorities in Congress, and I am glad we have been able to work together to get this done.

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

Madam Speaker, I want to thank my colleagues again. It has been bipartisan, and it has been very important. Good friends like Mr. Gianforte, Mr. Katko, Frank Pallone, and Anna Eskoo helped us through, and my dear friend Debbie Dingell led here today. I thank them for prioritizing these mental health supports when we need it most.

Mr. Gianforte, Madam Speaker, in closing, this is a critical issue in Montana. We have one of the highest suicide rates in the country, and making these services available is critical.

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

Mrs. Dingell. Madam Speaker, 48,000 Americans died by their own hand in 2018. We cannot save every life, but the Suicide Prevention Lifeline is remarkably successful in helping people through that singular moment of despair in their lives.

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

The SPEAKER pro tempore. Is there unanimous consent that all Members yield to the gentlewoman from Michigan (Mrs. Dingell)?

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

CAUSE TO PREVENT SUICIDE ACT

Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4565) to require the Director of the Centers for Disease Control and Prevention to conduct a national suicide prevention media campaign, and for other purposes, as amended.
The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4585
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 “Campaign to Prevent Suicide Act”.

SEC. 2. NATIONAL SUICIDE PREVENTION LIFE-LINE. 
Section 520E–3(b)(2) of the Public Health Service Act (42 U.S.C. 290b–36c)(b)(2)) is amended by inserting after “suicide prevention hotline” the following: “. . . which, beginning not later than one year after the date of the enactment of the Campaign to Prevent Suicide Act, shall be a 3-digit nationwide toll-free telephone number.”.

SEC. 3. NATIONAL SUICIDE PREVENTION MEDIA CAMPAIGN. 
(a) NATIONAL SUICIDE PREVENTION MEDIA CAMPAIGN.—
(1) IN GENERAL.—Not later than the date that is three years after the date of the enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), in coordination with the Assistant Secretary for Mental Health and Substance Use (referred to in this section as the “Assistant Secretary”) and the Director of the Centers for Disease Control and Prevention (referred to in this section as the “Centers”), shall conduct a national suicide prevention media campaign (referred to in this section as the “national media campaign”), in accordance with the requirements of this section, for purposes of—
(A) preventing suicide in the United States;
(B) educating families, friends, and communities on how to address suicide and suicidal thoughts, including when to encourage individuals with suicidal risk to seek help; and
(C) increasing awareness of suicide prevention resources of the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration (including the suicide prevention hotline maintained under section 520E–3 of the Public Health Service Act (42 U.S.C. 290b–36c)) and assessing whether there are any State and regional variations with respect to the capacity to answer such calls;

(2) ADDITIONAL CONSULTATION.—In addition to coordinating with the Assistant Secretary and the Director under this section, the Secretary shall consult with, as appropriate, State, local, Tribal, and territorial health departments, primary health care providers, hospitals with emergency departments, mental and behavioral health service providers, crisis response service providers, first responders, suicide prevention and mental health professionals, patient advocacy groups, survivors of suicide attempts, and representatives of television and social media platforms in planning the national media campaign to be conducted under paragraph (1).

(b) TARGET AUDIENCES.—
(1) GENERAL REQUIREMENTS AND OTHER COMMUNICATIONS.—In conducting the national media campaign under subsection (a)(1), the Secretary shall tailor culturally competent advertisements and other communications of the campaign across all available media for a target audience (such as a particular geographic location or demographic group).

(2) TARGETING CERTAIN LOCAL AREAS.—The Secretary shall, to the maximum extent practicable, use amounts made available under subsection (f) for media that targets individuals in local areas with higher suicide rates.

(c) USE OF FUNDS.—
(1) REQUIRED USES.—
(A) IN GENERAL.—The Secretary shall, to the extent feasible with the funds made available under subsection (f), carry out the following, with respect to the national media campaign:
(B) SPECIFIC REQUIREMENTS.—
(i) TESTING AND EVALUATION OF ADVERTISING.—In testing and evaluating advertising under subparagraph (A)(iv), the Secretary shall test all advertisements after use in the national media campaign to evaluate the extent to which such advertisements have been effective in carrying out the purposes of the national media campaign.
(ii) EVALUATION OF THE EFFECTIVENESS OF THE NATIONAL MEDIA CAMPAIGN.—In evaluating the effectiveness of the national media campaign under subparagraph (A)(v), the Secretary shall take into account—
(1) the number of unique calls that are made to the suicide prevention hotline maintained under section 520E–3 of the Public Health Service Act (42 U.S.C. 290b–36c) and assess whether there are any State and regional variations with respect to the capacity to answer such calls;
(2) the number of unique encounters with suicide prevention and support resources of the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration, and other entities appropriate;
(3) the extent that the national media campaign—
(I) the purchase of advertising time and space;
(II) the creation of an educational toolkit available.
(III) the development of new suicide prevention materials; and
(IV) the development of new suicide prevention materials;
(2) OPTIONAL USES.—The Secretary may use amounts made available under subsection (f) for the following, with respect to the national media campaign:
(1) To supplant current suicide prevention and support resources of the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration, and other entities appropriate;
(2) To support the development of new suicide prevention materials; and
(3) To supplant current suicide prevention campaigns.

(d) PROHIBITIONS.—None of the amounts made available under subsection (f) for media that targets individuals in local areas with higher suicide rates shall be obligated or expended for any of the following:

(e) REPORT TO CONGRESS.—Not later than 18 months after implementation of the national media campaign, the Secretary, in coordination with the Assistant Secretary, shall report to Congress a report that describes—

(f) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there is authorized to be appropriated $10,000,000 for each of fiscal years 2021 through 2025.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. DINGELL) and the gentleman from Montana (Mr. Gianforte) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4585.

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

There was no objection.

Mrs. DINGELL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4585, the Campaign to Prevent Suicide Act. This legislation will further facilitate access to existing Federal resources on suicide prevention by creating a national suicide prevention media campaign to help raise awareness of the lifetime as well as advertise the new 988 number when it becomes available.

Additionally, the Campaign to Prevent Suicide Act will also provide guidance to TV and social media companies on how effectively to communicate about suicide prevention through the creation of a media and best practices toolkit.

Given the significant mental health impacts of the COVID–19 pandemic, ensuring that Americans have access to the support they need during these trying times is more important than ever.

With multiple studies indicating that the pandemic’s significant impact on mental health, including a fourfold increase in depression reported by the
CDC this summer, we cannot lose sight of this longstanding public health issue. I appreciate Representatives BEYER’s and GIANFORTE’s work on this legislation, which will provide resources for outreach, prevention, and intervention during a time when it is needed more than ever. We need to lift the stigma from people talking about this. It happens in every family and in every place.

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

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

Madam Speaker, I rise today in support of H.R. 4585, the Campaign to Prevent Suicide Act introduced by Representative BEYER and me. I want to thank my friend, DON BEYER, for leading the effort on the bill.

Our bill directs the Centers for Disease Control and Prevention, as well as the Department of Health and Human Services, and the Substance Abuse and Mental Health Services Administration, to conduct a national suicide prevention education campaign. This includes advertising the new 988 number for the National Suicide Prevention Lifeline.

The impact and the burden of suicide affects individuals and families throughout America. I can't tell you how many times I have heard the story of suicide happening in a family, then no one would ever talk about it.

It is important to tackle this head-on. I can't tell you how many times I bring this up at an event—it is something that I have been working on with good friends like GREG—and there is this discomfort. People look away; they shuffle their feet; and some people slip out of the back of the room. Yet, every time at the end of the event people come up and say: Thank you so much for talking about that. I lost my aunt. I lost my brother.

Nobody talks about it. A change in social norms from a culture of avoidance to a culture of engagement is needed in order to ensure that those who are struggling have people that they know to turn to. Again, when I was growing up, you were not supposed to say, “Debbie, are you feeling suicidal?” because you might give her the idea to do it. Now, we say, “Debbie, do you feel like hurting yourself?” or “Do you want to kill yourself?”

I was so thrilled when I went to the emergency room last year. I got something in my eye. I just had something in my eye, and the first thing they said is: Do you feel like killing yourself? I thanked the nurse, and I thanked the doctor for making sure that I was okay.

Of course, it will be an awareness campaign for the new 988 number, but it will also educate media and social media because the world has changed. Today, often it will be a Facebook post or a tweet or an Instagram that might be the first hint that somebody is thinking about killing themselves.

We are dealing with a suicide epidemic made worse during the pandemic because the very stress of the pandemic exacerbated it for all of us. With 200,000 dead who are in the news all the time, we have a death anxiety that mostly only people in battle have. So, this is really, really important.

Madam Speaker, I urge my colleagues to support this good bipartisan bill to save lives and to save the enormous burden of grief that families feel.

Mr. GIANFORTE. Madam Speaker, in closing, I just want to thank my friend, DON BEYER, again for his partnership on this and his real leadership.

This is an important piece of legislation. Madam Speaker, I urge my colleagues to adopt it today, and I yield back the balance of my time.

Mrs. DINGELL. Madam Speaker, I want to thank both of my colleagues for their leadership on this issue and for the willingness to talk about it publicly because we do need for people to acknowledge that it is a normal feeling, and it is okay. I have seen it in my own family and wish that we had been willing to talk about it before it had been too late.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 4585, 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 require the Secretary of Health and Human Services to conduct a national suicide prevention media campaign, and for other purposes.”

A motion to reconsider was laid on the table.

SUICIDE PREVENTION ACT

Mrs. DINGELL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5619) to authorize a pilot program to expand and intensify surveillance of self-harm in partnership with State and local public health departments, to establish a grant program to provide self-harm and suicide prevention services in hospital emergency departments, and for other purposes, as amended.

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

H.R. 5619

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

SECTION 1. SHORT TITLE.

The title of this Act may be cited as the “Suicide Prevention Act.”

SEC. 2. SYNDROMIC SURVEILLANCE OF SELF-HARM BEHAVIORS PROGRAM.

Title III of the Public Health Service Act is amended by inserting after section 317U of such Act (42 U.S.C. 247b-3) the following:

"SEC. 317V. SYNDROMIC SURVEILLANCE OF SELF-HARM BEHAVIORS PROGRAM.

"(a) IN GENERAL.—The Secretary shall award grants to State, local, Tribal, and territorial public health departments for the expansion of surveillance of self-harm.

"(b) DATA SHARING BY GRANTEES.—As a condition of receipt of such grant under subsection (a), each grantee shall agree to share with the Centers for Disease Control and Prevention in a timely manner, to the extent possible and as specified in the grant agreement, data on suicides and self-harm for purposes of—

"(1) tracking and monitoring self-harm to inform evidence-based activities to reduce suicide;

"(2) informing prevention programming for identification of at-risk populations; and

"(3) conducting or supporting research.

"(c) DISABUSEMENT OF DATA.—The Secretary shall provide for the data collected through surveillance of self-harm under subsection (b) to be disaggregated by the following categories:

"(i) Nonfatal self-harm data of any intent.

"(2) Data on suicidal ideation.
“(3) Data on self-harm where there is no evidence, whether implicit or explicit, of suicidal intent.

“(4) Data on self-harm where there is evidence, whether implicit or explicit, of suicidal intent.

“(5) Data on self-harm where suicidal intent is unclear based on the available evidence.

“(6) CLAIMS.—In making awards under subsection (a), the Secretary shall give priority to eligible entities that are—

“(1) located in a State with a high rate of coverage of statewide (or Tribal) emergency department visits, as determined by the Director of the Centers for Disease Control and Prevention;

“(2) serving an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) with an age-adjusted rate of nonfatal suicidal behavior that is above the national rate of nonfatal suicidal behavior, as determined by the Director of the Centers for Disease Control and Prevention; or

“(3) engaged in a State with an age-adjusted rate of nonfatal suicidal behavior that is above the national rate of nonfatal suicidal behavior, as determined by the Director of the Centers for Disease Control and Prevention.

“(7) ESTIMATES.—In making awards under this section, the Secretary shall make an effort to ensure geographic distribution, and take into account the unique needs of rural communities, including—

“(1) communities with an incidence of individuals with serious mental illness, demonstrated suicidal behavior, or suicide attempt, or suicide rates that are above the national average, as determined by the Assistant Secretary for Mental Health and Substance Use;

“(2) communities with a shortage of prevention and treatment services, as determined by the Assistant Secretary for Mental Health and Substance Use and the Administrator of the Health Resources and Services Administration; and

“(3) other appropriate community-level factors and social determinants of health such as income, employment, and education.

“(f) PERIOD OF PARTICIPATION.—To be selected as a grant recipient under this section, a State, local, Tribal, or territorial public health department shall agree to participate in the program for a period of not less than 4 years.

“(g) TECHNICAL ASSISTANCE.—The Assistant Secretary for Mental Health and Substance Use shall, at least quarterly for the duration of the grant, submit to the Secretary a report evaluating the activities supported by the grant.

“(h) DATA SHARING BY HHS.—Subject to subsection (b), the Assistant Secretary for Mental Health and Substance Use shall, with respect to data on self-harm that is collected pursuant to this section, share and integrate such data through—

“(1) the National Syndromic Surveillance Program’s Early Notification of Community Epidemics (ESSENCE) platform (or any successor platform);

“(2) the National Violent Death Reporting System, as appropriate; or

“(3) another appropriate surveillance program, as appropriate, that collects data on suicides and self-harm among special populations, such as members of the military and veterans.

“(i) RULE OF CONSTRUCTION REGARDING APPLICABILITY OF PRIVACY PROTECTIONS.—Nothing in this section shall be construed to limit or alter the application of Federal or State law relating to the privacy of information to data or information that is collected or created under this section.

“(j) REPORT.—

“(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall make an effort to contact the Secretary, submit to the Congress on the data collected under subsections (b) and (c) in a manner that prevents the disclosure of individually identifiable information, at a minimum, consistent with all applicable privacy laws and regulations.

“(2) CONTENTS.—In addition to the data collected under paragraphs (b) and (c), the report under paragraph (1) shall include—

“(A) challenges and gaps in data collection and reporting;

“(B) recommendations to address such gaps and challenges; and

“(C) a description of any public health responses initiated at the Federal, State, or local level in response to the data collected.

“(k) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $1,000,000 for each of fiscal years 2021 through 2025.

“SEC. 3. GRANTS TO PROVIDE SELF-HARM AND SUICIDE PREVENTION SERVICES.

“Part B of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

“SEC. 520N. GRANTS TO PROVIDE SELF-HARM AND SUICIDE PREVENTION SERVICES.

“(a) IN GENERAL.—The Secretary of Health and Human Services shall award grants to hospital emergency departments to provide self-harm and suicide prevention services.

“(b) ACTIVITIES SUPPORTED.—

“(1) In general.—A hospital emergency department awarded a grant under subsection (a) shall use amounts under the grant to implement a program or protocol to better prevent suicide attempts among hospital patients after discharge, as much as is practicable.

“(2) Activities described in paragraph (1) and standards of practice described in subparagraph (A) may include—

“(A) screening patients for self-harm and suicide in accordance with the standards of practice described in subsection (e)(1) and standards of care established by appropriate medical and advocacy organizations;

“(B) providing patients short-term self-harm and suicide prevention services in accordance with the results and screenings described in subparagraph (A); and

“(C) referring patients, as appropriate, to a health care facility or provider for purposes of receiving long-term self-harm and suicide prevention services, and providing any additional follow up services and care identified as appropriate as a result of the screenings and short-term self-harm and suicide prevention services described in subparagraphs (A) and (B).

“(c) USE OF FUNDS TO HIRE AND TRAIN STAFF.—Any funds awarded under subsection (a) may be used to hire clinical social workers, mental and behavioral health care professionals, and support staff as appropriate, and to train existing staff to carry out the activities described in paragraph (1).

“(d) GRANT TERMS.—A grant awarded under subsection (a) shall—

“(1) be for a period of 3 years; and

“(2) may be renewed subject to the requirements of this section.

“(e) APPLICATIONS.—A hospital emergency department seeking to receive a grant under subsection (a) shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(f) STANDARDS OF PRACTICE.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary shall develop standards of practice for screening patients for self-harm and suicide for purposes of carrying out subsection (b)(1)(C).

“(2) CONSULTATION.—The Secretary shall develop the standards of practice described in paragraph (1) in consultation with individuals and entities with expertise in self-harm and suicide prevention, including public, private, and non-profit entities.

“(g) REPORTING.—

“(1) REPORTS TO THE SECRETARY.—

“(A) The Assistant Secretary for Mental Health and Human Services shall award grants to hospitals to provide self-harm and suicide prevention services in accordance with the standards of practice described in subsection (e)(1) and standards of care established by appropriate medical and advocacy organizations.

“(B) The Assistant Secretary for Mental Health and Human Services shall, at least quarterly for the duration of the grant, submit to the Secretary a report evaluating the activities supported by the grant.

“(B) MATTERS TO BE INCLUDED.—The report required under subparagraph (A) shall include—

“(i) the number of patients receiving—

“(II) screenings carried out at the hospital emergency department; and

“(ii) referrals to health care facilities for the purposes of receiving long-term self-harm and suicide prevention;

“(iii) information on the adherence of the hospital emergency department to the standards of practice described in subsection (f)(1); and

“(iv) other information as the Secretary determines appropriate to evaluate the use of grant funds.

“(2) REPORTS TO CONGRESS.—Not later than 2 years after the date of the enactment of the Suicide Prevention Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the program under this section, including—

“(A) a summary of reports received by the Secretary under paragraph (1); and

“(B) an evaluation of the program by the Secretary.

“(h) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $30,000,000 for each of fiscal years 2021 through 2025.

“The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. Dingell) and the gentleman from Montana (Mr. Gianforte) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. Dingell. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5619.

The SPEAKER pro tempore. That is agreed to.

Mrs. Dingell. The Suicide Prevention Act will help strengthen data and reporting on suicide by authorizing funding for the Centers for Disease Control and Prevention to collaborate with State and local health departments to improve the tracking of these incidents. This enhanced data collection will allow for earlier intervention and greater understanding of suicide trends, helping to better identify and treat at-risk individuals.
H.R. 5663
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 “Safeguarding Therapeutics Act”.

SEC. 2. AUTHORITY TO DESTROY COUNTERFEIT DEVICES.
(a) IN GENERAL.—Section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amended—
(1) in the fourth sentence, by inserting “or counterfeit device” after “counterfeit drug”;
and
(2) by striking “The Secretary of the Treasury shall cause the destruction of” and all that follows through “liable for costs pursuant to subsection (c),” and inserting the following: “The Secretary of the Treasury shall cause the destruction of any such article refused admission unless such article is exported, under regulations prescribed by the Secretary of the Treasury, within 90 days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations, except that the Secretary of Health and Human Services may destroy, without the opportunity for export, any drug or device refused admission under this section, if such drug or device is valued at an amount of $2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation pursuant to section 381(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1981(a))), and was not brought into compliance as described under subsection (b).”

(b) DEFINITION.—Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amended—
(1) by redesignating subparagraphs (1), (2), and (3) as clauses (A), (B), and (C), respectively; and
(2) by adding such redesignations—
(A) by striking “(h)(1) The term ‘counterfeit drug’ means a device which bears, on the container or any包装 of which, without authorization, bears a trademark, trade name, or other identifying mark, imprint, or symbol, or any likeness thereof, or is manufactured using a design, of a device manufacturer, packer, or distributor other than the person or persons who in fact manufactured, compounded, assembled, or processing; and
(B) by adding at the end following: “(2) The term ‘counterfeit device’ means a device which bears, on the container or packaging of which, without authorization, bears a trademark, trade name, or other identifying mark, imprint, or symbol, or any likeness thereof, or is manufactured using a design, of a device manufacturer, packer, or distributor other than the person or persons who in fact manufactured, compounded, assembled, or processing; and

SECTION 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 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 Michigan (Mrs. DINGELL) and the gentleman from Montana (Mr. GIANFORTE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5663.

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

There was no objection.

Mrs. DINGELL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 5663, the Safeguarding Therapeutics Act.

Madam Speaker, this legislation provides FDA additional authority to take action to protect public health and safety by extending the agency’s administrative destruction authority for counterfeit medical devices, including diagnostic tests and surgical masks, as well as combination products, like vaccines, that may pose a threat to public health.

Given the global marketplace and extensive supply chains for complex medical products, counterfeit medical devices are becoming increasingly common, both in the United States and abroad. These counterfeit products pose a significant risk to patient health and safety, and ensuring that FDA has the appropriate authority to take action by seizing and destroying counterfeit medical devices will help safeguard America’s health.

Under current law, counterfeit medical devices and combination products are typically shipped back to the sender because of the limitations in FDA’s existing authority. This allows dangerous counterfeit devices to remain in the supply chain, continuing to represent a significant risk to consumers.

The Safeguarding Therapeutics Act is a straightforward, commonsense approach to this issue with bipartisan support that will provide FDA with authority it already possesses with respect to counterfeit drugs.

Given the deficiencies that are highlighted with certain aspects of the healthcare supply chain throughout the current pandemic, taking action to further
safeguard the supply chain from potentially dangerous products is more important than ever.

Madam Speaker, I thank my colleagues on the Committee on Energy and Commerce, Representatives GUTHRIE and ENGEL, for their work on this legislation, and I urge my colleagues to support its passage.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 5663, the Safeguarding Therapeutics Act, introduced by Representatives GUTHRIE and ENGEL. This legislation would extend FDA’s administrative destruction authority to counterfeit and other illegal medical devices.

Under current law, the FDA is authorized to destroy certain imported drugs that may pose a threat to public health; however, this authority does not extend to medical devices.

The passage of this legislation during the coronavirus pandemic is especially timely. Have you seen in counterfeit COVID-19 test kits imported to the United States?

But it is not only counterfeit COVID-19 test kits entering our borders and posing risks to U.S. consumers. International mail facilities have also intercepted shipments of illegal contact lenses and combination products in recent years.

This additional authority will prevent shippers from trying to send illegal products back to the United States and may deter future illegal shipments of medical devices.

Madam Speaker, I thank my colleagues, Representatives GUTHRIE and ENGEL, for working together in a bipartisan manner to advance this legislation to provide the FDA with the additional tool to protect American consumers against potentially dangerous medical products.

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

Mrs. DINGELL. Madam Speaker, I reserve the balance of my time.

Mr. GIANFORTE. Madam Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Madam Speaker, I rise today in support of my bill, the Safeguarding Therapeutics Act.

Last year, I had the opportunity to visit the international mail facility at JFK Airport in New York.

When counterfeit drugs come through the mail facilities, the FDA has the authority to destroy it. However, if that counterfeit drug is attached to a syringe, it therefore constitutes a medical device, and the FDA does not currently have the authority to destroy counterfeit medical devices. Instead, they are mailed back to where they came from, where they are repackaged and sent right back to the United States.

After visiting the mail facility, I joined with my colleague, Representative ELIOT ENGEL, to fix this, introducing the Safeguarding Therapeutics Act. This commonsense, bipartisan bill will give the FDA the authority to destroy counterfeit medical devices at entry points into the country. These include items such as combination products, like injections and vaccines. If allowed into the country, these products could end up on the black market and harm American patients.

The Safeguarding Therapeutics Act has become especially important now that the country is facing the COVID-19 pandemic. We have already seen instances of counterfeit COVID-19 tests and products claiming to cure COVID being sent to the United States. Bad actors are marketing tests and treatments that have not been approved by the FDA or the CDC.

We need to give the FDA the authority to destroy these products as they enter the United States. While our nation continues to grapple with the coronavirus pandemic, the last thing we need is fake COVID-19 tests and products in our market.

Also, in going to the JFK Airport, you are standing there with the personnel, men and women who are wearing the uniform of our country, receiving this mail moving forward. We gave them the authority: If it is a drug, they can destroy it if it is counterfeit; if it is a device, it is an interpretation, but they don’t have the authority to move forward.

They even told me that sometimes they open the package, see that it is counterfeit, and they have to return it. They close the package, return it, and they will see the same package come back through the exact way that they taped it.

So we need to give them the authority. It doesn’t make sense. It is a commonsense approach.

ELIOT ENGEL and I made this bipartisan. I think every American citizen says that is not the way we want to operate, and particularly in this time and this pandemic, and there are people trying to take advantage of this time and this pandemic.

Madam Speaker, I appreciate bringing this to the floor today. I appreciate the hard work of the Committee on Energy and Commerce.

I thank Representative ENGEL. I don’t think he represents JFK, but he does represent the great city of New York.

Madam Speaker, I look forward to continuing to work with my colleagues on the Committee on Energy and Commerce as they respond to the coronavirus pandemic.

Mrs. DINGELL. Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank Mr. GUTHRIE for his leadership on this and taking the initiative to get out and understand the issue on the ground and crafting bipartisan legislation to solve this problem and protect American consumers.

Madam Speaker, I urge adoption of this legislation, and I yield back the balance of my time.

Mrs. DINGELL. Madam Speaker, I also thank Mr. GUTHRIE and Mr. ENGEL for their leadership.

I think the American people understand this issue more now than ever, unfortunately. I urge my colleagues to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 5663, 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.

BLOCKING PROPERTY OF CERTAIN PERSONS WITH RESPECT TO THE CONVENTIONAL ARMS ACTIVITIES OF IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 116–154)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Pursuant to the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), the National Emergency Powers Act (50 U.S.C. 1601 et seq.), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report I have issued an Executive Order (the “order”) that affirms that it remains the policy of the United States to counter Iran’s malignant influence in the Middle East, including transfers from Iran to destabilizing conventional weapons and acquisition of arms and related materiel by Iran. Transfers to and from Iran of arms or related materiel or military equipment represent a continuing threat to regional and international security. Iran benefits from engaging in the conventional arms trade by strengthening its relationships with other outlier regimes, lessening its international isolation, and deriving revenue that it uses to support terror groups and fund malign activities.

In light of these findings and in order to take additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995
EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2020, pursuant to Public Law 95-384, are as follows:

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<th>Name of Expenditure Report</th>
<th>Date of Expenditure Report</th>
<th>Country</th>
<th>Foreign Currency</th>
<th>U.S. dollar equivalent or U.S. currency</th>
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### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2020—Continued

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Committee total: 99,540.78 | 140,116.47 | 142,657.25

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2020

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### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2020

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### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2020

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

5332. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department’s final rule — Sexual Assault Prevention and Response Program Procedures (Docket ID: DoD-2019-OS-0084) (RIN: 0700-AK92) received September 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5333. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department’s final rule — Defense Commissary Agency Privacy Act Program (Docket ID: DOD-2019-OS-0080) (RIN: 0700-AK72) received September 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5334. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department’s final rule — TRICARE Coverage of Certain Medications (Docket ID: DOD-2019-HA-0059) (RIN: 0790-AL02) received September 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5335. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department’s final rule — User Fees (Docket ID: DOD-2018-OS-0014) (RIN: 0700-AK65) received September 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5336. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department’s final rule — Service Academies (Docket ID: DOD-2019-OS-0018) (RIN: 0790-AL02) received September 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.
CONGRESSIONAL RECORD — HOUSE

H4641

September 21, 2020

the COVID public health emergency; to the Committee on Ways and Means; and, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRINDISI:

H.R. 8323. A bill to require social media companies to establish an office dedicated to identifying and removing violent and gory content that violates such company's social media or video content moderation standards; to the Committee on Energy and Commerce.

By Mr. BUDD (for himself and Ms. CHACHOKYAN):

H.R. 8324. A bill to provide for domestic sourcing of personal protective equipment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Veterans’ Affairs, Homeland Security, Education and Labor, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. COSTA, Mr. BACON, and Ms. SPANBERGER):

H.R. 8325. A bill to amend the Families First Coronavirus Response Act to extend National School Lunch Program requirement waivers addressing COVID-19, and for other purposes; to the Committee on Education and Labor.

By Ms. FINKENAUER (for herself and Mr. HAGEDORN):

H.R. 8326. A bill to amend the Public Works and Economic Development Act of 1965 to require eligible recipients of certain grants to develop a comprehensive economic development strategy that directly or indirectly increases the accessibility of affordable, quality child care, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAGEDORN (for himself and Mr. COLE):

H.R. 8327. A bill to support the establishment of an apprenticeship college consortium; to the Committee on Education and Labor.

By Mr. McCaul:

H.R. 8328. A bill to eliminate or substantially reduce the global availability of critical tactical United States arms embargoed countries, and for other purposes; to the Committee on Foreign Affairs.

By Ms. PORTER (for herself, Ms. HERRECA BRETTLER, Mr. WELCH, Mr. COLE, Mr. TRONE, Mr. VAN DREW, Mr. CISNEROS, and Mr. FITZPATRICK):

H.R. 8330. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to provide for certain health coverage of newborns; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and 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. POSEY (for himself, Mr. WESER of Texas, Mr. GAERTZ, Mr. SPANO, and Mr. CLOUD):

H.R. 8331. A bill to provide a funding limitation on certain programs appropriated under the CARES Act; to the Committee on Foreign Affairs.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. RESCHENTHALER):

H.R. 8332. A bill to amend the Energy Policy Act of 2005 to establish a program to address orphaned, abandoned, or idle wells on Federal land, to establish a program to provide grants to States and Tribes to address orphaned wells for other purposes; to the Committee on Natural Resources.

By Mrs. DINGELL:

H. Res. 1128. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Ruth Bader Ginsburg, Associate Justice of the Supreme Court of the United States; considered and agreed to.

By Mr. CURTIS (for himself, Mr. LOWENTHAL, Mr. KILDRE, Mr. TONKO, Ms. CURILLAR, Mr. PANETTA, Mr. KEATING, Mr. VARGAS, Mr. LARSEN of Washington, Mr. COX of California, Mr. LIPINSKI, Mr. MOORE, Mr. DEUTCH, Mr. RUSH, Mr. WELCH, Mr. O’HALLORAN, Mr. HARDER of California, Mr. KIND, Mr. COSTA, Mr. TAKANO, Mr. BISHOP of Georgia, Mr. PAPPAS, Mr. SWALLOWELL of California, Mr. PERDUE, Mr. HAYES, Ms. SHALALA, Mr. COHEN, Ms. HALLAND, Ms. SCHRACKY, Mr. CARDENAS, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. STOZZI, Ms. DEGETTE, Mr. CARE, Ms. RODGERS of Washington, Mr. REED, Mr. FITZPATRICK, Mr. GATZ, Mr. AMODEI, Mr. THOMPSON of Nevada, Mr. TAYLOR, Mr. WILSON of South Carolina, Mr. ROONEY of Florida, Mr. STIVERS, Mr. MARSHALL, Mr. BALDERSON, Mr. NORMAN, Mr. GALLAGHER, Mr. FULCHER, Mr. RICE of South Carolina, Mr. SIMPSON, Mr. DIAZ-BALART, Mr. BURGESS, Ms. STEFANIK, Mr. GROTHMAN, Mr. MCKINLEY, Mr. TITTON, Mr. LAHOOD, Mr. NEWHOUSE, Mr. SCHWIEKERT, Mr. FORTEMBERGER, Mr. BUDOS, Mr. CURRAN, Mr. MALST, Mr. KINZINGER, Mr. McHENRY, Mr. STEIL, Mr. BACON, Mr. FLIESCHMANN, Mr. GRAVES of Louisiana, and Mr. JOHNSTON of Oklahoma):

H. Res. 1130. A resolution expressing support for the designation of the week of September 21 through September 25, 2020, as “National Clean Energy Week”; to honor the entrepreneurial spirit and contributions of small businesses and entrepreneurs in the United States; to the Committee on Small Business.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa
tives the following statements are submitted regarding the specific powers granted to Congress in the Constitu
tion to enact the accompanying bill or joint resolution.

By Mrs. LOWEY:

H.R. 8319. Congress has the power to enact this legislation pursuant to: The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law...” In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: “The Congress shall have the Power... to pay the Debts and provide for the common Defence and general Welfare of the United States...” Together, these specific constitutional provi
sions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. SABLAN:

H.R. 8320. Congress has the power to enact this legislation pursuant to: Under Article I, Section 8 of the Constitu
tion.

By Ms. ADAMS:

H.R. 8321. Congress has the power to enact this legislation pursuant to: Article I, Section 8, clause 1 provides Congress with the power to “lay and collect Taxes, Duties, Imposts and Excises” in order to “provide for the... general Welfare of the United States.”

By Mr. BALDERSON:

H.R. 8322. Congress has the power to enact this legislation pursuant to: Article I, Section 8, Clause 1 and Article I, Section 8, Clause 3

By Mr. BRINDISI:

H.R. 8322. Congress has the power to enact this legislation pursuant to: Article I, Section 8, Clause 1 (Commerce Clause); and Article I, Section 8, Clause 18 (Necessary and Proper Clause).
By Mr. BUDDE:  
H.R. 8324.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the Constitution of the United States, or any Department or Officer thereof.  
By Mr. RODNEY DAVIS of Illinois:  
H.R. 8325.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 18 of the United States Constitution.  
By Mr. HAGEDORN:  
H.R. 8327.  
Congress has the power to enact this legislation pursuant to the following:  
Under Article I, Section 8, clause 18 of the Constitution of the United States, or any Department or Officer thereof.  
By Mr. HARDER of California:  
H.R. 8328.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the Constitution of the United States.  
By Mr. McCaul:  
H.R. 8329.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the Constitution of the United States.  
By Ms. SMITH of Washington, Mr. AUSTIN SCOTT of Georgia, Mr. RUTHERFORD, Mr. MURDOCH, Ms. NAPOLITANO, and Mr. POSEY.  
By Mr. BUDDE:  
H.R. 8330.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.  
By Mr. THOMPSON of Pennsylvania:  
H.R. 8332.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, clause 18 of the Constitution of the United States.  
By Mr. POSEY:  
H.R. 8331.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.  
By Mr. DRUDGE of Virginia:  
H.R. 8334.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, clause 18 of the Constitution of the United States.  
By Mr. BUDEY:  
H.R. 8335.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, clause 3 of the Constitution of the United States.  
By Mr. WINTER:  
H.R. 8336.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the Constitution of the United States.  
By Mr. PARKS of Michigan:  
H.R. 8337.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, clause 18 of the Constitution of the United States.  
By Mr. GOLDFIELD of Illinois:  
H.R. 8338.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 18 of the Constitution of the United States.  
By Mr. TAPPE:  
H.R. 8339.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, clause 18 of the Constitution of the United States.
The Senate met at 3 p.m. and was called to order by the Honorable Josh Hawley, a Senator from the State of Missouri.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who has given us the gift of life, concur in Your presence the way our lawmakers work today. Since they don’t know what a day will bring, help them to strive to serve You in faithfulness each moment. In all things, draw their minds to the goal of seeking to please You. As they draw near to You, illuminate their paths with Your wisdom and grace. Lord, show them how to unselfishly serve Your great purposes for humanity, proving themselves worthy of Your manifold blessings.

And, Lord, as millions mourn Supreme Court Justice Ruth Bader Ginsburg’s death, send the solace of Your comfort.

We pray in Your unifying Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Grassley).

The bill clerk read the following letter:


To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Josh Hawley, a Senator from the State of Missouri, to perform the duties of the Chair.

CHUCK GRASSLEY, President pro tempore.

Mr. HAWLEY thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. MCCONNELL. Mr. President, our Nation is mourning the end of an exceptional American life. Justice Ruth Bader Ginsburg meant so much to our country.

First and foremost, she was a brilliant, generational legal mind who climbed past one obstacle after another to summit the very pinnacle of her profession.

Justice Ginsburg was a fixture on our Nation’s highest Court for more than a quarter of a century. She was not just a lawyer—no, not just a lawyer—but a leader. From majority opinions to impassioned dissents, her life’s work will not only continue to shape jurisprudence but also enlighten scholars and students for generations.

By all accounts, Justice Ginsburg loved her work because she loved the law. In a more ordinary life story, her courage and continued excellence in the face of multiple serious illnesses would itself be the heroic climax rather than just one more remarkable chapter among so many.

On the Court, Justice Ginsburg was a universally admired colleague. It is no wonder that many Americans have taken particular comfort these past days in remembering her famous friendship with her ideological opposite, the late Justice Scalia.

Together, they made sure the halls of justice also rang with laughter and comedy. They rarely sat on the same side of a high-profile decision, but they still sat together at the opera and most any other time they could manage to be together.

The legal world is mourning a giant, but Justice Ginsburg’s fellow Justices, a legion of loyal law clerks, and countless many others are mourning a close friend or a mentor. The Senate sends condolences to them all.

Yet Justice Ginsburg’s impact on American life went deeper still. Friday’s loss feels personal to millions of Americans who may never have made her acquaintance.

Justice Ginsburg was a spirited, powerful, and historic champion for American women to a degree that transcends any legal or philosophical disagreement. As she climbed from the middle-class, Brooklyn, Jewish roots, of which she was so proud, into the most rarefied air of law and government, the future Justice had to surmount one sexist obstacle after another.

Justice Ginsburg did not only climb the mountain; she blazed the trail. Through deeds, through words, and simply through her example, she helped clear away the cobwebs of prejudice. She opened one professional door after another and made certain they stayed open behind her.

Directly or indirectly, she helped entire generations of talented women build their lives as they saw fit and enrich our society through professional
work. Law and politics aside, no friend of equality could fail to appreciate Justice Ginsburg’s determination.

Finally, while Justice Ginsburg relished forceful writing and detailed argument, she was also, in important ways, a uniter. In recent years, many who criticized her public commitment to preserving the neutral foundation of the institution she loved.

The entire Senate is united in thinking of and praying for Justice Ginsburg’s family—most especially her daughter Jane, her son James, her grandchildren, step-grandchildren, great-granddaughter, and everyone who called her their own.

SUPREME COURT NOMINATIONS

Mr. MCCONNELL. Mr. President, Trump’s nominee for this vacancy will receive a vote on the floor of the Senate. Now, already, some of the same strident voices who screamed the unappetizing dirty trick to obstruct Justice Gersch and Justice Kavanaugh are lining up—lining up—to proclaim that the third time will be the charm.

The American people are about to witness an astonishing parade of misrepresentations about the past, misstatements about the present, and more threats against our institutions from the same people who have already been saying for months—well before this—that they want to pack the Court.

Two years ago, a radical movement tried to use unproven accusations to ruin a man’s life because they could not win a vote fair and square. Now they appear to be readying an even more devious sequel. This time the target will not just be the presumption of innocence for one American but our very governing institutions themselves.

There will be times in the days ahead to discuss the naked threats that leading Democrats have long been directing at the U.S. Senate and the Supreme Court itself. These threats have grown louder, but they predate this vacancy by many months. There will be time to discuss the former Senators who appear on the steps of the Supreme Court and personally threaten Associate Justices if they do not rule a certain way are ill-equipped to give lectures on civics, but today let’s dispense with a few of the ill-equipped to give lectures on civics, if they do not rule a certain way are out of the list.

Ironically, it was the Democratic leader who went out of his way to declare the midterms 2018 elections a referendum on the Senate’s handling of the Supreme Court. My friend, the occupant of the Chair, was running that year. The Democratic leader went out of his way to declare the 2018 midterms a referendum on the Senate's handling of the Supreme Court.

In his final speech before Justice Kavanaugh was confirmed, he yelled—literally, yelled—over and over at the American people to go vote. He told Americans to go elect Senators based on how they had approached their advice-and-consent duties over these weeks. Unfortunately for him, many Americans did just that. After watching the Democrats’ tactics, voters grew our majority and retired four—four—of our former colleagues who had gone along with their party's behavior.

We gained two seats. They lost four. That was the issue. Perhaps more than any other single issue, the American people strengthened this Senate majority to keep confirming this President’s presumptive judicial nominees who respect our Constitution and understand the proper role of a judge.

In 2014, the voters elected our majority because we pledged to check and balance a second-term, lame-duck President. Two years later, we kept our word.
In 2018, the voters chose that majority on our pledge to continue working with President Trump, most especially on his outstanding judicial appointments. We are going to keep our word once again. We are going to vote on this nomination on this floor.

**MEASURE PLACED ON THE CALENDAR—S. 4618**

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read bill by title for the second time.

The bill clerk reads as follows:

A bill (S. 4618) making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2020, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**RECOGNITION OF THE MINORITY LEADER**

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

**REMEMBERING JUSTICE RUTH BADER GINSBURG**

Mr. SCHUMER. Mr. President, in the Jewish tradition, only a person of great righteousness dies at the end of the year, near Rosh Hashanah, because God determined that they were needed until the very end. On Friday evening, shortly after the sundown on the eve of the Jewish New Year, we learned that Supreme Court Justice Ruth Bader Ginsburg—a woman of great righteousness, a woman of valor—passed away.

She was many things to many people: a brilliant mind, a quick wit, a lover of the opera, a friend, a colleague, a work-out guru, a feminist icon. She might be the only Supreme Court Justice to become a meme. What began as a joke, "the Notorious R.B.G."—likening a legendary rapper to an octogenarian jurist—struck a chord of deep resonance in American society because Ruth Bader Ginsburg, in fact, a rebellious force to be reckoned with.

In a male-dominated legal establishment that wasn’t waiting for someone like Ruth to shake up the system, she elbowed her way through. Her brains, her strength, her fortitude changed the world for women long before the rest of the world caught up.

Over the course of two decades, as an academic and general counsel for the ACLU, Ruth worked to challenge the foundations of the legal system that had long treated women as a group that had to be “protected”—and thus excluded—from full participation in American life. Not only did she reverse those laws and create the majority of the Supreme Court that the Constitution forbids discrimination on the basis of sex, she was a living, breathing example of how absurd an idea it ever was that women needed additional protections.

And when she got to the Court, she ruled in a manner that brought the same equality and justice to so many different people, from all walks of life.

The daughter of Russian immigrants who came to this country like my own grandparents, Ruth went to the same high school as I did in Brooklyn, NY—James Madison High School—two decades before I did. I followed her career and her ascent to the bench with that kind of attention that when someone from your neighborhood makes a great difference in the world. The fact that at the end of her long life and illustrious career, young women, and indeed young men across America, looked at Ruth Bader Ginsburg with the same sense of pride and hope and sometimes adoration, gives me great hope.

May she forever rest in peace.

**SUPREME COURT NOMINATIONS**

Mr. SCHUMER. Mr. President, now, Justice Ginsburg’s death leaves a vacancy on the Supreme Court with only 44 days left before a national election that could result in a different President—a vacancy that could determine the future of the Supreme Court for generations and make rulings that touch every aspect of American life.

Reporters will no doubt cover the political machinations here in Washington, but for hundreds of millions of Americans, this vacancy on the Supreme Court puts everything—everything—on the line.

Americans’ right to healthcare hangs in the balance. President Trump is pursuing a lawsuit which would eliminate protections for more than 130 million Americans with preexisting conditions, send drug prices soaring for seniors on Medicare, and take health insurance away from tens of millions of people.

He will nominate a Justice that would ensure that result in a Supreme Court case that will be argued only a few weeks after election day.

A woman’s fundamental, constitutional right to make her own medical decisions and convince the body, her right to choose— hangs in the balance. The right of workers to organize and collectively bargain for fair wages at a time of growing income inequality hangs in the balance. The future of our planet, environmental protections, and the possibility of bold legislation to address climate change hang in the balance. Voting rights and the right of every American citizen to have a voice in the balance.

The stakes of this election, the stakes of this vacancy concern no less than the future of fundamental rights of the American people.

I was with my daughter and her wife to celebrate the Jewish New Year, and they thought to themselves and mentioned at the table: Could their right to be married, could marriage equality, be undone?

Those are questions hundreds of millions of Americans are asking about things near and dear to them as this nomination hangs in the balance. That is what it is all about—all the rights enshrined in our Constitution that are supposed to be protected by the Supreme Court of the United States; all the rights that could be undone or unwound by a conservative majority on the Court; the right to join a union, marry whom you love, freely exercise your right to vote; the right of a parent who might not want to watch, helpless, as their son or daughter suffers without proper healthcare.

If you care about these things and the kind of country we live in, this election and this vacancy mean everything. And by all rights, by every modicum of decency and honor, Leader MCCONNELL and the Republican Senate majority have no right to fill it—no right.

In the final few weeks, sensing her failing health, Justice Ginsburg told her family that it was her “most fervent wish that [she] not be replaced until a new President is installed.”

That was Justice Ruth Bader Ginsburg’s dying wish—her most fervent wish that she should not be replaced until a new President is installed.

The Senate Republican majority should have no problem adhering to Justice Ginsburg’s dying wish. Leader MCCONNELL held a Supreme Court vacancy open for nearly a year in order to “give the people a voice” in selecting a Supreme Court Justice.

I just heard the remarks of the Republican leader, and it is obvious why he is so defensive.

This is what Leader MCCONNELL said in 2016, mere hours after the death of Justice Scalia. His words:

The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until we have a new president.

No amount of sophistry can change what MCCONNELL said then. And it applies even more so now—more so—so much closer we are to an election.

In an op-ed on February 18, 2016, with Senator CRASSLEY, Leader MCCONNELL wrote: “Given that amidst a presidential election process, we believe that the American people should seize the opportunity to weigh...
Chairman GRAHAM have already announced they will ignore their own standard and will rush to confirm a new Justice before the next President is installed—a Justice that could tear down Justice Ginsburg’s life’s work and other critical laws, like the Affordable Care Act. The kind words and lamentations we just heard from the majority leader about Justice Ginsburg are totally empty, totally meaningless if he moves to appoint someone who will tear down everything they built.

Leader MCCONNELL put the Senate on “pause” for over 4 months while COVID-19 devastated our country, but now he will move Earth and Heaven, and ignore all principle and consistency, to install a new Supreme Court Justice who could rip away Americans’ healthcare in the middle of a pandemic.

Leader MCCONNELL and Chairman GRAHAM have made a mockery of their previous commitment to show the world their word is simply no good. It is enough to make your head explode. And then to hear Leader MCCONNELL up on the floor trying to defend this—pathetic, pathetic.

Why even bother pretending a pre-tense for your position? Why say it is this rule or that rule and then do the exact opposite when it suits your interest? Why not just come to the floor and say: I’m going to do whatever is best for my political party. Consistency be damned. Reason be damned. Democracy be damned.

Just admit it. There is no shaping the craveness of this position. But over the course of the debate, I know the Republican leadership is going to try. We are going to hear some crazy things from the other side to defend the indefensible and justify this unjustifiable power grab. We heard some of it already, a few minutes ago.

We are a series of preposterous arguments; that it somehow has to do with the orientation of the Senate and Presidency, as if that constitutes some legitimate principle. We will hear that Republicans have to do it because Democrats will do far worse, unamed things in the future.

Some—some—few on that side will at least have the dignity of putting their head down and plowing through with it because they know there is no reason—no reason, no argument, no logic—to justify flipping your position 180 degrees and calling it some kind of principle. It is not. It is utterly craven, an exercise in raw political power and nothing more.

I worry. I worry for the future of this Chamber if the Republican majority proceeds down this dangerous path.

If a Senate majority over the course of 6 years steals two Supreme Court seats using completely contradictory rationales, how could we expect to trust the other side again? How can we trust each other if, when push comes to shove and when the stakes are the highest, the other side will double-cross their own standards when it is politically advantageous? Tell me how. Tell me how this would not spell the end of this supposedly great deliberative body because I don’t see how.

There is only one way for this Chamber to retain its dignity through this difficult chapter. There is only one way for us to have some hope of coming together again, trusting each other again, lowering the temperature moving forward, and that is for four brave Senate Republicans to commit to rejecting any nominee until the next President is installed. That was Justice Ginsburg’s dying wish. It may be the Senate’s only last hope.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. LEAHY. Mr. President, I am here with an incredibly heavy heart. Justice Ruth Bader Ginsburg, tireless, legendary champion of equality who re-shaped our society for the better—passed away on Friday, the first eve of Rosh Hashanah. Adherents of the Jewish faith believe that a person who passes away during the High Holidays is a person of great righteousness. Truer words could not be spoken of Justice Ginsburg. Standing just over 5 feet tall, she was a giant among us, a moral beacon whose life and legacy have inspired millions of Americans to do their part to bring upon a more perfect and just union. We are all forever indebted to her.

The Brooklyn-born daughter of working-class Jewish parents, the young girl who would become just the second woman to serve on the Supreme Court, knew from early on she had to fight for a place in the world. And what a fighter she was.

When she entered Harvard Law School in 1956, just 1 of 9 women in a class of over 500, the United States was truly a man’s world. Women were expected to stay home and out of the workplace. Even when they had jobs, they could be fired for getting pregnant
September 21, 2020

CONGRESSIONAL RECORD — SENATE

S5723

and they otherwise earned barely half of what men earned for the same work. Women couldn’t get credit cards without their husband’s consent. As Justice Ginsburg remarked some years later, these and other gender-based rules helped to “keep women not on a pedestal, but in a cage.”

Justice Ginsburg refused to accept the status quo. She believed unswervingly that equal justice under law fundamentally required gender equality. When she joined the ACLU’s Women’s Rights Project in the early 1970s, she waged a systematic legal campaign against gender discrimination, and she ultimately won five out of six of the cases she took to the Supreme Court. She eloquently and incisively convinced the then all-male Court to see—and strike down—the visible and invisible lines that kept the genders unequal.

In Reed v. Reed, she convinced the Supreme Court for the very first time that the Equal Protection Clause of the 14th Amendment barred discrimination on the basis of sex, enshrining constitutional protections for generations of women and men. During oral arguments, she spoke quietly yet confidently, piercing through dense legal arguments with moral clarity.

In Frontiero v. Richardson, in which she convinced the Court to end gender discrimination in the administration of military benefits, her words resounded powerfully. She said:

“...I ask no favor for my sex. All I ask of our brethren is that they take their feet off our necks.”

Within a few short years, Justice Ginsburg had already empowered millions of American women through her zealous advocacy, granting them more autonomy over their lives, their bodies, and their careers. She was widely hailed as the Thurgood Marshall of women’s rights. She had laid the groundwork on which rested her laurels from that point forward.

She was just getting started. In 1980, President Carter nominated her to be an appellate judge on the DC Circuit. I was so proud to vote for her confirmation back then, 40 years ago. There she developed a reputation as a pragmatic consensus seeker, often finding common ground and building friendships with conservative judges. One of the best friendships was hers and Justice Antonin Scalia.

It was no surprise that in 1993, President Bill Clinton selected Ruth Bader Ginsburg to be Justice of the Supreme Court. He called her—and I am rather proud to say that she and her husband were visiting Vermont, my home State, when she received the call. I still vividly remember her confirmation hearings before the Senate Judiciary Committee as head Judiciary of the committee. She was the embodiment of humility and intelligence. Her answers to the Senate’s rigorous questioning were nothing less than inspiring, and she ultimately won 99 of 100 Senators to ascendent on our Nation’s highest Court. My vote for her confirmation to the Supreme Court is among the most consequential and impactful I have cast as a Senator.

This weekend, my wife Marcelle and I drove here to the Capitol. We walked over to the Supreme Court. We saw all the people around writing notes in chalk on the sidewalk, praising her, leaving flowers, leaving pictures. I really was struck by the number of teenagers and people probably in their early twenties who were just standing there sadly. I talked to a couple. We were all wearing our masks. I am sure they had no idea who I was, I talked to them. They all said in one word or another, the same thing: I think of my own daughter when, a year ago, Justice Ginsburg was being honored by a congressional group against cancer. She asked my wife to introduce her. My wife is a cancer survivor. My daughter入境 as her guest, and they sat there. My daughter has told me so many times that it was one of the most meaningful times in her life to sit with a woman who had already beaten her. Marcelle and I just stood there in silence and thought of the memories of the times we had been with her and what she has done for this country.

Over the course of nearly three decades, Justice Ginsburg secured a place as one of the most ardent defenders of equal rights for all Americans in Supreme Court history. She never tired of being a voice for the voiceless. She always tried to use her power—her power—to uplift the powerless. She authored a dissent in United States v. Virginia, which struck down the Virginia Military Institute’s male-only admissions policy as being unconstitutional. Her words still read like a treatise on what equality must mean in America. Laws or policies are “presumptively invalid,” she wrote, if they “deny[ ] to women, simply because they are women, equal opportunity to aspire, achieve, participate in, and contribute to society.” I think of my wife and my daughter, and I think of my three wonderful granddaughters.

Even when she was in the minority, Justice Ginsburg did not go quietly. She always left an impact. In the Lilly Ledbetter case, where the majority ruled the claim of unequal pay was barred by an arbitrary statute of limitations, Justice Ginsburg retorted that the majority “does not comprehend, or is indifferent to, the insidious way in which women can be victims of pay discrimination. Almost every legislator knows that the Court’s ‘parsimonious reading.’” Two years later, we did just that. We passed the Lilly Ledbetter Fair Pay Act, a copy of which she proudly hung in her chambers. It is a bill that I was so proud to help bring to fruition on the floor of this body.

In Shelby County v. Holder, the disastrous decision to validate key provisions of the Voting Rights Act “when it has worked . . . to stop discriminatory changes is like throwing away your umbrella because you are not getting wet.” Of course, Justice Ruth Bader Ginsburg was right. Since that decision, we have witnessed a torrent of voter suppression laws because the Supreme Court did not listen to her. That is why I championed the bipartisan John Lewis Voting Rights Advancement Act to restore the Voting Rights Act. These drives for change, and many others, often began with two words from the Justice wearing the bejeweled collar: “I dissent.”

All the greatness of Justice Ginsburg was matched in spades by her authenticity. I will always remember the Action for Cancer Rights. After I mentioned earlier that she and my wife Marcelle spoke at together last year. She was so genuinely kind to Marcelle, to me, and to all the people she interacted with. She loved people, so it is not surprising they loved her right back. It is not surprising. We saw tears in people who knew her and didn’t know her as we stood in front of the Supreme Court this weekend.

Justice Ginsburg was a beloved cultural icon, inspired books, movies, and even “Saturday Night Live” skits. Some of us did tease her about that, and she took it all in good humor. Her dogged public battle with cancer and her can-do attitude—in fact, she missed less than a handful of arguments despite her yearslong illness—inspired millions across the world. She gave hope to people who she would never see and never meet, but they felt they knew her; and she gave them hope. Through it all, she never lost her heart.

When asked how she would like to be remembered, Justice Ginsburg simply said: “Just as someone who did whatever she could, with whatever limited talent she had, to move society along in the direction I would like it to be for my children and grandchildren.”

I am proud to stand on the floor of the Senate, as dean of this body, and say with certainty that she is going to be remembered for that and so much more. She will be remembered long after any of us are.

This incredible life and legacy should be the only story of today. Sadly, that is not the case. Instead of celebrating her life and her many contributions to our society, President Trump and the majority leader have forced our attention to turn to her vacancy on the Court days before she has even been confirmed to our Nation’s highest Court. My vote to confirm will be a vote to restore the Supreme Court’s historic role to hold our nation’s highest Court to account. A vote for Nomination to turn to her vacancy on the Supreme Court is among the most consequential and impactful I have cast as a Senator. My wife brought our daughter as a Senator.

In fact, immediately after the news of her passing, Senator McConnell announced that he would rush to replace
her on the Court. Even as her family was standing there, mourning her, he made that announcement. He tossed aside all precedents and principles and declared his intent to ram through a nominee no matter the cost. Despite all of that, Senator MCCONNELL’s talk and promises 4 years ago—that, when a vacancy arises 269 days before a Presidential election, the American people should have a voice in deciding which President fills that vacancy, which is what President Barack Obama did when President Obama was the President—the majority leader is doing everything he can today to deny the American people a voice and, this time, with not 269 days but just 42 days—remaining before a Presidential election.

Seeking a fig leaf of institutional cover, the leader is trying to conjure up yet another rule today that, essentially, there was an unspoken exception to everything he promised in 2016. I guess I didn’t hear that unspoken exception. Apparently, the American people do not get a voice when the White House and Senate are under the control of the same party.

Pay no attention to the fact that this contradicts everything Leader M CCOnNELL and many other Republicans claimed to believe ad nauseam for 10 months in 2016. Yet even this desperate hair on the scalp of the American people decide only applies when there is a divided government, then the unprecedented 10-month blockade of Merrick Garland contradicted that confirmation will of Justice Kennedy by a Democratic Senate during the election year of 1988. As did virtually every other Democrat, I was one who voted for this Republican nominee.

The majority leader’s abrupt about-face is not about following precedent, and it certainly isn’t about principle. The blatant hypocrisy—and the belief that norms and principles apply only to the party in power and no other is the result of something even more insidious. It is the direct result of the President’s and the majority leader’s wanting to bend the courts to their will no matter the cost for the Senate and, certainly, no matter the cost for all of our courts across the country.

I will have much more to say about this. Make no mistake, the actions that we take during these waning days of the administration of this President and any other President will forever stain or redeem this institution in which we proudly serve depending on whether we go along with this or not. The 100 Members of this body represent 350 million Americans. We are entrusted by every American. Through our actions in the weeks ahead, we risk forever eroding the American people’s trust and faith in our independent judiciary, and our actions will have a lasting impact for good or for ill on every American. Through our actions in the weeks ahead, we risk forever eroding the American people’s trust and faith in our independent judiciary, and our actions will have a lasting impact for good or for ill on every American.

We all know what we should do. We all know how we can make the U.S. Senate be as it should be—the conscience of the Nation. I fear that we are willing to close America’s door on that conscience. Yet, today, I simply seek to honor Justice Ginsburg. She devoted her life to the cause of equality and justice and made both a reality for millions of Americans. She has left us a rich legacy to cherish and, more importantly, to carry forward. We will be forever in her debt. A generation in the lives of a generation—of women and all Americans have been inspired by her leadership and courage. Generations to come will have her trailblazing legacy to thank. Let’s honor her memory by following her example, by recommitting ourselves to pursuing a more perfect union not just for the few—not just for the few—for all Americans.

I yield the floor.

I suggest the absence of a quorum.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, on Friday evening, the Nation learned the sad news that Justice Ruth Bader Ginsburg had passed away.

From her time as one of the few women in the Ivy League, to being only the second woman ever appointed to the Supreme Court of the United States, Justice Ginsburg was and is an inspiration to generations of Americans.

Throughout her remarkable life, Justice Ginsburg fought to secure equal rights and opportunities for all. She was a champion for women’s rights in particular and broke down gender barriers throughout her personal life and professional career.

During this difficult and often divisive time, I think there is a lot we can learn from the way Justice Ginsburg interacted with those with whom she disagreed, especially her good friend the late Justice Scalia. If you looked at a diagram outlining the ideologies of these two Justices, these two would be at opposite poles. They shared very few common interests. Yet, during their time on the Court, they were able to have discussions and work together. If you look at a diagram of Justice Scalia’s ideology and Justice Ginsburg’s ideology, you will see a lot in common in terms of the way they approached the job of being a Supreme Court Justice.

She was once asked about their close relationship, which stood in contrast to their vastly different views, and she said: “You can disagree without being disagreeable.” Well, we have all heard that before, and it is absolutely true—unfortunately, not practiced enough. But I think that sort of approach should be a reminder to all of us about the importance of treating each other with civility and respect, even when the person standing in front of you or on the opposite side of a computer screen has a vastly different world view from our own.

Our Nation is grateful for Justice Ginsburg’s 27 years on the High Court and her incredible contributions to our history. Sandy and I send our condolences to the entire Ginsburg family, as well as the countless colleagues and friends she earned throughout her lifetime.

As Leader MCCONNELL said this morning, the Senate is preparing to fulfill its constitutional duty of advice and consent. Throughout history, there has been a Supreme Court vacancy 29 times during a Presidential election year, and each time, the President has fulfilled his duty to put forth a nomination. Of those 29 election-year instances, 19 occurred when the President and the Senate majority were of the same political party. All but two of those nominees were confirmed.

Our friends on the other side of the aisle have tried to compare this to the vacancy in 2016, but for all different. At that point, we had a President of one party in his final year in office and a Senate majority of another party. You would literally have to go back to 1880 to find an example of the Senate Republican majority during an election year.

The other difference is that President Obama was not on the ballot in 2016, so it made sense for the American people to weigh in. Do you think we would still be hearing the same arguments from our friends across the aisle if Hillary Clinton had become President and been able to nominate a successor to Justice Scalia? I think not.

Voters cast their ballots and not only elected President Trump but also a Senate Republican majority. In 2018, they expanded that majority following the confirmation of Judge Kavanaugh. If the American people had elected a Democratic President and Democratic Senate majority, I have no doubt that Senator SCHUMER would act on that nomination as well.

Just as the Senate has always done, we will thoroughly review the qualifications and experience of whomever the President nominates. We should not rush that process. It should be conducted carefully and consistently with how the Senate has previously handled Supreme Court nominations. When that process is complete, the Senate will vote on that nominee sometime this year.

In some cases, the confirmation process has moved quickly. In the case of Justice Ginsburg, she was confirmed in only 42 days. In others, the process has taken longer. We have been significantly more contentious.

I hope our colleagues on the other side of the aisle will try to restrain themselves from repeating the smear campaign that took place during Judge Gorsuch’s confirmation hearing, including the Judiciary Committee hearing. I hope they will refrain from making threats, like threats of packing the
Court in the future, which Justice Ginsburg herself opposed and warned would make the Court partisan, because if Democrats decide to add additional members to the U.S. Supreme Court when they are in power, then the present 6-member Court would be 13, which is an at-large Court. Republicans would add another Justice to the Court, and it would look—and it would be clearly a partisan institution rather than an impartial judge of the law and the facts.

The President has every right to put forth a nomination, and we have an obligation to give him or her due consideration under our advice and consent responsibilities. As always, we will be thorough, and I hope, unlike last time, we can be civil and treat all with respect.

I am prepared to fulfill my responsibilities as a Member of this body and of the Judiciary Committee, and I hope our colleagues on both sides are prepared to do the same thing.

JENNA QUINN LAW

Madam President, there is no question that this has been a difficult year for our country, with division and disagreement center stage. But for a moment last week when the Senate unanimously passed a bill that I had introduced called the Jenna Quinn Law to protect some of the most vulnerable members of our country.

This bill carries the name of an inspiring young Texan who is one of 42 million adult survivors of child sexual abuse nationwide. As Jenna says, child sexual abuse is a silent epidemic. One in four girls and one in six boys are sexually abused before the age of 18. Those are shocking numbers. Sadly, these victims often stay silent for months, years, some for even a lifetime. As a result, they and countless other victims continue to be subject to abuse.

Interrupting this cycle of sexual abuse is Jenna’s mission and one she has devoted her life to pursuing. She was the driving force behind what is now the Jenna Quinn Law in Texas, which requires training for teachers, caregivers, and other adults who work with children on how to recognize and report child sexual abuse.

The signs of child sexual abuse are unique from other forms of abuse, and correctly identifying these signs is integral to bringing children out of a sexually abusive situation. After the Texas law passed in 2009, a study found that educators reported child sexual abuse at a rate almost four times greater after training than during their pretraining career—four times greater. It was one of the first child sexual abuse prevention laws in the United States to mandate this kind of training.

Now, more than half of all the States have adopted a form of Jenna’s Law, but many States, including my State, which have passed these laws don’t provide the funding for the training. Thanks to the legislation that passed the Senate unanimously last week, that is one step closer to occurring.

The Jenna Quinn law will take the successful reforms in Texas and other States and finally back them with some Federal funding for that essential training. It will still allow current grants funds from the Department of Justice, for example, to be used for specialized prosecutors, teachers, and caregivers to learn how to identify, safely report, and hopefully prevent future child sexual abuse.

This legislation also encourages States with similar laws to implement innovative addends and discourage child sexual abuse. It is a critical step to interrupting this cycle that is impacting children across the country and preventing more children from enduring this trauma.

My partner in this bipartisan effort was Senator HASSAN from New Hampshire, and I appreciate her help in moving this bill through the Senate. I hope our colleagues in the House will quickly take it up and pass the Jenna Quinn law so we can send the President’s desk as soon as possible.

The COVID–19 crisis has underscored the urgency of this legislation. In April of this year, nationwide reports of abuse or neglect dropped by an average of 40 percent to the same time last year. Normally, this type of drop in reporting would be good news, but based on everything we know about the stresses and circumstances created by this pandemic, I fear that there is actually an increase in abuse. It just isn’t being recognized or reported. We need to make investments now in the health and safety of our children and bring this silent epidemic to an end.

Speaker PELOSI has made clear that the House will stay in session until an agreement is reached on COVID–19 relief so there is no reason for the House to not be able to act on this consensus legislation. I urge the House to take it up and pass it—which has received unanimous support in the Senate—and support America’s children at a critical time like this.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Democratic whip.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. DURBIN. Madam President, this weekend the United States of America passed a sad milestone—200,000 recorded deaths from COVID–19.

We are a nation in mourning. In addition to 200,000 family, friends, and neighbors we have now lost to this brutal pandemic, America is also mourning the loss of a historic champion of women’s equality, a woman who spent her entire life, every ounce of her strength and talent she was given, in pursuit of America’s highest ideal: equal justice under the law.

Jewish teaching says that those who die just before the Jewish New Year are those whom God has held back until the last moment because they were needed, as evidenced on East Jerusalem last Friday, that Ruth Bader Ginsburg left this world as the Sun was setting last Friday, marking the start of Rosh Hashanah.

Fifteen years before, Ruth Bader Ginsburg made history as only the second woman ever to serve on the United States Supreme Court. Even at that time, she had already earned an enduring place in American history. She has been called the Thurgood Marshall of the gender equality movement. As a lawyer and law professor, she was the mastermind in the 1970s behind a legal strategy that finally began to dismantle an American legal system that treated rights that we now take for granted for men and women and for all Americans.

Before she began her legal crusade, women were treated less well than men. Hundreds of States and Federal laws and programs restricted what women could do. Many jobs were legally closed to women. Many basic economic, social, and legal rights that we now take for granted were legally denied to women for no reason other than gender.

Before the legal victories achieved by Ruth Bader Ginsburg, a woman often could not—on her own—buy a car, open a bank account, buy a house, open a business, or obtain a loan. She needed a man to co-sign.

Before Ruth Bader Ginsburg, women could be—and were—barred from public institutions and excluded from whole professions. They could be detained or freed if they became pregnant. In fact, Ruth Bader Ginsburg herself was forced to end her pregnancy by a doctor who signed a certificate that she would lose her job if she became pregnant. In fact, she was not hired again when she returned to work. She was denied Social Security survivor benefits because such benefits by law could only go to widows.
Decades later, when that little boy grew up, Justice Ginsburg officiated at his wedding at the Supreme Court Building.

Her goal was simple but compelling: to make clear that the Fourteenth Amendment's promise of equal protection under the law covers women as well as men. As I said, it was not only women who benefited from her life's work. If you are a man who has been covered by your wife's medical benefits, like Ruth Bader Ginsburg, then you are a man who has been able to claim Social Security survivor benefits or name a woman as executor of your estate, thank Ruth Bader Ginsburg.

We have not erased all gender-based inequality, as Ruth Bader Ginsburg knew well. And some of the legal victories for equal justice are now threatened. Some have been diminished out-right. She also knew that. Her concern was that some of the gains women had already worked was "like throwing your umbrella in a rainstorm before it had even rained."

Like me, Justice Ginsburg was a child of an immigrant who came to this country partly to flee religious persecution. My mother and her family left Russian-occupied Lithuania partly to escape anti-Catholic persecution. Ruth Bader Ginsburg's father left Odessa, Russia, for New York when he was 13 to escape anti-Jewish pogroms. Her mother was born in New York 4 months after her family moved from Austria—extended family members later died in the Holocaust.

Justice Ginsburg's mother was like my mother in another way: They were both very intelligent women who were denied their full education because money was tight and because they lived during a time when expectations about what women could achieve were so low.

Like my mother, Celia Ginsburg used to take her child to the public library where she would check out as many books as she could. She saved every penny so that her daughter could one day get the college education she was never able to get herself. Celia Ginsburg dreamed that her bright, young daughter might grow up, if she were lucky and worked very hard, to become a high-class instead high-class. Ruth Bader Ginsburg grew up and changed history. She changed America for the better. America is fundamentally different and fairer as a nation because of the vision and work of Ruth Bader Ginsburg.

I recalled over the weekend, and repeated it to my wife, this amazing statistic; that Ruth Bader Ginsburg battled cancer five times over nearly 20 years and then, of course, lived through the death of her beloved husband Marty, but she almost never missed a day on the bench. She worked through chemo sickness, broken ribs, and terrible pain, but, nevertheless, she persisted.

I want to read you something she said many times. I really liked this.

"What is the difference between a bookkeeper in New York's garment district and a Supreme Court Justice? One generation—my own—meant the difference between the opportunities available to my mother and those afforded me."

Ruth Bader Ginsburg did not simply take opportunities afforded to women. More than perhaps any American in history, she helped create those opportunities.

Loretta and I offer our deepest condolences to her friends and to her family, especially her daughter Jane and her son James, who now calls Chicago home, and her grandchildren and her great-granddaughter.

May her memory be a blessing and may her life be a guiding light for all of us.
passing, Senator McConnell said: “President Trump’s nominee will receive a vote on the floor of the United States Senate.” In direct violation of his own statement 4 years ago, Senator McConnell said that within hours after the announcement of the death of Justice Ruth Bader Ginsburg, he made that statement, we were only 46 days from the election. People in many States had already started casting their votes.

Senator McConnell’s justifications for breaking his own rule simply don’t stand up to scrutiny—distinctions without any difference—and they have never stood up to common sense.

Senator McConnell clearly said, when he laid down the McConnell rule on February 13, 2016, that the American people should have the last word and that election-year Supreme Court vacancies should be filled in the next Presidential term. There were no caveats, no exceptions, and no amendments, making it clearly in just a handful of words.

Now Senator McConnell claims that whether or not the American people have a voice should depend on which party controls the Senate. Now his party has the Senate, and his party has the President. And the rule— the so-called McConnell rule—that we were to live by apparently is being rejected by Senator McConnell himself. He says that what Republicans did in 2016 was acceptable because the Senate at that time was controlled by Republicans and a different party was in the White House that year—a distinction without a difference. Why should the composition of the Senate dictate whether the American people should have a voice in the selection of the next Supreme Court Justice? You could just as easily point out that 2016 was different because we had a President, Barack Obama, who actually had won the popular vote, unlike the current President. Should that fact resolve whether the American people get a voice in the Court’s future?

Either the American people do get an election-year voice regarding the future of the Court or they don’t. In 2016, Senator McConnell said they do. Now he says they don’t. It is a flip-flop, plain and simple, because it is to his personal political advantage to reverse this stated principle.

The Republican effort to point to Senator Harry Reid for changing the Senate rules for lower court nominations is no justification. The reality is that Senator Reid was responding to an unprecedented Republican obstruction of President Obama’s nominees, and Senate rules were changed because the Senate at that time was controlled by Republicans and a different party was in the White House that year—a distinction without a difference. The Republicans do not have a Republican President or the Republicans in the majority in the Senate. The Republicans do not have an alternative. They don’t have a substitute. They want to enjoy the results of an Obama law, and they have nothing to replace it with. That is still the case today.

The Republicans are no longer fighting this battle on the floor of the Senate; they are fighting it across the street in the Supreme Court building. So the deciding vote on the Supreme Court—is it important to America? For 20 million Americans, it is deadly important as to whether they have affordable and quality healthcare.

Republicans were never able to repeal the Affordable Care Act because of John McCain’s courage, so Republicans are now trying to accomplish in the Supreme Court what they couldn’t accomplish on the floor of the Senate. In fact, on many issues where the Republican Party’s position is not popular, Republicans are trying to get the courts to do what they can’t do legislatively, issues like restricting the right to vote and other civil rights; rolling back environmental protections; dictating what women can and cannot do with their own health; wiping gun safety laws off the books; deporting Dreamers; and undermining worker protections. The Supreme Court was created by the Founders of our Nation to be the arbiter of equal justice under the law, not as a tool for one party’s political agenda.

Well, the American people can smell a rat, they know the game is rigged. They look at the McConnell rule that he announced in 2016, and now they look at what he is actually doing in 2020. They know this isn’t on the level.

Sadly, in many ways, Senate Majority Leader McConnell has broken the Senate down in recent years, and I fear that if we go down the path President Trump and Senator McConnell has set us on, the Supreme Court may end up being broken too.

It will take only four Republican Senators to stop this travesty—four. Four Republican Senators can say “enough.” We lived by the McConnell rule 4 years ago. We publicly stated that it was the right thing to do then. We would be hypocrites if we came back environmental protections; dictating what women can and cannot do with their own health; wiping gun safety laws off the books; deporting Dreamers; and undermining worker protections. The Supreme Court was created by the Founders of our Nation to be the arbiter of equal justice under the law, not as a tool for one party’s political agenda.

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election in 2016. That should also be our standard in 2020, 6 weeks before the election. There should be no confirmation before inauguration.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. COONS. Mr. President, on this past Friday evening, on Rosh Hashanah, our Nation lost a giant of our Supreme Court. We lost a trailblazer for women's equality, a woman who, though diminutive in size, was a giant and a force for justice.

For my daughter and for all Americans, I am grateful for the work and the service and the life of Supreme Court Justice Ruth Bader Ginsburg. Having passed on Rosh Hashanah, the tradition of the Jewish people teaches that she is especially blessed, particularly righteous.

It is heartbreaking that her dying wish, dictated to her granddaughter, was that the voters should choose the next President, and that next President her successor, and, already, there are some who are racing to undo that wish.

This was her wish because she understood the consequences of this decision for the Senate, for the American people, and for the Supreme Court, to which she dedicated 27 years of service.

If we push through a nominee now, just 43 days before an election, as half of our States are already voting, the very legitimacy of the Supreme Court may be undermined by further politicization in an already divided country.

My friends, my colleagues in the other party, used the argument in blocking the nomination of Merrick Garland in 2016 that we must give the American people a voice for the selection of the next Justice. That argument was advanced 10 months before the next election. Here, today, on this floor, the exact argument is being advanced—protections against pre-existing condition discrimination for 100 million Americans and health insurance itself for 20 million, in the middle of a pandemic in which 6 million Americans have been infected and have new preexisting conditions, and, in some ways most gallingly, that protection of the Affordable Care Act which prohibits gender discrimination by insurance companies.

All of this is at stake, as are protections going forward after this election for clean air and clean water, for equal pay for equal work, for the Voting Rights Act, for the Mueller investigation; the Driving for Opportunity Act, a bipartisan bill to create incentives to stop debt-based driver’s license suspension and extend criminal justice reform; and a project for which we both have a particular passion, the NO BAN Act, which would repeal President Trump’s Executive order blocking travel from majority-Muslim countries and prevent another baseless, discriminatory travel ban.

She has contributed so much more than this. She has been a teacher and mentor to so many in my office and, particularly, to young women, who look to her as a role model and a source of wisdom and strength. Personally, she and her husband Mike, both dedicated attorneys and passionate public servants, are constant reminders of why we are here and for whom we fight.

As we reflect today and in the week ahead on the legacy of Justice Ginsburg, whose life was committed to the fight for equality and justice, I see that same fight in Erica Songer. Justice Ginsburg blazed a trail and changed the world for incredibly talented and capable women like Erica so that she could lead the life she has.

Erica is a true patriot, a great colleague, and a wonderful friend who has put country over self, and I have been blessed to have the benefit of her counsel and her friendship these 4 years. I am proud she will go on to continue to fight for our shared values. I wish her luck and will miss her dearly, and I pray this is not the last time we will serve together.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

We, the undersigned Senators, in accord with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Edward Hylver Mengers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mitch McConnell, Roy Blunt, Mike Rounds, Todd Young, Pat Roberts, Cindy Hyde-Smith, John Thune, Kevin Cramer, Thom Tillis, Michael B. Enzi, James Lankford, John Barrasso, Joni Ernst, Lamar Alexander, Rob Portman, Tim Scott, Steve Daines.
The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators were necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Vermont (Mr. SANDERS), the Senator from Arizona (Ms. SINEMA), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 65, nays 25, as follows:

[RollCall Vote No. 184 Ex.]

**YEAS—65**

Alexander ..........................  Perdue ..........................
Barrasso .........................  Fischer .........................
Blackburn .......................  Gardner .......................  Portman
Blunt ...........................  Grassley .....................  Risch
Boozman .......................  Hassan .......................  Roberts
Brown .........................  Hawley .....................  Romney
Burr .........................  Hoeven .....................  Rosen
Cardin .........................  Hyde-Smith ................ Rounds
Carper .......................  Inhofe .......................  Rubio
Casey .........................  Jones .......................  Sasse
Cassidy ..................  Kennedy ...................... Scott (FL)
Collins ..................  King .........................  Scott (SC)
Cortez Masto ........  Lamborn .................... Shafeen
Cotton ..................  Lee .........................  Shelby
Cramer ...................  Leffler ...................... Tester
Crapo ....................  McCain ..................... Thune
Crush ...................  McConnell ............... Toomey
Daines ..................  McSally .................. Udall
Duckworth ............  Markey ..................... Warner
Durbin ..................  Murphy ..................... Wicker
Emt .........................  Paul ......................... Young

**NAYS—25**

Baldwin .......................  Hirono ..................... Schatz
Bennet ......................  Hoekstra .................. Schumer
Blumenthal ............  Kaine ..................... Smith
Boozman ..................  Klobuchar ............... Van Hollen
Brown ......................  Murray ..................... Warner
Cantwell .............  Menendez .................. Whitehouse
Coons ......................  Mosley ..................... Wyden
Feinstein .............  Murray ..................... Wyden
Gillibrand ..........  Reed ..........................

NOT VOTING—10

Capito .....................  Moran ..................... Sullivan
Graham ...............  Sasse .................. Tillis
Harris ..................  Sinema ..................
Johnson .............  Stabenow ..................

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 25.

The motion is agreed to.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, a few weeks ago, on August 27, Louisiana and southeastern Texas were hit by Hurricane Laura.

I say “Louisiana” because if you look at some of the press reports, they say “Southwest Louisiana,” but the impact of Hurricane Laura in Louisiana was much greater.

The storm came onshore in Southwest Louisiana, it headed north, then moved northeast, and finished in the northeastern part of our State.

I have seen the damage from the air and on the ground. I have never seen a hurricane do this kind of damage in any State, much less Louisiana.

The path of destruction is about 60 miles wide, starting in Southwest Louisiana, running north, bending to the northeast, and it is about 200 miles long. We took it full in the face.

When you see devastation like this, when you go through something like this, you start to understand that we human beings are a vain lot. We think we can control nature, but nature controls us.

Our entire electrical system went down. Our water system went down. Our internet went down. Our cable TV went down. It was a category 4 storm with winds of up to 150 miles an hour.

This storm was unusual in that winds were sustained and did not dissipate as it got further inland. We took it full in the face.

Now, it doesn’t do any good to complain. Louisianans are resilient people. We live by the old Japanese proverb: “Fall down seven times, stand up eight.” We are standing back up.

About 60 percent of our electrical power has been restored. We now have water back. In some cases, there are still some boil orders because the water is not clean. But we are deficient in one area, and that is cable TV and internet, with an emphasis on internet.

I want you to understand I am not talking here about a mere inconvenience. I am not talking about people missing their favorite television shows. I am talking about kids’ education; I am talking about the ability to deliver healthcare; and I am talking about the ability to conduct commerce. None of those things can be done in today’s world without the internet. The internet, particularly in Southwest Louisiana, is provided by a company called Suddenlink.

Suddenlink is owned—it was purchased by—by a company called Altice USA. Its CEO is a gentleman whom I have not had the pleasure of meeting, Mr. Dexter Goei, and I am here today to plead with Suddenlink to please get its feet on the ground. We have 150,000 Louisianans. We have restored internet for 150,000 Louisianans. Suddenlink should be ashamed of itself. We have restored about 60 percent of our electrical power. We have restored about 18 percent of our internet.

Once again, I am not talking about someone missing their favorite television program. As the Presiding Officer knows, because we have the same situation in Alaska, all of our public schools are not open, all of our private schools are not open because of the virus. Many of our kids are having to learn remotely, and they can’t do it without the internet. They can’t do it.

The Presiding Officer is also aware of how the internet is integral to the ability to deliver healthcare. I don’t know a single business today that can operate without the internet. Many of our businesses, including our small businesses, because you have the same situation in Alaska, all of our utility companies, have over 10,000 people working to restore the internet. We have three requests. First of all, we need workers on the ground. You can’t restore the internet service without people working to restore the internet service, and let me say it again. Entergy, just to pick one of our utility companies, has over 10,000 workers restoring the power. Suddenlink, which provides internet for 150,000 people, has a grand total of 300 people. It can’t be done. We are currently not a priority, even though 150,000 of my people write a monthly check to Suddenlink.

No. 1, Suddenlink, respectfully, put some people on the ground to get our internet restored.

No. 2, we need a local office for Suddenlink. They don’t have one. Maybe it is because they don’t have internet, but many people lost their homes. At a minimum, they lost their roofs. They don’t have cable boxes.
They have to have somebody they can go to and say: Here is my old box. Give me a new box. But Suddenlink doesn’t even have a local office.

No. 3, I am going to ask Mr. Goei to please commit to our State leadership to start giving us a daily update on restoring the service—how many homes and businesses have been added each day.

Again, I know I am repeating myself, I don’t mean to be overly critical and we have been very patient in Louisiana and the time has come to call it like it is and say it like it is. At the rate they are going, Suddenlink needs to change its name to Neverlink in Louisiana. We cannot recover without internet—we can’t do it—and Suddenlink link has let us down. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postcloture time on the Meyers nomination expire at 11:30 a.m. tomorrow and the Senate vote on confirmation of the nomination. I further ask that if cloture is invoked on the Lucas nomination, the postcloture time expire at 2:15 p.m. tomorrow and the Senate vote on the confirmation of the nomination; finally, that following disposition of the Lucas nomination, the Senate vote on the motion to invoke cloture on the Sonderling nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BILL BROCK

Mr. ALEXANDER. Madam President, congratulations to my friend, Bill Brock, who is celebrating his 90th birthday.

When I think of Bill, I think of a Tennessean who has served our State and our country honorably for over a half century. Bill grew up in Chattanooga and started his lifetime of service in the U.S. Navy. He was then first elected to the U.S. House of Representatives in 1962. Bill served for three terms before being elected to the U.S. Senate in 1971, replacing Democrat Senator Albert Gore. After his distinguished tenure in the Senate, Bill went on the serve as U.S. Trade Representative and U.S. Secretary of Labor.

Bill was a force in the Republican Party, both nationally, serving as chairman of the Republican National Committee, and in the State of Tennessee. In fact, he was a pioneer in the transformation of our Tennessee Republican Party from a Democratic stronghold to a two-party State simply would not have happened without Bill. He laid the foundation for a full lineage of Tennesseans that include Howard Baker, Jr., Winfield Dunn, Fred Thompson, Bill Frist, Bill Haslam, Bill Lee, and others who have served our State proudly and left legacies of exceptional service to those who elected them.

It has been a pleasure to know Bill over the years; he has been a champion of the principles that united us as Americans and has a strong record of working with others to get results. I wish my friend the best on the celebration of his 90th birthday and hope that his legacy serves as an example to future Tennesseans seeking to represent our State in public office.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER WITH RESPECT TO IRAQ THAT TAKES ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 12957 OF MARCH 15, 1995—PM 58

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the Countering America’s Adversaries Through Sanctions Act (Public Law 115-44), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)(IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 501 of title 3, United States Code, I hereby report I have issued an Executive Order (the “Order”) that affirms that it remains the policy of the United States to counter Iran’s malign influence in the Middle East, including transfers from Iran of destabilizing conventional weapons and acquisition of arms and related materiel by Iran. Transfers to and from Iran of arms or related material or military equipment represent a continuing threat to regional and international security. Iran benefits from engaging in the conventional arms trade by strengthening its relationships with other outlier regimes, lessening its international isolation, and deriving revenue that it uses to support terror groups and fund malign activity in the region.

In light of these findings and in order to take additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995 (Prohibiting Certain Transactions with Respect to the Development of Iranian Petroleum Resources), the order blocks property and interests in property of persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, or the Secretary of the Treasury, in consultation with the Secretary of State:

● To engage in any activity that materially contributes to or, poses a risk of materially contributing to, or intended for military end-uses or military end-users, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such items, by or on behalf of the Government of Iran (including persons owned or controlled by, or acting for or on behalf of the Government of Iran) or paramilitary organizations financially or militarily supported by the Government of Iran;

● To have materially assisted, sponsored, or provided financial, material, or technological support of goods or services to or in support of, any person whose property and interests in property are blocked pursuant to the order; or

● To be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

Under section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), the order also suspends the immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria above for the blocking of property and interests in property.
MESSAGE FROM THE HOUSE
ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED
At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolutions:

S. 2193. An act to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes.
S. 3105. An act to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the “Richard G. Lugar Post Office”.
H.J. Res. 87. Joint resolution providing for the reappointment of Michael M. Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution.
H.J. Res. 88. Joint resolution providing for the appointment of Franklin D. Raines as a citizen regent of the Board of Regents of the Smithsonian Institution.
The enrolled bills and joint resolutions above were subsequently signed by the President pro tempore (Mr. Grassley).

MEASURES PLACED ON THE CALENDAR
The following bill was read the second time, and placed on the calendar:
S. 4618. A bill making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2020, and for other purposes.

ENROLLED BILLS PRESENTED
The Secretary of the Senate reported that on September 21, 2020, she had presented to the President of the United States the following enrolled bills:
S. 2193. An act to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes.
S. 3105. An act to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the “Richard G. Lugar Post Office”.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS
The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. LOEFlER (for herself and Mr. COTTON):
S. 4630. A bill to amend title 18, United States Code, to make the murder of a Federal, State, or local law enforcement officer a crime punishable by life in prison or death; to the Committee on the Judiciary.

By Mr. COTTON:
S. 4631. A bill to temporarily suspend the diversity visa program, to designate resident dents of the Hong Kong Special Administrative Region as Priority 2 refugees of special humanitarian concern, to provide special visas to highly-qualified residents of Hong Kong, and for other purposes; to the Committee on the Judiciary.

By Mr. McCONNELL (for Mr. GRAHAM):
S. 4622. A bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, to amend the Communications Act of 1934 to modify the scope of protection from civil liability for “good Samaritan” blocking and screening of offensive material, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Mr. TULLIS):
S. 4630. A bill to provide for assistance to rural water, wastewater, and waste disposal systems affected by the COVID–19 pandemic, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WICKER (for himself and Ms. COLLINS):
S. 4634. A bill to provide support for air carrier workers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself and Mr. RUBIO):
S. 4635. A bill to respond to international trafficking of Cuban medical professionals by the Government of Cuba, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. WARRNER, and Mr. Kaine):
S. 4636. A bill to revise the treatment of urbanized areas experiencing populations changes following a major disaster; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS
The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself and Ms. KLOUCHISY):
S. Con. Res. 45. A concurrent resolution providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building and the Capitol for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court; considered and agreed to.

ADDITIONAL COSPONSORS

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. UdALL) was added as a cosponsor of S. 283, a bill to amend title XVII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 593, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

At the request of Mr. NYDEN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1697, a bill to promote innovative approaches to outdoor recreation on Federal land and to increase opportunities for collaboration with non-Federal partners, and for other purposes.

At the request of Mr. NYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2480, a bill to amend title 31, United States Code, to reauthorize the payment in lieu of taxes program through fiscal year 2029.

At the request of Mr. BLUMENTHAL, the names of the Senators from Nevada (Ms. CORTEZ MASTO) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further U.S. conservation of certain wildlife species, and for other purposes.

At the request of Ms. McSALLY, her name was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3176, a bill to amend the Foreign Assistance Act of 1961 and the United States-Israel Strategic Partnership Act of 2014 to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

At the request of Mr. TOOMEY, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to permanently allow a tax deduction at the time an investment in qualified property is made, and for other purposes.

At the request of Mr. CASSIDY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3318, a bill to promote transparency in health care pricing.

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3471, a bill to ensure that goods made with forced labor in the Xinjiang Uighur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes.

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. TUCKER),
S. 4621
At the request of Mr. Wyden, the name of the Senator from Washington (Ms. Cantwell) was added as a cosponsor of S. 4621, a bill to provide tax relief for persons affected by certain 2020 disasters.

S.J. Res. 14
At the request of Mr. Rubio, the names of the Senator from North Carolina (Mr. Tillis), the Senator from Georgia (Mrs. Loeffler) and the Senator from Georgia (Mr. Perdue) were added as cosponsors of S.J. Res. 14, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of not more than 9 justices.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 45—PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE CRYPT BENEATH THE ROTUNDA OF THE CAPITOL IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE SUPREME COURT BUILDING AND THE CAPITOL FOR THE LATE HONORABLE RUTH BADER GINSBURG, ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT

Mr. Blunt (for himself and Ms. Klobuchar) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 45
Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Supreme Court of the United States the catafalque which is situated in the crypt beneath the Rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there in connection with the memorial services to be conducted in the Capitol for the late Honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court. The custody of the catafalque shall then be returned to the Architect of the Capitol to be used in connection with such services to be conducted in National Statuary Hall.

PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE CRYPT BENEATH THE ROTUNDA OF THE CAPITOL IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE SUPREME COURT BUILDING AND THE CAPITOL FOR THE LATE HONORABLE RUTH BADER GINSBURG, ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT

Mr. McConnell. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 22; further, that following the cloture vote on the Lucas nomination under the previous order; finally, that following the leader remarks, the Senate proceed to executive session and resume consideration of the Meyers nomination under the previous order; finally, that following the cloture vote on the Lucas nomination, the Senate recess until 2:15 to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McConnell. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned without further action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 45) was agreed to.

The concurrent resolution is printed in today’s Record under “Submitted Resolutions.”
RECOGNITION OF MELISSA AND DAVID COMRAS AS A 2020 ANGELS IN ADOPTION HONOREE

HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. HASTINGS. Madam Speaker, it is my great privilege to rise today to honor Melissa and David Comras, for their extraordinary contributions to the lives of children and teenagers in the foster care system.

Melissa and David were recognized as a 2020 Angels in Adoption by the Congressional Coalition on Adoption Institute (CCAI). The Comras family has a strong history of involvement with both adoption and foster care. Melissa began her career helping children as a Guardian Ad Litem 20 years ago, when she began working with teenagers aging out of the foster care system. She is a fierce advocate for the rights of teens and guides them through the process of the independent living program through their 18th birthday and beyond. By opening their home and, most importantly, their hearts, through their personal experience with fostering and adopting their daughter Amelia, and by fighting for children who are at their most vulnerable as they age out of the foster system, Melissa and David truly exemplify Angels in Adoption.

Founded in 2001, CCAI is a nonprofit organization with the vision that every child should know the love and support of a caring family. Every year, CCAI selects a small group of outstanding individuals, families, or organizations across the nation to be recognized as Angels in Adoption. These honorees have gone above and beyond to demonstrate their commitment to improving the lives of children in need of permanent, loving homes.

Madam Speaker, I am so very proud of Melissa and David Comras for all the work that they have done in our community. I wish them the best as they continue their work to make the dream of a forever family a reality for so many children in need.

OUTLYING AREA APPRENTICESHIP EXPANSION ACT

HON. GREGORIO KILILI CAMACHO SABLÁN
OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. SABLÁN. Madam Speaker, today, I am introducing the Outlying Areas Apprenticeship Expansion Program, so the benefits of the National Apprenticeship Act are available to the people of the Northern Mariana Islands as in the rest of the United States. The National Apprenticeship Act has proven its value over the last 83 years, helping grow local economies and ushering young people into successful careers. Yet the Act does not support apprenticeships in the Marianas and other insular areas. My bill fixes that inequity, providing the annual funding necessary to support the creation of, and expansion of registered apprenticeship programs in the Marianas, and the rest of the smaller insular areas.

Apprenticeship programs foster opportunity and innovation in fields affecting the well-being of people across the Nation, and help communities prepare for the future by developing workforces in crucial fields, like telecommunications and healthcare.

I have every reason to believe that apprenticeship programs will similarly lift up the hard-working people of the Marianas, and other insular areas.

I urge all my colleagues to support this important legislation.

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. SHIMKUS. Madam Speaker, I rise today to remember a great friend of mine and a tremendous advocate for America’s veterans, Mr. Jack Edward Schurman. A little more than two years ago, I spoke about Jack as he moved from his longtime residence of Shelbyville, IL, in my 15th Congressional District, to the Mississippi State Veterans Home to be near his daughter, Kelli Ann, in Bay St. Louis, MS. On September 13, Jack passed away, a victim of the ongoing, tragic COVID–19 pandemic.


As chairman of my Veterans Advisory Committee, Jack used his valuable experience and perspective as a disabled veteran in leading our meetings through the years. Between meetings, he would direct a number of veteran cases, several of whom had to use his well-known persistence to convince they could trust a government representative.

Jack’s health declined after the death of his beloved Nancy in 2016, leading to his move to Florida. But even after leaving the state, he continued advocating for his fellow veterans in Illinois, staying in contact with my office from long distance.

Mr. Speaker, Jack Edward Schurman was laid to rest next to Nancy at Mt. Zion Cemetery near Shelbyville. After fighting the good fight, may he rest in peace.

HONORING THE LIFE OF BISHOP HEZEKIAH ROSS

HON. STEPHANIE N. MURPHY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mrs. MURPHY of Florida. Madam Speaker, I rise to honor my constituent, Bishop Hezekiah Ross, who passed away on July 29, 2020, at the age of 91. Dr. Ross was a man of faith and a man of action. His life was defined by service to others. Dr. Ross served in the Army, deploying to Korea in 1950.

After returning home to Central Florida, he became assistant pastor and then senior pastor at the West Sanford Freewill Holiness Church, serving there for over six decades.

When I took office, I asked Dr. Ross—and he generously agreed—to serve on my faith leaders’ advisory board. Despite his advanced age, he never missed a session. In his quiet, dignified way, he helped me better understand, and address, the needs of the Sanford community.

Throughout his life, Dr. Ross ministered to his congregation, but he also led a street ministry and a prison ministry, counseling and mentoring men and women on the margins of society, those forgotten or forsaken by others. He was the epitome of grace and compassion in a world that needs more of both.

Dr. Ross was also a trailblazer. In 1969, he became the first black firefighter in the city of Sanford. For 22 years, he was firefighter and a pastor, a rare and wonderful combination, saving lives while saving souls.

Of course, it could not have been easy to integrate this institution. But Hezekiah Ross was never interested in doing easy things. He was a determined man. He wanted to serve his community, and he wouldn’t be deterred or discouraged.

At that time, in that place, the idea of a black firefighter could be hard to fathom—and Hezekiah faced his share of prejudice. But, over time, Hezekiah came to be accepted, admired, and—ultimately—beloved by his fellow firefighters.

A few asked him to forgive them for the way they had initially treated him, which of course he did.

Being a firefighter under any circumstances takes courage. Being a firefighter under these conditions takes courage and character, and Dr. Ross possessed both.

In 2004, more than a decade after he had retired from the force, Dr. Ross was invited to become the Sanford Fire Department’s first chaplain, ministering to firefighters and their families.

The man who was once tolerated was now treasured. Bishop Ross is survived by his wife Lelia, who was kind enough to speak to my office about her late husband. “We were married for 68 years,” she told us. “We did everything together.”
If Bishop Ross was the rock of Goldsboro, Leila was his rock. The Bishop’s funeral service was a sight to behold. The streets of Sanford were basically shut down for the procession. A soldier played “Taps” to honor his military service. His casket was transported on the back of a firetruck. Everybody was the Black, white, yellow, and not-so-young, bound together by their affection for this extraordinary man. He will be greatly missed, but he is now home. May God bless this trailblazer and may God continue to bless his beloved community of family and friends.

PERSONAL EXPLANATION

HON. JODEY C. ARRINGTON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. ARRINGTON. Madam Speaker, unfortunately I was unable to be present for votes on September 17, 2020. Had I been present, I would have voted YEA on Roll Call No. 194.

CONGRATULATING MELISSA COLLINS

HON. STEVE COHEN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. COHEN. Madam Speaker, I rise today to congratulate Dr. Melissa Collins, a second-grade science teacher at the John P. Freeman Optional School in the Whitehaven neighborhood of Memphis, who last week was inducted into the National Teachers Hall of Fame. This honor was just the most recent recognition of Dr. Collins’ huge influence in the classroom as an Early Childhood educator and as a policy maker. She was also the winner of a 2010 Presidential Award for Excellence in Mathematics and Science Teaching. During the East Room ceremony at the White House, President Obama jokingly asked Dr. Collins to consider tutoring his daughters. Among many of her accolades, Dr. Collins received the 2013 NEA Foundation’s Horace Mann Award for Teaching Excellence, the 2014 West Tennessee Teacher of the Year Award, the 2015 Queen Smith Award for Urban Education from the Council of Great City Schools, the 2015 Kennedy Center-Stephen Sondheim Inspirational Teacher Award, the 2017 National Science Teachers Association Science Educator Development Award, and was one of six U.S. finalists for the $1 million Varkey Foundation Global Teacher Award in 2018. Dr. Collins has taught at John P. Freeman for 21 years and has been a standout from the start. In 2007, she instituted the “Muffins with Moms” days to have students see their mothers read to their classes and, later, the “Dates for Dads” days for fathers to have lunch with their children at school. She also instituted the “Dress Up Friday” days so students could show off a little. In class, she has her students don lab coats to conduct their science experiments and has been known to incorporate music in her teaching, part of the rationale for the Sondheim award. “I learned to take a risk for my students and myself. I allowed my students to drive their own learning and curiosity,” she has said. “In the beginning, I would seek opportunities. Now, those opportunities seek me. I was chasing my dreams and now my dreams chase me.” After graduating in 1992 from Whitehaven High School, where she played basketball and her father, Stanley, coached the football team, she earned a master’s and doctorate from the University of Southern Mississippi while constantly giving back to her community. As a policy expert, Dr. Collins has travelled to India and Brazil and across the U.S. to confer with other recognized leaders, and to the Halls of Congress, where she has advised Senator ALEXANDER and me on best practices and good ideas. I value her insights and her passion for the students she loves. On Friday, students still learning from home will stage a drive-by parade in her honor outside the Freeman Optional School. She is a true inspiration, and I wish her well as she continues her astonishing career.

RECOGNIZING NATIONAL AEROSPACE WEEK

HON. ADAM SMITH
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. SMITH of Washington. Madam Speaker, I along with Representative THORNBERRY, rise to recognize the United States aerospace industry. For more than 100 years, the American aerospace industry has moved, connected, secured, and inspired the modern world with countless technologies that play a role in our daily lives. The industry has made a tremendous impact, strengthening both America’s economy and national security. The aerospace and defense industry’s economic presence is felt in all 50 states, representing 1.8 percent of total U.S. Gross Domestic Product in 2019. And it’s one of our country’s best employers, supporting more than 2 million world-class workers in 2019 and providing them wages and benefits that are more than 40 percent higher than the national average. It also supports the U.S. National Defense Strategy by providing our military with the most advanced and effective platforms and systems in the world.

In keeping with industry’s strong commitment to our country and its citizens, our nation’s aerospace companies have answered the call to help assist with the public health response to the COVID-19 pandemic. Aerospace companies have used their unique skills and expertise to produce face shields, design and build portable ventilators, and deliver essential supplies to the front lines in effort to ensure our nation overcomes these unprecedented challenges.

While the history of the aerospace industry is filled with contributions to the technological advancement of humankind, from the development of flight to putting the first person on the moon, the future is just as bright. The industry is inspiring young Americans from diverse backgrounds to study and pursue science, technology, engineering, and math, so they can help drive future innovations. Through groundbreaking technologies like urban air mobility and planning the next great space mission to Mars, the aerospace industry is working today to build a better, safer, and more successful tomorrow.

COMMEMORATING THE INTERNATIONAL ASSOCIATION OF DRILLING CONTRACTORS ON THEIR 80TH ANNIVERSARY

HON. STEVE SCALISE
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. SCALISE. Madam Speaker, I rise today to congratulate the International Association of Drilling Contractors (IADC) on their 80th anniversary. Formed in 1940, IADC’s roughly 550 U.S. member companies employ more than 70,000 hardworking men and women and have played an invaluable role in bringing American energy to individuals, families, and small businesses all across our country.

The thousands of people who work each day to bring energy to market are essential to the State of Louisiana and to American energy independence. Energy produced in the Gulf of Mexico and throughout the country is crucial not only here at home, but also to our friends around the globe. American energy exploration and production helps keep energy prices low for families and small businesses, provides millions of people with good-paying jobs, and prevents hostile foreign regimes from using their energy resources to harm our allies.

Unfortunately, the COVID-19 pandemic and economic shutdown has hit energy-producing states, and the jobs and communities they support, especially hard. It has crushed energy demand, and a foreign price war earlier this year exacerbated an already dire situation. This combination resulted in devastating lay-offs, oil prices plummeting to negative for the first time in history, and billions of dollars of planned investments lost.

But America’s oil and gas workers are extraordinarily resilient, and the industry will recover from this downturn. The United States has vast reserves of oil and natural gas, resources that are produced here at home with some of the highest standards and safest technologies for energy exploration and production in the entire world. IADC has been, and will continue to be, a large part of that success.

I applaud IADC and the women and men who work each and every day to bring energy to individuals and families all across our country. I appreciate their work to advance innovation with a focus on safety, and I wish IADC continued success and another fantastic 80 years.

PERSONAL EXPLANATION

HON. EMANUEL CLEAVER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, September 21, 2020

Mr. CLEAVER. Madam Speaker, for the floor votes on Thursday, September 17, 2020, I regrettably erred when casting my vote for roll call 194, the Motion to Recommit with Instructions H.R. 2694, the Pregnant Workers
In remembrance of the honorable Ruth Bader Ginsburg, the ‘Notorious RBG,’ associate justice of the Supreme Court, feminist icon and trailblazer, inspiration to millions, tireless champion for justice and fierce defender of the constitution.

Hon. Sheila Jackson Lee of Texas
In the House of Representatives
Monday, September 21, 2020

Ms. JACKSON LEE. Madam Speaker, as a senior member of the House of Representatives and the Committee on the Judiciary, as a direct beneficiary of her advancement of women’s rights, and as a longtime admirer of her vigorous defense of the constitution, I am honored but heartbroken to pay tribute to an American hero, a feminist icon, and role model to millions, Supreme Court Justice Ruth Bader Ginsburg, who died last Friday, September 18, 2020 at the age of 87 years old.

Today, tomorrow, and forever, the American people mourn the loss of a true titan, an American legend, and an inspiration.

Our thoughts and prayers are with Ruth’s family, friends, and loved ones.

Ruth Bader Ginsburg dedicated her life to defending the Constitution and protecting the sanctity of America’s democratic ideals, and we will forever be indebted to her service to this country.

Joan Ruth Bader, fondly nicknamed Kiki, was born on March 15, 1933 to an immigrant mother’s large ambitions for her, and how the family and grew up in Brooklyn’s Flatbush neighborhood.

Ruth Bader Ginsburg often spoke of her mother’s large ambitions for her, and how the devastating loss of her mother’s death at an early age instilled in her the determination to live a life that her mother would have been proud of. And so, she did.

Ruth Bader attended Cornell University where she met Martin D. Ginsburg, her future husband and love of her life to whom she was married for 54 years.

In 1954, at the age of 21, Ruth Bader graduated Phi Beta Kappa from Cornell with a Bachelor of Arts degree in Government on June 23, 1954 and was the highest-ranking female student in her graduating class.

A month after graduating from Cornell, Ruth and Martin were married and moved to Fort Sill, Oklahoma, where Martin was stationed as a Reserve Officers’ Training Corps officer in the U.S. Army Reserve after his call-up to active duty.

To help support the family, Ruth Bader Ginsburg worked for the Social Security Administration office in Oklahoma, where she was demoted after becoming pregnant with her first child, Jane, who was born in 1955.

In the fall of 1956, Ruth Bader Ginsburg enrolled at Harvard Law School, where she was one of only 9 women in a class of about 500 men.

Harvard Law Dean Erwin Griswold reportedly invited all the female law students to dine at his family home and asked the female law students, including Ginsburg, “Why are you at Harvard Law School, taking the place of a man?”

When her husband took a job in New York City, Ruth Bader Ginsburg transferred to Columbia Law School and became the first woman to be on two major law reviews: Harvard Law Review and Columbia Law Review.

In 1959, she earned her law degree at Columbia and tied for first in her class but despite these enviable credentials and distinguished record of excellence, no law firm in New York City would hire as a lawyer because she was a woman.

Ruth Bader Ginsburg became a crusader for women’s rights and an unstoppable force who transformed the law and defined social convention.

Ruth Bader Ginsburg, later affectionately known as the ‘Notorious RBG,’ was as instrumental and historically significant to the cause of women’s rights as was Thurgood Marshall to the cause of civil rights for African Americans.

As a young lawyer and Director of the Women’s Rights Project of the American Civil Liberties Union, Ruth Bader Ginsburg litigated six landmark cases before the Supreme Court, winning five out of the six cases.

Like Justice Marshall, Ruth Bader Ginsburg’s uncanny strategic instincts and careful selection of cases were vital in her persuasion of the all-male Supreme Court to start dismantling the legal institution of sex discrimination one case at a time.

In 1975, Ruth Bader Ginsburg litigated and won Weinberger v. Wiesenfeld, which would become a landmark case in antidiscrimination jurisprudence.

In this case, the widower had been denied survivor benefits, which would allow him to stay at home and raise his son, based on a Social Security provision that assumed only women were secondary providers with unimportant incomes.

While some questioned Ginsburg’s choice to challenge instances of sex discrimination by representing a male plaintiff, Ruth Bader Ginsburg saw it as an opportunity to show the court that childcare was not a sex-determined role to be performed only by women.

As with many of her cases, her goal was to free both sexes, men as well as women, from the roles that society had assigned them and to harness the Constitution to break down the structures by which the state maintained and enforced those separate spheres.

As Ruth Bader Ginsburg continued to challenge the stereotypical assumptions of what was considered to be women’s work and men’s work, she was able to persuade the Court and the nation that discriminating on the basis of sex was not only wrong but violative of the 14th Amendment of the Constitution, which guarantees equal protection to all citizens under the law.

As the courts began to recognize the changing roles of men and women, Ruth Bader Ginsburg was able to advance gender equality with the understanding that women are capable of being heads of households or sole providers for their family.

In 1993, President Bill Clinton appointed Ruth Bader Ginsburg to the Supreme Court, making her the second woman to fill this position.

This historic appointment further symbolized the principle that women were equal to men in every respect, that they could have successful careers and also could, if they chose, be devoted wives or mothers, thereby breaking barriers for generations of women to follow in her footsteps.

In fact, many of Ginsburg’s opinions helped solidify constitutional protections she had fought so hard to establish decades earlier.

While we commemorate Justice Ginsburg’s work for advancing the women’s movement both as a Justice and as a lawyer, all are in her debt who cherish the progress made in the areas of LGBTQ+ equality, immigration reform, environmental justice, voting rights, protections for people with disabilities, and so much more.

Throughout her life, Ruth Bader Ginsburg worked to make the law work so that America would be more just, equitable, fairer, and better for all.

Whether it be in her legendary dissenting opinions or as leader when in the majority, Justice Ginsburg continued to advocate for the marginalized and most vulnerable.

In recent years, she may not have been able to control the outcome of the rulings, but she grew bolder in her dissents, often stating what should have been the outcome.

Throughout her tenure on the bench, Ruth Bader Ginsburg displayed her rigorous and incisive legal mind and employed her formidable skills as a consensus builder, but she could be tough and forceful when the moment demanded.

Nothing illustrates this better than her famous dissent in Shelby County v. Holder, in which the 5-to-4 majority negated the Voting Rights Act of 1965 by invalidating section 4 of the law, which neutralized section 5, the provision of the act that required jurisdictions with a history of racial and ethnic discrimination in voting to obtain preclearance from the federal government before any changes in voting procedures, from polling stations to voter photo IDs could go into effect.

It was in her scathing dissent Justice Ginsburg stated, “Hubris is a fit word for today’s demolition of the VRA” and that the majority’s logic was akin to “throwing away your umbrella in a rainstorm because you are not getting wet.”

Unlike the others, Justice Ginsburg was able to see the ramifications of the ruling and its allowances for reinvigorated efforts of voter suppression.

Today, I join millions of individuals who are mourning the loss of this legal giant, feminist, and trailblazer.

Justice Ginsburg loved this country, so much so that she served the nation while enduring illnesses and undergoing treatments that would have incapacitated lesser mortals.

She inspired generations of women then and now to shatter glass ceilings, and her legacy will inspire new generations of women in the years to come.

As the news of her passing continues to reverberate across the country and around the world, it is important that we remember and honor what she stood for and continue fighting to realize the goal of equal justice under law.

I ask the House to observe a moment of silence to honor the memory of Supreme Court Justice Ruth Bader Ginsburg, the ‘Notorious RBG,’ one of the greatest achievements in our nation’s history, a tireless and unyielding champion for equal justice, and a fierce defender of the Constitution.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 22, 2020 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 23

TIME TO BE ANNOUNCED

Committee on Veterans' Affairs
Business meeting to consider S. 4393, to improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, and S. 4511, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to education, burial benefits, and other matters.

TBA

10 a.m.

Committee on Commerce, Science, and Transportation
To hold hearings to examine the need for federal data privacy legislation.

SR–253

Committee on Environment and Public Works
To hold hearings to examine the Endangered Species Act Amendments of 2020, focusing on modernizing the Endangered Species Act.

SD–106

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine COVID–19, focusing on an update on the federal response.

SD–G50

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Chad F. Wolf, of Virginia, to be Secretary of Homeland Security.

SD–342

Committee on the Judiciary
To hold hearings to examine certain nominations.

SD–226

2 p.m.

Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies
To hold hearings to examine proposed budget estimates and justification for fiscal year 2021 for the National Aeronautics and Space Administration.

SR–325

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.

SH–219

2:30 p.m.

Committee on Armed Services
To receive a closed briefing on Department of Defense cyber operations in support of efforts to protect the integrity of U.S. national elections from malign actors.

SVC–217

Committee on the Budget
To hold hearings to examine the Congressional Budget Office’s updated budget outlook.

SD–608

Committee on Indian Affairs
To hold hearings to examine S. 3126, to amend the Public Health Service Act to authorize a special behavioral health program for Indians, S. 3294, to expedite and streamline the deployment of affordable broadband service on Tribal land, S. 3937, to amend section 330C of the Public Health Service Act to reauthorize special programs for Indians for providing services for the prevention and treatment of diabetes, S. 4079, to authorize the Seminole Tribe of Florida to lease or transfer certain land, and S. 4556, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California.

SD–626

SEPTEMBER 24

9 a.m.

Committee on Foreign Relations
To hold hearings to examine United States policy in a changing Middle East.

SD–G50

9:30 a.m.

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.

SVC–217

Special Committee on Aging
To hold hearings to examine women and retirement, focusing on unique challenges and opportunities to pave a brighter future.

SD–562

10 a.m.

Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the quarterly CARES Act report to Congress.

SD–106

Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, Innovation, and the Internet
To hold hearings to examine an evaluation of FirstNet’s progress.

SR–253

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine threats to the homeland.

SD–342

OCTOBER 1

9:15 a.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine supply chain integrity.

SD–G50

POSTPONEMENTS

SEPTEMBER 23

9:15 a.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine Navy and Marine Corps readiness.

SD–562

2:30 p.m.

Committee on the Judiciary
Subcommittee on Intellectual Property
To hold hearings to examine threats to American intellectual property, focusing on cyber attacks and counterfeits during the COVID–19 pandemic.

SD–226
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5719–S5732

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 4630–4636, and S. Con. Res. 45. Page S5731

Measures Passed:

Providing for the Use of the Catafalque: Senate agreed to S. Con. Res. 45, providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building and the Capitol for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court. Page S5731

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the issuance of an Executive Order with respect to Iran that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–58) Pages S5730–31

Meyers Nomination–Agreement: Senate resumed consideration of the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims. Pages S5722–30

During consideration of this nomination today, Senate also took the following action:

By 65 yeas to 25 nays (Vote No. EX. 184), Senate agreed to the motion to close further debate on the nomination. Pages S5728–29

A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the post-cloture time on the nomination of Edward Hulvey Meyers expire at 11:30 a.m., on Tuesday, September 22, 2020, and Senate vote on confirmation of the nomination; that if cloture is invoked on the nomination of Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission, the post-cloture time expire at 2:15 p.m., on Tuesday, September 22, 2020, and Senate vote on confirmation of the nomination; and that following disposition of the nomination of Andrea R. Lucas, Senate vote on the motion to invoke cloture on the nomination of Keith E. Sonderling, of Florida, to be a Member of the Equal Employment Opportunity Commission. Page S5730

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at 10 a.m., on Tuesday, September 22, 2020. Page S5732

Messages from the House:

Measures Placed on the Calendar:

Enrolled Bills Presented:

Additional Cosponsors: Pages S5731–32

Statements on Introduced Bills/Resolutions:

Additional Statements:

Record Votes: One record vote was taken today. (Total—184) Page S5729

Adjournment: Senate convened at 3 p.m. and adjourned at 6:49 p.m., until 10 a.m. on Tuesday, September 22, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5732.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 8319–8332; and 6 resolutions, H. Res. 1128, 1130–1134, were introduced.

Pages H4640–41

Additional Cosponsors:

Page H4642

Reports Filed: Reports were filed today as follows:

H.R. 2271, to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life, with an amendment (H. Rept. 116–524);

H.R. 5309, to prohibit discrimination based on an individual’s texture or style of hair, with an amendment (H. Rept. 116–525, Part 1);

H.R. 5602. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, with an amendment (H. Rept. 116–526, Part 1);

H.R. 4996. A bill to amend title XIX of the Social Security Act to provide for a State option under the Medicaid program to provide for and extend continuous coverage for certain individuals, and for other purposes, with an amendment (H. Rept. 116–526, Part 1); and

H. Res. 528, providing for consideration of the bill (H.R. 4447) to establish an energy storage and microgrid grant and technical assistance program; providing for consideration of the bill (H.R. 6270) to amend the Securities Exchange Act of 1934 to require issuers to make certain disclosures relating to the Xinjiang Uyghur Autonomous Region, and for other purposes; and providing for consideration of the bill (H.R. 8319) making continuing appropriations for fiscal year 2021, and for other purposes (H. Rept. 116–528).

Page H4640


Page H4549

Suspensions: The House agreed to suspend the rules and pass the following measures:

Practical Reforms and Other Goals To Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act: S. 209, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes;

Pages H4549–57

Blackwater Trading Post Land Transfer Act: H.R. 3160, to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community;

Pages H4557–58

Republic of Texas Legation Memorial Act: H.R. 3349, amended, to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia;

Pages H4558–59

Fallen Journalists Memorial Act: H.R. 3465, amended, to authorize the Fallen Journalists Memorial Foundation to establish a commemorative work in the District of Columbia and its environs;

Pages H4559–60

Native American Child Protection Act: H.R. 4957, amended, to amend the Indian Child Protection and Family Violence Prevention Act;

Pages H4560–62

Native American Business Incubators Program Act: S. 294, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities;

Pages H4562–65

Nullifying the Supplemental Treaty Between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon, concluded on November 15, 1865: S. 832, to nullify the Supplemental Treaty Between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon, concluded on November 15, 1865;

Pages H4565–66


Pages H4566–67

Agreed to amend the title so as to read: “To direct the Secretary of the Interior to conduct a special resource study of the site associated with the 1908 Springfield Race Riot in the State of Illinois.”;

Page H4567

Free Veterans from Fees Act: H.R. 1702, amended, to waive the application fee for any special use...
Information Reporting System and to make improvements to network outage reporting: H.R. 5918, amended, to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting;

Pages H4611–13

Measuring the Economics Driving Investments and Access for Diversity Act of 2020: H.R. 5567, to amend the Communications Act of 1934 to require the Federal Communications Commission to consider market entry barriers for socially disadvantaged individuals in the communications marketplace report under section 13 of such Act;

Pages H4613–14

National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act: H.R. 4866, amended, to amend the 21st Century Cures Act to provide for designation of institutions of higher education that provide research, data, and leadership on continuous manufacturing as National Centers of Excellence in Continuous Pharmaceutical Manufacturing;

Pages H4616–18

Strengthening America's Strategic National Stockpile Act of 2020: H.R. 7574, amended, to amend the Public Health Service Act with respect to the Strategic National Stockpile;

Pages H4618–20

Scarlett’s Sunshine on Sudden Unexpected Death Act: H.R. 2271, amended, to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life;

Pages H4620–23

Maternal Health Quality Improvement Act: H.R. 4995, amended, to amend the Public Health Service Act to improve obstetric care and maternal health outcomes;

Pages H4623–26

Protecting Patients Transportation to Care Act: H.R. 3935, amended, to amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary services;

Pages H4626–27

Helping Emergency Responders Overcome Act: H.R. 1646, amended, to require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers;

Pages H4627–30

Suicide Prevention Lifeline Improvement Act: H.R. 4564, amended, to amend the Public Health Service Act to ensure the provision of high-quality service through the Suicide Prevention Lifeline;

Pages H4630–31

Campaign to Prevent Suicide Act: H.R. 4585, amended, to require the Director of the Centers for Disease Control and Prevention to conduct a national suicide prevention media campaign;

Pages H4631–33

Agreed to amend the title so as to read: “To require the Secretary of Health and Human Services to conduct a national suicide prevention media campaign, and for other purposes.”;

Page H4633

Suicide Prevention Act: H.R. 5619, amended, to authorize a pilot program to expand and intensify surveillance of self-harm in partnership with State and local public health departments, to establish a grant program to provide self-harm and suicide prevention services in hospital emergency departments; and

Pages H4633–35

Safeguarding Therapeutics Act: H.R. 5663, amended, to amend the Federal Food, Drug, and Cosmetic Act to give authority to the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, to destroy counterfeit devices.

Pages H4635–36

Presidential Message: Read a message from the President wherein he notified Congress of the executive order blocking property of certain persons with respect to conventional arms activities of Iran—referred to the Committee on Foreign Affairs and the Committee on the Judiciary and ordered to be printed (H. Doc. 116–116–154).

Pages H4636–37

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Don’t Break Up the T-Band Act: H.R. 451, amended, to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum.

Pages H4614–16

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 7:02 p.m.

Committee Meetings

CONTINUING APPROPRIATIONS ACT, 2021 AND OTHER EXTENSIONS ACT; EXPANDING ACCESS TO SUSTAINABLE ENERGY ACT OF 2019; UYGHUR FORCED LABOR PREVENTION ACT; UYGHUR FORCED LABOR DISCLOSURE ACT OF 2020

Committee on Rules: Full Committee held a hearing on H.R. 8019, the “Continuing Appropriations Act, 2021 and Other Extensions Act”; H.R. 4447, the
“Expanding Access to Sustainable Energy Act of 2019” [Clean Economy Jobs and Innovation Act]; H.R. 6210, the “Uyghur Forced Labor Prevention Act”; and H.R. 6270, the “Uyghur Forced Labor Disclosure Act of 2020”. The Committee granted, by record vote of 7–3, a rule providing for consideration of H.R. 4447, the “Expanding Access to Sustainable Energy Act of 2019” [Clean Economy Jobs and Innovation Act], H.R. 6270, the “Uyghur Forced Labor Disclosure Act of 2020”, and H.R. 8019, the “Continuing Appropriations Act, 2021 and Other Extensions Act”. The rule provides for consideration of H.R. 4447, the “Clean Economy Jobs and Innovation Act”, under a structured rule. The rule provides 90 minutes of general debate equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Science, Space, and Technology. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–63, modified by the amendment printed in Part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule waives all points of order against consideration of the bill. The rule waives all points of order against provisions in the bill, as amended. The rule waives all points of order against provisions in the bill and provides that the bill shall not be subject to a question of consideration. The rule waives that the bill shall be considered as read. The rule waives all points of order against provisions in the bill and provides that clause 2(e) of Rule XXI shall not apply during consideration of the bill. The rule provides one motion to recommit. Testimony was heard from Chairman Pallone, Chairman Johnson of Texas, Chairman Grijalva, and Representatives Shimkus, Weber of Texas, Graves of Louisiana, Bera, Smith of New Jersey, Wexton, Timmons, Suozzi, Visclosky, Cole, González-Colón of Puerto Rico, Grothman, and Conaway.

### Joint Meetings

**No joint committee meetings were held.**

### COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 22, 2020

(Committee meetings are open unless otherwise indicated)

**Senate**

Committee on Commerce, Science, and Transportation: Subcommittee on Security, to hold hearings to examine the United States Coast Guard capabilities for safeguarding national interests and promoting economic security in the Arctic, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine emerging offshore and marine energy technologies in the United States, including offshore wind, marine and hydrokinetic energy, and alternative fuels for maritime shipping, 10 a.m., SD–366.
During the balance of the week, Senate may consider any cleared legislative and executive business.

**Senate Chamber**

On Tuesday, Senate will continue consideration of the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims, post-cloture, with a vote on confirmation thereon at 11:30 a.m., to be followed by a vote on the motion to invoke cloture on the nomination of Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission.

At 2:15 p.m., if cloture is invoked, Senate will vote on confirmation of the nomination of Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission, to be followed by a vote on the motion to invoke cloture on the nomination of Keith E. Sonderling, of Florida, to be a Member of the Equal Employment Opportunity Commission.

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces, hearing entitled “Modernization of the Conventional Ammunition Production Industrial Base”, 1 p.m., 2118 Rayburn and Webex.

Committee on Financial Services, Full Committee, hearing entitled “Oversight of the Treasury Department’s and Federal Reserve’s Pandemic Response”, 10:30 a.m., 2128 Rayburn and Webex.

Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, and Nonproliferation, hearing entitled “Stemming a Receding Tide: Human Rights and Democratic Values in Asia”, 10 a.m., 2172 Rayburn and Webex.

Subcommittee on Oversight and Investigations, hearing entitled “Diversity and Diplomacy: Assessing the State Department’s Record in Promoting Diversity and Inclusion”, 2 p.m., 2172 Rayburn and Webex.


Committee on Oversight and Reform, Subcommittee on National Security, hearing entitled “Examining the Trump Administration’s Afghanistan Strategy, Part 2”, 11 a.m., 2154 Rayburn and Webex.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the economic impact of America’s failure to contain the Coronavirus, 2:30 p.m., REMOTE.

**CONGRESSIONAL PROGRAM AHEAD**

**Week of September 22 through September 25, 2020**

**House**

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces, hearing entitled “Modernization of the Conventional Ammunition Production Industrial Base”, 1 p.m., 2118 Rayburn and Webex.

Committee on Financial Services, Full Committee, hearing entitled “Oversight of the Treasury Department’s and Federal Reserve’s Pandemic Response”, 10:30 a.m., 2128 Rayburn and Webex.
Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: September 23, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2021 for the National Aeronautics and Space Administration, 2 p.m., SR–325.

Committee on Armed Services: September 23, to receive a closed briefing on Department of Defense cyber operations in support of efforts to protect the integrity of U.S. national elections from malign actors, 2:30 p.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: September 24, to hold hearings to examine the quarterly CARES Act report to Congress, 10 a.m., SD–106.

Committee on Budget: September 23, to hold hearings to examine the Congressional Budget Office’s updated budget outlook, 2:30 p.m., SD–608.

Committee on Commerce, Science, and Transportation: September 22, Subcommittee on Security, to hold hearings to examine the United States Coast Guard capabilities for safeguarding national interests and promoting economic security in the Arctic, 2:30 p.m., SR–253.

September 23, Full Committee, to hold hearings to examine the need for federal data privacy legislation, 10 a.m., SR–253.

September 24, Subcommittee on Communications, Technology, Innovation, and the Internet, to hold hearings to examine an evaluation of FirstNet’s progress, 10 a.m., SR–253.

Committee on Energy and Natural Resources: September 22, to hold hearings to examine emerging offshore and marine energy technologies in the United States, including offshore wind, marine and hydrokinetic energy, and alternative fuels for maritime shipping, 10 a.m., SD–366.

Committee on Environment and Public Works: September 23, to hold hearings to examine the Endangered Species Act Amendments of 2020, focusing on modernizing the Endangered Species Act, 10 a.m., SD–106.

Committee on Foreign Relations: September 22, business meeting to consider the nominations of Erik Paul Bethel, of Florida, to be Ambassador to the Republic of Panama, Keith W. Dayton, of Washington, to be Ambassador to Ukraine, William A. Douglass, of Florida, to be Ambassador to the Commonwealth of The Bahamas, Julie D. Fisher, of Tennessee, to be Ambassador to the Republic of Belarus, Melanie Harris Higgins, of Georgia, to be Ambassador to the Republic of Burundi, Jeanne Marie Maloney, of Virginia, to be Ambassador to the Kingdom of Eswatini, Michael A. McCarthy, of Virginia, to be Ambassador to the Republic of Liberia, Jonathan Pratt, of California, to be Ambassador to the Republic of Djibouti, Manisha Singh, of Florida, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, James Broward Story, of South Carolina, to be Ambassador to the Bolivarian Republic of Venezuela, Barbara Hale Thornhill, of California, to be Ambassador to the Republic of Singapore, Thomas Laszlo Vajda, of Arizona, to be Ambassador to the Union of Burma, Kenneth R. Weinstein, of the District of Columbia, to be Ambassador to Japan, and Alex Nelson Wong, of New Jersey, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, all of the Department of State, Edward A. Burrier, of the District of Columbia, to be Deputy Chief Executive Officer of the United States International Development Finance Corporation, and other pending calendar business; to be immediately followed by a hearing to examine the nominations of Ashok Michael Pinto, of Illinois, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, William E. Todd, of Virginia, to be Ambassador to the Islamic Republic of Pakistan, and Eric M. Ueland, of Oregon, to be an Under Secretary (Civilian Security, Democracy, and Human Rights), both of the Department of State, and other pending nominations, 9:30 a.m., SD–106.

September 24, Full Committee, to hold hearings to examine United States policy in a changing Middle East, 9 a.m., SD–G50.

Committee on Health, Education, Labor, and Pensions: September 23, to hold hearings to examine COVID–19, focusing on an update on the federal response, 10 a.m., SD–G50.

Committee on Homeland Security and Governmental Affairs: September 22, Subcommittee on Federal Spending Oversight and Emergency Management, to hold hearings to examine state and local cybersecurity, focusing on defending communities from cyber threats amid COVID–19, 3 p.m., SD–342.

September 23, Full Committee, to hold hearings to examine the nomination of Chad F. Wolf, of Virginia, to be Secretary of Homeland Security, 10 a.m., SD–342.

September 24, Full Committee, to hold hearings to examine threats to the homeland, 10 a.m., SD–342.

Committee on Indian Affairs: September 23, to hold hearings to examine S. 3126, to amend the Public Health Service Act to authorize a special behavioral health program for Indians, S. 3264, to expedite and streamline the deployment of affordable broadband service on Tribal land, S. 3957, to amend section 330C of the Public Health Service Act to reauthorize special programs for Indians for providing services for the prevention and treatment of diabetes, S. 4079, to authorize the Seminole Tribe of Florida to lease or transfer certain land, and S. 4556, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, 2:30 p.m., SD–628.

Committee on the Judiciary: September 23, to hold hearings to examine certain nominations, 10 a.m., SD–226.

September 24, Full Committee, business meeting to consider S. 4632, to amend title 17, United States Code,
to establish an alternative dispute resolution program for copyright small claims, to amend the Communications Act of 1934 to modify the scope of protection from civil liability for “good Samaritan” blocking and screening of offensive material, and the nominations of Benjamin Joel Beaton, to be United States District Judge for the Western District of Kentucky, Kristi Haskins Johnson, and Taylor B. McNeel, both to be a United States District Judge for the Southern District of Mississippi, Kathryn Kimball Mizelle, to be United States District Judge for the Middle District of Florida, and Thompson Michael Dietz, of New Jersey, to be a Judge of the United States Court of Federal Claims, 10 a.m., SR–325.

Committee on Veterans’ Affairs: September 23, business meeting to consider S. 4393, to improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, and S. 4511, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to education, burial benefits, and other matters, Time to be announced, Room to be announced.

Select Committee on Intelligence: September 22, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SVC–217.

September 23, Full Committee, to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

September 24, Full Committee, to hold closed hearings to examine certain intelligence matters, 9:30 a.m., SVC–217.

Special Committee on Aging: September 24, to hold hearings to examine women and retirement, focusing on unique challenges and opportunities to pave a brighter future, 9:30 a.m., SD–562.

House Committees

Committee on Agriculture, September 24, Subcommittee on Conservation and Forestry, hearing entitled “The 2020 Wildfire Year: Response and Recovery Efforts”, 1 p.m., 1300 Longworth and Webex.

Committee on Armed Services, September 23, Full Committee, hearing entitled “The Role of Allies and Partners in U.S. Military Strategy and Operations”, 12 p.m., CVC and Webex.

Committee on Education and Labor, September 24, Full Committee, markup on H.R. 8294, the “National Apprenticeship Act of 2020”, 10:15 a.m., 2175 Rayburn and Webex.


September 24, Subcommittee on Consumer Protection and Commerce, hearing entitled “Mainstreaming Extremism: Social Media’s Role in Radicalizing America”, 11 a.m., Webex.


Committee on the Judiciary, September 23, Subcommittee on Immigration and Citizenship, hearing entitled “Immigrants as Essential Workers During COVID–19”, 2 p.m., 2141 Rayburn and Webex.

September 24, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled “Oversight of the Civil Rights Division of the Department of Justice”, 9:30 a.m., 2141 Rayburn and Webex.

September 24, Full Committee, hearing entitled “Diversity in America: The Representation of People of Color in the Media”, 2:30 p.m., 2141 Rayburn and Webex.

Committee on Natural Resources, September 24, Subcommittee on Water, Oceans, and Wildlife, hearing entitled “Federal and State Efforts to Restore the Salton Sea”, 12 p.m., Webex.

September 24, Subcommittee for Indigenous Peoples of the United States, hearing on H.R. 7565, to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes; and H.R. 8255, to clarify the status of gaming conducted by the Catawba Indian Nation, and for other purposes, 2 p.m., Webex.

September 25, Full Committee, hearing entitled “Puerto Rico’s Options for a Non-Territory Status and What Should Happen After November’s Plebiscite”, 12 p.m., Webex.

Committee on Oversight and Reform, September 23, Select Subcommittee on the Coronavirus Crisis, hearing entitled “Hybrid Hearing with Federal Reserve Chair Jerome H. Powell”, 10 a.m., 2154 Rayburn and Webex.

September 24, Subcommittee on Environment Hybrid, hearing entitled “Climate Change, Part IV: Moving Towards a Sustainable Future”, 2 p.m., 2154 Rayburn and Webex.

Committee on Science, Space, and Technology, September 23, Subcommittee on Investigation and Oversight, hearing entitled “Data for Decision-Making: Responsible Management of Data during COVID–19 and Beyond”, 11 a.m., Webex.

Committee on Small Business, September 24, Subcommittee on Innovation and Workforce Development, hearing entitled “Paycheck Protection Program: An Examination of Loan Forgiveness, SBA Legacy Systems, and Inaccurate Data”, 2360 Rayburn and Webex.


Committee on Transportation and Infrastructure, September 23, Full Committee, hearing entitled “Driving Equity: The U.S. Department of Transportation’s Disadvantaged Business Enterprise Program”, 10 a.m., 2167 Rayburn and Webex.


Committee on Veterans’ Affairs, September 23, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “Toxic Exposures: Examining Airborne
Hazards in the Southwest Asia Theater of Military Operations”, 10 a.m., HVC–210 and Webex.

Committee on Ways and Means, September 24, Subcommittee on Social Security, hearing entitled “Save Our Social Security Now”, 1 p.m., Webex.

September 25, Subcommittee on Select Revenue Measures, hearing entitled “Restaurants in America During the COVID–19 Pandemic”, 9 a.m., Webex.

Joint Meetings

Joint Economic Committee: September 22, to hold hearings to examine the economic impact of America’s failure to contain the Coronavirus, 2:30 p.m., REMOTE.
Next Meeting of the SENATE
10 a.m., Tuesday, September 22

Senate Chamber

Program for Tuesday: Senate will continue consideration of the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims, post-cloture, with a vote on confirmation thereon at 11:30 a.m., to be followed by a vote on the motion to invoke cloture on the nomination of Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission.

At 2:15 p.m., if cloture is invoked, Senate will vote on confirmation of the nomination of Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission, to be followed by a vote on the motion to invoke cloture on the nomination of Keith E. Sonderling, of Florida, to be a Member of the Equal Employment Opportunity Commission.

(Senate will recess following the vote on the motion to invoke cloture on the nomination of Andrea R. Lucas, until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Tuesday, September 22

House Chamber

Program for Tuesday: Consideration of measures under suspension of the Rules.

Extensions of Remarks, as inserted in this issue

HASTINGS, ALCIE L., FLA., R863
MURPHY, STEPHANIE M., FLA., R863
SABLAN, GREGORIO KILLILI CAMACHO, NORTHERN MARIANA ISLANDS, R863

SCALISE, STEVE, LA., R864
SHIMKUS, JOHN, ILL., R863
SMITH, ADAM, WASH., R864