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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 25, 2017.

I hereby appoint the Honorable MIKE JOHNSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

RECOGNIZING THADDEUS STEVENS COLLEGE OF TECHNOLOGY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday, I had the privilege of touring Pennsylvania's only State-owned 2-year technical college, Thaddeus Stevens College of Technology, named after an individual, a former Member of Congress that served in the era of Abraham Lincoln in this Chamber. I was pleased to be in Lancaster with my colleague, Representative SMUCKER.

Thaddeus Stevens College of Technology provides a bridge out of poverty for some of the poorest citizens of Pennsylvania through a high-skill, high-wage technical education. Graduates are filling the skills gap in America, as there is a 99 percent placement for graduates of its high-demand programs.

Founded in 1905, Thaddeus Stevens College of Technology educates Pennsylvania's economically and socially disadvantaged students as well as other qualified students for skilled employment in a diverse and ever-changing workforce. It offers 22 innovative technical-based majors that educate students for numerous job opportunities. From architecture to automotive studies and from masonry to mechanical engineering, there are many career paths for students to pursue.

The hands-on nature of the program allows students exposure to the experience, problem-solving ability, and skills that will be used throughout their careers. Many students enter the workforce after their studies, while others may choose to pursue higher level degrees at 4-year colleges and universities.

Thaddeus Stevens College is also aware that the cost of education often places a financial strain on both the student and their family. Grant programs are offered to assist students who are financially disadvantaged to serve a rich diversity of students.

Last month, I was proud this House unanimously approved my bill, the Strengthening Career and Technical Education for the 21st Century Act. The legislation aims to restore rungs on the ladder of opportunity because all Americans deserve a good-paying, family-sustaining job.

CTE has established itself as a path that many high-achieving students choose in pursuit of industry certification and hands-on skills that they can use right out of high school in skills-based education programs or in colleges like Thaddeus Stevens College of Technology. By modernizing the Federal investment in CTE programs, we will be able to connect more educators with industry stakeholders and close the skills gap that is in this country. There are good jobs out there, but people need to be qualified to get them.

I have proudly championed the Strengthening Career and Technical Education for the 21st Century Act because it puts emphasis on advancing policies and promotes good-paying jobs, and it works to see that everyone from all walks of life can have the opportunity to succeed. Mr. Speaker, I witnessed this firsthand at Thaddeus Stevens College.

This school is an outstanding example of the transformative power of education. The college is a national leader in technical workforce development, and it works to break the intergenerational cycle of poverty for millions of students through career and technical education.

For the fourth consecutive time, The Aspen Institute has named Thaddeus Stevens as the top 2-year technical college in Pennsylvania. I congratulate the school and all of its students. It is truly a shining example of strong career and technical education programs at work, and its graduates enter the workforce armed with the knowledge and skills they need to succeed and pursue the American Dream. They are learning to earn.

RECOGNIZING GRANDPARENTS AS CLOSE FAMILY MEMBERS

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

Mr. GUTIÉRREZ. Mr. Speaker, I think the President has a lot to learn about families. In my opinion, families

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should be protected and families should remain intact wherever possible, but it is clear the President has other notions.

In the President's world, families can and should be cut off from healthcare coverage. So he is working with Republicans to take coverage away from 20 to 30 million Americans so they can say they made good on a campaign promise, regardless of the consequences in real people's lives.

In the President's world, children, especially his children, don't have to be honest when they apply for security clearances or disclose all their meetings they had with the Russians.

In the President's world, children and grandchildren can be convenient political props, like when a 6-year-old granddaughter is sent into the Oval Office to interrupt an interview with The New York Times, especially when the interview isn't going well for him.

But grandchildren and grandparents in the President's world do not have a ''bona fide'' family connection when it comes to being refugees. In the latest incarnation of his Muslim and refugee ban, the President excluded grandparents from the category of those close family members—only in the Republicans' mind.

Well, let me tell you something. If the President can be interrupted by his grandchild to shake up an interview that isn't going so well, I can ask my grandson to help me make a point here in Congress.

Here is Luis Andres. Luis Andres is my grandson. You see, in the Gutiérrez family, grandparents and grandchildren are pretty close family members and have a bona fide family connection. In fact, Luis Andres lives downstairs from me with his mom and dad in the ground floor unit of a two-flat in Portage Park in Chicago, and growing up with Grandma and Grandpa upstairs has distinct advantages. There is always someone to feed you, watch you, help you study, or just joke around.

Throughout much of the world and throughout American history until fairly recently, the idea that families do not include grandparents is laughable. Multiple generations live together or very nearby, and grandparents, even great-grandparents, are an integral part of the family unit and share child rearing responsibilities.

So when you are in Syria or Yemen, Central Africa or Central America, places where surviving day to day without being killed by gunmen, government, or gangs is not easy, extended, multigenerational families not only live together and support each other, occasionally they have to flee to safety together.

But not if Donald Trump has his way they don't, or at least not when it comes to coming here to America.

Thankfully, the American court system disagrees with our President on this. Hawaii sued the President again and won an injunction again, and the Supreme Court, which would ultimately determine the fate of America's commitment to refugees and religious tolerance will determine the case later this year.

But in the meantime, over the objections of the President, grandparents are officially part of the family and have a bona fide relationship that allows them, under the law, to bypass the President's attempt to keep them out.

Thank you, courts, for recognizing and defending families and giving our President a lesson in the obvious.

Mr. Speaker, on Sunday, I learned about a tragedy in San Antonio where a truck packed with immigrants was discovered and at least 10 people were killed. The truck had no ventilation or air-conditioning. There was no water for those inside who had paid a lot of money to risk their lives to live in America—10 dead and another 20 near death, some of them children, under the hot Texas sun in an apparent smuggling operation.

You see, if you cut off legal immigration channels and make people wait decades for a visa, if they are eligible to apply at all, it strengthens the hands of smugglers. If you turn asylum seekers around, in violation of our own laws and international law, those seeking freedom are driven into the arms of smugglers.

If, by going through our legal system in requesting asylum, your entire family becomes vulnerable to deportation, being sent back to a place you fled because death was a certainty, then people will pay smugglers to go around our system because there are no ways to go through it.

A border wall like the one Republicans will slip into the military spending bill this week in the House will not help matters, but only make them worse. Forcing people to enter the black market because there is no way to go through our visa system will undoubtedly increase the number of times we hear about tragedies like the one in Texas and the number of parents, grandparents, and children who lose everything because we have failed to create and maintain a functioning immigration system.

When Luis Andres turns 18 and is able to vote, just like a million young Latinos like him every year are eligible, I know he will remember which party stood for and stood by families and which ones did not. Grandparents, they are part of the American family even if the Republicans don't seem to think so.

SHARING THE STORY OF HADAR GOLDIN

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

Mr. CURBELO of Florida. Mr. Speaker, I rise today to share and honor the story of Hadar Goldin, an Israel Defense Forces soldier who was killed by Hamas terrorists and whose remains have yet to be returned to his family.

I met Hadar's parent in south Florida earlier this year, and they told me about their son, his love of freedom that inspired his service to Israel and their just cause.

On August 1, 2014, 23-year-old Hadar was killed by Hamas terrorists. His body was then dragged away from his home and into an underground tunnel. Hamas terrorists then stripped him and left his clothing and took his body with them. For nearly 3 years, Hamas has held Hadar's remains from his parents, who merely want to give their son a proper burial.

Mr. Speaker, Israel is one of our strongest allies, our greatest ally, and our support sends a clear message to all terrorists, including Hamas, that the United States will continue to firmly stand with Israel and its people.

No parent should ever face the heartbreak of outliving a child, but those who do should expect a proper burial. Hadar's parents have been denied that basic decency by the Hamas terrorists that murdered their son. So today I am urging those holding Hadar to let him come home so that his parents can say good-bye.

SOLIDARITY WITH VENEZUELA

Mr. CURBELO of Florida. Mr. Speaker, Venezuela, once a beacon of economic prosperity in South America, has descended into chaos and turmoil. An oil-rich nation, it now struggles as Maduro's policies have led Venezuela to having the hemisphere's highest inflation rate, resulting in critical shortages of food and medicine, as well as the collapse of the Venezuelan currency and rampant crime.

The Maduro regime's incompetence in managing Venezuela's finances and systemic corruption has led to a crackdown on human rights and violence against democratic demonstrators. The country is lurching towards single-party, totalitarian rule.

Rather than working with the opposition to serve the interests of the Venezuelan people, Maduro is using his influence to grasp onto power, first, by having his henchmen on the Supreme Court attempt to strip the National Assembly of its powers, and now, by calling for an unelected constituent assembly to rewrite Venezuela's Constitution. This is just another attempt to usurp and replace Venezuela's Democratic National Assembly with a puppet parliament loyal only to him.

This idea was recently rejected by 98 percent of the 7.2 million Venezuelans that participated in a nonbinding referendum last week. Fortunately, the United States has been quick to show solidarity with these freedom-loving people. I am grateful for the President's show of support and his direct warning to Maduro of the strong and swift economic sanctions the United States will take if he proceeds with the constituent assembly.

The United States will no longer stand by and watch Maduro and his thugs ignore human rights and the rule of law. There is a bipartisan consensus

that Maduro's undemocratic and tyrannical rule is unacceptable.

All options are on the table, and I look forward to continuing to work with this administration and my colleagues here in Congress to stand in solidarity with the democratic opposition and the people of Venezuela.

RAISING THE GAS TAX

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

Mr. BLUMENAUER. Mr. Speaker, we begin an unusual week here on Capitol Hill, although unusual is sort of the new usual in Washington, D.C.

The Senate begins deliberations on an 8-year Republican mission to repeal the Affordable Care Act, and they don't fully know what it is exactly they are voting on.

There is uncertainty in the House over both the budget and appropriations, but, you know, there is an opportunity for Congress to take a step back, to do something that will make a huge difference for everybody from coast to coast, something that can bring together a wide coalition of support and meet unmet needs.

□ 1015

I am talking about addressing the unmet infrastructure needs for a country that is falling apart as we fall behind.

We haven't raised the gas tax in 24 years. And in the course of that 24 years, we have watched the value of the Federal gas tax actually erode 40 percent, due to inflation and increased fuel efficiency, while our needs continue to go up each and every year.

Congress has put together a series of stopgap measures—gimmicks here and there—which have not adequately met those needs, and they have actually increased the budget deficit.

I think back to Ronald Reagan making his Thanksgiving Day speech in November of 1982, when he called on Congress to come back from their recess and more than double the gas tax because, he pointed out, it would put people to work and improve road conditions that were actually damaging people's cars more than what modest increase they would pay. Well, Congress did it, and we were better off as a result. I think each of us would do well to look back at that speech that Ronald Reagan gave, calling on Congress to step up and do its part.

The States are not sitting back. Since over the last 5 years, more than half of the individual States have gone ahead and raised their transportation funding. So far in 2017 alone, California, Indiana, Montana, Oregon, Tennessee, West Virginia, and South Carolina raised the gas tax. In fact, South Carolina raised the gas tax by overriding a Republican Governor's veto.

There are opportunities here for us to be able to step forward and build on this vast coalition. It really isn't a profile in courage to support legislation that is endorsed by the U.S. Chamber of Commerce, the AFL–CIO, contractors, a variety of labor unions, road builders, engineers, trucking companies, and AAA. The widest coalition of people supporting any major issue before us deals with increasing the fuel tax.

And it is interesting, for those who are worried that maybe there is some political downturn, despite the fact that the States have been able to summon the courage. The American Road and Transportation Builders Association did an extensive survey about who were those intrepid legislators that voted to raise the gas tax since 2012. What they found is that those legislators who had the courage and the vision to do what was right for their States were reelected by an over 90 percent rate.

But this shouldn't be about elections. It should be about what is right for the American people. Stepping up, meeting our obligations, so that the Federal Government is a full partner, working with State and local governments, working with the private sector, to be able to meet the over $1.1 trillion of critical transportation needs between now and 2025 ought to be the order of business.

I would hope that my friends in Republican leadership would allow us to have just 1 week of hearings on this issue so that we can hear from the president of the U.S. Chamber of Commerce, the president of the AFL–CIO, the truckers, AAA, Republican legislators of principle, people across the country who talk about the need to rebuild and renew America, make our communities more livable, our families safer, healthier, and more economically secure.

STUDENT DEBT CRISIS

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

Mr. PAULSEN. Mr. Speaker, we continue to hear about the challenges for college students who borrow more and more to pay higher tuition rates and then are saddled with huge debt loads that they will have great difficulty paying back.

The average debt for a 4-year college student today is nearly $37,000. We need to explore new ways to ensure that every student has the opportunity to go to school, to develop their skills, and then pursue their dreams without feeling deterred by the price tag.

I think we need to look at a new approach, an approach that would help students pay for college. It is a concept known as an income-share agreement. It is a concept that would provide students the funding that they agree to pay back as small, affordable portions of their income over the years following graduation.

Income-share agreements are interest free, and students only will make those payments if they are employed and if they receive an income that meets a certain threshold. This method of financing puts less pressure on students to keep up with fixed high-interest payments while they are faced with job uncertainty.

Rather than accruing debt under the traditional student loan structure, this makes the investment in these students' future more equity-based. Their payments are guaranteed to be affordable, rather than fixed, and a certain price.

This is a much more manageable plan for students, Mr. Speaker, who are eager to get a career underway after graduation and want to make sure that they are putting their degrees into practice in a field that they have studied and have a passion for, rather than feel constrained by the impending weight of paying back loans right away.

That is why I am co-authoring the Investing in Student Success Act. It is modeled after a program at Purdue University. At Purdue, an average student received a little over $13,000 in funding for tuition, paired with a student promise to pay back that money in 6 to 10 years after graduation in small percentages of their income.

The bill provides a legal framework for private organizations to invest in individual students through implementing similar income-share agreements. Doing so creates more options for payment and increases accessibility for higher education.

Today, the cost of tuition at a public 4-year university is nearly quadruple what it was back in 1974. Due to rising tuition costs and the increased need for a college degree in the workforce, it is more important now, more than ever before, to address the student loan debt crisis and provide students with the resources they need to graduate with minimal loans.

Income-share agreements also provide the flexibility that students need when faced with an uncertain job market and provide an alternative to the traditional student loan repayment structure.

Mr. Speaker, as we look for ways to make higher education more affordable and more accessible, we should be advancing new innovative solutions to help students go to college without that burden of high debt after graduation, and income-share agreements are another way of accomplishing this.

SNAP CUTS IN HOUSE BUDGET

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

Mr. MCGOVERN. Mr. Speaker, just weeks after President Trump released his devastating budget which guts SNAP, our Nation's first line of defense against hunger, House Republicans

have joined in that effort, proposing drastic cuts to our anti-hunger safety net in the budget that they marked up last week.

In their budget, House Republicans have laid out their dangerous agenda: dramatic increases in defense spending and tax cuts for millionaires, billionaires, and corporations—all paid for by cuts to programs that help working families and those struggling to make ends meet.

Among the proposed cuts, House Republicans are seeking $160 billion in cuts to the Supplemental Nutrition Assistance Program, known as SNAP, over 10 years. $150 billion of these cuts come from structural changes to SNAP and harsher work requirements and time limits, and an additional $10 billion would be fast-tracked through the reconciliation process.

Mr. Speaker, SNAP is not an ATM. It is not money to be used for tax breaks for the wealthy, additional weapons systems, or any corporate handouts. It is intended to help our most vulnerable neighbors purchase groceries and put food on the table when times are tough. Simply put, SNAP helps people eat.

For a meager $1.40 per person, per meal, SNAP helps alleviate poverty, reduce hunger, and improve nutrition. It is one of the most efficient and effective Federal programs. But it is only $1.40 per person, per meal. And my friends are proposing more cuts in this program?

Mr. Speaker, I serve as the ranking member on the House Agriculture Committee, Subcommittee on Nutrition. Since 2015, the committee has held 23 hearings on SNAP. In our hearings, we have heard from over 80 witnesses—Republican and Democrat—about ways to make SNAP even better. But none of these witnesses—not one—ever suggested changes like the ones proposed by President Trump and House Republicans.

These Republican proposals are mean-spirited, and they are just as heartless as they are reckless. They do not reflect the realities of the program or seek to understand the challenges faced by those living in poverty. They don't help struggling Americans find work, and they certainly don't help address the ''benefit cliff,'' as some of my Republican colleagues have proposed doing.

If Republicans were genuinely interested in helping struggling families rise out of poverty, they would join Democrats in advocating for higher wages, more jobs, and better work supports like childcare and transportation. They would address affordable housing shortages and help to improve access to healthcare. They would increase investments in job training and career and technical education. They would finally work with us to make college more affordable.

But instead of working on these priorities, House Republicans are hell-bent on pursuing an agenda that belittles the struggles of the working poor and tears apart our safety net. Their awful budget is no exception.

Under the guise of ''State flexibility,'' their budget proposes a block grant-like approach to administering SNAP.

Make no mistake, block-granting SNAP would make hunger worse in this country, plain and simple. It would undermine the successful structure of SNAP—its ability to expand as the economy struggles and contract in times of economic prosperity. The proposed structural changes would likely result in drastic funding cuts and reduced eligibility for the program.

If State flexibility is the true goal, then my Republican friends are in luck. SNAP already has a number of options that States can adopt. What is ironic is some of these State exceptions are exactly the provisions House Republicans are seeking to do away with.

The Republican budget also calls for additional work requirements of SNAP, relying on dangerous rhetoric that suggests that hardworking families who rely on modest food benefits don't want to work or are somehow lazy. That couldn't be farther from the truth.

I would like to point out that the majority of people on SNAP who can work, do work. Most people on SNAP are not expected to work or cannot work—they are kids, senior citizens, and people who are disabled. But that is exactly who Republicans will hurt if these dangerous proposals advance.

If we are talking about how we can help transition people who can work into the workforce, you don't do that by cutting the program by billions of dollars or by cutting people off from food aid. That does nothing to help people find jobs. It only makes people hungry.

Mr. Speaker, I urge my Republican colleagues to join me in rejecting these damaging cuts, and to support investments in our anti-hunger safety net that will help end hunger now.

HONORING THE LIFE OF TROY BOWLING

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

Mr. BARR. Mr. Speaker, I rise today to honor the life of an American patriot and hero, Mr. Troy Bowling of Lexington, Kentucky, who completed his life's service on June 17, 2017, at the age of 90 years old.

His military service during World War II and his commitment to supporting our veterans and the men and women in uniform throughout his life is an inspiration to us all.

At the age of 19, Mr. Bowling began his service as a United States marine and was a proud member of the Easy Company, 2nd Battalion, 27th Marines, 5th Division. During the United States campaign to end the war against Japan, Mr. Bowling's unit was among the first to arrive on the beachheads of Iwo Jima.

While attempting to secure Mount Suribachi, his unit came under intense and concentrated fire, completely overwhelming his unit. Two projectiles struck Mr. Bowling in the chest and leg, leaving him critically wounded on the battlefield.

At that moment, Mr. Bowling said he looked to the heavens and committed to serving mankind for the rest of his life if he survived. Miraculously, a combat photographer and medical team then carried Mr. Bowling to the safety of a landing craft, where he witnessed the planting of the American flag atop Mount Suribachi, an iconic image that persists as one of the most legendary and triumphant moments of the war. The U.S. Marines eventually took control of the island. However, this victory came at a heavy cost, as over 6,800 U.S. servicemembers gave their lives during the battle of Iwo Jima.

In keeping faith with his commitment to God made during that battle, Mr. Bowling devoted over 78,000 hours of volunteer service to others at the Lexington VA Medical Center. For over 66 years, Mr. Bowling rose through the ranks within the Disabled American Veterans organization, holding nearly every position possible, including State commander.

□ 1030

The Bible teaches in Proverbs 21:21 that ''He who pursues righteousness and love finds life, prosperity, and honor.''

Mr. Bowling has brought great honor upon himself through his dedication, determination, and love for serving the people of our community. Without a doubt, he has remained true to the commitment he made on the rocky terrain of Iwo Jima.

Mr. Bowling embodies the best of American ideals, values, and commitment to serving others, never abandoning the Marine motto of semper fidelis, ''always faithful.''

On behalf of a grateful nation, I would like to thank Mr. Bowling, a model member of the greatest generation, for his many years of service to our country and our community. He is truly an outstanding American and an inspiration to us all.

Troy Bowling, may you rest in peace.

CONCERNS OF THE DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, this is a somber day today, and it is a very important day in the history of the United States of America.

I have joined with Senator FRANKEN, who indicated that, today, Senators of the United States Senate will make one of the most significant votes, if not the most significant vote of their career, and it will be a vote that they will long remember because, rather than the serious and difficult decisions

of war and peace that, over the historical times of this body, many Members have had to make that decision and be in the midst of the throngs of patriotism, the vote that will be taken today will be a vote that those Senators will have brought on themselves; and it is a vote that does not have to be taken, nor a movement that has to be moved; and that is, to cause the American people to face a crumbling healthcare system, to dismantle and diminish the rights and obligations and opportunities for Americans, some 32 million, to have health insurance.

For me, it is both baffling and tragic that Senators would make this a campaign competition game, and that it only represents a notch in their belt.

This does not have anything to do with providing healthcare for Americans. It doesn't have anything to do with what doctors say, what hospitals say, what rural hospitals need, what individuals with chronic illnesses need, or those who have been diagnosed with devastating cancer. It has nothing to do with children who are in desperate need of healthcare.

It has nothing to do with two young people who I met; one who was experiencing autism, who sought to live independently and could not do so without Medicaid, or one who had a chronic illness of which, between 2015 and 2016, he spent or had to spend $700,000 to live, and, in the last 6 months, he had to spend $73,000, none of which would have been possible without the Affordable Care Act.

So what is happening in the Senate this afternoon? What vote of courage is being taken? What vote of improving the lives of Americans when the Senate bill, TrumpCare, will cause 49 million people to not have their insurance by 2026?

It will cause rural hospitals to simply crumble. I am from Texas. We have a huge system of rural hospitals helping my constituents, and those hospitals will face disaster. Or the Texas Medical Center, like major hospital configurations across the Nation, where major research is being done, undermined by the vote that will be taken.

It saddens me because I think the American people believe that we come to this place, we take this oath of office, to do what is right for America.

This is not political chips. This is not dominos. This is not a game.

And to the Commander in Chief, for you to be in front of the Boy Scouts—my husband and my son were Boy Scouts, and I sit on the Boy Scout board. I am offended by your words. I am offended because I know how hard my son worked. I know how my husband cherishes his status as an Eagle Scout, and I know what the jamboree means because my child went to it, and I know how excited those young patriots are.

Yet the Commander in Chief would come and speak about former President Obama in a dastardly way, talk about crowd sizes, and then have the nerve to talk about the healthcare bill, not as a moment of conscience, not as a serious issue that would, in fact, make higher costs.

Under the Senate bill, people will be paying more than they have earned for health insurance—well-documented. Of course, this is 22 million in the earlier period of the House bill. We now know it may be 32 million, and, as I have said, 49 million by 2026.

And then, of course, it cuts the protections for preexisting conditions. Of course, it has a crushing age tax. If you are older, 55, you pay more. And then, of course, it undermines Medicare. It interferes with the Medicare trust bill.

Yet the Commander in Chief is speaking before 45,000 or more young men, patriots, Boy Scouts, and talking about the healthcare bill and calling out Senator CAPITO from West Virginia: You better make her vote for it. What kind of leadership and heart is that? What are we dealing with here in this Nation?

I don't have to say anything, Mr. Speaker, about this individual. As I close, let me simply say that I am introducing a resolution to stop any President from firing the special counsel, and any President from abusing the pardon by pardoning anybody who is under investigation for the Russian involvement in our elections. We have to do this, sadly, because we are not focused on governing; we are focusing on insulting.

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

VETERANS EDUCATION BENEFITS SHOULD BE TRANSFERABLE

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

Mr. LABRADOR. Mr. Speaker, I rise today in honor of an amazing Idaho family which has taken a horrible personal tragedy and turned it into a cause that will benefit many other families in the years to come. I am referring to the family of Shauna Hill, a 16-year-old girl who lived in Eagle, Idaho, in my district, and who tragically lost her life in 2012.

At the time of her untimely death, Shauna was a junior at Eagle High School. She was a competitive figure skater and ice dancer and played the violin in her school orchestra. She even performed with the orchestra at New York's Carnegie Hall.

She was also working to qualify for a Congressional Silver Medal for public service, personal development, and physical fitness. She aspired to attend Stanford University and become a doctor. Sadly, she lost her life in a car accident on her way home from orchestra practice.

I first met Shauna's parents, Captain Edward Hill and his wife, Heidi, in 2013, when I helped present them with the Congressional Bronze Medal their daughter had earned. While presenting the award, I learned that Captain Hill, who served 28 years as a Navy pilot and flew to protect America during three combat tours, had retired shortly before Shauna's death.

Following the tragedy, Captain Hill was working with the Navy to try to reassign his benefits to his second child, Haley, who was also planning to attend college. With almost 3 decades of distinguished service, Captain Hill qualified for the full utilization of the education benefit, but the Navy said Haley wasn't eligible because education benefits under the GI bill cannot be reassigned.

The Hills asked for my help, and my staff got to work. Unfortunately, we found out that the Navy's hands were tied. Current law does not allow the transfer of education benefits after a servicemember has retired. No waivers are permitted, even in such tragic circumstances.

I promised the Hills that I would seek a legislative solution. In February of this year, I introduced H.R. 1112, the Shauna Hill Post 9/11 Education Benefits Transferability Act. This bill would permit the reassignment of veterans' education benefits in cases where the designated beneficiary passes away.

Losing a child is the worst thing I can imagine, and surely Congress didn't intend to exclude the ability to transfer benefits to a surviving child or spouse.

The bill I introduced would correct this oversight, and it has received support from many veterans' groups. These include: the Concerned Veterans for America, the Military Order of the Purple Heart, the Student Veterans of America, AMVETS, the Air Force Sergeants Association, the Association of the United States Navy, and the National Military Family Association.

This month, VA Committee Chairman ROE and Ranking Member WALZ included my bill in the bipartisan GI Bill, the Harry W. Colmery Veterans Education Assistance Act of 2017. This bill passed the House last night, and I was proud to join my colleagues in voting for it.

I am grateful to Chairman ROE and Ranking Member WALZ for including my bill in their legislation. I am also thankful to Senator CRAPO, who has introduced companion legislation in the Senate. Now that the House has acted, it is my hope that the Senate will act too and, from there, our bill can be signed into law.

This legislation will mean a great deal to the Hills. It will be a great comfort to them and all those who have experienced such a terrible loss. As a grateful nation, it is the least that we can do, and America must always be a grateful nation.

The Harry W. Colmery Veterans Education Assistance Act of 2017 keeps our promises to our veterans and their families, especially when they need it the most.

RECESS

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

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

□ 1200

AFTER RECESS

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

PRAYER

Reverend Lonnie Mitchell, Sr., Bethel African Methodist Episcopal Church, Spokane, Washington, offered the following prayer:

O Lord God, pour out Your presence and Your power upon this opening session of the U.S. House of Representatives. Please empower our leaders to deliberate, collaborate, and, when necessary, compromise for the good of our Nation.

As President Lincoln said: With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let this Congress strive on to finish the work they are in, to bind up the Nation's wounds . . . to do all which may achieve and cherish a just and lasting peace among everybody and with all nations.

God, we the people in the land of the free and the home of the brave desperately need You now and forevermore. O that You would bless this session and the leaders in this House and all branches of our government.

Respectful of all faiths, in Jesus the Christ I pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BANKS of Indiana 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.

WELCOMING REVEREND LONNIE MITCHELL, SR.

The SPEAKER. Without objection, the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) is recognized for 1 minute.

There was no objection.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I am pleased to welcome Pastor Lonnie Mitchell today to the people's House. He accepted the call to ministry in 1985 under the AME church and came to Spokane, Washington, in 1991. He moved his young family and has been there ever since, leading his congregation under the theme to be ''the cathedral of love, where everybody is somebody and Jesus is the center of attraction.''

He also started the AHANA Business and Professional Organization, which was formed for persons of color. He started Unity in the Community in Spokane, which is now the largest multicultural celebration in the inland Northwest, 22 years strong. He has his master's from Gonzaga University, which is our local Jesuit university, but is a proponent of bringing faith and government together to build and sustain healthy communities.

It was great to have him here today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

CARE CORPS DEMONSTRATION ACT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to highlight the Care Corps Demonstration Act, a bill that Congresswoman MICHELLE LUJAN GRISHAM and I will be introducing this week.

Every year, millions of seniors and individuals with disabilities find themselves in need of long-term care and services. However, our Nation faces a critical shortage of caregivers. To address this growing problem, I have joined MICHELLE to introduce the Care Corps Demonstration Act.

This commonsense and bipartisan bill will create a grant program that will provide compassionate young men and women an opportunity to gain valuable experience working with seniors and individuals with disabilities across our great land.

Care Corps will not only help empower our young adults to meet our Nation's senior needs, but it will also provide them with essential educational assistance and give them an opportunity to start or further their careers as caregivers.

Mr. Speaker, I encourage my colleagues to cosponsor this bill so that our seniors and those with disabilities receive the care they so desperately need while empowering our youth to advance their careers.

TRUMP ADMINISTRATION SABOTAGING ACA

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, recently, we learned the Trump administration has diverted taxpayer funds allocated for the enrollment in the Affordable Care Act activities to create social media videos and content claiming that the Affordable Care Act is failing, a deliberate act of sabotage. Instead of making sure Americans remain healthy and improve the risk pool, the HHS is peddling online propaganda to discourage enrollment and health insurance.

According to the Kaiser Family Foundation, the ACA markets are stabilized, and there is simply no evidence of death spirals or collapsing markets. According to reliable polls, over 50 percent of the American people are in support of the Affordable Care Act. That is real news.

The President has repeatedly declared that he would let the ACA fail just to score political points. It is unbelievable that a sitting President would wish catastrophic harm on his own people, but, unfortunately, that is what is happening.

Colleagues, the ACA is not failing on its own. It is being actively sabotaged by the President and our Republican Congress. The administration has repeatedly wavered in its responsibility to administer cost-sharing reduction payments, relaxed enforcement of the insurance mandate, and refused to help State governments shore up their own healthcare exchanges.

The majority and the Trump administration should quit playing politics with our healthcare system.

HELLO GORGEOUS!

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

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Michael Becker, to celebrate the positive impact that he has had in our community.

In 2006, Michael and his wife, Kim, founded the not-for-profit Hello Gorgeous!, which brings joy to women fighting cancer by giving them a red carpet experience complete with a makeover and spa.

Reaching 15 States with mobile day spas and affiliate salons, Hello Gorgeous! has provided unforgettable experiences to thousands of women all over the country.

The organization Michael and Kim built together and the mission they devoted themselves to brings happiness and hope where it is needed most. Their passion, drive, and faith inspire us all, and their selfless generosity is an example we should strive to follow.

Mr. Speaker, it is an honor and a privilege to represent such kind and

giving people. Michael lived a life full of love, laughter, and spirit. My thoughts are with Kim and everyone at Hello Gorgeous! in whose work, I have no doubt, Michael's memory will live on.

PASSAGE OF THE GI BILL

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

Mr. HIGGINS of New York. Mr. Speaker, the Servicemen's Readjustment Act of 1944, also known as the GI Bill, has since provided tens of millions of returning Active-Duty veterans with help buying a home, starting a business, and going to college. Also, in addition to doing the right thing, the GI Bill fundamentally transformed the American economy from an industrial-based economy to a knowledge-based economy.

I was proud to support H.R. 3218 this week that would renew this commitment. The bill provides expanded educational benefits for servicemembers and their families, including the elimination of time restrictions on education credits for veterans who reenter civilian life in 2013 or after.

GI benefits should not come with an expiration date. Our veterans deserve our respect unexpired for their service to our country. This bill affirms that obligation.

CONGRATULATING CAPTAIN PHILLIP DAWSON III ON HIS RETIREMENT

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

Mr. DUNN. Madam Speaker, I rise today to congratulate Captain Phillip Dawson on his retirement from the United States Navy. On Friday, Captain Dawson will complete a nearly 4-year tour as the commanding officer of the Naval Surface Warfare Center, Panama City, Florida.

A 1988 graduate of the United States Naval Academy, Captain Dawson first served on the USS Tattnall as the anti-submarine warfare officer and, later, on the USS Harry E. Yarnell as the fire control officer.

Captain Dawson assumed command of the Naval Surface Warfare Center in 2013, where he led the center in a wide array of missions, including littoral warfare, coastal defense, and special missions. This base is also home to the U.S. Navy Dive School, where all of the divers from all of our services are trained.

Captain Dawson's selfless sacrifice to this country and dedication to our Navy is truly inspiring. Madam Speaker, please join me in thanking Captain Dawson, his wife, Belinda, and their three children for their years of service and sacrifice, and wish them luck as they enjoy a new chapter in life.

HELPING AMERICANS FIGHT BACK

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

Mr. KENNEDY. Madam Speaker, I met Ted a few weeks ago. He is a bricklayer from Fall River, Massachusetts. It is hard, proud work, the kind that comes with frequent physical injury. Ted is no exception.

Then came the opioid prescriptions. Then came a long and painful road to addiction.

But Ted fought back. By force of will, faith, he pulled himself up, he got treatment, and he got clean. But his most recent injury cost him his job and his health insurance, and a new diagnosis just came in: liver cancer.

Madam Speaker, this is where a system proves what it is made of. When our people are sick, when they are tired, when they are terrified, and when they have given everything that they have got, do we abandon them? No. We pull them up. We bet on their resilience because there is nothing more fundamentally American than the belief that our people survive, they endure, and they rise to fight again.

They deserve a government that will jump into the ring by their side. Today is that test of what is good and decent for our people.

THANK YOU, CANDACE RICH

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

Mr. WILSON of South Carolina. Madam Speaker, it is with sincere gratitude and appreciation I have the opportunity to recognize Candace Rich, legislative assistant for South Carolina's Second Congressional District. I will always appreciate Candace for her years of service on behalf of the people of South Carolina.

A native of Virginia, Candace is an esteemed alumna of the University of South Carolina, with degrees in history and political science. She also earned a master's of arts in instruction and curriculum from Angelo State University.

She is truly dedicated to public service, beginning as an intern in the district office starting in 2010 before joining the staff in 2014.

Candace's experience on healthcare, education, and workforce issues, combined with a genuine desire to serve constituents, has made a difference. Candace was crucial in helping Republicans pass and have signed a record number of bills this year.

It is with mixed feelings but great happiness that I bid Candace farewell. She is moving on next week to a new role teaching social studies at Central High School in San Angelo, Texas. I know her parents, Tim and Angela, along with her brothers, Aaron and Adam, join me in recognizing her achievements.

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

WE MUST DO BETTER

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I have been listening daily to heartbreaking stories from real people about their health challenges and what the repeal of the Affordable Care Act would mean to them.

People like Peter Morley, who survived cancer and now lives with lupus—he won't be able to afford his lifesaving infusions if repeal happens.

For Baby Theo, born with two holes and an enlarged kidney, the return of lifetime caps would mean the loss of insurance for him.

And Red Raccoon, an Iraq war veteran suffering from PTSD, he relies on Medicaid to supplement the inadequate VA system.

Each of them and millions more will suffer if repeal or replace goes forward. I believe we are a greater, more caring nation than this. I believe we can, we shall, we must do better.

INDIANA'S FISCAL STRENGTH

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

Mr. BANKS of Indiana. Madam Speaker, here in Washington, we are currently in the middle of an important debate on the Federal budget.

It is clear that dramatic changes need to be made in the way that taxpayer dollars are spent. We need to get our Nation's fiscal house in order.

As we consider important reforms, we would be wise to turn to my home State of Indiana. Last week, Indiana State Auditor Tera Klutz announced that our State currently has a rainy day fund of nearly $1.8 billion. Contrast that with a nearly $20 trillion national debt here in Washington.

As Auditor Klutz noted in a press conference last week: ''Hoosiers can rest assured that their government takes the task of managing taxpayers' money seriously. Just like people across the State live within their means, Indiana has worked hard to spend less than we take in, invest in our priorities, and retain resources in the event of an economic downturn.''

To get our fiscal house in order, we need more of this Hoosier common sense in Washington. The attitude and approach that has worked well in Indiana should be a model for the Nation.

AMERICAN PEOPLE TO PAY FOR A WALL

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

Mr. AGUILAR. Madam Speaker, the appropriations bills we are talking about today should be about providing critical funds to keep our servicemembers safe, take care of our veterans, and support necessary defense programs. It should not be about helping President Trump keep a campaign promise that has no grounding in reality.

House Republicans' reckless decision to force the American people to pay for a wall that does nothing to increase our security or to solve real problems facing our immigration system is both wasteful and counterproductive.

This wall will cost American taxpayers $1.6 billion. That is $1.6 billion that could go toward helping veterans or getting our servicemembers the resources they need to stay safe while they risk their lives defending our country.

Rather than come to the table to work on meaningful bipartisan and long-term solutions to fix our broken immigration system, House Republicans would rather give American families' paychecks to President Trump so he can build this wall.

We are here to do the people's work. Building this wall doesn't do the people's work. It soothes the President's ego at the expense of American families.

I urge my colleague to oppose this bill if this dangerous and divisive policy rider is included.

□ 1215

WE ARE DOING THE WORK OF THE PEOPLE AND KEEPING OUR PROMISES

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

Mr. WALBERG. Madam Speaker, all too often, the important work we are doing in the people's House does not get the attention it deserves.

So far this year, we have rolled back 14 overly burdensome regulations from the Obama administration, saving taxpayers billions of dollars in the process.

We passed landmark reforms that are now law to bring greater accountability and better care to the Veterans Administration.

Here in the House, we kept our promise to rescue families from the collapsing ObamaCare law.

We have taken action to rebuild our military, give our troops the biggest pay raise in 8 years, and expand the GI Bill to improve educational benefits.

We have enhanced border security and public safety by passing Kate's Law.

And we have passed measures to strengthen career and technical education, combat human trafficking, and reform the FDA to encourage medical innovation.

Madam Speaker, these policies, and many more that are languishing in the Senate, will make a real difference in people's lives.

And we will keep working hard on the issues that matter, even if it doesn't always make the headlines.

ECONOMY NOT WORKING THE WAY IT SHOULD

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Madam Speaker, the economy simply is not working the way it should. Millions of hardworking men and women across the heartland feel the American Dream has slipped out of reach.

In places like Galesburg, Hanover, and Freeport, Illinois, too many of the families I serve have seen their jobs boxed up and shipped to places like Mexico and China. To make ends meet, many of them have had to take on two or three minimum wage jobs.

That is not the American Dream that we believe in. We believe in an America where we never give up on the fight for better jobs, better wages, and a better future for all of our families.

This is why I was proud to help present the American public with our ''Better Deal'' economic agenda. Together, we will help 10 million hardworking Americans find good-paying, full-time jobs by making bold investments in our roads and bridges, and doubling our investments in workforce training and apprenticeships to connect workers with the skills that employers need.

And while wages will go up, costs will go down by reducing the price of prescription drugs and making childcare more affordable.

The American people are tired of excuses from Washington. They want real action, and we have a real plan.

HONORING THE LIFE OF DAVID COGDILL, SR.

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

Mr. DENHAM. Madam Speaker, I rise today to acknowledge and honor the life of a cherished leader and great friend, former California State Senator Dave Cogdill, Sr. The beloved husband, father, and grandfather passed away at the age of 66 on Sunday, surrounded by his family.

Born on December 31, 1950, Dave spent most of his adult life in public service. That public service started when he enlisted in 1970 in the Air Force Reserve, serving in the Air National Guard, as well as on Active Duty.

In 1975, he was elected as a member of the Board of Directors of the Bridgeport Fire Protection District in Mono County. He moved to Modesto in 1979 and built his real estate appraisal business while serving on various boards and commissions in both the public and private sectors. And he served two terms on the Modesto City Council. Dave went on to represent the 25th District in the California State Assembly for 6 years prior to being elected to the State senate in 2006. He served as the California State Senate Republican leader from 2008 to 2009, in addition to numerous committees, including Public Safety, the Revenue and Taxation, and the Joint Legislative Audit Committees.

A real estate appraiser by trade, Dave served as Stanislaus County assessor from 2011 to 2013, after which he joined the California Building Industry Association as CEO and president in October of 2013.

For his many years of an exemplary legislative career, Dave was awarded the prestigious Profile in Courage Award from the John F. Kennedy Library Foundation in 2010. That was just one of the many recognitions he received throughout his lifetime.

Dave and his wife, Stephanie, were married for 47 years. They have a son, David, Jr.; a daughter, Meghan Merrell; and three grandchildren, Connor, Katie, and Cooper.

Madam Speaker, please join me in honoring and recognizing California State Senator Dave Cogdill for his unwavering leadership and friendship. He had a long history of service to California and to our community. He will be greatly missed.

HONORING SERGEANT JOE MURRAY

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

Mr. LAWSON of Florida. Madam Speaker, last week, we all learned the tragic news that a military transport plane crashed into the Mississippi Delta. Sixteen marines, who courageously fought to defend our country, died from this unfortunate event.

One of those marines was Sergeant Joe Murray of Jacksonville, Florida. I would like to take this moment to express our deepest condolences to Sergeant Murray's family and friends. Our thoughts and prayers are with you.

Sergeant Murray was a husband to Gayle Murray, and a father of four beautiful children—Isaac; Annabelle; and twins, Judah and Micah. He was known for being a family man who cared deeply for those around him.

Murray was a member of a special operations team and was promoted three times in the first 3 years he was in the Marine Corps and was deployed to Afghanistan twice.

The son of a Navy man, Sergeant Murray will always be remembered as a true American hero. I will continue to pray for him and his family and for every soldier out there protecting our great country.

May he rest in peace, and semper fi.

WELFARE TO WORK PROGRAM

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

Mr. MARSHALL. Madam Speaker, there are 20,000 open jobs in Kansas and an unemployment rate of 3 percent. This is a 16-year low for our State. However, we face only a 63 percent national workforce participation rate.

Almost 40 percent of our country's labor force has given up on finding a job, or has lost motivation to work.

In Kansas, a top concern I have heard over our 40 townhalls this year is the need for a stronger workforce.

My colleagues and I must start work on a welfare to work program—a set of policies that will empower people to find a job that lifts them out of poverty and lifts their spirit with a sense of purpose.

Let's empower those across the country to get the training they need for a rewarding career and a quality of life that turns the tide of poverty and uncertainty toward personal and societal prosperity.

BORDER WALL FUNDING

(Mrs. TORRES asked and was given permission to address the House for 1 minute.)

Mrs. TORRES. Madam Speaker, I rise to express my disappointment that Republican leadership has added something as controversial as funding for the border wall to a critical bill funding our Nation's defense.

There is a reason those who live on the border and know the region best don't want this wall. They know this wall won't keep us safe, and they know it won't stop illegal immigration.

Instead of wasting $1.6 billion in taxpayer dollars on a piece of security theater, DHS should focus its limited resources on its declared mission, which is ''to safeguard the American people, our homeland, and our values.'' This wall does none of that.

Madam Speaker, I urge my colleagues to stop playing politics with our security and bring a clean bill to the floor.

CELEBRATING CRARY ART GALLERY'S 40TH ANNIVERSARY

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to celebrate the 40th anniversary of one of the treasures of the Pennsylvania's Fifth Congressional District, the Crary Art Gallery. The Crary Art Gallery was established in 1977 in Warren, Pennsylvania, by painter Gene Crary, and featured works by her late husband, the photographer, Clare J. Crary.

In 1988, the gallery expanded to include the Oriental Room and the Fountain Room. Its reopening in 2000 brought the addition of the Sculpture Court, featuring works by Marion Sanford.

Today, the Crary Art Gallery is dedicated to enriching the region's cultural offerings through noteworthy temporary exhibitions and the display of historical works.

Beginning August 18, the gallery will celebrate its 40th anniversary with the Ruby Exhibition, which will fill the entire museum with the finest works from its Permanent Collection, much of which has not been seen in many years.

I wish the Crary Art Gallery the best as it celebrates 40 incredible years of enriching the lives of those in the community with its invaluable cultural impact.

CELEBRATING ESTES PARK'S 100TH ANNIVERSARY

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

Mr. POLIS. Madam Speaker, I rise today in celebration of the 100th anniversary of the founding of Estes Park, Colorado—the gateway to Rocky Mountain National Park and one of the many treasured mountain towns in our beautiful Second Congressional District of Colorado.

Over 150 years ago, pioneers of the mountain west settled in Estes Park. Homesteaders came from all walks of life.

In April of 1917, the formal incorporation of the town of Estes Park took place, ensuring our community could continue to serve the growing needs of those living in and visiting the beautiful valley.

Since its incorporation, Estes Park has been a vital community partner in growing the outdoor recreation economy, playing host to 4.5 million visitors to Rocky Mountain National Park, making it the single most popular tourist attraction in our entire State. The iconic Stanley Hotel and the Historic Park Theatre are just a few of the iconic landmarks in Estes Park.

Estes Park's ZIP Code is 80517, and on August 5, 2017—8/5/17—Estes Park will have its official centennial celebration—80517. I am incredibly proud to represent the community of Estes Park and its citizens in Congress, and I am thrilled to celebrate the 100th anniversary of Estes Park.

RECOGNIZING THE 30TH ANNIVERSARY OF JOHN AND KAREN SHIMKUS

(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, as my colleague from Colorado recognized the 100th anniversary of Estes Park, I take to the floor to thank my wife for putting up with me for 30 years—30 years ago today.

Madam Speaker, as we all know, behind every good man is a great woman. I wanted to come to the floor to thank her for helping raise our three boys, helping make sure that we attend church faithfully, and putting up with the hectic life that a lot of our constituents don't understand living in two places at one time, trying to manage a family in another State, while we are gone almost half of the year.

So I come to the floor just to pause and thank my beautiful wife, Karen, for sticking with me for 30 years.

□ 1230

PROVIDING FOR CONSIDERATION OF H.J. RES. 111, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO ARBITRATION AGREEMENTS

Mr. BUCK. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 468 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 468

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Arbitration Agreements''. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

The SPEAKER pro tempore (Mrs. WALORSKI). The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Congressional Review Act resolutions must follow a prescribed form according to law. This rule provides for consideration of H.J. Res. 111 in keeping with that form.

Madam Speaker, we are here today to prevent Federal overreach by the Consumer Financial Protection Bureau, also known as the CFPB. According to the D.C. Circuit Court, this unaccountable government agency has more unilateral authority than any single commissioner or board member in any other independent agency in the United States Government.

On July 10, 2017, the CFPB exercised that vast authority by issuing a 776-page final rule that restricts the ability of consumers to enter into arbitration agreements. The CFPB's misguided rule effectively eliminates arbitration clauses, instead forcing consumers into significantly more burdensome court proceedings. Eliminating this overbearing rule is a big win for consumers.

Arbitration is an alternative to the judicial system, and it often results in a better outcome for consumers. According to the CFPB's own study, arbitration can be up to 12 times faster than litigation. This study also found that a class action lawsuit's average payout was just $32 per person, not even close to the $5,389 awarded on average from arbitration.

Moreover, it costs less for consumers to file an arbitration complaint than it does to file a new complaint in Federal court, making the arbitration system more accessible to all Americans.

Arbitration allows parties to use an independent mediator, instead of hiring expensive lawyers, to settle a dispute. While the rule promulgated by the Consumer Financial Protection Bureau is a bad deal for consumers, it is a huge win for trial lawyers, who make an average of $1 million per case.

The legislation being considered today would eliminate the CFPB's prohibition on an individual's right to enter into contracts that include arbitration agreements.

The Congressional Review Act allows Congress to eliminate a rule from the executive branch, and prevents a substantially similar rule from being proposed in its place.

Checks and balances between the three branches of government are the cornerstone of our Constitution. The Congressional Review Act allows Congress to exercise our Article I authority and stop executive overreach that was never intended by the original legislation.

The Congressional Review Act is a powerful tool because it only requires 51 votes to pass in the Senate. To date, Congress has passed 14 CRAs that have been signed by the President. One by one, we have eliminated Obama administration rules that harm Americans and small businesses across this country.

Despite the work we have ahead, these CRAs are important to bringing regulatory relief to millions of Americans. President Trump campaigned on a promise to end government overregulation that hurts Americans and small businesses. He turned those words into action by signing an executive order that requires two regulations be eliminated for every new regulation that is proposed.

President Trump has exceeded those expectations in his first 6 months. For every new proposed rule, he has eliminated 16 regulations.

Unfortunately, he has limited tools to rein in the Consumer Financial Protection Bureau, because it was designed to be unaccountable under Dodd-Frank. This is an agency that continues to be run by an unchecked Director. The structure of the bureau has even been ruled unconstitutional by the judicial branch.

A few weeks ago, the House of Representatives passed legislation to restructure the Consumer Financial Protection Bureau, restoring congressional oversight duties and moving the agency back under the regular legislative appropriations process. I hope the Senate will consider this bill and bring accountability to the Consumer Financial Protection Bureau.

I urge my colleagues to support this resolution and the underlying bill, and eliminate the bad antiarbitration rule issued by the Consumer Financial Protection Bureau.

Madam Speaker, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield myself such time as I may consume, and I rise in opposition to the rule and the underlying legislation, H.J. Res. 111, disapproval of the Consumer Financial Protection Bureau's arbitration rule.

Before turning to the underlying legislation, I want to raise concerns about the bulk of the work this week, which is the so-called minibus appropriations bill, in which this body will seek to spend over $700 billion of deficit expenditures. That funding bill combines four major appropriations bills and represents more than half of discretionary spending. It includes our spending for the legislative branch, veterans, energy and water, and the Department of Defense.

Unfortunately, there is additional deficit spending that my colleagues on the other side of the aisle have decided to put in the bill, providing $1.6 billion to build a border wall, directly contrary to the promises President Trump made on the campaign trail that another country would pay for the wall. Republicans are seeking to pass the bill to you, Madam Speaker, and our fellow taxpayers to pay for this wall, in direct violation of President Trump's promise.

They also stripped out a bipartisan amendment by Representative LEE that would end the 2001 AUMF and require Congress to come up with a new Authorization for Use of Military Force within 8 months that was placed into this bill in committee. Representative LEE's amendment was stripped out by the Rules Committee despite it being in the committee mark and despite bipartisan support to require an Authorization for Use of Military Force. We really need to start making some decisions about the direction of our military. Representative LEE's amendment would have forced Congress to have that discussion.

Congress, unfortunately, seems to only work—or works best—when we are on the clock, the day or two before the expiration of funding, the day or two before an arbitrary time limit. This would apply a similar test to force Congress to have a discussion around the Authorization for Use of Military Force.

I have full confidence that, had that time not been met, Democrats and Republicans could have provided additional short-term extensions for the Authorization for Use of Military Force until such time Congress could come together to pass a new one, agree with the Senate, and send it to the President's desk.

Now on to the matters at hand.

This underlying resolution of disapproval weakens consumer protections while protecting big banks rather than consumers. This rule was crafted by the Consumer Financial Protection Bureau to help restore consumer rights and give consumers the ability to join together when they are taken advantage of by big banks.

Instead of debating ways to improve consumer protections or increase access to financial services, my colleagues instead have brought a Congressional Review Act resolution that would stop our own financial safety mechanisms from taking any future action on arbitration clauses in consumer financial products.

Now, we have all seen these arbitration clauses. You might need a magnifying glass because the font is small, the contract is large. Even sophisticated consumers often don't know that by unilaterally signing those rights away, they are removing their ability to address their grievances in court. In many cases, removing the ability to have any justice because when you have a large class, each of whom suffers a small amount of damage, even the cost of administering an arbitration claim can be prohibitive if the claim per affected individual is $50, $75, or $100. Absent these kinds of protections, you give broad license for big banks to rip off large numbers of consumers and take a small amount of money from each of them. That is what this rule is intended to prevent.

The House Financial Services Committee did not hold any hearings on this rule. It didn't go through committee. It appeared just a few days ago when it was introduced. The Consumer Financial Protection Bureau didn't have the opportunity to testify about their studies or their findings, or the process they went through to finalize the rule, including input from the general public.

Congress has authorized the Consumer Financial Protection Bureau to examine the use of arbitration agreements by financial institutions and

consumer contracts; and, if necessary, to take appropriate steps to limit the use of them, to prevent arbitration agreements from being forced on consumers. In any particular case, both sides can certainly agree to arbitration. Given the choice, many consumers will choose arbitration. This is about forcing consumers and giving them no alternative but to give away their rights to sue in a court of law in favor of an arbitration process.

The Consumer Financial Protection Bureau found that 90 percent of arbitration agreements built into the fine point of financial consumer products actually do prohibit class action lawsuits. In cases involving credit card issuers, companies being sued used the arbitration clauses buried in the fine print contract to block class action lawsuits 65 percent of the time.

Again, even with the lower costs of administering an arbitration case, it is prohibitive if the claim per person is relatively small. So we are talking about situations where people are illegally ripped off of $20, of $100, of their annual credit card processing fee illegally charged. Their redress, absent a class action, is essentially nonexistent because even though the cost of pursuing an arbitration case is significantly less than the courts, they still can either take up an enormous amount of time or, if you hire outside counsel, thousands of dollars. Thank goodness, not the hundreds of thousands of dollars that a full court case can entail, but certainly thousands of dollars.

And if you were deprived of $30 or $50, are you just supposed to accept it? Or can hundreds or thousands of people who were ripped off band together and seek justice, as this rule would allow for?

Long before the Consumer Financial Protection Bureau took any action, the Department of Defense already recognized that forced arbitration clauses in consumer loans to servicemembers stripped away the rights of servicemembers and ultimately banned forced arbitration clauses in consumer loan products made to servicemembers. We don't want people taking advantage of members of our military. So, too, we don't want anybody taking advantage of members of the American public.

But we know that big banks don't want consumers to have more power when it comes to financial products. They prefer the deck remained stacked against consumers, even when a bank or a credit card company breaks the law.

When it comes to financial service products, most consumers are entirely at the mercy of our financial institutions. These arbitration clauses are buried in pages and pages of small print and disclosures that are very technical for people with a college degree, no less a high school degree, no less not even graduating from high school. The consumer doesn't have the ability to modify the contract before they sign it—take it or leave it—or negotiate on any type of footing equally with the bank. They are left with a take-it-or-leave-it choice. According to the Bureau study, more than 75 percent of consumers surveyed did not know whether they were subject to an arbitration clause in their agreements, and less than 7 percent knew that those clauses limit their ability to bring a claim to court. That means 93 percent of the people who sign these agreements don't even realize they are signing their right to sue away, and that is because they are buried in fine print, are unclear, and run contrary to the fundamental American principle of the ability to seek justice when you are wronged.

This final rule restores consumer rights to band together when there is a systemic and widespread form of misconduct by a bank. This resolution of disapproval would stop consumers from even knowing if others were harmed in a similar manner by the same bank or lender so they could potentially band together.

I am glad that the Consumer Financial Protection Bureau final rule actually gave some power back to consumers. And now here we have the Republicans trying to take that power right away and give it back to the big banks.

Madam Speaker, I would like to include in the RECORD a letter signed by 310 organizations that include civil rights, faith-based, and consumer advocacy groups that support the arbitration rule.

JULY 12, 2017.

Re Final Rule on Arbitration Agreements.

MONICA JACKSON,

Office of the Executive Secretary, Consumer Financial Protection Bureau, Washington DC.

The 310 undersigned consumer, civil rights, labor, community, and non-profit organizations write to state our strong support for the Consumer Financial Protection Bureau (CFPB)'s final rule to limit pre-dispute binding mandatory (or forced) arbitration clauses in consumer finance contracts. The rule, which will restore consumers' ability to band together in court to pursue claims, is a significant step forward in the ongoing fight to curb predatory practices in consumer financial products and services and to make these markets fairer and safer.

Lenders and other financial services companies use forced arbitration to push consumers out of court and into a private arbitration system that is tilted against them. Forced arbitration eliminates the right to a civil jury trial, limits discovery, restricts or prohibits public disclosure of proceedings and outcomes, and makes meaningful appeals virtually impossible. It also often prohibits consumers from banding together in a class action to hold the company responsible.

Recent scandals again demonstrate the very real harm forced arbitration causes consumers. Reports show that customers had been trying to sue financial services institutions over fraudulent accounts going back a number of years. However, some banks forced those customers into secret, binding arbitration by invoking fine print in consumers' legitimate account agreements to block them from suing over reasons as outrageous as fake accounts, also helping to keep the scandal out of the public eye. Even in cases where widespread fraud has been exposed, banks continue to invoke these fine-print clauses to kill lawsuits stemming from their illegal acts and block consumer recovery.

The CFPB's thorough arbitration study further documents how forced arbitration blocks consumer access to courts, shielding banks and lenders from meaningful accountability for their unlawful behavior. Finalizing the proposed rule will restore crucial class action rights that deter systemic abuses and bring much-needed transparency to consumer financial arbitration.

THE CFPB STUDY DATA SHOWS THAT FORCED ARBITRATION ELIMINATES CONSUMER CLAIMS AND SHIELDS COMPANIES FROM ACCOUNTABILITY

The CFPB's study verified the prevalence of forced arbitration clauses—including class action bans—in consumer financial contracts and found that this practice impacts tens of millions of consumers. Yet it also revealed that consumers typically have no idea they are signing away their right to sue in court when they participate in the financial marketplace.

The most obvious impact of forced arbitration clauses is that they block most consumer claims from going forward at all. Class action bans prevent consumers from bringing complaints of fraud or other abusive or deceptive practices in financial services because the individual value of these claims is often too small for a single consumer to afford to bring alone. Without the option to join together in a class action, just 25 consumers with claims of under $1,000 pursued arbitration each year. In a county of over 320 million, these numbers leave no doubt that class action bans effectively wipe out consumer claims and thus shield corporate wrongdoers from liability. In the few claims that went to arbitration, the study also confirmed that forced arbitration overwhelmingly favors industry over consumers.

CLASS ACTIONS PROVIDE GREAT BENEFIT FOR CONSUMERS CHEATED BY SYSTEMIC WRONGDOING AND DETER RISKY OR ILLEGAL CONDUCT

The data makes clear that class actions provide a practical way for groups of consumers who have suffered the same kind of abuse from the same corporate wrongdoer to join together to attempt to hold the financial institution accountable. The CFPB study found that 34 million consumers received a total of $2.2 billion in cash payments, debt forbearance, and other in-kind relief from 2008–2012—not including any attorneys' fees or court costs.

These findings were echoed in an empirical study by disinterested academics, which found consumer class actions against illegal overdraft fees ''deliver[ed] fair compensation to a significant portion of class members.'' Several major banks settled class actions that claimed the banks had purposely reordered consumer transactions to maximize the amount of overdraft fees charged to the consumer. This study found that plaintiffs in these cases recovered up to ''65% of damages, with the variation based largely on the strength of the class's claims and the likelihood of winning certification of the class.'' Yet unknown thousands of other consumers subject to similarly unlawful overdraft fee practices likely got little or no relief when class actions against their banks were dismissed due to arbitration clauses.

Even assuming that their claims would be fairly resolved in arbitration, leaving 34 million consumers to find their own attorney, establish the individual facts of their case, and take time off work to attend an arbitration will never be more efficient than pooling time and resources between millions of

consumers harmed in the same way by the same bank or lender to challenge abusive practices. Indeed, additional empirical scholarship demonstrates that most consumers are unaware when they have been harmed, unaware that the harm violates a law, or have decided that filing individual claims is not worth their time and expense.

Collective action is critically important, not only for enabling those already victimized to obtain justice, but also for deterring bad behavior and preventing harm to other victims. While each individual consumer may only lose $25 or $50 to a fraudulent charge or illegal fee, for example, unlawful practices implemented at a systemic level can add up to millions or more in ill-gotten gains for banks and lenders who violate the law. Government enforcers have limited resources, and the prospect of class actions helps ensure that banks and lenders obey legal requirements that protect consumers.

THE RULE'S REPORTING REQUIREMENTS ADD CRUCIAL TRANSPARENCY TO ARBITRATION

Our organizations strongly support the proposed provision to begin shining a light on individual arbitrations through reporting requirements. Unlike our legal system, which is built upon hundreds of years of precedent, common law principles, and statutory standards of fairness and ethics, arbitration firms have few constraints on their practices and scant record of their proceedings. The substantially shorter history of consumer arbitration has nonetheless produced both anecdotal claims of unethical behavior and documented systemic abuses by unregulated arbitration films.

The rule's reporting requirements will lend crucial transparency and accountability to a previously opaque system. Increased transparency can help consumers make informed decisions when choosing how to pursue their claim, in line with well-established principles of the free market. Data collected by the CFPB will also help other government entities, as well as the general public, ensure that arbitrators operate within the law and treat all parties fairly.

THE RULE IS IN THE PUBLIC INTEREST AND FOR THE PROTECTION OF CONSUMERS

Because forced arbitration undermines compliance with laws and creates an uneven playing field between corporations that use forced arbitration and those that allow for greater consumer choice in dispute resolution, it is in the public interest and in the interest of consumer protection to prohibit or strictly curtail the use of forced arbitration clauses in consumer financial contracts.

We commend the CFPB for finalizing its rule to restore consumers' right to choose how to resolve disputes with financial institutions and address the public harm caused by forced arbitration, as thoroughly documented in its three-year, comprehensive study.

Thank you for the opportunity to share our views.

NATIONAL SIGNATORIES

9to5 National Association of Working Women; Action In Maturity, Inc.; Affordable Housing Alliance; AFL–CIO; Alianza Americas; Alliance for Justice; Allied Progress; American Association for Justice; American Association of University Women (AAUW); American Council of the Blind; American Family Voices; American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers; Americans for Democratic Action; Americans for Financial Reform; Association of University Centers on Disabilities; Bankruptcy Law Center; The Bazelon Center for Mental Health Law; Center for Economic Integrity; Center for Economic Justice.

Center for Global Policy Solutions; Center for Justice & Democracy; Center for Popular Democracy; Center for Progressive Reform; Center for Responsible Lending; Centro Legal de la Raza; CFED; Committee to Support the Antitrust Laws; Consumer Action; Consumer Federation of America; Consumers for Auto Reliability and Safety; Consumers Union; Consumer Voice; Daily Kos; Demos; Disability Rights Education & Defense Fund; Economic Analysis and Research Network (EARN); Economic Policy Institute; The Employee Rights Advocacy Institute For Law & Policy; Equal Justice Society.

Equal Justice Works; Fair Share; The Financial Clinic; Food & Water Watch; Fund Democracy; Government Accountability Project; Heartland Alliance for Human Needs & Human Rights; Hindu American Foundation; Homeowners Against Deficient Dwellings; Institute for Agriculture and Trade Policy; The Institute for College Access & Success; Institute for Science and Human Values; Interfaith Center on Corporate Responsibility; International Association for College Admission Counseling; Jobs With Justice; Justice in Aging; The Leadership Conference on Civil and Human Rights; League of United Latin American Citizens; Main Street Alliance; Manufactured Housing Action; Mission Asset Fund.

NAACP; NAACP Legal Defense and Educational Fund, Inc.; National Association for College Admission Counseling; National Association of Consumer Advocates; National Association of Social Workers (NASW); National Center for Law and Economic Justice; National Center for Lesbian Rights; National Center for Transgender Equality; National Coalition for Asian Pacific American Community Development; National Community Reinvestment Coalition (NCRC); National Council of Jewish Women; National Council of La Raza; National Consumer Law Center (on behalf of its low income clients); National Consumers League; National Employment Lawyers Association; National Employment Law Project; National Fair Housing Alliance; National Health Law Program; National Latino Farmers & Ranchers Trade Association; National Legal Aid and Defender Association.

National LGBTQ Task Force; National Partnership for Women & Families; National Organization for Women; National Urban League; National Women's Law Center; New Rules for Global Finance; Occupational Safety & Health Law Project; Other98; People's Action; Privacy Rights Clearinghouse; Progressive Congress Action Fund; Protect All Children's Environment; Public Citizen; Public Justice; Public Knowledge; Public Law Center; The Rootstrikers Project at Demand Progress; Salvadoran American National Network (SANN); Service Employees International Union (SEIU); Small Business Majority.

Southern Poverty Law Center; TURN—The Utility Reform Network; United Auto Workers (UAW); United Church of Christ Justice and Witness Ministries; United Policyholders; U.S. PIRG; Veterans Education Success; Woodstock Institute; Workplace Fairness; Worksafe; World Hunger Education, Advocacy & Training (WHEAT); Young Invincibles.

STATE AND LOCAL SIGNATORIES

Alabama: Woodmere Neighborhood Association—AL.

Arkansas: Arkansans Against Abusive Payday Lending—AR; Arkansas Advocates for Children and Families—AR.

Arizona: Arizona Community Action Association—AZ; Arizona PIRG—AZ; Gila County Community Services—AZ; Mesa Community Action Network—AZ; Save the Family Foundation of Arizona—AZ.

California: California Reinvestment Coalition—CA; CALPIRG—CA; Center for Public Interest Law, University of San Diego School of Law—CA; Consumer Attorneys of California—CA; Consumer Federation of California—CA; East Bay Community Law Center—CA; Golden State Manufactured-home Owners League—CA; Law Foundation of Silicon Valley—CA; The Greenlining Institute—CA.

Colorado: 9to5 Colorado—CO; Bell Policy Center—CO; Build Our Homes Right—CO; Colorado AFL–CIO—CO; Colorado Alliance of Retired Americans—CO; Colorado Council of Churches—CO; Colorado Fiscal Institute—CO; Colorado Latino Forum, Denver Chapter—CO; Colorado Latino Leadership, Advocacy and Research Organization (CLLARO)—CO; Colorado Public Interest Research Group (PIRG)—CO; Colorado Trial Lawyers Association—CO; NAACP State Conference—CO, MT, WY; National Council of Jewish Women, Colorado Section—CO; The Interfaith Alliance of Colorado—CO.

Connecticut: Capital For Change, Inc.—CT; CT. Citizen Action Group—CT; Connecticut Legal Services, Inc.—CT; ConnPIRG—CT.

Delaware: Legal Aid Society of the District of Columbia—DC; ACLU of Delaware, Inc.—DE; Community Legal Aid Society, Inc.—DE; Delaware Alliance for Community Advancement—DE; Delaware Community Reinvestment Action Council, Inc.—DE; Delaware Manufactured Homeowners Association (DMHOA)—DE.

Florida: Catalyst Miami—FL; Fair Housing Center of the Greater Palm Beaches—FL; Florida Alliance for Consumer Protection—FL; Florida PIRG—FL; Jacksonville Area Legal Aid, Inc.—FL; Progress Florida—FL.

Georgia: Georgia PIRG—GA; Georgia Rural Urban Summit—GA; Georgia Watch—GA.

Iowa: Iowa Citizens for Community Improvement—IA; Iowa PIRG—IA.

Illinois: Chicago Jobs Council—IL; Citizen Action—IL; Illinois Asset Building Group—IL; Illinois Association for College Admission Counseling—IL; Illinois PIRG—IL; Manufactured Home Owners Association of Illinois—IL; Metropolitan Tenants Organization—IL; Partners In Community Building, Inc.—IL; Project IRENE—IL.

Indiana: Habitat for Humanity of Northeast Indiana—IN; HomesteadCS—IN; Indiana University McKinney School of Law—IN.

Kansas: Interfaith Housing Services, Inc.—KS; Labette Assistance Center—KS.

Kentucky: Homeless & Housing Coalition of Kentucky—KY; Kentucky Council of Churches—KY Kentucky Equal Justice Center—KY.

Louisiana: The Middleburg Institute/LABEST—LA; PREACH—LA.

Massachusetts: Cambridge Economic Opportunity Committee, Inc.—MA; Community Action!—MA; Consumer World—MA; Massachusetts Consumers Council, Inc.—MA; MASSPIRG—MA; The Midas Collaborative—MA.

Maryland: Baltimore CASH Campaign—MD; Baltimore Neighborhoods, Inc.—MD; Belair-Edison Neighborhoods, Inc.—MD; Civil Justice, Inc.—MD; Housing Options & Planning Enterprises, Inc.—MD; Howard County Office of Consumer Protection—MD; Maryland CASH Campaign—MD; Maryland Consumer Rights Coalition—MD; Maryland PIRG—MD; Maryland United for Peace and Justice—MD; Public Justice Center—MD.

Michigan: Michigan Association for College Admission Counseling—MI; Michigan Disability Rights Coalition—MI; PIRG in Michigan (PIRGIM)—MI; Progress Michigan—MI.

Minnesota: Mid-Minnesota Legal Aid—MN; Minnesota Association for College Admission Counseling—MN.

Missouri: Missouri Association for College Admission Counseling—MO; Missouri Faith

Voices—MO; Missouri PIRG—MO; MORE—Missourians Organizing for Reform and Empowerment—MO.

Mississippi: Mississippi Center for Justice—MS.

Montana: AFSCME Montana Council 9—MT; Greater Yellowstone Central Labor Council—MT Laborers Local #1686—MT; Montana Organizing Project—MT Rural Dynamics, Inc.—MT.

North Carolina: Financial Pathways of the Piedmont—NC; North Carolina Consumers Council—NC; North Carolina Justice Center—NC; NCPIRG—NC; OnTrack WNC Financial Education & Counseling—NC; Reinvestment Partners—NC; The Collaborative NC—NC; Winston Salem Forsyth County Asset Building Coalition—NC.

North Dakota: North Dakota Economic Security and Prosperity Alliance—ND; Sacred Pipe Resource Center—ND.

Nebraska: Nebraska Appleseed—NE.

New Hampshire: Granite State Organizing Project—NH; NHPIRG—NH.

New Jersey: Consumers League of New Jersey—NJ; Legal Services of New Jersey—NJ; Manufactured Home Owners of New Jersey, Inc.—NJ; New Jersey Association for College Admission Counseling—NJ; New Jersey Citizen Action—NJ; NJ PIRG—NJ; Sisters of St. Dominic of Caldwell—NJ.

New Mexico: Center for Economic Integrity—New Mexico Office—NM; NMPIRG—NM.

Nevada: Legal Aid Center of Southern Nevada, Inc.—NV; Opportunity Alliance Nevada—NV.

New York: Bankruptcy Law Center—NY; Central New York Citizens in Action, Inc.—NY; Community Service Society of New York—NY; Empire Justice Center—NY; Empire State Consumer Project—NY; Housing and Family Services of Greater New York, Inc.—NY; Hudson River Housing—NY; JASA Legal Services for the Elderly in Queens—NY; Keuka Housing Council, Inc.—NY; Long Island Housing Services, Inc.—NY; Make the Road New York—NY; MFY Legal Services, Inc.—NY; NELA/NY (New York Affiliate of National Employment Lawyers Association)—NY; New Economy Project—NY; New York Legal Assistance Group—NY; New York Public Interest Research Group (NYPIRG)—NY; New York State Association for College Admission Counseling—NY; Public Utility Law Project of New York—NY; Western New York Law Center—NY.

Ohio: Cleveland Tenants Organization—OH; COHHIO—OH; Habitat for Humanity of Findlay/Hancock County—OH; Miami Valley Fair Housing Center, Inc.—OH; Neighborhood Housing Services of Greater Cleveland—OH; Ohio Association of Local Reentry Coalitions—OH; Ohio PIRG—OH; Ohio Poverty Law Center—OH.

Oregon: Innovative Changes—OR; Oregon Consumer League—OR Oregon PIRG (OSPIRG)—OR.

Pennsylvania: Integra Home Counseling, Inc.—PA; Keystone Progress—PA; PathWays PA—PA; Pennsylvania Association for College Admission Counseling—PA; Pennsylvania National Organization for Women—PA; PennPIRG—PA.

Rhode Island: RIPIRG—RI.

South Carolina: Columbia Consumer Education Council—SC; SC Association for Community Economic Development—SC; South Carolina Appleseed Legal Justice Center—SC.

Tennessee: New Level Community Development Corporation—TN; Tennessee Citizen Action—TN.

Texas: Chinese Community Center, Houston—TX; Equal Justice Center—TX; Family Houston—TX; Literacy Advance of Houston—TX; Take Back Your Rights PAC—TX; Texas Appleseed—TX; Texas Consumer Association—TX; Texas Watch—TX; TexPIRG—TX; United Way of Greater Houston—TX.

Virginia: Virginia Citizens Consumer Council—VA; Virginia Poverty Law Center—VA; Virginia Organizing—VA.

Vermont: Vermont PIRG (VPIRG)—VT.

Washington: Columbia Legal Services—WA; The Northwest Consumer Law Center—WA; SafeWork Washington—WA; WashPIRG—WA.

Wisconsin: Legal Aid Society of Milwaukee—WI; WISPIRG—WI.

West Virginia: Mountain State Justice—WV; WV Center on Budget and Policy—WV; West Virginia Citizen Action Group—WV.

Regional: Potomac and Chesapeake Association for College Admission Counseling; Southern Association for College Admission Counseling; Tri-State Coalition for Responsible Investment; Western Association for College Admission Counseling.

Mr. POLIS. Madam Speaker, this letter, which I think my colleagues will find convincing, has 310 groups that have signed on in support of this rule, including groups from across the ideological spectrum, across the States, many faith-based groups, and many others, including from my friend from Colorado's and my home State, the Interfaith Alliance of Colorado; the National Council of Jewish Women, Colorado Section; the NAACP State Conference of Colorado; the Colorado Fiscal Institute; the Colorado Council of Churches; the Colorado Alliance of Retired Americans, and many others.

□ 1245

So I am glad that this will appear in the RECORD for all of Congress to see. I will encourage my colleagues to read this letter and see who signed it before casting your vote on the repeal of this rule, the Congressional disapproval resolution. So this will appear in the RECORD, and I know that my colleagues will study that RECORD before making their decision.

Prior to the creation of the Consumer Financial Protection Bureau, Federal consumer protection laws were enforced by a number of different regulators and different agencies. This was uneven and, after the 2008 financial crisis, I was personally glad that we were able to pull together the efforts to protect consumers in the Consumer Financial Protection Bureau.

But despite their success, Republicans have been going after the Consumer Financial Protection Bureau ever since. Despite record profits by banks and Wall Street, here we are trying to go back to a time when there was nobody to keep them in check. Despite the Consumer Financial Protection Bureau returning nearly $12 billion to harmed consumers, the Republicans continue to attack the agency.

This is entirely the purpose that the Consumer Financial Protection Bureau was created, this type of rule. Congress specifically authorized the Consumer Financial Protection Bureau to study forced arbitration agreements, and determine what steps were necessary.

The Bureau undertook an extensive rulemaking process that had public comments. I hope my colleagues across the aisle who support this repeal were active in that public comment process because that was an important time to be heard. The banks participated in that, consumer groups, and so many other stakeholders before the final rule was issued.

My colleagues across the aisle have not offered any evidence in support of this resolution of disapproval. Why are you seeking to strip rights away from consumers in this fashion?

The Consumer Financial Protection Bureau found that just 400 consumers per year pursue claims in arbitration, with only 16 receiving any cash relief. Again, when you are ripped off of a relatively small amount of money, you don't have redress in the courts as a sole plaintiff. You don't have redress—I shouldn't say you don't; you technically do—you don't have an economic form of redress in the courts, and you don't have an economically viable form of redress through arbitration.

So the only true mechanism, if you have a million people, each of whom are deprived of $20 or $50, the only realistic legal mechanism is a class action lawsuit, which this rule would protect.

There is also no evidence to show, no studies—I would challenge my colleagues to cite them if there are—to show that removing this type of clause can somehow increase costs to consumers.

Frankly, this resolution of disapproval is just a giveaway to big banks at the expense of you, me, everybody who has a credit card, everybody who has a loan—the wrong direction for the country.

Madam Speaker, I reserve the balance of my time.

Mr. BUCK. Madam Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the author of this resolution.

Mr. ROTHFUS. Madam Speaker, I rise today to call on all of my colleagues to support this resolution and the underlying legislation, H.J. Res. 111.

The Consumer Financial Protection Bureau's antiarbitration rule will cause a great deal of harm to consumers, including consumers who wish to settle a dispute with a firm in a timely and effective fashion, as well as other consumers who will see their options and choices diminished and their costs increased by this rule.

The CFPB's rule will hurt the very people the CFPB claims it is supposed to help by depriving individuals of the efficient and effective process of arbitration. The CFPB itself acknowledged that arbitration is 12 times faster, on average, than class actions.

In today's fast-paced economy, hardworking Americans may want to pursue a quicker option than becoming a party to costly and time-consuming litigation that can take years.

Not only are class actions burdensome in terms of time, but they often produce negligible benefits for the plaintiffs in question. In fact, class actions reviewed in the CFPB study resulted in an average recovery of only

$32 per class member. This is so minuscule that the firms being sued are forced to charge their customers additional fees, which fees may be larger than the initial recovery to cover the costs of the firm's legal fees. This often leaves customers worse off financially than if they had never chosen to settle their dispute.

Contrast this negligible or nonexistent relief and headache it causes consumers with the average $5,300 of relief that consumers obtained through arbitration in the cases that the CFPB reviewed in its own study. Contrast the $32 average individual recovery as well with the average $1 million that plaintiff lawyers make per settled case.

Madam Speaker, consider also the fact that 87 percent of class actions generate no benefits for consumers whatsoever because they are dismissed by the Court or settled with the named plaintiff only.

In addition to the direct harm the CFPB's antiarbitration rule will cause to consumers, it will also have negative effects on a variety of companies and firms that will have to prepare themselves for falling victim to costly litigation. In light of that, they will be unlikely to direct any financial resources toward providing their customers even the option for arbitration.

In addition, many firms are unavailable to survive such costly litigation, meaning they will either go out of business or be forced to stop offering certain products and services.

How will this benefit consumers?

It won't. It will make their purchases costlier and the products and services they need more difficult to find.

If you want to help ensure consumer recoveries and justice—and we all do—depriving them of the most efficient and most remunerative option is not the answer. Sadly, that is precisely what will result from the CFPB's misguided, anticonsumer rule.

The CFPB's antiarbitration rule will close the door to recovery for consumers, but open the door for million-dollar trial attorney's fees. The underlying legislation considered today will reopen the door to consumer recovery.

Mr. POLIS. It is wonderful to have so many Coloradans here, isn't it, Madam Speaker?

The SPEAKER pro tempore. Absolutely.

Mr. POLIS. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), another great State that borders the State of Colorado.

Mr. DOGGETT. It once included the State of Colorado, or part of it.

Madam Speaker, I think Republicans are just scared. They are afraid to leave town this week without doing another favor for Wall Street, and this proposal to undermine consumer rights is the next gift that they want to bestow on the big banks.

Republicans can never seem to find their voice, no matter how outrageous the latest Trump tweet might be. They cannot pass meaningful legislation on other subjects, but they feel compelled to answer when Wall Street comes ''a calling,'' as it has on this bill.

Only last month, Republicans approved a bill to give Trump the power to fire the chief cop on the beat; that would be the Director of the Consumer Financial Protection Bureau, who Trump could now dump for actually trying to do his job of protecting consumers from abusive financial practices.

Of course, we see daily that Trump thinks the White House is just a new venue for the latest sequel of ''The Apprentice,'' with him declaring ''you're fired'' to one person after another, no matter how much damage he does to our national security or to the economic security of families that are struggling to make a go of it all over America.

Well, today's Republican gift to Wall Street is about denying any effective remedy to those who are abused by big banks. A bank can rightfully go to court if a consumer abuses it, and that happens every day in courts across America, with good reason, because it is not a one-way street.

But in the non-negotiable, deceitful fine print at the back of the contract, the bank can deny the consumer the very same opportunity to go to court if that consumer is abused. It is called arbitration, but what it really means is that if a consumer has been treated wrong, neither a judge nor a jury can ever evaluate the facts and conclude for the consumer.

Since usually the arbitrator depends upon the same bank or group of banks to get repeat business, the arbitrator has an incentive to rule against the consumer and for the bank. Often arbitration is little better than going to the bank's own attorney and asking: Do you think your client did anything wrong? And if so, should they do any more than say ''I'm sorry''?

Arbitration is the very scheme that Wells Fargo relied upon to obstruct any opportunity for ordinary consumers who tried to hold their bank accountable for creating accounts to which they never gave any consent and charging them for it. Wells Fargo used those arbitration clauses to kick the consumers out of court and to continue its fraud against consumers across America for another 2 years. That is the kind of practice that we will have more of if this legislation is approved.

You know, in the Military Lending Act of 2007, Congress showed the good sense to try to protect our servicemembers who are defending our country all over the world in certain of their loan agreements from having a lender impose a mandatory arbitration agreement. And what, today, we should be doing is supporting similar protections for other Americans who can be exposed to the same type of abuse.

Today's bill to undermine consumer protection is opposed by The Military Coalition and 29 other servicemember and veterans groups representing millions of people. This sorry bill is also opposed by a number—I think literally hundreds of consumer, civil rights, labor, and community groups.

All we are saying in rejecting this bill is to give consumers their day in court, give them the same rights the banks want. In fact, treat consumers as if they were banks because they should be treated with the same dignity and the same rights; and we do that by rejecting this bill and rejecting it soundly.

Mr. BUCK. Madam Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Financial Institutions and Consumer Credit Subcommittee.

Mr. LUETKEMEYER. Madam Speaker, I thank the gentleman from Colorado (Mr. BUCK) for his help in quickly bringing this resolution to the floor.

Madam Speaker, I rise today in support of this rule and the underlying resolution, which would block the Consumer Financial Protection Bureau from denying the American people the use of arbitration as a means to resolve consumer complaints.

Since the creation of the Consumer Financial Protection Bureau, consumer costs have gone up and access to financial products has been severely restricted. In some cases, access has evaporated altogether.

The Bureau's arbitration rule is proof of what we have said for years: the CFPB does not operate in the best interest of American consumers. It does not protect the American people, their access to financial products, or their ability to achieve financial independence.

Take as evidence the CFPB's own study on arbitration. It shows that just 13 percent of class action suits actually provided a benefit to consumers, with an average payout of $32. Let me say that again: an average payout of $32.

Arbitration, on the other hand, provides an average of more than $5,000—let me say that again: over $5,000—to the aggrieved parties.

Again, these figures come from the Bureau's own analysis, their own study. The fact that they cannot somehow justify this rule in the name of consumer protection should offend every single person on this floor today, Madam Speaker.

Simply put, this rule is anticonsumer. It hurts the very people the CFPB purports to protect. It is yet another example of the Washington-knows-best attitude that makes the American people so mad.

This is also why Congress has the oversight tools granted under the Congressional Review Act. In this instance, it is time for Congress to intervene on behalf of the people we represent.

We have argued about the CFPB in the past, but the reality is that this rule, in particular, will have devastating consequences for American consumers. It should serve as a dramatic wake-up call for the need to restrain what is the most powerful and

unaccountable government agency in the history of our Nation.

I thank the gentleman from Pennsylvania (Mr. ROTHFUS) and Chairman HENSARLING for their steadfast leadership on this very important issue.

Madam Speaker, I ask my colleagues for their support on the rule and the underlying measure.

□ 1300

Mr. POLIS. Madam Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Speaker, I thank the ranking member, Mr. POLIS, for yielding me the time.

Madam Speaker, I rise today to oppose the rule and underlying bill by my Republican colleagues. The Republican bill favors big Wall Street megabanks and financial interests over the American people. I would ask my Republican friends: Don't you remember the financial crash of 2008 and who created it?

Their bill repeals a new Consumer Financial Protection Bureau rule which cuts down on those companies' abilities to use so-called forced arbitration clauses which prevent cheated or defrauded consumers from going to court. In other words, they prevent the victims from going to court. They want to handcuff the customers, not the megabanks that took them to the cleaners.

This takes us back to the days of when the fine print in the credit card or other financial agreement prevented consumers from banding together in class action lawsuits to challenge illegal behavior by the most powerful financial giants in the world. Try to deal with one of them as an individual. They don't even return phone calls, for heaven's sake. You get in that robo system for hours and hours, and then the phone call cuts off.

Republicans want to dismantle the Consumer Financial Protection Bureau, even after the agency's work for consumers resulted in $12 billion in relief to 27 million Americans who were harmed, and that is just the beginning.

Why is this Republican-led Congress so keen on protecting companies like Wells Fargo that used arbitration clauses and class action bans to create fraudulent accounts, overcharge customers with debit fees and mortgages, and even avoid responsibility for their misconduct? Criminal misconduct.

You can laugh. Come and meet the millions of people who have lost their homes across this country or are underwater on their mortgages. There is no justice for them.

The idea that banks can rip off consumers by abusing obscure clauses buried deep in their contracts is totally outrageous.

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

Mr. POLIS. Madam Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. KAPTUR. The Consumer Financial Protection Bureau's rule banning the use of these clauses is simply a commonsense step to ensure that all consumers have equal access to justice. This is the people's House. We should protect consumers from the wolves. Our job is to keep them at bay, not make it easier for them to prey on the American people. This is not what President Trump ran on.

Madam Speaker, I urge my colleagues to vote ''no'' and stand with America's consumers over special interests, particularly the financial predators that brought this country to ruin.

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

Madam Speaker, for months now we have been debating bills that hurt hardworking Americans—bills that kick millions, tens of millions, of people off health insurance; bills that gut safety and environmental protections that would keep our air clean; bills that prioritize the interests of Wall Street over Main Street.

This is not what my constituents want. It is also not what the constituents of many of us want. Madam Speaker, for this reason, Democrats have unveiled an agenda to increase wages, reduce costs for everyday expenses, and give workers the training they need to compete in 21st century jobs.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative POCAN's Leveraging Effective Apprenticeships to Rebuild National Skills Act, H.R. 2933, which would promote effective apprenticeships that would give students and workers more opportunities to find good-paying jobs.

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

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

There was no objection.

Mr. POLIS. Madam Speaker, we have less than 4 days left before the scheduled August recess. I hope in that time we can focus on strengthening the economy and empowering consumers rather than taking away consumers' rights, like this bill does.

We should focus on fixing our broken immigration system to create more economic growth and reduce our deficit, and we should create jobs and make sure that more people are covered by healthcare, not less.

Instead, here we are, spending time on the floor of the House stripping away consumer protections and spending American taxpayer money on an unwanted border wall, in direct violation of President Trump's promise.

Madam Speaker, I oppose this rule, and I oppose the underlying legislation. I strongly urge my colleagues to vote ''no'' on both, and I yield back the balance of my time.

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

The Consumer Financial Protection Bureau has been a continuous example of Federal overreach. Once again, bureaucrats in Washington have created a rule that will hurt consumers and make their lives more difficult.

The last 8 years of overregulation have crippled our economy. Today, we have a chance to end this antiarbitration rule and empower consumers with an alternative to spending years in a courtroom.

We can't let concerns about the trial lawyer lobby impact the way we treat consumers. Trial lawyers love this rule enacted by the Consumer Financial Protection Bureau because they will be the biggest beneficiaries. They will walk home with the big winnings, while the individuals who have been harmed walk away with little.

Arbitration allows harmed individuals to receive payouts on the merits of their case without enriching the pockets of trial lawyers at the same time. This legislation is for consumers. It is for the average American who relies on our financial system every day.

Madam Speaker, I thank Chairman SESSIONS and Chairman HENSARLING for bringing this bill to the floor. I urge my colleagues now to vote ''yes'' on the resolution, and then to vote ''yes'' on the underlying bill.

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

AN AMENDMENT TO H. RES. 468 OFFERED BY MR. POLIS

At the end of the resolution, add the following new sections:

SEC 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2933) to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2933.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 229, nays 184, not voting 20, as follows:

[Roll No. 410]

YEAS—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—184

Adams
Aguilar
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—20

Bass
Brooks (AL)
Cheney
Costello (PA)
Cramer
Crowley
Cummings
Davis, Danny
Duncan (SC)
Frankel (FL)
Fudge
Graves (MO)
Green, Al
Langevin
Meadows
Napolitano
Renacci
Richmond
Scalise
Wittman

□ 1330

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. WITTMAN. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 410.

Ms. CHENEY. Madam Speaker, I was unavoidably detained in a meeting with the Chief of Naval Operations. Had I been present, I would have voted ''yea'' on rollcall No. 410.

Stated against:

Mr. LANGEVIN. Madam Speaker, on rollcall vote No. 410 I was unavoidably detained. Had I been present, I would have voted ''nay.''

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 188, not voting 12, as follows:

[Roll No. 411]

AYES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—188

Adams
Aguilar
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Bass
Brooks (AL)
Costello (PA)
Crowley
Cummings
Davis, Danny
Graves (MO)
Green, Al
Meadows
Napolitano
Renacci
Scalise

□ 1337

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

MEDICARE PART B IMPROVEMENT ACT OF 2017

Mr. BRADY of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3178) to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3178

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 ''Medicare Part B Improvement Act of 2017''.

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

Sec. 1. Short title; table of contents.

TITLE I—IMPROVEMENTS IN PROVISION OF HOME INFUSION THERAPY

Sec. 101. Home infusion therapy services temporary transitional payment.

Sec. 102. Extension of Medicare Patient IVIG Access Demonstration Project.

Sec. 103. Orthotist's and prosthetist's clinical notes as part of the patient's medical record.

TITLE II—IMPROVEMENTS IN DIALYSIS SERVICES

Sec. 201. Independent accreditation for dialysis facilities and assurance of high quality surveys.

Sec. 202. Expanding access to home dialysis therapy.

TITLE III—IMPROVEMENTS IN APPLICATION OF STARK RULE

Sec. 301. Modernizing the application of the Stark rule under Medicare.

Sec. 302. Funds from the Medicare Improvement Fund.

TITLE I—IMPROVEMENTS IN PROVISION OF HOME INFUSION THERAPY

SEC. 101. HOME INFUSION THERAPY SERVICES TEMPORARY TRANSITIONAL PAYMENT.

(a) IN GENERAL.—Section 1834(u) of the Social Security Act (42 U.S.C. 1395m(u)) is amended, by adding at the end the following new paragraph:

''(7) HOME INFUSION THERAPY SERVICES TEMPORARY TRANSITIONAL PAYMENT.—

''(A) TEMPORARY TRANSITIONAL PAYMENT.—

''(i) IN GENERAL.—The Secretary shall, in accordance with the payment methodology described in subparagraph (B) and subject to the provisions of this paragraph, provide a home infusion therapy services temporary transitional payment under this part to an eligible home infusion supplier (as defined in subparagraph (F)) for items and services described in subparagraphs (A) and (B) of section 1861(iii)(2)) furnished during the period specified in clause (ii) by such supplier in coordination with the furnishing of transitional home infusion drugs (as defined in clause (iii)).

''(ii) PERIOD SPECIFIED.—For purposes of clause (i), the period specified in this clause is the period beginning on January 1, 2019, and ending on the day before the date of the implementation of the payment system under paragraph (1)(A).

''(iii) TRANSITIONAL HOME INFUSION DRUG DEFINED.—For purposes of this paragraph, the term 'transitional home infusion drug' has the meaning given to the term 'home infusion drug' under section 1861(iii)(3)(C)), except that clause (ii) of such section shall not apply if a drug described in such clause is identified in clauses (i), (ii), (iii) or (iv) of subparagraph (C) as of the date of the enactment of this paragraph.

''(B) PAYMENT METHODOLOGY.—For purposes of this paragraph, the Secretary shall establish a payment methodology, with respect to items and services described in subparagraph (A)(i). Under such payment methodology the Secretary shall—

''(i) create the three payment categories described in clauses (i), (ii), and (iii) of subparagraph (C);

''(ii) assign drugs to such categories, in accordance with such clauses;

''(iii) assign appropriate Healthcare Common Procedure Coding System (HCPCS) codes to each payment category; and

''(iv) establish a single payment amount for each such payment category, in accordance with subparagraph (D), for each infusion drug administration calendar day in the individual's home for drugs assigned to such category.

''(C) PAYMENT CATEGORIES.—

''(i) PAYMENT CATEGORY 1.—The Secretary shall create a payment category 1 and assign to such category drugs which are covered under the Local Coverage Determination on External Infusion Pumps (LCD number L33794) and billed with the following HCPCS codes (as identified as of July 1, 2017, and as subsequently modified by the Secretary): J0133, J0285, J0287, J0288, J0289, J0895, J1170, J1250, J1265, J1325, J1455, J1457, J1570, J2175, J2260, J2270, J2274, J2278, J3010, or J3285.

''(ii) PAYMENT CATEGORY 2.—The Secretary shall create a payment category 2 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified as of July 1, 2017, and as subsequently modified by the Secretary): J1559 JB, J1561 JB, J1562 JB, J1569 JB, or J1575 JB.

''(iii) PAYMENT CATEGORY 3.—The Secretary shall create a payment category 3 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified as of July 1, 2017, and as subsequently modified by the Secretary): J9000, J9039, J9040, J9065, J9100, J9190, J9200, J9360, or J9370.

''(iv) INFUSION DRUGS NOT OTHERWISE INCLUDED.—With respect to drugs that are not included in payment category 1, 2, or 3 under clause (i), (ii), or (iii), respectively, the Secretary shall assign to the most appropriate of such categories, as determined by the Secretary, drugs which are—

''(I) covered under such local coverage determination and billed under HCPCS codes J7799 or J7999 (as identified as of July 1, 2017, and as subsequently modified by the Secretary); or

''(II) billed under any code that is implemented after the date of the enactment of this paragraph and included in such local coverage determination or included in subregulatory guidance as a home infusion drug described in subparagraph (A)(i).

''(D) PAYMENT AMOUNTS.—

''(i) IN GENERAL.—Under the payment methodology, the Secretary shall pay eligible home infusion suppliers, with respect to items and services described in subparagraph (A)(i) furnished during the period described in subparagraph (A)(ii) by such supplier to an individual, at amounts equal to the amounts determined under the physician fee schedule established under section 1848 for services furnished during the year for codes and units of such codes described in clauses (ii), (iii), and (iv) with respect to drugs included in the payment category under subparagraph (C) specified in the respective clause, determined without application of the geographic adjustment under subsection (e) of such section.

''(ii) PAYMENT AMOUNT FOR CATEGORY 1.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 1 described in subparagraph (C)(i), are one unit of HCPCS code 96365 plus four units of HCPCS code 96366 (as identified as of July 1, 2017, and as subsequently modified by the Secretary).

''(iii) PAYMENT AMOUNT FOR CATEGORY 2.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 2 described in subparagraph (C)(i), are one unit of HCPCS code 96369 plus four units of HCPCS code 96370 (as identified as of July 1, 2017, and as subsequently modified by the Secretary).

''(iv) PAYMENT AMOUNT FOR CATEGORY 3.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 3 described in subparagraph (C)(i), are one unit of HCPCS code 96413 plus four units of HCPCS code 96415 (as identified as of July 1, 2017, and as subsequently modified by the Secretary).

''(E) CLARIFICATIONS.—

''(i) INFUSION DRUG ADMINISTRATION DAY.—For purposes of this subsection, a reference, with respect to the furnishing of transitional home infusion drugs or home infusion drugs to an individual by an eligible home infusion supplier, to payment to such supplier for an infusion drug administration calendar day in the individual's home shall refer to payment only for the date on which professional services (as described in section 1861(iii)(2)(A)) were furnished to administer such drugs to such individual. For purposes of the previous sentence, an infusion drug administration calendar day shall include all such drugs administered to such individual on such day.

''(ii) TREATMENT OF MULTIPLE DRUGS ADMINISTERED ON SAME INFUSION DRUG ADMINISTRATION DAY.—In the case that an eligible home infusion supplier, with respect to an infusion drug administration calendar day in an individual's home, furnishes to such individual transitional home infusion drugs which are not all assigned to the same payment category under subparagraph (C), payment to such supplier for such infusion drug administration calendar day in the individual's home shall be a single payment equal to the amount of payment under this paragraph for the drug, among all such drugs so furnished to such individual during such calendar day, for which the highest payment would be made under this paragraph.

''(F) ELIGIBLE HOME INFUSION SUPPLIERS.—In this paragraph, the term 'eligible home infusion supplier' means a supplier that is enrolled under this part as a pharmacy that provides external infusion pumps and external infusion pump supplies and that maintains all pharmacy licensure requirements in the State in which the applicable infusion drugs are administered.

''(G) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement this paragraph by program instruction or otherwise.''.

(b) CONFORMING AMENDMENT.—Section 1842(b)(6)(I) of the Social Security Act (42 U.S.C. 1395u(b)(6)(I)) is amended by inserting ''or, in the case of items and services described in clause (i) of section 1834(u)(7)(A) furnished to an individual during the period described in clause (ii) of such section, payment shall be made to the eligible home infusion therapy supplier'' after ''payment shall be made to the qualified home infusion therapy supplier''.

SEC. 102. EXTENSION OF MEDICARE PATIENT IVIG ACCESS DEMONSTRATION PROJECT.

Section 101(b) of the Medicare IVIG Access and Strengthening Medicare and Repaying Taxpayers Act of 2012 (42 U.S.C. 1395l note) is amended—

(1) in paragraph (1), by inserting after ''for a period of 3 years'' the following: ''and, subject to the availability of funds under subsection (g)—

''(A) if the date of enactment of the Medicare Part B Improvement Act of 2017 is on or before September 30, 2017, for the period beginning on October 1, 2017, and ending on December 31, 2020; and

''(B) if the date of enactment of such Act is after September 30, 2017, for the period beginning on the date of enactment of such Act and ending on December 31, 2020'' ''; and

(2) in paragraph (2), by adding at the end the following new sentences: ''Subject to the preceding sentence, a Medicare beneficiary enrolled in the demonstration project on September 30, 2017, shall be automatically enrolled during the period beginning on the date of the enactment of the Medicare Part B Improvement Act of 2017 and ending on December 31, 2020, without submission of another application. Chapter 35 of title 44, United States Code, shall not apply to any application form used for a Medicare beneficiary who enrolls in the demonstration project on or after such date of enactment.''.

SEC. 103. ORTHOTIST'S AND PROSTHETIST'S CLINICAL NOTES AS PART OF THE PATIENT'S MEDICAL RECORD.

Section 1834(h) of the Social Security Act (42 U.S.C. 1395m(h)) is amended by adding at the end the following new paragraph:

''(5) DOCUMENTATION CREATED BY ORTHOTISTS AND PROSTHETISTS.—For purposes of determining the reasonableness and medical necessity of orthotics and prosthetics, documentation created by an orthotist or prosthetist shall be considered part of the individual's medical record to support documentation created by eligible professionals described in section 1848(k)(3)(B).''.

TITLE II—IMPROVEMENTS IN DIALYSIS SERVICES

SEC. 201. INDEPENDENT ACCREDITATION FOR DIALYSIS FACILITIES AND ASSURANCE OF HIGH QUALITY SURVEYS.

(a) ACCREDITATION AND SURVEYS.—

(1) IN GENERAL.—Section 1865 of the Social Security Act (42 U.S.C. 1395bb) is amended—

(A) in subsection (a)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''or the conditions and requirements under section 1881(b)''; and

(ii) in paragraph (4), by inserting ''(including a renal dialysis facility)'' after ''facility''; and

(B) by adding at the end the following new subsection:

''(e) With respect to an accreditation body that has received approval from the Secretary under subsection (a)(3)(A) for accreditation of provider entities that are required to meet the conditions and requirements under section 1881(b), in addition to review and oversight authorities otherwise applicable under this title, the Secretary shall (as the Secretary determines appropriate) conduct, with respect to such accreditation body and provider entities, any or all of the following as frequently as is otherwise required to be conducted under this title with respect to other accreditation bodies or other provider entities:

''(1) Validation surveys referred to in subsection (d).

''(2) Accreditation program reviews (as defined in section 488.8(c) of title 42 of the Code of Federal Regulations, or a successor regulation).

''(3) Performance reviews (as defined in section 488.8(a) of title 42 of the Code of Federal Regulations, or a successor regulation).''.

(2) TIMING FOR ACCEPTANCE OF REQUESTS FROM ACCREDITATION ORGANIZATIONS.—Not

later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall begin accepting requests from national accreditation bodies for a finding described in section 1865(a)(3)(A) of the Social Security Act (42 U.S.C. 1395bb(a)(3)(A)) for purposes of accrediting provider entities that are required to meet the conditions and requirements under section 1881(b) of such Act (42 U.S.C. 1395rr(b)).

(b) REQUIREMENT FOR TIMING OF SURVEYS OF NEW DIALYSIS FACILITIES.—Section 1881(b)(1) of the Social Security Act (42 U.S.C. 1395rr(b)(1)) is amended by adding at the end the following new sentence: ''Beginning 180 days after the date of the enactment of this sentence, an initial survey of a provider of services or a renal dialysis facility to determine if the conditions and requirements under this paragraph are met shall be initiated not later than 90 days after such date on which both the provider enrollment form (without regard to whether such form is submitted prior to or after such date of enactment) has been determined by the Secretary to be complete and the provider's enrollment status indicates approval is pending the results of such survey.''.

SEC. 202. EXPANDING ACCESS TO HOME DIALYSIS THERAPY.

(a) ALLOWING USE OF TELEHEALTH FOR MONTHLY END STAGE RENAL DISEASE-RELATED VISITS.—

(1) IN GENERAL.—Paragraph (3) of section 1881(b) of the Social Security Act (42 U.S.C. 1395rr(b)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) in clause (i), as redesignated by subparagraph (A), by striking ''under this subparagraph'' and inserting ''under this clause'';

(C) in clause (ii), as redesignated by subparagraph (A), by inserting ''subject to subparagraph (B),'' before ''on a comprehensive'';

(D) by striking ''With respect to'' and inserting ''(A) With respect to''; and

(E) by adding at the end the following new subparagraph:

''(B)(i) Subject to clause (ii), an individual who is determined to have end stage renal disease and who is receiving home dialysis may choose to receive monthly end stage renal disease-related visits, furnished on or after January 1, 2019, via telehealth.

''(ii) Clause (i) shall apply to an individual only if the individual receives a face-to-face visit, without the use of telehealth—

''(I) in the case of the initial three months of home dialysis of such individual, at least monthly; and

''(II) after such initial three months, at least once every three consecutive months.''.

(2) CONFORMING AMENDMENT.—Paragraph (1) of such section is amended by striking ''paragraph (3)(A)'' and inserting ''paragraph (3)(A)(i)''.

(b) EXPANDING ORIGINATING SITES FOR TELEHEALTH TO INCLUDE RENAL DIALYSIS FACILITIES AND THE HOME FOR PURPOSES OF MONTHLY END STAGE RENAL DISEASE-RELATED VISITS.—

(1) IN GENERAL.—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) in paragraph (4)(C)(ii), by adding at the end the following new subclauses:

''(IX) A renal dialysis facility, but only for purposes of section 1881(b)(3)(B).

''(X) The home of an individual, but only for purposes of section 1881(b)(3)(B).''; and

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

''(5) TREATMENT OF HOME DIALYSIS MONTHLY ESRD-RELATED VISIT.—The geographic requirements described in paragraph (4)(C)(i) shall not apply with respect to telehealth services furnished on or after January 1, 2019, for purposes of section 1881(b)(3)(B), at an originating site described in subclause (VI), (IX), or (X) of paragraph (4)(C)(ii)), subject to applicable State law requirements, including State licensure requirements.''.

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security (42 U.S.C. 1395m(m)(2)(B)) is amended—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and by indenting each of such subclauses 2 ems to the right;

(B) in subclause (II), as redesignated by subparagraph (A), by striking ''clause (i) or this clause'' and inserting ''subclause (I) or this subclause'';

(C) by striking ''SITE.—With respect to'' and inserting ''SITE.—

''(i) IN GENERAL.—Subject to clause (ii), with respect to''; and

(D) by adding at the end the following new clause:

''(ii) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—No facility fee shall be paid under this subparagraph to an originating site described in subclause (X) of paragraph (4)(C)(ii).''.

(c) CLARIFICATION REGARDING TELEHEALTH PROVIDED TO BENEFICIARIES.—Section 1128A(i)(6) of the Social Security Act (42 U.S.C. 1320a–7a(i)(6)) is amended—

(1) in subparagraph (H), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (I), by striking the period at the end and inserting ''; or''; and

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

''(J) the provision of telehealth technologies on or after January 1, 2019, to individuals with end stage renal disease under title XVIII by a health care provider for the purpose of furnishing of telehealth.''.

(d) STUDY AND REPORT ON FURTHER EXPANSION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to examine the feasibility, benefits, and drawbacks of expanding the use of telehealth and store-and-forward technologies under the Medicare program under title XVIII of the Social Security Act for items and services included in renal dialysis services, as such term is defined in section 1881(b)(14)(B) of such Act (42 U.S.C. 1395rr(b)(14)(B)).

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).

TITLE III—IMPROVEMENTS IN APPLICATION OF STARK RULE

SEC. 301. MODERNIZING THE APPLICATION OF THE STARK RULE UNDER MEDICARE.

(a) CLARIFICATION OF THE WRITING REQUIREMENT AND SIGNATURE REQUIREMENT FOR ARRANGEMENTS PURSUANT TO THE STARK RULE.—

(1) WRITING REQUIREMENT.—Section 1877(h)(1) of the Social Security Act (42 U.S.C. 1395nn(h)(1)) is amended by adding at the end the following new subparagraph:

''(D) WRITTEN REQUIREMENT CLARIFIED.—In the case of any requirement pursuant to this section for a compensation arrangement to be in writing, such requirement shall be satisfied by such means as determined by the Secretary, including by a collection of documents, including contemporaneous documents evidencing the course of conduct between the parties involved.''.

(2) SIGNATURE REQUIREMENT.—Section 1877(h)(1) of the Social Security Act (42 U.S.C. 1395nn(h)(1)), as amended by paragraph (1), is further amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR SIGNATURE REQUIREMENTS.—In the case of any requirement pursuant to this section for a compensation arrangement to be in writing and signed by the parties, such signature requirement shall be met if—

''(i) not later than 90 consecutive calendar days immediately following the date on which the compensation arrangement became noncompliant, the parties obtain the required signatures; and

''(ii) the compensation arrangement otherwise complies with all criteria of the applicable exception.''.

(b) INDEFINITE HOLDOVER FOR LEASE ARRANGEMENTS AND PERSONAL SERVICES ARRANGEMENTS PURSUANT TO THE STARK RULE.—Section 1877(e) of the Social Security Act (42 U.S.C. 1395nn(e)) is amended—

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

''(C) HOLDOVER LEASE ARRANGEMENTS.—In the case of a holdover lease arrangement for the lease of office space or equipment, which immediately follows a lease arrangement described in subparagraph (A) for the use of such office space or subparagraph (B) for the use of such equipment and that expired after a term of at least one year, payments made by the lessee to the lessor pursuant to such holdover lease arrangement, if—

''(i) the lease arrangement met the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment when the arrangement expired;

''(ii) the holdover lease arrangement is on the same terms and conditions as the immediately preceding arrangement; and

''(iii) the holdover arrangement continues to satisfy the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment.''; and

(2) in paragraph (3), by adding at the end the following new subparagraph:

''(C) HOLDOVER PERSONAL SERVICE ARRANGEMENT.—In the case of a holdover personal service arrangement, which immediately follows an arrangement described in subparagraph (A) that expired after a term of at least one year, remuneration from an entity pursuant to such holdover personal service arrangement, if—

''(i) the personal service arrangement met the conditions of subparagraph (A) when the arrangement expired;

''(ii) the holdover personal service arrangement is on the same terms and conditions as the immediately preceding arrangement; and

''(iii) the holdover arrangement continues to satisfy the conditions of subparagraph (A).''.

SEC. 302. FUNDS FROM THE MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''during and after fiscal year 2021, $270,000,000'' and inserting ''during and after fiscal year 2021, $245,000,000''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3178, currently under consideration.

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

There was no objection.

Mr. BRADY of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, improving and strengthening Medicare for the long term is a major priority for the American people and Members of Congress on both sides of the aisle; but as we pursue this larger goal, we should not pass up opportunities to make smart, focused improvements that will help Medicare beneficiaries today. That is exactly what the Medicare Part B Improvement Act will do.

I introduced this bill with Ways and Means Ranking Member RICHARD NEAL, Health Subcommittee Chairman PAT TIBERI, and Ranking Member SANDER LEVIN. This legislation delivers targeted, immediate reforms to make Medicare work better for the American people, and it includes solutions from roughly one dozen Members of Congress on both sides of the aisle.

The Medicare Part B Improvement Act takes action on three primary goals: first, expanding access to high-quality care; second, improving efficiency in the delivery of care so that patients can better receive the care they need when they need it; and, third, easing administrative burdens on healthcare providers so they can spend less time on paperwork and more time with patients.

Importantly, H.R. 3178 extends and improves Medicare home infusion services, which allow patients to receive personalized care in the comfort of their own home.

This legislation also extends an ongoing Medicare pilot program, the IVIG demonstration program, that allows patients with weakened immune systems to receive care in their homes.

This demonstration program carries a lot of meaning for me. I introduced it in 2012 as a direct response to the challenges facing patients with immunodeficiency diseases.

□ 1345

As I learned from Carol Ann Demaret, a constituent and friend of mine whose son David suffered from severe combined immunodeficiency disease, life with a severely weakened immune system can be an incredible struggle. For children especially, it can be a daily fight just to survive.

Allowing these vulnerable patients to receive treatment from the safety of their own home cannot only improve the quality of care, it can greatly enhance their quality of life. It can give a kid a real chance to be a kid.

In addition to these important provisions, this bill contains numerous solutions that will lower healthcare costs and increase access to high-quality, coordinated care for beneficiaries.

More than that, the bill is an excellent example of what we can accomplish through regular order. This legislation was approved unanimously by the Ways and Means Committee on July 13. It demonstrates how, working together, we can solve real challenges facing patients, families, and healthcare providers in our communities.

I would like to thank all the Ways and Means members on both sides of the aisle who helped craft the solutions in this bill. I would also like to recognize Chairman WALDEN and Ranking Member PALLONE of the Energy and Commerce Committee for their leadership and hard work in helping us move this bill forward.

The Medicare Part B Improvement Act takes targeted action to make Medicare work better for the American people. I urge all of my colleagues to join me in supporting its passage.

Madam Speaker, I reserve the balance of my time, and I ask unanimous consent that the gentleman from Ohio (Mr. TIBERI), chairman of the Health Subcommittee, be permitted to control the remainder of the time.

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

There was no objection.

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

Madam Speaker, I stand in support of H.R. 3178, the Medicare Part B Improvement Act of 2017.

I am pleased that Chairman BRADY, along with Health Subcommittee Chairman TIBERI, Ranking Member LEVIN, and I worked in a bipartisan manner to draft this legislation. It brings together a number of important measures to improve Medicare part B. I encourage all of our colleagues to support it.

As I said during the bipartisan Ways and Means Committee markup of H.R. 3178, I hope the committee will be able to hold more meetings like this. This is what the American people want and expect from their Members: to get things done in a bipartisan manner.

The bill before us today is pretty straightforward. It makes important changes to Medicare part B in a number of ways. It includes a commonsense transitional policy for home infusion services, cosponsored by Mr. TIBERI and Mr. PASCRELL.

Our colleagues Mr. BISHOP and Mr. MIKE THOMPSON are cosponsors of language to streamline Medicare rules to improve access to medically necessary prosthetics and orthotics.

Mr. JOHN LEWIS cosponsored language to help dialysis facilities improve backlogs so they can more efficiently treat end-stage renal disease.

Ms. DELBENE and Mr. MIKE THOMPSON are cosponsors of a bill that allows telehealth so patients can receive dialysis in the comfort of their own home.

Finally, the measure includes clarification language to Stark laws that Mr. KIND led to provide more certainty for Medicare providers.

Our colleagues on both sides of the aisle worked hard on these bills, and I am pleased we can move them forward in a bipartisan manner.

Madam Speaker, I encourage my colleagues to support H.R. 3178, and I reserve the balance of my time.

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

Madam Speaker, I stand in this Chamber today in strong support of H.R. 3178, a package of bipartisan policies centered on improving care for Medicare beneficiaries across several areas.

In particular, H.R. 3178 includes a bill that I introduced with my friend and colleague from New Jersey, Mr. BILL PASCRELL, that provides a temporary transitional payment for home infusion providers.

The 21st Century Cures Act created a new reimbursement benefit for home infusion therapies beginning in 2021. This new temporary transitional payment will bridge the potential gap in care for beneficiaries, and home infusion providers will continue to administer these therapies without going bankrupt.

This legislation includes other good public policies that further encourage giving seniors the choice to receive more care in the comfort of their own homes, as well as expanding access to providers, particularly in rural and in needy areas.

I would like to thank my colleagues on the Ways and Means Committee for their support. I would also like to thank my colleagues on the Energy and Commerce Committee for their commitment to working on this issue, especially MICHAEL BURGESS, as well as Chairman Emeritus FRED UPTON, who helped pave the way for these policies with the passage of the 21st Century Cures Act.

Madam Speaker, I would like to conclude with a commitment that this is not an end for policies encouraging care—especially drug infusion—in the home for patients who choose to do so. We look forward to working with the administration and clarifying current rules to ensure we successfully implement both this legislation and future policies to ensure inclusion of payment for all drugs needed by the home infusion patient community.

Madam Speaker, I reserve the balance of my time.

Mr. NEAL. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of this legislation, and I want to thank all my colleagues who worked in a bipartisan manner to make it happen.

Patients and providers in my district and across the country will benefit from these important improvements, and I am proud to support them.

Two provisions come from bipartisan bills that I have worked on for a number of years. The first helps patients get the devices they need while keeping fraudulent providers out of Medicare. The change we are debating today

will ensure that any documentation created by device experts will be included in a patient's medical record to support the physician's directions.

The second provision that I authored comes from the comprehensive telehealth packages that I have been working on with Representative BLACK and our colleagues from the Energy and Commerce Committee, Mr. WELCH and Mr. HARPER. This change will allow for virtual visits and remote patient monitoring for kidney failure patients living at home. Letting these patients utilize telehealth ensures that they can access the services they need from the setting that they prefer: their homes.

This bill is another step forward in the expansion of telehealth, but we can do a lot more. Our telehealth bills offer a menu of options for moving forward. Policies like paying for telestroke services or adding telehealth to the Medicare Advantage program have bipartisan support among both Houses, as well as a broad coalition of support from stakeholders.

We know they save money. I have worked on telehealth for decades. When I was in the California State Senate, I wrote the State's first telehealth legislation to bring critical services to folks enrolled in the State Medicaid program. That was in 1996. Now it is 2017, and we still haven't passed, in Congress, comprehensive telehealth legislation that would expand access for Medicare beneficiaries.

It is long past time for Congress to come to the conclusion that California reached long ago: telehealth saves money, and it saves lives. I am optimistic that the passage of this bill is just a small sample of what is to come in regard to telehealth in the future.

Mr. TIBERI. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), chairman of the Health Subcommittee of the Energy and Commerce Committee and a leader on healthcare issues.

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

Madam Speaker, I rise in support of H.R. 3178, the Medicare Part B Improvement Act of 2017.

This bill represents a series of bipartisan reforms from the Committees on Energy and Commerce and Ways and Means that will provide targeted reforms to improve access to care for Medicare beneficiaries.

Home infusion patients are oftentimes our Nation's sickest and most vulnerable, and maintaining access to these services in home settings has proved invaluable in ensuring that patients can continue to effectively receive the care that they need.

Under last year's 21st Century Cures Act, we took the necessary steps to ensure that taxpayers and beneficiaries were no longer overcharged on the acquisition and dispensing costs associated with home infusion. Additionally, we took complementary steps to recognize the unique education needs associated with receiving infusion in the home.

However, as my subcommittee learned in a hearing on this issue just last week, there is still more that must be done to integrate these two policies without jeopardizing access to patient care. Therefore, today's bill creates a bridge to connect these critical policies and to resolve the issue.

Additionally, H.R. 3178 takes an additional needed step to protect home health services by expanding opportunities for individuals to receive home dialysis. Access to services like home infusion and home dialysis has had a significant impact in my home State of Texas, and I am encouraged by today's bill, as it will build upon these additional successes for Texans and all Americans.

I would like to thank Chairman BRADY, Chairman TIBERI, and Chairman WALDEN for their leadership on the bill. They rose to the challenge to address these tough policy decisions. This bill is a product of their hard work, as well as the hard work of all the staff involved at the subcommittee and full committee level, and I thank them as well.

Mr. NEAL. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, I rise today in support of H.R. 3178, the Medicare Part B Improvement Act.

I am pleased that the bill before us today includes legislation that I introduced with my good friend PAT TIBERI from Ohio, the Medicare Part B Home Infusion Services Temporary Transitional Payment Act.

Listening to Mr. TIBERI and Mr. NEAL, I believe what they say should resonate across the Hill. This can't be one and done. Bipartisanship is something that should be contagious, particularly as we are talking about a healthcare event which is important and may mean life or death to many of our citizens.

Home infusion is an essential treatment option for individuals suffering from many, many debilitating diseases like cancer, congestive heart failure, multiple sclerosis, and rheumatoid arthritis. The 21st Century Cures Act, which became law last year, correctly adjusted payments for home infusion drugs and would establish a new home infusion nursing benefit within Medicare beginning in 2021.

However, we have heard concerns that the payment adjustment going into effect before the nursing benefit is implemented could jeopardize access to home infusion in the interim. The bill that Congressman TIBERI from Ohio and I introduced would address that concern by creating a temporary nursing benefit until the new permanent benefit can be implemented.

Madam Speaker, I urge my colleagues to support H.R. 3178.

Mr. TIBERI. Madam Speaker, I yield 2 minutes to the gentlewoman from Kansas (Ms. JENKINS), a valuable member of our Health Subcommittee of the Ways and Means Committee.

Ms. JENKINS of Kansas. Madam Speaker, I rise today in support of H.R. 3178, the Medicare Part B Improvement Act of 2017, which includes my legislation, the Dialysis Certification Act.

Kansas currently ranks among the top three longest wait times for dialysis center surveys. The lack of manpower at the State administrative agency that contracts with CMS for these surveys has left some clinics waiting 2 years for a certification. This bill gives dialysis providers the opportunity to receive surveys and certifications from a CMS-approved third-party accreditor, much like hospitals are able to do now.

□ 1400

Those third-party organizations must demonstrate their standards are as good as or better than the standards used by CMS, and the Secretary must approve them.

I toured several clinics in my district last year, and I was frustrated to learn that a state-of-the-art clinic, necessary to fill a need in Topeka for ESRD patients, has been waiting 2 years for an initial survey, and a clinic in Pittsburg, Kansas, has been waiting for 250 days. Without these clinics, patients are forced to find clinics much further away, which, depending on the access to transportation, can be a barrier to treatment. That is unacceptable, and this problem will be easily solved by this provision.

I want to thank my cosponsor, Congressman JOHN LEWIS, the Energy and Commerce Committee and the Ways and Means Committee chairmen for quickly moving this bill to the House floor for action. This provision will allow dialysis clinics across America to more easily obtain a survey so they may serve patients that depend on their care.

Mr. NEAL. Madam Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE), who is a coauthor of this legislation.

Ms. DELBENE. Madam Speaker, I would like to thank the chair and the ranking member for working with me to include a proposal in this bill that I developed with Congresswoman BLACK, Congressman THOMPSON, and Congressman MEEHAN modernizing Medicare and harnessing the promise of telehealth to improve care for patients nationwide.

Allowing patients with end-stage renal disease to receive dialysis at home can dramatically improve their health outcomes and quality of life. This is something I have heard consistently from providers in my home State of Washington, like the Northwest Kidney Centers, who do incredible work to help patients receive dialysis at home when it is medically appropriate.

Advances in telehealth hold great potential to extend this treatment option to more Americans, particularly in rural communities, but there are still too many barriers to the use of cutting-edge technologies in Medicare.

There is a great need to update our laws to reflect these innovations and reimburse telehealth appropriately; otherwise, we won't just be denying access to healthcare today, we could be preventing the next frontier of innovations from even getting off the ground.

Without the long-term visibility of Medicare coverage, startups and entrepreneurs might never get the funding they need to develop new technologies and bring them to market. It is essential that we unlock the full potential of telehealth. By doing so, we can improve patient care, promote health, defeat heartbreaking diseases, and save lives. That is why I am so glad we are taking this step today.

Thank you again to the committee for working with me on this important bill, and I hope it is the first of many victories as we work together to expand telehealth.

I urge my colleagues to vote ''yes.''

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK), a valuable member of the Health Subcommittee of the Committee on Ways and Means and who, as you have already heard from previous speakers, has an important provision in this bill and who, more importantly, brings her valuable training as a nurse who practiced before she came to Congress.

Mrs. BLACK. Mr. Speaker, I thank my colleague for yielding me time on this very important issue.

I also want to thank my colleagues for working with me on this—Mr. MEEHAN, Mr. THOMPSON, and Ms. DELBENE—for working on a really important piece of legislation that is included in this package, which will improve the quality of life for seniors on Medicare across the country.

As has previously been said, I am a nurse. I have worked in the field for over 45 years, and I am proud to sponsor a bill that enhances patient care for those patients who are suffering from end-stage renal disease.

You know, we have made tremendous advances in technology over the last decade, and now it would be almost something we couldn't have thought of 45 years ago. Physicians can remotely monitor patients in their dialysis treatments through telehealth to reduce the number of medical visits that are necessary, to ensure that the treatment is efficient and effective, and to also catch signs of complications early, which would cause not only a decrease in quality of care for the patient, but also a cost.

Telehealth provides patients an important component in the comfort of their own homes—think about being sick and having to get in the car to travel—while physicians now have a new tool to treat their patients' whole health.

Our seniors deserve access to this innovative care, and it can save money. It can help to ensure that Medicare can be there for seniors who most need the care.

So I urge my colleagues to take a vote for your constituents and for Medicare beneficiaries across the country and support this bill.

I also look forward to continuing this work. This is certainly not the end of what we can do for our patients who are homebound and need care in the home. I will continue this work with Members on both sides of the aisle, which is being done now, for our Nation's seniors to have access to these kinds of innovative telehealth technologies that will improve care and also, more importantly, help to lower the cost of treatment.

I urge passage of this amendment.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. MATSUI), whose husband served with great distinction as a member of the Ways and Means Committee.

Ms. MATSUI. Mr. Speaker, I rise today in support of H.R. 3178, the Medicare Part B Improvement Act, and, specifically, a provision to extend the IVIG demonstration project that Chairman BRADY and I worked on together.

I have long been a champion of those impacted by primary immunodeficiency diseases, which include more than 300 rare genetic diseases, all of which keep the immune system from functioning properly. A mild infection can cause serious problems and even death for these patients.

Thanks to the IVIG demo, Medicare beneficiaries with immunodeficiency diseases are now able to receive in-home IVIG therapy, meaning they can avoid community settings of care, which can be very important to people with compromised immune systems.

I am pleased that this provision was included in the Medicare Part B Improvement Act. I urge support of this important bill.

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

Mr. NEAL. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, as so often happens here, this bill bears a somewhat grander title than its contents. Medicare part B certainly does need improvement. While I support putting into statute what is already administrative practice, extending a demonstration project that appears to be working and the other provisions that my colleagues have worked on in this bill, I think much more should have happened.

It is especially ironic that, at the very moment we are considering this bill, the United States Senate across the hall is proposing to eliminate healthcare coverage for millions of Americans. Certainly, this Republican repeal effort does far more harm to far more people than we can collectively undo here in the House with this rather modest piece of legislation.

And there is one glaring omission from today's Medicare Improvement Act, one subject that the Republican leadership of the House Ways and Means Committee fears. It fears not only doing something about this problem, it fears about even understanding the extent of the problem, and it certainly fears having any public hearings to explore this subject. That is the menace that is affecting millions of people across this country: pharmaceutical price gouging.

This bill fails to address any aspect of soaring pharmaceutical costs of part B medications. For almost a year, a number of us, House Democrats on the Ways and Means Committee, have called on the chairman to at least schedule a hearing about all aspects, all categories of soaring pharmaceutical prices that not only mean financial ruin for too many families, but also burden Medicare and most any type of taxpayer-financed healthcare initiative.

Government-approved monopolies for drug manufacturers are being exploited by charging the sick and dying whatever they might pay for a little more life, for a little more comfort at monopoly prices.

Under longstanding existing law—it has been there before this Congress ever got together—pharmaceutical companies are at least required to provide average sales price data on part B Medicare drugs. Three years ago, the Office of the Inspector General at the Department of Health and Human Services found that at least one-third of the more than 200 manufacturers of part B drugs had not submitted any of this average sales price data for some of their products, and an additional 45 manufacturers had not been required to report any data. The Inspector General found that inaccuracies in these average sales price filings may affect taxpayer-financed Medicare payments.

Last month, the nonpartisan Medicare Payment Advisory Commission came before the House Ways and Means Committee and gave its report on Medicare. It noted that this problem on average sales price data continues, and that it has not been addressed by Congress, as the Inspector General had recommended.

The Republican majority has refused to do anything about this problem. It has blocked an amendment that I offered in committee that simply implemented the recommendation of the Inspector General and of MedPAC to get that average sales price data and to ensure that all part B manufacturers report that data or are penalized at a reasonable level. It would simply have ensured compliance with existing law to protect program integrity and to protect the taxpayer interest. And you can be sure that if the Republicans didn't want to know what the prices were, they certainly didn't want to do anything about the soaring prices and the impact on American families.

So I support the bill, but this is a missed opportunity that we should have employed to address a critical problem.

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

As the previous speaker said, he supports the bill, which I am pleased to hear that, but as the chairman has said, as the ranking member has said, this is just the beginning. This is just the beginning, and we can't let the perfect be the enemy of the good in this piece of legislation because there is very important bipartisan legislation that is meaningful to people in a home today somewhere in Ohio or Massachusetts where home infusion is really important or dialysis is really important.

I am pleased that the ranking member from Massachusetts has been so helpful on this bill, and I reserve the balance of my time.

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

Mr. Speaker, I want to thank the staff for their hard work on this bill, including Amy Hall, Sarah Levin, Melanie Egorin from the Democratic staff; Emily Murry and Nick Uehlecke from the Republican staff; Jessica Shapiro from the House Legislative Counsel's office; Ira Burney, Jennifer Druckman, and Lisa Yen from CMS; and the staff of the Congressional Budget Office, Tom Bradley, Rebecca Yip, and Lara Robillard. I want to thank them all for their very, very hard work.

We have this rare opportunity, this rare moment where we have broad agreement on this legislation, and I hope all Members of the House can find their way to be supportive of this legislation, and I hope the path of bipartisanship that we have chosen here can serve as a reminder of what we can get done.

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

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

Mr. Speaker, I just say ''ditto'' to the gentleman from Massachusetts (Mr. NEAL), whom I have a great relationship with, for all the words about the staff. In particular, I also want to thank Abby Finn from my staff, and Emily Murray and her team; but it has been a pleasure working with the gentleman from Massachusetts' team as well, and Mr. LEVIN, the ranking member of the Health Subcommittee.

Mr. Speaker, this is a good step in the right direction and the first step in expanding access to high-quality care and improving efficiency and delivery of care so seniors can better receive the care they need where they need it, which is so incredibly important. I really appreciate the comments of the ranking member.

And again, I want to remind everybody what the chairman said, that this is just the beginning, and hopefully this will be a template to much more bipartisan support for the remainder of this year.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3178, 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.

□ 1415

PLUM ISLAND PRESERVATION ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2182) to require the Comptroller General of the United States to submit a report to Congress on the alternatives for the final disposition of Plum Island, including preservation of the island for conservation, education, and research, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2182

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 ''Plum Island Preservation Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Federal Government has owned Plum Island, New York, since 1899.

(2) Since 1954, the Plum Island Animal Disease Center has conducted unrivaled scientific research on a variety of infectious animal-borne diseases, including foot-and-mouth disease, resulting, most recently, in the development of a new cell line that rapidly and reliably detects this highly debilitating disease of livestock.

(3) Over 62 years, the Center has had a strong, proven record of safety.

(4) $23,200,000 in Federal dollars have been spent on upgrades to, and the maintenance of, the Center since January 2012.

(5) In addition to the Center, Plum Island contains cultural, historical, ecological, and natural resources of regional and national significance.

(6) Plum Island is situated where the Long Island Sound and Peconic Bay meet, both of which are estuaries that are part of the National Estuary Program and are environmentally and economically significant to the region.

(7) The Federal Government has invested hundreds of millions of Federal dollars over the last two decades to make long-term improvements with respect to the conservation and management needs of Long Island Sound and Peconic Bay.

(8) In a report submitted to Congress on April 11, 2016, entitled ''National Bio- and Agro-Defense Facility Construction Plan Update'' the Department of Homeland Security noted that the new National Bio- and Agro-Defense Facility under construction on such date in Manhattan, Kansas, is, as of such date, fully paid for through a combination of Federal appropriations and funding from the State of Kansas.

SEC. 3. REPORT REQUIRED ON FINAL DISPOSITION OF PLUM ISLAND.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing the following:

(1) The alternatives for the final disposition of Plum Island, including the transfer of ownership to another Federal agency, a State or local government, a nonprofit organization, or a combination thereof for the purpose of education, research, or conservation.

(2) With respect to each such alternative final disposition, an analysis of—

(A) the effect such disposition would have on the island's resources;

(B) the remediation responsibilities under such disposition;

(C) any future legislation necessary to implement such disposition;

(D) the possible implications and issues, if any, of implementing such disposition;

(E) the costs of such disposition, including any potential costs related to the transition, hazard mitigation, and cleanup of property that would be incurred by a recipient of the property under such disposition; and

(F) the potential revenue from such disposition.

SEC. 4. SUSPENSION OF ACTION.

No action, including any pre-sale marketing activity, may be taken to carry out section 538 of title V of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 976) until at least 180 days after the report required by section 3 has been submitted to Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2182, the Plum Island Preservation Act, sponsored by my colleague from New York (Mr. ZELDIN).

This bill requires the Government Accountability Office to review the alternatives for the final disposition of the Department of Homeland Security's Science and Technology Directorate's Plum Island Animal Disease Center, commonly known as Plum Island.

Since 1954, Plum Island, located in Suffolk County, New York, has served the Nation in defending against accidental or intentional introduction of foreign animal diseases, including foot-and-mouth disease. However, Plum Island's facilities are aging and nearing the end of their life cycle.

That is why in 2005, DHS announced that the work being conducted on Plum Island would be moved to a new Federal facility in Kansas. Plum Island will continue to operate until the National Bio and Agro-Defense Facility is fully operational and a complete transition has been made in 2022 or 2023.

This raises the question of what will happen to Plum Island once its activities are fully transferred over to the

new facility. The Department looked at this issue and, in June of 2016, released a report that reviewed several options for the final disposition of Plum Island.

This bill simply requires GAO to review and analyze these alternatives to ensure all necessary information was taken into account before the Department decides how to move forward with the final disposition of Plum Island. Specifically, GAO is to analyze the effects, possible implications and issues, and potential costs and revenue for each disposition.

Finally, H.R. 2182 suspends the sale of Plum Island until GAO completes this thorough review and analysis of alternatives.

My friend, Representative ZELDIN, introduced H.R. 2182 with strong bipartisan support. H.R. 2182 is very similar to a bill that passed the House by voice vote last May.

In conclusion, this bill ensures that there is adequate consideration of all the options for the disposition of the island.

Mr. Speaker, I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 25, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 2182, the Plum Island Preservation Act. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 2182, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 25, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 2182. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by forgoing a sequential referral of this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

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

Mr. Speaker, I rise in support of H.R. 2182, the Plum Island Preservation Act.

Mr. Speaker, since 1954, the Plum Island Animal Disease Center in New York's Long Island has served as the Nation's principal laboratory responsible for research on foreign animal diseases of livestock, such as foot-and-mouth disease and other animal diseases.

At Plum Island, the Department of Homeland Security works with the U.S. Department of Agriculture to research and develop new vaccines and diagnostic tests for animal disease outbreaks and to defend against international or accidental introduction of animal diseases into the United States.

On September 11, 2005, the Department of Homeland Security announced plans to develop the National Bio and Agro-Defense Facility, or NBAF, as a state-of-the-art biocontainment laboratory for the study of diseases that threaten both America's animal agricultural industry and public health.

As envisioned by DHS, the 580,000-square-foot facility would replace the Plum Island laboratory.

Following an extensive selection process, DHS selected a site in Manhattan, Kansas, for the new lab, and the site is slated to be fully operational by December of 2022.

What H.R. 2182 aims to answer is what will happen to Plum Island when DHS vacates the facility.

DHS is currently studying the range of options for disposition of the property, including transferring it to another Federal agency, a State or local government, or a nonprofit organization for the purposes of education, research, or conservation.

In doing so, DHS is expected to assess the full implications of each option, including cost, cleanup, and hazard mitigation.

H.R. 2182 requires the Government Accountability Office, or GAO, to assess whether the forthcoming study is satisfactory to support a decision. In the event that the study is lacking in a key area, GAO would be required to conduct its own study.

Importantly, H.R. 2182 ensures that Plum Island cannot be sold by the Federal Government to the highest bidder.

Under this bill, the sale of Plum Island is prohibited until at least 180 days after the required reports in the bill have been submitted to Congress.

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

Mr. DONOVAN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. ZELDIN), the sponsor of the bill.

Mr. ZELDIN. Mr. Speaker, I thank Mr. DONOVAN for his support.

I rise today in support of H.R. 2182, to prevent the sale of Plum Island by the Federal Government to the highest bidder.

Situated at the gateway of the Long Island Sound, I personally had the pleasure of visiting this treasured island.

In addition to being a critical resource for research, approximately 90 percent of the land on Plum Island has been sheltered from development, offering Long Island a diverse wildlife and ecosystem and critical habitat for migratory birds, marine mammals, and rare plants.

Plum Island is also an essential cultural and historical resource as well, with recorded history dating back to the 1700s.

The island held the U.S. military's Fort Terry, a coastal defense fortification, which was used through the end of World War II.

Since then, Plum Island has been utilized as a research laboratory and has since grown to become what is known today as the Plum Island Animal Disease Center.

In 2005, the Department of Homeland Security, which currently has jurisdiction over the island, announced that the Animal Disease Center research would be moved to a new Federal facility, the National Bio and Agro-Defense Facility, NBAF, in Kansas.

To offset the cost of this relocation, a law was enacted that called for the private sale of Plum Island by the Federal Government to the highest bidder.

However, because of the costs associated with the cleanup and closure of Plum Island, and because of local zoning restrictions, the Federal Government would receive little compensation for the sale of Plum Island.

Also, in the 12 years since the move to Kansas was approved, the new facility in Kansas is already fully paid for by a combination of Federal appropriations and State and private funds.

Allowing for continued research, public access, and permanent preservation of the island, H.R. 2182 will suspend the laws passed in 2008 and 2011 that mandated the public sale of Plum Island.

This bill will commission the Government Accountability Office, in consultation with the Department of Homeland Security, which currently owns the island, to formulate a comprehensive plan for the future of the island.

It requires the plan focus on conservation, education, and research and include alternative uses for the island, including a transfer of ownership to another Federal agency, the State or

local government, a nonprofit, or a combination thereof.

In the 114th Congress, this bill passed the House unanimously with bipartisan support as H.R. 1887.

My amendment to the Financial Services and General Government Appropriations Act of 2017, H.R. 5485, which would have prohibited any of the funding within the appropriations bill to market or sell Plum Island, also passed the House as well.

I would like to thank the other Members of Congress who have cosponsored this legislation and lent their support to this cause, especially my colleagues from Connecticut, Congressman JOE COURTNEY and Congresswoman ROSA DELAURO.

I would also like to thank House Majority Leader KEVIN MCCARTHY for bringing this bill to the floor, House Homeland Security Chairman MICHAEL MCCAUL, and all of the local elected officials, groups, and concerned residents on Long Island who have taken an issue on this important issue.

This bill is endorsed by the Preserve Plum Island Coalition, an alliance of over 65 community and environmental groups in New York and Connecticut, focused on the conservation of this island.

I am proud to work alongside all of these great individuals and groups as we strive to save Plum Island.

Since taking office in 2015, one of my highest local priorities has been to protect Plum Island. Preserving this island's natural beauty, while maintaining a research mission, will continue to provide important economic and environmental benefits for Long Island.

Mr. Speaker, I encourage all of my colleagues to vote in support of this critical bill, as well as for the Senate to pass this legislation, so it may be signed into law this year.

Mr. PAYNE. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I thank Mr. PAYNE for his leadership on the Homeland Security Committee and also for his hard work on this legislation, which, again, has been closely watched back home in Connecticut and on the other side of Long Island Sound, as Mr. ZELDIN indicated as well, in the State of New York.

Again, I rise in strong support, with my colleague, for passage of H.R. 2182, the Plum Island Preservation Act. This has been an effort that has been ongoing since Congress, unfortunately, took, I think, a wrong turn when they enacted legislation in 2009, with the goal of trying to create funding for the National Bio and Agro-Defense Facility in Kansas; but in the process of doing that, it set up a truncated sale of this property, which really deviated from the normal GSA process of trying to exhaust other beneficial uses before putting it up for sale to the highest bidder.

Again, that has been the struggle for people on both sides of the Long Island Sound, who have been frustrated by the fact that, because Congress mandated a sale without any other options, the incredible, pristine environmental quality of this precious piece of property was basically pushed down the food chain in terms of, again, the way the Federal Government was operating.

Again, I think it is important to recognize—and my colleagues from New York, Mr. DONOVAN and Mr. ZELDIN, understand this—this still is the most densely populated area of America. The boat traffic, the maritime traffic that flows through Long Island Sound, again, is the busiest in the country. And to have a piece of property that is this precious and this pure—which Mr. ZELDIN visited, and I think he can attest to that personally, and I have sailed past it—is really an opportunity that really we just cannot possibly allow to go to a developer that would make that quality forever lost.

So this legislation, which stops the 2009 process in its tracks, has GAO step in and do a full complete analysis across the board in evaluating all options. In particular, the options of preserving this unique environmental asset is the right move for our country, and, again, it will be to the benefit of generations to come.

Again, I want to congratulate Mr. ZELDIN for his persistence. Again, we did get it through the last Congress, the 114th.

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

Mr. PAYNE. I yield an additional 30 seconds to the gentleman.

Mr. COURTNEY. I think getting this done early in the 115th Congress will hopefully allow us the opportunity to get some bandwidth in the Senate's floor schedule to finally get this to the President's desk, and, again, forever protect an asset for generations to come.

Mr. Speaker, again, I urge strong support for this measure.

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

Mr. PAYNE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong support of this legislation.

It is very simple. It directs the Comptroller General of the United States to submit a report to the Congress on alternative uses for Plum Island.

□ 1430

The report underscores its ecological significance, that is what it would do; the need to be protected; and it would be an important step toward identifying conservation alternatives to selling Plum Island.

I believe that Plum Island should be a unit of the National Wildlife Refuge System, ensuring that we would safeguard the island's sensitive wildlife and ecological value.

Plum Island is the largest area in southern New England, where seals can rest on dry land. Its 843 acres are home to two threatened bird species: the piping plovers and the roseate terns.

We need to proceed very carefully when considering the future of Plum Island. This is a refuge for wildlife and native plants, and once it is developed, it cannot be restored, which is why the legislation is so important.

By evaluating the alternative uses for Plum Island fully rather than selling it to the highest bidder, we can ensure that this ecological, historical, and cultural treasure can be protected for generations to come.

I am proud to join with my colleagues, Congressman ZELDIN and Congressman COURTNEY, on a bipartisan basis to ensure that the environment is respected in our region and across the country.

Mr. Speaker, I urge my colleagues to support this bill, and I thank the gentleman from New Jersey (Mr. PAYNE) for yielding me the time.

Mr. PAYNE. Mr. Speaker, H.R. 2182 has broad support on both sides of the aisle, as we can see. Plum Island has a history dating back to the 1700s and has been owned by the Federal Government since 1899. This bill takes steps to ensure that this culturally and historically important site is not sold until all relevant questions are answered regarding the final disposition of Plum Island and that a satisfactory comprehensive plan has been developed.

I urge my colleagues to support this important piece of legislation.

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

Mr. DONOVAN. Mr. Speaker, I, once again, urge my colleagues to support H.R. 2182.

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 New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 2182.

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.

COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3364) to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3364

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 ''Countering America's Adversaries Through Sanctions Act''.

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

Sec. 1. Short title; table of contents.

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Sec. 102. Definitions.
Sec. 103. Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa.
Sec. 104. Imposition of additional sanctions in response to Iran's ballistic missile program.
Sec. 105. Imposition of terrorism-related sanctions with respect to the IRGC.
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Sec. 108. Review of applicability of sanctions relating to Iran's support for terrorism and its ballistic missile program.
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TITLE II—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION AND COMBATING TERRORISM AND ILLICIT FINANCING

Sec. 201. Short title.

Subtitle A—Sanctions and Other Measures With Respect to the Russian Federation

Sec. 211. Findings.
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TITLE I—SANCTIONS WITH RESPECT TO IRAN

SEC. 101. SHORT TITLE.

This title may be cited as the ''Countering Iran's Destabilizing Activities Act of 2017''.

SEC. 102. DEFINITIONS.

In this title:

(1) ACT OF INTERNATIONAL TERRORISM.—The term ''act of international terrorism'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a citizen or national of Iran; or

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(5) IRGC.—The term ''IRGC'' means Iran's Islamic Revolutionary Guard Corps.

(6) KNOWINGLY.—The term ''knowingly'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 103. REGIONAL STRATEGY FOR COUNTERING CONVENTIONAL AND ASYMMETRIC IRANIAN THREATS IN THE MIDDLE EAST AND NORTH AFRICA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, and the Director of

National Intelligence shall jointly develop and submit to the appropriate congressional committees and leadership a strategy for deterring conventional and asymmetric Iranian activities and threats that directly threaten the United States and key allies in the Middle East, North Africa, and beyond.

(b) ELEMENTS.—The strategy required by subsection (a) shall include at a minimum the following:

(1) A summary of the near- and long-term United States objectives, plans, and means for countering Iran's destabilizing activities, including identification of countries that share the objective of countering Iran's destabilizing activities.

(2) A summary of the capabilities and contributions of individual countries to shared efforts to counter Iran's destabilizing activities, and a summary of additional actions or contributions that each country could take to further contribute.

(3) An assessment of Iran's conventional force capabilities and an assessment of Iran's plans to upgrade its conventional force capabilities, including its acquisition, development, and deployment of ballistic and cruise missile capabilities, unmanned aerial vehicles, and maritime offensive and anti-access or area denial capabilities.

(4) An assessment of Iran's chemical and biological weapons capabilities and an assessment of Iranian plans to upgrade its chemical or biological weapons capabilities.

(5) An assessment of Iran's asymmetric activities in the region, including—

(A) the size, capabilities, and activities of the IRGC, including the Quds Force;

(B) the size, capabilities, and activities of Iran's cyber operations;

(C) the types and amount of support, including funding, lethal and nonlethal contributions, and training, provided to Hezbollah, Hamas, special groups in Iraq, the regime of Bashar al-Assad in Syria, Houthi fighters in Yemen, and other violent groups across the Middle East; and

(D) the scope and objectives of Iran's information operations and use of propaganda.

(6) A summary of United States actions, unilaterally and in cooperation with foreign governments, to counter destabilizing Iranian activities, including—

(A) interdiction of Iranian lethal arms bound for groups designated as foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(B) Iran's interference in international commercial shipping lanes;

(C) attempts by Iran to undermine or subvert internationally recognized governments in the Middle East region; and

(D) Iran's support for the regime of Bashar al-Assad in Syria, including—

(i) financial assistance, military equipment and personnel, and other support provided to that regime; and

(ii) support and direction to other armed actors that are not Syrian or Iranian and are acting on behalf of that regime.

(c) FORM OF STRATEGY.—The strategy required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Ways and Means, the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

SEC. 104. IMPOSITION OF ADDITIONAL SANCTIONS IN RESPONSE TO IRAN'S BALLISTIC MISSILE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Treasury and the Secretary of State should continue to implement Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters).

(b) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in subsection (c) with respect to any person that the President determines, on or after the date of the enactment of this Act—

(1) knowingly engages in any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(2) is a successor entity to a person referred to in paragraph (1);

(3) owns or controls or is owned or controlled by a person referred to in paragraph (1);

(4) forms an entity with the purpose of evading sanctions that would otherwise be imposed pursuant to paragraph (3);

(5) is acting for or on behalf of a person referred to in paragraph (1), (2), (3), or (4); or

(6) knowingly provides or attempts to provide financial, material, technological, or other support for, or goods or services in support of, a person referred to in paragraph (1), (2), (3), (4) or (5).

(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (b) that is an alien.

(d) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (c)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) REPORT ON CONTRIBUTIONS TO IRAN'S BALLISTIC MISSILE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report describing each person that—

(A) has, during the period specified in paragraph (2), conducted any activity that has materially contributed to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(B) is a successor entity to a person referred to in subparagraph (A);

(C) owns or controls or is owned or controlled by a person referred to in subparagraph (A);

(D) forms an entity with the purpose of evading sanctions that could be imposed as a result of a relationship described in subparagraph (C);

(E) is acting for or on behalf of a person referred to in subparagraph (A), (B), (C), or (D); or

(F) is known or believed to have provided, or attempted to provide, during the period specified in paragraph (2), financial, material, technological, or other support for, or goods or services in support of, any material contribution to a program described in subparagraph (A) carried out by a person described in subparagraph (A), (B), (C), (D), or (E).

(2) PERIOD SPECIFIED.—The period specified in this paragraph is—

(A) in the case of the first report submitted under paragraph (1), the period beginning January 1, 2016, and ending on the date the report is submitted; and

(B) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

SEC. 105. IMPOSITION OF TERRORISM-RELATED SANCTIONS WITH RESPECT TO THE IRGC.

(a) FINDINGS.—Congress makes the following findings:

(1) The IRGC is subject to sanctions pursuant to Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran), and Executive Order 13606 (50 U.S.C. 1701 note; relating to blocking the property and suspending entry into the United States of certain persons with respect to grave human rights abuses by the Governments of Iran and Syria via information technology).

(2) The Iranian Revolutionary Guard Corps–Quds Force (in this section referred to as the ''IRGC–QF'') is the primary arm of the Government of Iran for executing its policy of supporting terrorist and insurgent groups. The IRGC–QF provides material, logistical assistance, training, and financial support to militants and terrorist operatives throughout the Middle East and South Asia and was designated for the imposition of sanctions by the Secretary of the Treasury pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) in October 2007 for its support of terrorism.

(3) The IRGC, not just the IRGC–QF, is responsible for implementing Iran's international program of destabilizing activities, support for acts of international terrorism, and ballistic missile program.

(b) IN GENERAL.—Beginning on the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (c) with respect to the IRGC and foreign persons that are officials, agents, or affiliates of the IRGC.

(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are sanctions applicable with respect to a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

SEC. 106. IMPOSITION OF ADDITIONAL SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR HUMAN RIGHTS ABUSES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a list of each person the Secretary determines, based on credible evidence, on or after the date of the enactment of this Act—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in Iran who seek—

(A) to expose illegal activity carried out by officials of the Government of Iran; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections; or

(2) acts as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block all transactions in all property and interests in property of a person on the list required by subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1) or any regulation, license, or order issued to carry out paragraph (1) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 107. ENFORCEMENT OF ARMS EMBARGOS.

(a) IN GENERAL.—Except as provided in subsection (d), the President shall impose the sanctions described in subsection (b) with respect to any person that the President determines—

(1) knowingly engages in any activity that materially contributes to the supply, sale, or transfer directly or indirectly to or from Iran, or for the use in or benefit of Iran, of any battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems, as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts; or

(2) knowingly provides to Iran any technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, manufacture, maintenance, or use of arms and related materiel described in paragraph (1).

(b) SANCTIONS DESCRIBED.—

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(c) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) EXCEPTION.—The President is not required to impose sanctions under subsection (a) with respect to a person for engaging in an activity described in that subsection if the President certifies to the appropriate congressional committees that—

(1) permitting the activity is in the national security interest of the United States;

(2) Iran no longer presents a significant threat to the national security of the United States and to the allies of the United States; and

(3) the Government of Iran has ceased providing operational or financial support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism.

(e) STATE SPONSOR OF TERRORISM DEFINED.—In this section, the term ''state sponsor of terrorism'' means a country the government of which the Secretary of State has determined to be a government that has repeatedly provided support for acts of international terrorism for purposes of—

(1) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));

(2) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(3) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(4) any other provision of law.

SEC. 108. REVIEW OF APPLICABILITY OF SANCTIONS RELATING TO IRAN'S SUPPORT FOR TERRORISM AND ITS BALLISTIC MISSILE PROGRAM.

(a) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the President shall conduct a review of all persons on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury for activities relating to Iran—

(1) to assess the conduct of such persons as that conduct relates to—

(A) any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program; or

(B) support by the Government of Iran for acts of international terrorism; and

(2) to determine the applicability of sanctions with respect to such persons under—

(A) Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters); or

(B) Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(b) IMPLEMENTATION OF SANCTIONS.—If the President determines under subsection (a) that sanctions under an Executive order specified in paragraph (2) of that subsection are applicable with respect to a person, the President shall—

(1) impose sanctions with respect to that person pursuant to that Executive order; or

(2) exercise the waiver authority provided under section 112.

SEC. 109. REPORT ON COORDINATION OF SANCTIONS BETWEEN THE UNITED STATES AND THE EUROPEAN UNION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of each instance, during the period specified in subsection (b)—

(A) in which the United States has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the European Union has not imposed corresponding sanctions; and

(B) in which the European Union has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the United States has not imposed corresponding sanctions.

(2) An explanation for the reason for each discrepancy between sanctions imposed by the European Union and sanctions imposed by the United States described in subparagraphs (A) and (B) of paragraph (1).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the period beginning on the date of the enactment of this Act and ending on the date the report is submitted; and

(2) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 110. REPORT ON UNITED STATES CITIZENS DETAINED BY IRAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees and leadership a report on United States citizens, including United States citizens who are also citizens of other countries, detained by Iran or groups supported by Iran that includes—

(1) information regarding any officials of the Government of Iran involved in any way in the detentions; and

(2) a summary of efforts the United States Government has taken to secure the swift release of those United States citizens.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Ways and Means, the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker,

the majority leader, and the minority leader of the House of Representatives.

SEC. 111. EXCEPTIONS FOR NATIONAL SECURITY AND HUMANITARIAN ASSISTANCE; RULE OF CONSTRUCTION.

(a) IN GENERAL.—The following activities shall be exempt from sanctions under sections 104, 105, 106, and 107:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.

(3) The conduct or facilitation of a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran, including engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes or transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes.

(b) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the authority of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(d) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) GOOD.—The term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(3) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

SEC. 112. PRESIDENTIAL WAIVER AUTHORITY.

(a) CASE-BY-CASE WAIVER AUTHORITY.—

(1) IN GENERAL.—The President may waive, on a case-by-case basis and for a period of not more than 180 days, a requirement under section 104, 105, 106, 107, or 108 to impose or maintain sanctions with respect to a person, and may waive the continued imposition of such sanctions, not less than 30 days after the President determines and reports to the appropriate congressional committees that it is vital to the national security interests of the United States to waive such sanctions.

(2) RENEWAL OF WAIVERS.—The President may, on a case-by-case basis, renew a waiver under paragraph (1) for an additional period of not more than 180 days if, not later than 15 days before that waiver expires, the President makes the determination and submits to the appropriate congressional committees a report described in paragraph (1).

(3) SUCCESSIVE RENEWAL.—The renewal authority provided under paragraph (2) may be exercised for additional successive periods of not more than 180 days if the President follows the procedures set forth in paragraph (2), and submits the report described in paragraph (1), for each such renewal.

(b) CONTENTS OF WAIVER REPORTS.—Each report submitted under subsection (a) in connection with a waiver of sanctions under section 104, 105, 106, 107, or 108 with respect to a person, or the renewal of such a waiver, shall include—

(1) a specific and detailed rationale for the determination that the waiver is vital to the national security interests of the United States;

(2) a description of the activity that resulted in the person being subject to sanctions;

(3) an explanation of any efforts made by the United States, as applicable, to secure the cooperation of the government with primary jurisdiction over the person or the location where the activity described in paragraph (2) occurred in terminating or, as appropriate, penalizing the activity; and

(4) an assessment of the significance of the activity described in paragraph (2) in contributing to the ability of Iran to threaten the interests of the United States or allies of the United States, develop systems capable of delivering weapons of mass destruction, support acts of international terrorism, or violate the human rights of any person in Iran.

(c) EFFECT OF REPORT ON WAIVER.—If the President submits a report under subsection (a) in connection with a waiver of sanctions under section 104, 105, 106, 107, or 108 with respect to a person, or the renewal of such a waiver, the President shall not be required to impose or maintain sanctions under section 104, 105, 106, 107, or 108, as applicable, with respect to the person described in the report during the 30-day period referred to in subsection (a).

TITLE II—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION AND COMBATING TERRORISM AND ILLICIT FINANCING

SEC. 201. SHORT TITLE.

This title may be cited as the ''Countering Russian Influence in Europe and Eurasia Act of 2017''.

Subtitle A—Sanctions and Other Measures With Respect to the Russian Federation

SEC. 211. FINDINGS.

Congress makes the following findings:

(1) On March 6, 2014, President Barack Obama issued Executive Order 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine), which authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose sanctions on those determined to be undermining democratic processes and institutions in Ukraine or threatening the peace, security, stability, sovereignty, and territorial integrity of Ukraine. President Obama subsequently issued Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) and Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine) to expand sanctions on certain persons contributing to the situation in Ukraine.

(2) On December 18, 2014, the Ukraine Freedom Support Act of 2014 was enacted (Public Law 113–272; 22 U.S.C. 8921 et seq.), which includes provisions directing the President to impose sanctions on foreign persons that the President determines to be entities owned or controlled by the Government of the Russian Federation or nationals of the Russian Federation that manufacture, sell, transfer, or otherwise provide certain defense articles into Syria.

(3) On April 1, 2015, President Obama issued Executive Order 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), which authorizes the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to impose sanctions on persons determined to be engaged in malicious cyber-hacking.

(4) On July 26, 2016, President Obama approved a Presidential Policy Directive on United States Cyber Incident Coordination, which states, ''certain cyber incidents that have significant impacts on an entity, our national security, or the broader economy require a unique approach to response efforts''.

(5) On December 29, 2016, President Obama issued an annex to Executive Order 13694, which authorized sanctions on the following entities and individuals:

(A) The Main Intelligence Directorate (also known as Glavnoe Razvedyvatel'noe Upravlenie or the GRU) in Moscow, Russian Federation.

(B) The Federal Security Service (also known as Federalnaya Sluzhba Bezopasnosti or the FSB) in Moscow, Russian Federation.

(C) The Special Technology Center (also known as STLC, Ltd. Special Technology Center St. Petersburg) in St. Petersburg, Russian Federation.

(D) Zorsecurity (also known as Esage Lab) in Moscow, Russian Federation.

(E) The autonomous noncommercial organization known as the Professional Association of Designers of Data Processing Systems (also known as ANO PO KSI) in Moscow, Russian Federation.

(F) Igor Valentinovich Korobov.

(G) Sergey Aleksandrovich Gizunov.

(H) Igor Olegovich Kostyukov.

(I) Vladimir Stepanovich Alexseyev.

(6) On January 6, 2017, an assessment of the United States intelligence community entitled, ''Assessing Russian Activities and Intentions in Recent U.S. Elections'' stated, ''Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the United States presidential election.'' The assessment warns that ''Moscow will apply lessons learned from its Putin-ordered campaign aimed at the U.S. Presidential election to future influence efforts worldwide, including against U.S. allies and their election processes''.

SEC. 212. SENSE OF CONGRESS.

It is the sense of Congress that the President—

(1) should continue to uphold and seek unity with European and other key partners on sanctions implemented against the Russian Federation, which have been effective and instrumental in countering Russian aggression in Ukraine;

(2) should engage to the fullest extent possible with partner governments with regard to closing loopholes, including the allowance of extended prepayment for the delivery of goods and commodities and other loopholes, in multilateral and unilateral restrictive measures against the Russian Federation, with the aim of maximizing alignment of those measures; and

(3) should increase efforts to vigorously enforce compliance with sanctions in place as of the date of the enactment of this Act with respect to the Russian Federation in response to the crisis in eastern Ukraine, cyber intrusions and attacks, and human rights violators in the Russian Federation.

PART 1—CONGRESSIONAL REVIEW OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION

SEC. 215. SHORT TITLE.

This part may be cited as the ''Russia Sanctions Review Act of 2017''.

SEC. 216. CONGRESSIONAL REVIEW OF CERTAIN ACTIONS RELATING TO SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) SUBMISSION TO CONGRESS OF PROPOSED ACTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, before taking any action described in paragraph (2), the President shall submit to the appropriate congressional committees and leadership a report that describes the proposed action and the reasons for that action.

(2) ACTIONS DESCRIBED.—

(A) IN GENERAL.—An action described in this paragraph is—

(i) an action to terminate the application of any sanctions described in subparagraph (B);

(ii) with respect to sanctions described in subparagraph (B) imposed by the President with respect to a person, an action to waive the application of those sanctions with respect to that person; or

(iii) a licensing action that significantly alters United States' foreign policy with regard to the Russian Federation.

(B) SANCTIONS DESCRIBED.—The sanctions described in this subparagraph are—

(i) sanctions provided for under—

(I) this title or any provision of law amended by this title, including the Executive orders codified under section 222;

(II) the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.); or

(III) the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); and

(ii) the prohibition on access to the properties of the Government of the Russian Federation located in Maryland and New York that the President ordered vacated on December 29, 2016.

(3) DESCRIPTION OF TYPE OF ACTION.—Each report submitted under paragraph (1) with respect to an action described in paragraph (2) shall include a description of whether the action—

(A) is not intended to significantly alter United States foreign policy with regard to the Russian Federation; or

(B) is intended to significantly alter United States foreign policy with regard to the Russian Federation.

(4) INCLUSION OF ADDITIONAL MATTER.—

(A) IN GENERAL.—Each report submitted under paragraph (1) that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation shall include a description of—

(i) the significant alteration to United States foreign policy with regard to the Russian Federation;

(ii) the anticipated effect of the action on the national security interests of the United States; and

(iii) the policy objectives for which the sanctions affected by the action were initially imposed.

(B) REQUESTS FROM BANKING AND FINANCIAL SERVICES COMMITTEES.—The Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Financial Services of the House of Representatives may request the submission to the Committee of the matter described in clauses (ii) and (iii) of subparagraph (A) with respect to a report submitted under paragraph (1) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation.

(5) CONFIDENTIALITY OF PROPRIETARY INFORMATION.—Proprietary information that can be associated with a particular person with respect to an action described in paragraph (2) may be included in a report submitted under paragraph (1) only if the appropriate congressional committees and leadership provide assurances of confidentiality, unless such person otherwise consents in writing to such disclosure.

(6) RULE OF CONSTRUCTION.—Paragraph (2)(A)(iii) shall not be construed to require the submission of a report under paragraph (1) with respect to the routine issuance of a license that does not significantly alter United States foreign policy with regard to the Russian Federation.

(b) PERIOD FOR REVIEW BY CONGRESS.—

(1) IN GENERAL.—During the period of 30 calendar days beginning on the date on which the President submits a report under subsection (a)(1)—

(A) in the case of a report that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report; and

(B) in the case of a report that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

(2) EXCEPTION.—The period for congressional review under paragraph (1) of a report required to be submitted under subsection (a)(1) shall be 60 calendar days if the report is submitted on or after July 10 and on or before September 7 in any calendar year.

(3) LIMITATION ON ACTIONS DURING INITIAL CONGRESSIONAL REVIEW PERIOD.—Notwithstanding any other provision of law, during the period for congressional review provided for under paragraph (1) of a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2), including any additional period for such review as applicable under the exception provided in paragraph (2), the President may not take that action unless a joint resolution of approval with respect to that action is enacted in accordance with subsection (c).

(4) LIMITATION ON ACTIONS DURING PRESIDENTIAL CONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), the President may not take that action for a period of 12 calendar days after the date of passage of the joint resolution of disapproval.

(5) LIMITATION ON ACTIONS DURING CONGRESSIONAL RECONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), and the President vetoes the joint resolution, the President may not take that action for a period of 10 calendar days after the date of the President's veto.

(6) EFFECT OF ENACTMENT OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) is enacted in accordance with subsection (c), the President may not take that action.

(c) JOINT RESOLUTIONS OF DISAPPROVAL OR APPROVAL DEFINED.—In this subsection:

(1) JOINT RESOLUTION OF APPROVAL.—The term ''joint resolution of approval'' means only a joint resolution of either House of Congress—

(A) the title of which is as follows: ''A joint resolution approving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.''; and

(B) the sole matter after the resolving clause of which is the following: ''Congress approves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on _____ relating to _____.'', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(2) JOINT RESOLUTION OF DISAPPROVAL.—The term ''joint resolution of disapproval'' means only a joint resolution of either House of Congress—

(A) the title of which is as follows: ''A joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.''; and

(B) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on _____ relating to _____.'', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(3) INTRODUCTION.—During the period of 30 calendar days provided for under subsection (b)(1), including any additional period as applicable under the exception provided in subsection (b)(2), a joint resolution of approval or joint resolution of disapproval may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(4) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(5) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A joint resolution of approval or joint resolution of disapproval introduced in the Senate shall be—

(i) referred to the Committee on Banking, Housing, and Urban Affairs if the joint resolution relates to a report under subsection (a)(3)(A) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation; and

(ii) referred to the Committee on Foreign Relations if the joint resolution relates to a report under subsection (a)(3)(B) that relates

to an action that is intended to significantly alter United States foreign policy with respect to the Russian Federation.

(B) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval or joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a joint resolution of approval or joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of approval or joint resolution of disapproval shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a joint resolution of approval or joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(6) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE JOINT RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a joint resolution of approval or a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within two calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except two hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

(i) If, before the passage by the Senate of a joint resolution of approval or joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—

(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of approval or joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of approval or a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval or joint resolution of disapproval that is a revenue measure.

(7) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

PART 2—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION

SEC. 221. DEFINITIONS.

In this part:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) GOOD.—The term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(3) INTERNATIONAL FINANCIAL INSTITUTION.—The term ''international financial institution'' has the meaning given that term in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c)).

(4) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

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

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 222. CODIFICATION OF SANCTIONS RELATING TO THE RUSSIAN FEDERATION.

(a) CODIFICATION.—United States sanctions provided for in Executive Order 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine), Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine), Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine), Executive Order 13685 (79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine), Executive Order 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), and Executive Order 13757 (82 Fed. Reg. 1; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities), as in effect on the day before the date of the enactment of this Act, including with respect to all persons sanctioned under such Executive orders, shall remain in effect except as provided in subsection (b).

(b) TERMINATION OF CERTAIN SANCTIONS.—Subject to section 216, the President may terminate the application of sanctions described in subsection (a) that are imposed on a person in connection with activity conducted by the person if the President submits to the appropriate congressional committees a notice that—

(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions described in subsection (a) in the future.

(c) APPLICATION OF NEW CYBER SANCTIONS.—The President may waive the initial application under subsection (a) of sanctions with respect to a person under Executive Order 13694 or 13757 only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(d) APPLICATION OF NEW UKRAINE-RELATED SANCTIONS.—The President may waive the initial application under subsection (a) of sanctions with respect to a person under Executive Order 13660, 13661, 13662, or 13685 only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.

SEC. 223. MODIFICATION OF IMPLEMENTATION OF EXECUTIVE ORDER 13662.

(a) DETERMINATION THAT CERTAIN ENTITIES ARE SUBJECT TO SANCTIONS.—The Secretary of the Treasury may determine that a person meets one or more of the criteria in section 1(a) of Executive Order 13662 if that person is a state-owned entity operating in the railway or metals and mining sector of the economy of the Russian Federation.

(b) MODIFICATION OF DIRECTIVE 1 WITH RESPECT TO THE FINANCIAL SERVICES SECTOR OF THE RUSSIAN FEDERATION ECONOMY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall modify Directive 1 (as amended), dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662, or any successor directive (which shall be effective beginning on the date that is 60 days after the date of such modification), to ensure that the directive prohibits the conduct by United States persons or persons within the United States of all transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity of persons determined to be subject to the directive, their property, or their interests in property.

(c) MODIFICATION OF DIRECTIVE 2 WITH RESPECT TO THE ENERGY SECTOR OF THE RUSSIAN FEDERATION ECONOMY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall modify Directive 2 (as amended), dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662, or any successor directive (which shall be effective beginning on the date that is 60 days after the date of such modification), to ensure that the directive prohibits the conduct by United States persons or persons within the United States of all transactions in, provision of financing for, and other dealings in new debt of longer than 60 days maturity of persons determined to be subject to the directive, their property, or their interests in property.

(d) MODIFICATION OF DIRECTIVE 4.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall modify Directive 4, dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662, or any successor directive (which shall be effective beginning on the date that is 90 days after the date of such modification), to ensure that the directive prohibits the provision, exportation, or reexportation, directly or indirectly, by United States persons or persons within the United States, of goods, services (except for financial services), or technology in support of exploration or production for new deepwater, Arctic offshore, or shale projects—

(1) that have the potential to produce oil; and

(2) that involve any person determined to be subject to the directive or the property or interests in property of such a person who has a controlling interest or a substantial non-controlling ownership interest in such a project defined as not less than a 33 percent interest.

SEC. 224. IMPOSITION OF SANCTIONS WITH RESPECT TO ACTIVITIES OF THE RUSSIAN FEDERATION UNDERMINING CYBERSECURITY.

(a) IN GENERAL.—On and after the date that is 60 days after the date of the enactment of this Act, the President shall—

(1) impose the sanctions described in subsection (b) with respect to any person that the President determines—

(A) knowingly engages in significant activities undermining cybersecurity against any person, including a democratic institution, or government on behalf of the Government of the Russian Federation; or

(B) is owned or controlled by, or acts or purports to act for or on behalf of, directly or indirectly, a person described in subparagraph (A);

(2) impose 5 or more of the sanctions described in section 235 with respect to any person that the President determines knowingly materially assists, sponsors, or provides financial, material, or technological support for, or goods or services (except financial services) in support of, an activity described in paragraph (1)(A); and

(3) impose 3 or more of the sanctions described in section 4(c) of the of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923(c)) with respect to any person that the President determines knowingly provides financial services in support of an activity described in paragraph (1)(A).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a)(1), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(c) APPLICATION OF NEW CYBER SANCTIONS.—The President may waive the initial application under subsection (a) of sanctions with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(d) SIGNIFICANT ACTIVITIES UNDERMINING CYBERSECURITY DEFINED.—In this section, the term ''significant activities undermining cybersecurity'' includes—

(1) significant efforts—

(A) to deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(B) to exfiltrate, degrade, corrupt, destroy, or release information from such a system or network without authorization for purposes of—

(i) conducting influence operations; or

(ii) causing a significant misappropriation of funds, economic resources, trade secrets, personal identifications, or financial information for commercial or competitive advantage or private financial gain;

(2) significant destructive malware attacks; and

(3) significant denial of service activities.

SEC. 225. IMPOSITION OF SANCTIONS RELATING TO SPECIAL RUSSIAN CRUDE OIL PROJECTS.

Section 4(b)(1) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923(b)(1)) is amended by striking ''on and after the date that is 45 days after the date of the enactment of this Act, the President may impose'' and inserting ''on and after the date that is 30 days after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017, the President shall impose, unless the President determines that it is not in the national interest of the United States to do so,''.

SEC. 226. IMPOSITION OF SANCTIONS WITH RESPECT TO RUSSIAN AND OTHER FOREIGN FINANCIAL INSTITUTIONS.

Section 5 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8924) is amended—

(1) in subsection (a)—

(A) by striking ''may impose'' and inserting ''shall impose, unless the President determines that it is not in the national interest of the United States to do so,''; and

(B) by striking ''on or after the date of the enactment of this Act'' and inserting ''on or after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017''; and

(2) in subsection (b)—

(A) by striking ''may impose'' and inserting ''shall impose, unless the President determines that it is not in the national interest of the United States to do so,''; and

(B) by striking ''on or after the date that is 180 days after the date of the enactment of this Act'' and inserting ''on or after the date that is 30 days after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017''.

SEC. 227. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO SIGNIFICANT CORRUPTION IN THE RUSSIAN FEDERATION.

Section 9 of the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8908(a)) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''is authorized and encouraged to'' and inserting ''shall''; and

(B) in paragraph (1)—

(i) by striking ''President determines is'' and inserting ''President determines is, on or after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017,''; and

(ii) by inserting ''or elsewhere'' after ''in the Russian Federation'';

(2) by redesignating subsection (d) as subsection (e);

(3) in subsection (c), by striking ''The President'' and inserting ''except as provided in subsection (d), the President''; and

(4) by inserting after subsection (c) the following:

''(d) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application

of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

''(1) a written determination that the waiver—

''(A) is in the vital national security interests of the United States; or

''(B) will further the enforcement of this Act; and

''(2) a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.''.

SEC. 228. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH FOREIGN SANCTIONS EVADERS AND SERIOUS HUMAN RIGHTS ABUSERS IN THE RUSSIAN FEDERATION.

(a) IN GENERAL.—The Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.) is amended by adding at the end the following:

''SEC. 10. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH PERSONS THAT EVADE SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION.

''(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person knowingly, on or after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017—

''(1) materially violates, attempts to violate, conspires to violate, or causes a violation of any license, order, regulation, or prohibition contained in or issued pursuant to any covered Executive order, this Act, or the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); or

''(2) facilitates a significant transaction or transactions, including deceptive or structured transactions, for or on behalf of—

''(A) any person subject to sanctions imposed by the United States with respect to the Russian Federation; or

''(B) any child, spouse, parent, or sibling of an individual described in subparagraph (A).

''(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(c) IMPLEMENTATION; PENALTIES.—

''(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b).

''(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b) or any regulation, license, or order issued to carry out subsection (b) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

''(d) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

''(1) a written determination that the waiver—

''(A) is in the vital national security interests of the United States; or

''(B) will further the enforcement of this Act;

''(2) in the case of sanctions imposed under this section in connection with a covered Executive order described in subparagraph (A), (B), (C), or (D) of subsection (f)(1), a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine; and

''(3) in the case of sanctions imposed under this section in connection with a covered Executive order described in subparagraphs (E) or (F) of subsection (f)(1), a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

''(e) TERMINATION.—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees—

''(1) a notice of and justification for the termination; and

''(2) a notice that—

''(A) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

''(B) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.

''(f) DEFINITIONS.—In this section:

''(1) COVERED EXECUTIVE ORDER.—The term 'covered Executive order' means any of the following:

''(A) Executive Order 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine).

''(B) Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine).

''(C) Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine).

''(D) Executive Order 13685 (79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine).

''(E) Executive Order 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), relating to the Russian Federation.

''(F) Executive Order 13757 (82 Fed. Reg. 1; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities), relating to the Russian Federation.

''(2) FOREIGN PERSON.—The term 'foreign person' has the meaning given such term in section 595.304 of title 31, Code of Federal Regulations (as in effect on the date of the enactment of this section).

''(3) STRUCTURED.—The term 'structured', with respect to a transaction, has the meaning given the term 'structure' in paragraph (xx) of section 1010.100 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

''SEC. 11. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS WITH PERSONS RESPONSIBLE FOR HUMAN RIGHTS ABUSES.

''(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person, based on credible information, on or after the date of the enactment of this section—

''(1) is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses in any territory forcibly occupied or otherwise controlled by the Government of the Russian Federation;

''(2) materially assists, sponsors, or provides financial, material, or technological support for, or goods or services to, a foreign person described in paragraph (1); or

''(3) is owned or controlled by, or acts or purports to act for or on behalf of, directly or indirectly, a foreign person described in paragraph (1).

''(b) SANCTIONS DESCRIBED.—

''(1) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

''(c) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

''(1) a written determination that the waiver—

''(A) is in the vital national security interests of the United States; or

''(B) will further the enforcement of this Act; and

''(2) a certification that the Government of the Russian Federation has made efforts to reduce serious human rights abuses in territory forcibly occupied or otherwise controlled by that Government.

''(d) IMPLEMENTATION; PENALTIES.—

''(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b)(1).

''(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out subsection (b)(1) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits

an unlawful act described in subsection (a) of that section.

''(e) TERMINATION.—Subject to section 216 of Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees—

''(1) a notice of and justification for the termination; and

''(2) a notice—

''(A) that—

''(i) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

''(ii) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future; or

''(B) that the President determines that insufficient basis exists for the determination by the President under subsection (a) with respect to the person.''.

(b) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—Section 2(2) of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901(2)) is amended—

(1) in subparagraph (A), by inserting ''the Committee on Banking, Housing, and Urban Affairs,'' before ''the Committee on Foreign Relations''; and

(2) in subparagraph (B), by inserting ''the Committee on Financial Services'' before ''the Committee on Foreign Affairs''.

SEC. 229. NOTIFICATIONS TO CONGRESS UNDER UKRAINE FREEDOM SUPPORT ACT OF 2014.

(a) SANCTIONS RELATING TO DEFENSE AND ENERGY SECTORS OF THE RUSSIAN FEDERATION.—Section 4 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923) is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively;

(2) by inserting after subsection (f) the following:

''(g) NOTIFICATIONS AND CERTIFICATIONS TO CONGRESS.—

''(1) IMPOSITION OF SANCTIONS.—The President shall notify the appropriate congressional committees in writing not later than 15 days after imposing sanctions with respect to a foreign person under subsection (a) or (b).

''(2) TERMINATION OF SANCTIONS WITH RESPECT TO RUSSIAN PRODUCERS, TRANSFERORS, OR BROKERS OF DEFENSE ARTICLES.—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the imposition of sanctions under subsection (a)(2) with respect to a foreign person if the President submits to the appropriate congressional committees—

''(A) a notice of and justification for the termination; and

''(B) a notice that—

''(i) the foreign person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

''(ii) the President has received reliable assurances that the foreign person will not knowingly engage in activity subject to sanctions under subsection (a)(2) in the future.''; and

(3) in subparagraph (B)(ii) of subsection (a)(3), by striking ''subsection (h)'' and inserting ''subsection (i)''.

(b) SANCTIONS ON RUSSIAN AND OTHER FOREIGN FINANCIAL INSTITUTIONS.—Section 5 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8924) is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(2) by inserting after subsection (d) the following:

''(e) NOTIFICATION TO CONGRESS ON IMPOSITION OF SANCTIONS.—The President shall notify the appropriate congressional committees in writing not later than 15 days after imposing sanctions with respect to a foreign financial institution under subsection (a) or (b).''; and

(3) in subsection (g), as redesignated by paragraph (1), by striking ''section 4(h)'' and inserting ''section 4(i)''.

SEC. 230. STANDARDS FOR TERMINATION OF CERTAIN SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) SANCTIONS RELATING TO UNDERMINING THE PEACE, SECURITY, STABILITY, SOVEREIGNTY, OR TERRITORIAL INTEGRITY OF UKRAINE.—Section 8 of the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8907) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) TERMINATION.—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees a notice that—

''(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

''(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.''.

(b) SANCTIONS RELATING TO CORRUPTION.—Section 9 of the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8908) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) TERMINATION.—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees a notice that—

''(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

''(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.''.

SEC. 231. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGING IN TRANSACTIONS WITH THE INTELLIGENCE OR DEFENSE SECTORS OF THE GOVERNMENT OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—On and after the date that is 180 days after the date of the enactment of this Act, the President shall impose 5 or more of the sanctions described in section 235 with respect to a person the President determines knowingly, on or after such date of enactment, engages in a significant transaction with a person that is part of, or operates for or on behalf of, the defense or intelligence sectors of the Government of the Russian Federation, including the Main Intelligence Agency of the General Staff of the Armed Forces of the Russian Federation or the Federal Security Service of the Russian Federation.

(b) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application of sanctions under subsection (a) with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(c) DELAY OF IMPOSITION OF SANCTIONS.—The President may delay the imposition of sanctions under subsection (a) with respect to a person if the President certifies to the appropriate congressional committees, not less frequently than every 180 days while the delay is in effect, that the person is substantially reducing the number of significant transactions described in subsection (a) in which that person engages.

(d) REQUIREMENT TO ISSUE GUIDANCE.—Not later than 60 days after the date of the enactment of this Act, the President shall issue regulations or other guidance to specify the persons that are part of, or operate for or on behalf of, the defense and intelligence sectors of the Government of the Russian Federation.

(e) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out subsection (a) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 232. SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF PIPELINES IN THE RUSSIAN FEDERATION.

(a) IN GENERAL.—The President, in coordination with allies of the United States, may impose 5 or more of the sanctions described in section 235 with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, makes an investment described in subsection (b) or sells, leases, or provides to the Russian Federation, for the construction of Russian energy export pipelines, goods, services, technology, information, or support described in subsection (c)—

(1) any of which has a fair market value of $1,000,000 or more; or

(2) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more.

(b) INVESTMENT DESCRIBED.—An investment described in this subsection is an investment that directly and significantly contributes to the enhancement of the ability of the Russian Federation to construct energy export pipelines.

(c) GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.—Goods, services, technology, information, or support described in this subsection are goods, services, technology, information, or support that could directly and significantly facilitate the maintenance or expansion of the construction, modernization, or repair of energy export pipelines by the Russian Federation.

SEC. 233. SANCTIONS WITH RESPECT TO INVESTMENT IN OR FACILITATION OF PRIVATIZATION OF STATE-OWNED ASSETS BY THE RUSSIAN FEDERATION.

(a) IN GENERAL.—The President shall impose 5 or more of the sanctions described in section 235 if the President determines that a person, with actual knowledge, on or after the date of the enactment of this Act, makes an investment of $10,000,000 or more (or any combination of investments of not less than $1,000,000 each, which in the aggregate equals

or exceeds $10,000,000 in any 12-month period), or facilitates such an investment, if the investment directly and significantly contributes to the ability of the Russian Federation to privatize state-owned assets in a manner that unjustly benefits—

(1) officials of the Government of the Russian Federation; or

(2) close associates or family members of those officials.

(b) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application of sanctions under subsection (a) with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.

SEC. 234. SANCTIONS WITH RESPECT TO THE TRANSFER OF ARMS AND RELATED MATERIEL TO SYRIA.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President shall impose on a foreign person the sanctions described in subsection (b) if the President determines that such foreign person has, on or after the date of the enactment of this Act, knowingly exported, transferred, or otherwise provided to Syria significant financial, material, or technological support that contributes materially to the ability of the Government of Syria to—

(A) acquire or develop chemical, biological, or nuclear weapons or related technologies;

(B) acquire or develop ballistic or cruise missile capabilities;

(C) acquire or develop destabilizing numbers and types of advanced conventional weapons;

(D) acquire significant defense articles, defense services, or defense information (as such terms are defined under the Arms Export Control Act (22 U.S.C. 2751 et seq.)); or

(E) acquire items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(2) APPLICABILITY TO OTHER FOREIGN PERSONS.—The sanctions described in subsection (b) shall also be imposed on any foreign person that—

(A) is a successor entity to a foreign person described in paragraph (1); or

(B) is owned or controlled by, or has acted for or on behalf of, a foreign person described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed on a foreign person described in subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) EXCLUSION FROM THE UNITED STATES.—If the foreign person is an individual, the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, the foreign person.

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to the foreign person regardless of when issued.

(ii) EFFECT OF REVOCATION.—A revocation under clause (i) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the possession of the foreign person.

(c) WAIVER.—Subject to section 216, the President may waive the application of sanctions under subsection (b) with respect to a person if the President determines that such a waiver is in the national security interest of the United States.

(d) DEFINITIONS.—In this section:

(1) FINANCIAL, MATERIAL, OR TECHNOLOGICAL SUPPORT.—The term ''financial, material, or technological support'' has the meaning given such term in section 542.304 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(2) FOREIGN PERSON.—The term ''foreign person'' has the meaning given such term in section 594.304 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(3) SYRIA.—The term ''Syria'' has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 235. SANCTIONS DESCRIBED.

(a) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a person under section 224(a)(2), 231(b), 232(a), or 233(a) are the following:

(1) EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO SANCTIONED PERSONS.—The President may direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the sanctioned person.

(2) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the sanctioned person under—

(A) the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(C) the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(D) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(3) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The President may prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than $10,000,000 in any 12-month period unless the person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities.

(4) LOANS FROM INTERNATIONAL FINANCIAL INSTITUTIONS.—The President may direct the United States executive director to each international financial institution to use the voice and vote of the United States to oppose any loan from the international financial institution that would benefit the sanctioned person.

(5) PROHIBITIONS ON FINANCIAL INSTITUTIONS.—The following prohibitions may be imposed against the sanctioned person if that person is a financial institution:

(A) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the financial institution as a primary dealer in United States Government debt instruments.

(B) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

The imposition of either sanction under subparagraph (A) or (B) shall be treated as 1 sanction for purposes of subsection (b), and the imposition of both such sanctions shall be treated as 2 sanctions for purposes of subsection (b).

(6) PROCUREMENT SANCTION.—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from the sanctioned person.

(7) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest.

(8) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person.

(9) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the sanctioned person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(10) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the sanctioned person.

(11) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the sanctioned person.

(12) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, any of the sanctions under this subsection.

(b) SANCTIONED PERSON DEFINED.—In this section, the term ''sanctioned person'' means a person subject to sanctions under section 224(a)(2), 231(b), 232(a), or 233(a).

SEC. 236. EXCEPTIONS, WAIVER, AND TERMINATION.

(a) EXCEPTIONS.—The provisions of this part and amendments made by this part shall not apply with respect to the following:

(1) Activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(b) WAIVER OF SANCTIONS THAT ARE IMPOSED.—Subject to section 216, if the President imposes sanctions with respect to a person under this part or the amendments made by this part, the President may waive the application of those sanctions if the President determines that such a waiver is in the national security interest of the United States.

(c) TERMINATION.—Subject to section 216, the President may terminate the application of sanctions under section 224, 231, 232, 233, or 234 with respect to a person if the President submits to the appropriate congressional committees—

(1) a notice of and justification for the termination; and

(2) a notice that—

(A) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

(B) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under this part in the future.

SEC. 237. EXCEPTION RELATING TO ACTIVITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) IN GENERAL.—This Act and the amendments made by this Act shall not apply with respect to activities of the National Aeronautics and Space Administration.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to authorize the imposition of any sanction or other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any entity of the Russian Federation of any product or service, or the procurement of such product or service by any contractor or subcontractor of the United States or any other entity, relating to or in connection with any space launch conducted for—

(1) the National Aeronautics and Space Administration; or

(2) any other non-Department of Defense customer.

SEC. 238. RULE OF CONSTRUCTION.

Nothing in this part or the amendments made by this part shall be construed—

(1) to supersede the limitations or exceptions on the use of rocket engines for national security purposes under section 1608 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note), as amended by section 1607 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1100) and section 1602 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2582); or

(2) to prohibit a contractor or subcontractor of the Department of Defense from acquiring components referred to in such section 1608.

PART 3—REPORTS

SEC. 241. REPORT ON OLIGARCHS AND PARASTATAL ENTITIES OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees a detailed report on the following:

(1) Senior foreign political figures and oligarchs in the Russian Federation, including the following:

(A) An identification of the most significant senior foreign political figures and oligarchs in the Russian Federation, as determined by their closeness to the Russian regime and their net worth.

(B) An assessment of the relationship between individuals identified under subparagraph (A) and President Vladimir Putin or other members of the Russian ruling elite.

(C) An identification of any indices of corruption with respect to those individuals.

(D) The estimated net worth and known sources of income of those individuals and their family members (including spouses, children, parents, and siblings), including assets, investments, other business interests, and relevant beneficial ownership information.

(E) An identification of the non-Russian business affiliations of those individuals.

(2) Russian parastatal entities, including an assessment of the following:

(A) The emergence of Russian parastatal entities and their role in the economy of the Russian Federation.

(B) The leadership structures and beneficial ownership of those entities.

(C) The scope of the non-Russian business affiliations of those entities.

(3) The exposure of key economic sectors of the United States to Russian politically exposed persons and parastatal entities, including, at a minimum, the banking, securities, insurance, and real estate sectors.

(4) The likely effects of imposing debt and equity restrictions on Russian parastatal entities, as well as the anticipated effects of adding Russian parastatal entities to the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(5) The potential impacts of imposing secondary sanctions with respect to Russian oligarchs, Russian state-owned enterprises, and Russian parastatal entities, including impacts on the entities themselves and on the economy of the Russian Federation, as well as on the economies of the United States and allies of the United States.

(b) FORM OF REPORT.—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) SENIOR FOREIGN POLITICAL FIGURE.—The term ''senior foreign political figure'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 242. REPORT ON EFFECTS OF EXPANDING SANCTIONS TO INCLUDE SOVEREIGN DEBT AND DERIVATIVE PRODUCTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees a report describing in detail the potential effects of expanding sanctions under Directive 1 (as amended), dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine), or any successor directive, to include sovereign debt and the full range of derivative products.

(b) FORM OF REPORT.—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

SEC. 243. REPORT ON ILLICIT FINANCE RELATING TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and not later than the end of each one-year period thereafter until 2021, the Secretary of the Treasury shall submit to the appropriate congressional committees a report describing interagency efforts in the United States to combat illicit finance relating to the Russian Federation.

(b) ELEMENTS.—The report required by subsection (a) shall contain a summary of efforts by the United States to do the following:

(1) Identify, investigate, map, and disrupt illicit financial flows linked to the Russian Federation if such flows affect the United States financial system or those of major allies of the United States.

(2) Conduct outreach to the private sector, including information sharing efforts to strengthen compliance efforts by entities, including financial institutions, to prevent illicit financial flows described in paragraph (1).

(3) Engage and coordinate with allied international partners on illicit finance, especially in Europe, to coordinate efforts to uncover and prosecute the networks responsible for illicit financial flows described in paragraph (1), including examples of that engagement and coordination.

(4) Identify foreign sanctions evaders and loopholes within the sanctions regimes of foreign partners of the United States.

(5) Expand the number of real estate geographic targeting orders or other regulatory actions, as appropriate, to degrade illicit financial activity relating to the Russian Federation in relation to the financial system of the United States.

(6) Provide support to counter those involved in illicit finance relating to the Russian Federation across all appropriate law enforcement, intelligence, regulatory, and financial authorities of the Federal Government, including by imposing sanctions with respect to or prosecuting those involved.

(7) In the case of the Department of the Treasury and the Department of Justice, investigate or otherwise develop major cases, including a description of those cases.

(c) BRIEFING.—After submitting a report under this section, the Secretary of the Treasury shall provide briefings to the appropriate congressional committees with respect to that report.

(d) COORDINATION.—The Secretary of the Treasury shall coordinate with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State in preparing each report under this section.

(e) FORM.—Each report submitted under this section shall be submitted in unclassified form, but may contain a classified annex.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) ILLICIT FINANCE.—The term ''illicit finance'' means the financing of terrorism, narcotics trafficking, or proliferation, money laundering, or other forms of illicit financing domestically or internationally, as defined by the President.

Subtitle B—Countering Russian Influence in Europe and Eurasia

SEC. 251. FINDINGS.

Congress makes the following findings:

(1) The Government of the Russian Federation has sought to exert influence throughout Europe and Eurasia, including in the former states of the Soviet Union, by providing resources to political parties, think tanks, and civil society groups that sow distrust in democratic institutions and actors, promote xenophobic and illiberal views, and otherwise undermine European unity. The Government of the Russian Federation has also engaged in well-documented corruption practices as a means toward undermining and buying influence in European and Eurasian countries.

(2) The Government of the Russian Federation has largely eliminated a once-vibrant Russian-language independent media sector and severely curtails free and independent media within the borders of the Russian Federation. Russian-language media organizations that are funded and controlled by the Government of the Russian Federation and disseminate information within and outside of the Russian Federation routinely traffic in anti-Western disinformation, while few independent, fact-based media sources provide objective reporting for Russian-speaking audiences inside or outside of the Russian Federation.

(3) The Government of the Russian Federation continues to violate its commitments under the Memorandum on Security Assurances in connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Budapest December 5, 1994, and the Conference on Security and Co-operation in Europe Final Act, concluded at Helsinki August 1, 1975 (commonly referred to as the ''Helsinki Final Act''), which laid the ground-work for the establishment of the Organization for Security and Co-operation in Europe, of which the Russian Federation is a member, by its illegal annexation of Crimea in 2014, its illegal occupation of South Ossetia and Abkhazia in Georgia in 2008, and its ongoing destabilizing activities in eastern Ukraine.

(4) The Government of the Russian Federation continues to ignore the terms of the August 2008 ceasefire agreement relating to Georgia, which requires the withdrawal of Russian Federation troops, free access by humanitarian groups to the regions of South Ossetia and Abkhazia, and monitoring of the conflict areas by the European Union Monitoring Mission.

(5) The Government of the Russian Federation is failing to comply with the terms of the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, as well as the Minsk Protocol, which was agreed to on September 5, 2014.

(6) The Government of the Russian Federation is—

(A) in violation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly known as the ''INF Treaty''); and

(B) failing to meet its obligations under the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002 (commonly known as the ''Open Skies Treaty'').

SEC. 252. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Government of the Russian Federation bears responsibility for the continuing violence in Eastern Ukraine, including the death on April 24, 2017, of Joseph Stone, a citizen of the United States working as a monitor for the Organization for Security and Co-operation in Europe;

(2) the President should call on the Government of the Russian Federation—

(A) to withdraw all of its forces from the territories of Georgia, Ukraine, and Moldova;

(B) to return control of the borders of those territories to their respective governments; and

(C) to cease all efforts to undermine the popularly elected governments of those countries;

(3) the Government of the Russian Federation has applied, and continues to apply, to the countries and peoples of Georgia and Ukraine, traditional uses of force, intelligence operations, and influence campaigns, which represent clear and present threats to the countries of Europe and Eurasia;

(4) in response, the countries of Europe and Eurasia should redouble efforts to build resilience within their institutions, political systems, and civil societies;

(5) the United States supports the institutions that the Government of the Russian Federation seeks to undermine, including the North Atlantic Treaty Organization and the European Union;

(6) a strong North Atlantic Treaty Organization is critical to maintaining peace and security in Europe and Eurasia;

(7) the United States should continue to work with the European Union as a partner against aggression by the Government of the Russian Federation, coordinating aid programs, development assistance, and other counter-Russian efforts;

(8) the United States should encourage the establishment of a commission for media freedom within the Council of Europe, modeled on the Venice Commission regarding rule of law issues, that would be chartered to provide governments with expert recommendations on maintaining legal and regulatory regimes supportive of free and independent media and an informed citizenry able to distinguish between fact-based reporting, opinion, and disinformation;

(9) in addition to working to strengthen the North Atlantic Treaty Organization and the European Union, the United States should work with the individual countries of Europe and Eurasia—

(A) to identify vulnerabilities to aggression, disinformation, corruption, and so-called hybrid warfare by the Government of the Russian Federation;

(B) to establish strategic and technical plans for addressing those vulnerabilities;

(C) to ensure that the financial systems of those countries are not being used to shield illicit financial activity by officials of the Government of the Russian Federation or individuals in President Vladimir Putin's inner circle who have been enriched through corruption;

(D) to investigate and prosecute cases of corruption by Russian actors; and

(E) to work toward full compliance with the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (commonly referred to as the ''Anti-Bribery Convention'') of the Organization for Economic Co-operation and Development; and

(10) the President of the United States should use the authority of the President to impose sanctions under—

(A) the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112–208; 22 U.S.C. 5811 note); and

(B) the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note).

SEC. 253. STATEMENT OF POLICY.

The United States, consistent with the principle of ex injuria jus non oritur, supports the policy known as the ''Stimson Doctrine'' and thus does not recognize territorial changes effected by force, including the illegal invasions and occupations of Abkhazia, South Ossetia, Crimea, Eastern Ukraine, and Transnistria.

SEC. 254. COORDINATING AID AND ASSISTANCE ACROSS EUROPE AND EURASIA.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Countering Russian Influence Fund $250,000,000 for fiscal years 2018 and 2019.

(b) USE OF FUNDS.—Amounts in the Countering Russian Influence Fund shall be used to effectively implement, prioritized in the following order and subject to the availability of funds, the following goals:

(1) To assist in protecting critical infrastructure and electoral mechanisms from cyberattacks in the following countries:

(A) Countries that are members of the North Atlantic Treaty Organization or the European Union that the Secretary of State determines—

(i) are vulnerable to influence by the Russian Federation; and

(ii) lack the economic capability to effectively respond to aggression by the Russian Federation without the support of the United States.

(B) Countries that are participating in the enlargement process of the North Atlantic Treaty Organization or the European Union, including Albania, Bosnia and Herzegovina, Georgia, Macedonia, Moldova, Kosovo, Serbia, and Ukraine.

(2) To combat corruption, improve the rule of law, and otherwise strengthen independent judiciaries and prosecutors general offices in the countries described in paragraph (1).

(3) To respond to the humanitarian crises and instability caused or aggravated by the invasions and occupations of Georgia and Ukraine by the Russian Federation.

(4) To improve participatory legislative processes and legal education, political transparency and competition, and compliance with international obligations in the countries described in paragraph (1).

(5) To build the capacity of civil society, media, and other nongovernmental organizations countering the influence and propaganda of the Russian Federation to combat corruption, prioritize access to truthful information, and operate freely in all regions in the countries described in paragraph (1).

(6) To assist the Secretary of State in executing the functions specified in section 1287(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656 note) for the purposes of recognizing, understanding, exposing, and countering propaganda and disinformation efforts by foreign governments, in coordination with the relevant regional Assistant Secretary or Assistant Secretaries of the Department of State.

(c) REVISION OF ACTIVITIES FOR WHICH AMOUNTS MAY BE USED.—The Secretary of State may modify the goals described in subsection (b) if, not later than 15 days before revising such a goal, the Secretary notifies the appropriate congressional committees of the revision.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary of State shall, acting through the Coordinator of United States Assistance to Europe and Eurasia (authorized pursuant to section 601 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5461) and section 102 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5812)), and in consultation with the Administrator for the United States Agency for International Development, the Director of the Global Engagement Center of the Department of State, the Secretary of Defense, the Chairman of the Broadcasting Board of Governors, and the heads of other relevant Federal agencies, coordinate and carry out activities to achieve the goals described in subsection (b).

(2) METHOD.—Activities to achieve the goals described in subsection (b) shall be carried out through—

(A) initiatives of the United States Government;

(B) Federal grant programs such as the Information Access Fund; or

(C) nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, the Black Sea Trust, the Balkan Trust for Democracy, the Prague Civil Society Centre, the North Atlantic Treaty Organization Strategic Communications Centre of Excellence, the European Endowment for Democracy, and related organizations.

(3) REPORT ON IMPLEMENTATION.—

(A) IN GENERAL.—Not later than April 1 of each year, the Secretary of State, acting through the Coordinator of United States Assistance to Europe and Eurasia, shall submit to the appropriate congressional committees a report on the programs and activities carried out to achieve the goals described in subsection (b) during the preceding fiscal year.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include, with respect to each program or activity described in that subparagraph—

(i) the amount of funding for the program or activity;

(ii) the goal described in subsection (b) to which the program or activity relates; and

(iii) an assessment of whether or not the goal was met.

(e) COORDINATION WITH GLOBAL PARTNERS.—

(1) IN GENERAL.—In order to maximize cost efficiency, eliminate duplication, and speed the achievement of the goals described in subsection (b), the Secretary of State shall ensure coordination with—

(A) the European Union and its institutions;

(B) the governments of countries that are members of the North Atlantic Treaty Organization or the European Union; and

(C) international organizations and quasi-governmental funding entities that carry out programs and activities that seek to accomplish the goals described in subsection (b).

(2) REPORT BY SECRETARY OF STATE.—Not later than April 1 of each year, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the amount of funding provided to each country referred to in subsection (b) by—

(i) the European Union or its institutions;

(ii) the government of each country that is a member of the European Union or the North Atlantic Treaty Organization; and

(iii) international organizations and quasi-governmental funding entities that carry out programs and activities that seek to accomplish the goals described in subsection (b); and

(B) an assessment of whether the funding described in subparagraph (A) is commensurate with funding provided by the United States for those goals.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to or limit United States foreign assistance not provided using amounts available in the Countering Russian Influence Fund.

(g) ENSURING ADEQUATE STAFFING FOR GOVERNANCE ACTIVITIES.—In order to ensure that the United States Government is properly focused on combating corruption, improving rule of law, and building the capacity of civil society, media, and other nongovernmental organizations in countries described in subsection (b)(1), the Secretary of State shall establish a pilot program for Foreign Service officer positions focused on governance and anticorruption activities in such countries.

SEC. 255. REPORT ON MEDIA ORGANIZATIONS CONTROLLED AND FUNDED BY THE GOVERNMENT OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that includes a description of media organizations that are controlled and funded by the Government of the Russian Federation, and any affiliated entities, whether operating within or outside the Russian Federation, including broadcast and satellite-based television, radio, Internet, and print media organizations.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 256. REPORT ON RUSSIAN FEDERATION INFLUENCE ON ELECTIONS IN EUROPE AND EURASIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees and leadership a report on funds provided by, or funds the use of which was directed by, the Government of the Russian Federation or any Russian person with the intention of influencing the outcome of any election or campaign in any country in Europe or Eurasia during the preceding year, including through direct support to any political party, candidate, lobbying campaign, nongovernmental organization, or civic organization.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, the Select Committee on Intelligence, and the majority and minority leaders of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, the Permanent Select Committee on Intelligence, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

(2) RUSSIAN PERSON.—The term ''Russian person'' means—

(A) an individual who is a citizen or national of the Russian Federation; or

(B) an entity organized under the laws of the Russian Federation or otherwise subject to the jurisdiction of the Government of the Russian Federation.

SEC. 257. UKRANIAN ENERGY SECURITY.

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to support the Government of Ukraine in restoring its sovereign and territorial integrity;

(2) to condemn and oppose all of the destabilizing efforts by the Government of the Russian Federation in Ukraine in violation of its obligations and international commitments;

(3) to never recognize the illegal annexation of Crimea by the Government of the Russian Federation or the separation of any portion of Ukrainian territory through the use of military force;

(4) to deter the Government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries in Central and Eastern Europe and the Caucuses;

(5) to assist in promoting reform in regulatory oversight and operations in Ukraine's energy sector, including the establishment and empowerment of an independent regulatory organization;

(6) to encourage and support fair competition, market liberalization, and reliability in Ukraine's energy sector;

(7) to help Ukraine and United States allies and partners in Europe reduce their dependence on Russian energy resources, especially natural gas, which the Government of the Russian Federation uses as a weapon to coerce, intimidate, and influence other countries;

(8) to work with European Union member states and European Union institutions to promote energy security through developing diversified and liberalized energy markets that provide diversified sources, suppliers, and routes;

(9) to continue to oppose the NordStream 2 pipeline given its detrimental impacts on the European Union's energy security, gas market development in Central and Eastern Europe, and energy reforms in Ukraine; and

(10) that the United States Government should prioritize the export of United States energy resources in order to create American jobs, help United States allies and partners, and strengthen United States foreign policy.

(b) PLAN TO PROMOTE ENERGY SECURITY IN UKRAINE.—

(1) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of Energy,

shall work with the Government of Ukraine to develop a plan to increase energy security in Ukraine, increase the amount of energy produced in Ukraine, and reduce Ukraine's reliance on energy imports from the Russian Federation.

(2) ELEMENTS.—The plan developed under paragraph (1) shall include strategies for market liberalization, effective regulation and oversight, supply diversification, energy reliability, and energy efficiency, such as through supporting—

(A) the promotion of advanced technology and modern operating practices in Ukraine's oil and gas sector;

(B) modern geophysical and meteorological survey work as needed followed by international tenders to help attract qualified investment into exploration and development of areas with untapped resources in Ukraine;

(C) a broadening of Ukraine's electric power transmission interconnection with Europe;

(D) the strengthening of Ukraine's capability to maintain electric power grid stability and reliability;

(E) independent regulatory oversight and operations of Ukraine's gas market and electricity sector;

(F) the implementation of primary gas law including pricing, tariff structure, and legal regulatory implementation;

(G) privatization of government owned energy companies through credible legal frameworks and a transparent process compliant with international best practices;

(H) procurement and transport of emergency fuel supplies, including reverse pipeline flows from Europe;

(I) provision of technical assistance for crisis planning, crisis response, and public outreach;

(J) repair of infrastructure to enable the transport of fuel supplies;

(K) repair of power generating or power transmission equipment or facilities; and

(L) improved building energy efficiency and other measures designed to reduce energy demand in Ukraine.

(3) REPORTS.—

(A) IMPLEMENTATION OF UKRAINE FREEDOM SUPPORT ACT OF 2014 PROVISIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the status of implementing the provisions required under section 7(c) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8926(c)), including detailing the plans required under that section, the level of funding that has been allocated to and expended for the strategies set forth under that section, and progress that has been made in implementing the strategies developed pursuant to that section.

(B) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing the plan developed under paragraph (1), the level of funding that has been allocated to and expended for the strategies set forth in paragraph (2), and progress that has been made in implementing the strategies.

(C) BRIEFINGS.—The Secretary of State, or a designee of the Secretary, shall brief the appropriate congressional committees not later than 30 days after the submission of each report under subparagraph (B). In addition, the Department of State shall make relevant officials available upon request to brief the appropriate congressional committees on all available information that relates directly or indirectly to Ukraine or energy security in Eastern Europe.

(D) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(ii) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(c) SUPPORTING EFFORTS OF COUNTRIES IN EUROPE AND EURASIA TO DECREASE THEIR DEPENDENCE ON RUSSIAN SOURCES OF ENERGY.—

(1) FINDINGS.—Congress makes the following findings:

(A) The Government of the Russian Federation uses its strong position in the energy sector as leverage to manipulate the internal politics and foreign relations of the countries of Europe and Eurasia.

(B) This influence is based not only on the Russian Federation's oil and natural gas resources, but also on its state-owned nuclear power and electricity companies.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States should assist the efforts of the countries of Europe and Eurasia to enhance their energy security through diversification of energy supplies in order to lessen dependencies on Russian Federation energy resources and state-owned entities; and

(B) the Export-Import Bank of the United States and the Overseas Private Investment Corporation should play key roles in supporting critical energy projects that contribute to that goal.

(3) USE OF COUNTERING RUSSIAN INFLUENCE FUND TO PROVIDE TECHNICAL ASSISTANCE.—Amounts in the Countering Russian Influence Fund pursuant to section 254 shall be used to provide technical advice to countries described in subsection (b)(1) of such section designed to enhance energy security and lessen dependence on energy from Russian Federation sources.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of State a total of $30,000,000 for fiscal years 2018 and 2019 to carry out the strategies set forth in subsection (b)(2) and other activities under this section related to the promotion of energy security in Ukraine.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the responsibilities required and authorities provided under section 7 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8926).

SEC. 258. TERMINATION.

The provisions of this subtitle shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 259. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided, in this subtitle, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle C—Combating Terrorism and Illicit Financing

PART 1—NATIONAL STRATEGY FOR COMBATING TERRORIST AND OTHER ILLICIT FINANCING

SEC. 261. DEVELOPMENT OF NATIONAL STRATEGY.

(a) IN GENERAL.—The President, acting through the Secretary, shall, in consultation with the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Office of Management and Budget, and the appropriate Federal banking agencies and Federal functional regulators, develop a national strategy for combating the financing of terrorism and related forms of illicit finance.

(b) TRANSMITTAL TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a comprehensive national strategy developed in accordance with subsection (a).

(2) UPDATES.—Not later than January 31, 2020, and January 31, 2022, the President shall submit to the appropriate congressional committees updated versions of the national strategy submitted under paragraph (1).

(c) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the national strategy that involves information that is properly classified under criteria established by the President shall be submitted to Congress separately in a classified annex and, if requested by the chairman or ranking member of one of the appropriate congressional committees, as a briefing at an appropriate level of security.

SEC. 262. CONTENTS OF NATIONAL STRATEGY.

The strategy described in section 261 shall contain the following:

(1) EVALUATION OF EXISTING EFFORTS.—An assessment of the effectiveness of and ways in which the United States is currently addressing the highest levels of risk of various forms of illicit finance, including those identified in the documents entitled ''2015 National Money Laundering Risk Assessment'' and ''2015 National Terrorist Financing Risk Assessment'', published by the Department of the Treasury and a description of how the strategy is integrated into, and supports, the broader counter terrorism strategy of the United States.

(2) GOALS, OBJECTIVES, AND PRIORITIES.—A comprehensive, research-based, long-range, quantifiable discussion of goals, objectives, and priorities for disrupting and preventing illicit finance activities within and transiting the financial system of the United States that outlines priorities to reduce the incidence, dollar value, and effects of illicit finance.

(3) THREATS.—An identification of the most significant illicit finance threats to the financial system of the United States.

(4) REVIEWS AND PROPOSED CHANGES.—Reviews of enforcement efforts, relevant regulations and relevant provisions of law and, if appropriate, discussions of proposed changes determined to be appropriate to ensure that the United States pursues coordinated and effective efforts at all levels of government, and with international partners of the United States, in the fight against illicit finance.

(5) DETECTION AND PROSECUTION INITIATIVES.—A description of efforts to improve, as necessary, detection and prosecution of illicit finance, including efforts to ensure that—

(A) subject to legal restrictions, all appropriate data collected by the Federal Government that is relevant to the efforts described in this section be available in a timely fashion to—

(i) all appropriate Federal departments and agencies; and

(ii) as appropriate and consistent with section 314 of the International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001 (31 U.S.C. 5311 note), to financial institutions to assist the financial institutions in efforts to comply with laws aimed at curbing illicit finance; and

(B) appropriate efforts are undertaken to ensure that Federal departments and agencies charged with reducing and preventing illicit finance make thorough use of publicly available data in furtherance of this effort.

(6) THE ROLE OF THE PRIVATE FINANCIAL SECTOR IN PREVENTION OF ILLICIT FINANCE.—A discussion of ways to enhance partnerships between the private financial sector and Federal departments and agencies with regard to the prevention and detection of illicit finance, including—

(A) efforts to facilitate compliance with laws aimed at stopping such illicit finance while maintaining the effectiveness of such efforts; and

(B) providing guidance to strengthen internal controls and to adopt on an industry-wide basis more effective policies.

(7) ENHANCEMENT OF INTERGOVERNMENTAL COOPERATION.—A discussion of ways to combat illicit finance by enhancing—

(A) cooperative efforts between and among Federal, State, and local officials, including State regulators, State and local prosecutors, and other law enforcement officials; and

(B) cooperative efforts with and between governments of countries and with and between multinational institutions with expertise in fighting illicit finance, including the Financial Action Task Force and the Egmont Group of Financial Intelligence Units.

(8) TREND ANALYSIS OF EMERGING ILLICIT FINANCE THREATS.—A discussion of and data regarding trends in illicit finance, including evolving forms of value transfer such as so-called cryptocurrencies, other methods that are computer, telecommunications, or Internet-based, cyber crime, or any other threats that the Secretary may choose to identify.

(9) BUDGET PRIORITIES.—A multiyear budget plan that identifies sufficient resources needed to successfully execute the full range of missions called for in this section.

(10) TECHNOLOGY ENHANCEMENTS.—An analysis of current and developing ways to leverage technology to improve the effectiveness of efforts to stop the financing of terrorism and other forms of illicit finance, including better integration of open-source data.

PART 2—ENHANCING ANTITERRORISM TOOLS OF THE DEPARTMENT OF THE TREASURY

SEC. 271. IMPROVING ANTITERROR FINANCE MONITORING OF FUNDS TRANSFERS.

(a) STUDY.—

(1) IN GENERAL.—To improve the ability of the Department of the Treasury to better track cross-border fund transfers and identify potential financing of terrorist or other forms of illicit finance, the Secretary shall carry out a study to assess—

(A) the potential efficacy of requiring banking regulators to establish a pilot program to provide technical assistance to depository institutions and credit unions that wish to provide account services to money services businesses serving individuals in Somalia;

(B) whether such a pilot program could be a model for improving the ability of United States persons to make legitimate funds transfers through transparent and easily monitored channels while preserving strict compliance with the Bank Secrecy Act (Public Law 91–508; 84 Stat. 1114) and related controls aimed at stopping money laundering and the financing of terrorism; and

(C) consistent with current legal requirements regarding confidential supervisory information, the potential impact of allowing money services businesses to share certain State examination information with depository institutions and credit unions, or whether another appropriate mechanism could be identified to allow a similar exchange of information to give the depository institutions and credit unions a better understanding of whether an individual money services business is adequately meeting its anti-money laundering and counter-terror financing obligations to combat money laundering, the financing of terror, or related illicit finance.

(2) PUBLIC INPUT.—The Secretary should solicit and consider public input as appropriate in developing the study required under subsection (a).

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate and the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a).

SEC. 272. SENSE OF CONGRESS ON INTERNATIONAL COOPERATION REGARDING TERRORIST FINANCING INTELLIGENCE.

It is the sense of Congress that the Secretary, acting through the Under Secretary for Terrorism and Financial Crimes, should intensify work with foreign partners to help the foreign partners develop intelligence analytic capacities, in a financial intelligence unit, finance ministry, or other appropriate agency, that are—

(1) commensurate to the threats faced by the foreign partner; and

(2) designed to better integrate intelligence efforts with the anti-money laundering and counter-terrorist financing regimes of the foreign partner.

SEC. 273. EXAMINING THE COUNTER-TERROR FINANCING ROLE OF THE DEPARTMENT OF THE TREASURY IN EMBASSIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate and the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives a report that contains—

(1) a list of the United States embassies in which a full-time Department of the Treasury financial attaché is stationed and a description of how the interests of the Department of the Treasury relating to terrorist financing and money laundering are addressed (via regional attachés or otherwise) at United States embassies where no such attachés are present;

(2) a list of the United States embassies at which the Department of the Treasury has assigned a technical assistance advisor from the Office of Technical Assistance of the Department of the Treasury;

(3) an overview of how Department of the Treasury financial attachés and technical assistance advisors assist in efforts to counter illicit finance, to include money laundering, terrorist financing, and proliferation financing; and

(4) an overview of patterns, trends, or other issues identified by the Department of the Treasury and whether resources are sufficient to address these issues.

SEC. 274. INCLUSION OF SECRETARY OF THE TREASURY ON THE NATIONAL SECURITY COUNCIL.

(a) IN GENERAL.—Section 101(c)(1) of the National Security Act of 1947 (50 U.S.C. 3021(c)(1)) is amended by inserting ''the Secretary of the Treasury,'' before ''and such other officers''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to authorize the National Security Council to have a professional staff level that exceeds the limitation set forth under section 101(e)(3) of the National Security Act of 1947 (50 U.S.C. 3021(e)(3)).

SEC. 275. INCLUSION OF ALL FUNDS.

(a) IN GENERAL.—Section 5326 of title 31, United States Code, is amended—

(1) in the heading of such section, by striking ''coin and currency'';

(2) in subsection (a)—

(A) by striking ''subtitle and'' and inserting ''subtitle or to''; and

(B) in paragraph (1)(A), by striking ''United States coins or currency (or such other monetary instruments as the Secretary may describe in such order)'' and inserting ''funds (as the Secretary may describe in such order),''; and

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking ''coins or currency (or monetary instruments)'' and inserting ''funds''; and

(B) in paragraph (2), by striking ''coins or currency (or such other monetary instruments as the Secretary may describe in the regulation or order)'' and inserting ''funds (as the Secretary may describe in the regulation or order)''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 53 of title 31, United States Code, is amended in the item relating to section 5326 by striking ''coin and currency''.

PART 3—DEFINITIONS

SEC. 281. DEFINITIONS.

In this subtitle—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, Committee on Armed Services, Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on the Judiciary, Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives;

(2) the term ''appropriate Federal banking agencies'' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(3) the term ''Bank Secrecy Act'' means—

(A) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

(B) chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.); and

(C) subchapter II of chapter 53 of title 31, United States Code;

(4) the term ''Federal functional regulator'' has the meaning given that term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809);

(5) the term ''illicit finance'' means the financing of terrorism, narcotics trafficking, or proliferation, money laundering, or other forms of illicit financing domestically or internationally, as defined by the President;

(6) the term ''money services business'' has the meaning given the term under section 1010.100 of title 31, Code of Federal Regulations;

(7) the term ''Secretary'' means the Secretary of the Treasury; and

(8) the term ''State'' means each of the several States, the District of Columbia, and each territory or possession of the United States.

Subtitle D—Rule of Construction

SEC. 291. RULE OF CONSTRUCTION.

Nothing in this title or the amendments made by this title (other than sections 216 and 236(b)) shall be construed to limit the authority of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

SEC. 292. SENSE OF CONGRESS ON THE STRATEGIC IMPORTANCE OF ARTICLE 5 OF THE NORTH ATLANTIC TREATY.

(a) FINDINGS.—Congress makes the following findings:

(1) The principle of collective defense of the North Atlantic Treaty Organization (NATO) is immortalized in Article 5 of the North Atlantic Treaty in which members pledge that ''an armed attack against one or more of them in Europe or North America shall be considered an attack against them all''.

(2) For almost 7 decades, the principle of collective defense has effectively served as a strategic deterrent for the member nations of the North Atlantic Treaty Organization and provided stability throughout the world, strengthening the security of the United States and all 28 other member nations.

(3) Following the September 11, 2001, terrorist attacks in New York, Washington, and Pennsylvania, the Alliance agreed to invoke Article 5 for the first time, affirming its commitment to collective defense.

(4) Countries that are members of the North Atlantic Treaty Organization have made historic contributions and sacrifices while combating terrorism in Afghanistan through the International Security Assistance Force and the Resolute Support Mission.

(5) The recent attacks in the United Kingdom underscore the importance of an international alliance to combat hostile nation states and terrorist groups.

(6) At the 2014 NATO summit in Wales, the member countries of the North Atlantic Treaty Organization decided that all countries that are members of NATO would spend an amount equal to 2 percent of their gross domestic product on defense by 2024.

(7) Collective defense unites the 29 members of the North Atlantic Treaty Organization, each committing to protecting and supporting one another from external adversaries, which bolsters the North Atlantic Alliance.

(b) SENSE OF CONGRESS.—It is the sense of Congress—

(1) to express the vital importance of Article 5 of the North Atlantic Treaty, the charter of the North Atlantic Treaty Organization, as it continues to serve as a critical deterrent to potential hostile nations and terrorist organizations;

(2) to remember the first and only invocation of Article 5 by the North Atlantic Treaty Organization in support of the United States after the terrorist attacks of September 11, 2001;

(3) to affirm that the United States remains fully committed to the North Atlantic Treaty Organization and will honor its obligations enshrined in Article 5; and

(4) to condemn any threat to the sovereignty, territorial integrity, freedom, or democracy of any country that is a member of the North Atlantic Treaty Organization.

TITLE III—SANCTIONS WITH RESPECT TO NORTH KOREA

SEC. 301. SHORT TITLE.

This title may be cited as the ''Korean Interdiction and Modernization of Sanctions Act''.

SEC. 302. DEFINITIONS.

(a) AMENDMENTS TO DEFINITIONS IN THE NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT OF 2016.—

(1) APPLICABLE EXECUTIVE ORDER.—Section 3(1)(A) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202(1)(A)) is amended—

(A) by striking ''or Executive Order 13694'' and inserting ''Executive Order No. 13694''; and

(B) by inserting ''or Executive Order No. 13722 (50 U.S.C. 1701 note; relating to blocking the property of the Government of North Korea and the Workers' Party of Korea, and Prohibiting Certain Transactions With Respect to North Korea),'' before ''to the extent''.

(2) APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION.—Section 3(2)(A) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202(2)(A)) is amended by striking ''or 2094 (2013)'' and inserting ''2094 (2013), 2270 (2016), or 2321 (2016)''.

(3) FOREIGN PERSON.—Section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202) is amended—

(A) by redesignating paragraphs (5) through (14) as paragraphs (6) through (15), respectively; and

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

''(5) FOREIGN PERSON.—The term 'foreign person' means—

''(A) an individual who is not a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

''(B) an entity that is not a United States person.''.

(4) LUXURY GOODS.—Paragraph (9) of section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as redesignated by paragraph (3) of this subsection, is amended—

(A) in subparagraph (A), by striking ''and'' at the end;

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

(C) by adding at the end the following new subparagraph:

''(C) also includes any items so designated under an applicable United Nations Security Council resolution.''.

(5) NORTH KOREAN PERSON.—Section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as amended by paragraph (3) of this subsection, is further amended—

(A) by redesignating paragraphs (13) through (15) as paragraphs (14) through (16), respectively; and

(B) by inserting after paragraph (12) the following new paragraph:

''(13) NORTH KOREAN PERSON.—The term 'North Korean person' means—

''(A) a North Korean citizen or national; or

''(B) an entity owned or controlled by the Government of North Korea or by a North Korean citizen or national.''.

(b) DEFINITIONS FOR PURPOSES OF THIS ACT.—In this title:

(1) APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION; LUXURY GOODS.—The terms ''applicable United Nations Security Council resolution'' and ''luxury goods'' have the meanings given those terms, respectively, in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as amended by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES; GOVERNMENT OF NORTH KOREA; UNITED STATES PERSON.—The terms ''appropriate congressional committees'', ''Government of North Korea'', and ''United States person'' have the meanings given those terms, respectively, in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202).

(3) FOREIGN PERSON; NORTH KOREAN PERSON.—The terms ''foreign person'' and ''North Korean person'' have the meanings given those terms, respectively, in paragraph (5) and paragraph (13) of section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202(5) and 9202(13)), as added by subsection (a).

(4) PROHIBITED WEAPONS PROGRAM.—The term ''prohibited weapons program'' means—

(A) any program related to the development of nuclear, chemical, or biological weapons, and their means of delivery, including ballistic missiles; and

(B) any program to develop related materials with respect to a program described in subparagraph (A).

Subtitle A—Sanctions to Enforce and Implement United Nations Security Council Sanctions Against North Korea

SEC. 311. MODIFICATION AND EXPANSION OF REQUIREMENTS FOR THE DESIGNATION OF PERSONS.

(a) EXPANSION OF MANDATORY DESIGNATIONS.—Section 104(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)) is amended—

(1) in paragraph (9), by striking ''; or'' and inserting ''or any defense article or defense service (as such terms are defined in section 47 of the Arms Export Control Act (22 U.S.C. 2794));'';

(2) by redesignating paragraph (10) as paragraph (15);

(3) by inserting after paragraph (9) the following new paragraphs:

''(10) knowingly, directly or indirectly, purchases or otherwise acquires from North Korea any significant amounts of gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals;

''(11) knowingly, directly or indirectly, sells or transfers to North Korea any significant amounts of rocket, aviation, or jet fuel (except for use by a civilian passenger aircraft outside North Korea, exclusively for consumption during its flight to North Korea or its return flight);

''(12) knowingly, directly or indirectly, provides significant amounts of fuel or supplies, provides bunkering services, or facilitates a significant transaction or transactions to operate or maintain, a vessel or aircraft that is designated under an applicable Executive order or an applicable United Nations Security Council resolution, or that is owned or controlled by a person designated under an applicable Executive order or applicable United Nations Security Council resolution;

''(13) knowingly, directly or indirectly, insures, registers, facilitates the registration of, or maintains insurance or a registration for, a vessel owned or controlled by the Government of North Korea, except as specifically approved by the United Nations Security Council;

''(14) knowingly, directly or indirectly, maintains a correspondent account (as defined in section 201A(d)(1)) with any North Korean financial institution, except as specifically approved by the United Nations Security Council; or''; and

(4) in paragraph (15), as so redesignated, by striking ''(9)'' and inserting ''(14)''.

(b) EXPANSION OF ADDITIONAL DISCRETIONARY DESIGNATIONS.—

(1) IN GENERAL.—Section 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(b)(1)) is amended—

(A) in subparagraph (A), by striking ''pursuant to an applicable United Nations Security Council resolution;'' and inserting the following: ''pursuant to—

''(i) an applicable United Nations Security Council resolution;

''(ii) any regulation promulgated under section 404; or

''(iii) any applicable Executive order;'';

(B) in subparagraph (B)(iii), by striking ''or'' at the end;

(C) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

''(D) knowingly, directly or indirectly, purchased or otherwise acquired from the Government of North Korea significant quantities of coal, iron, or iron ore, in excess of the limitations provided in applicable United Nations Security Council resolutions;

''(E) knowingly, directly or indirectly, purchased or otherwise acquired significant types or amounts of textiles from the Government of North Korea;

''(F) knowingly facilitated a significant transfer of funds or property of the Government of North Korea that materially contributes to any violation of an applicable United National Security Council resolution;

''(G) knowingly, directly or indirectly, facilitated a significant transfer to or from the Government of North Korea of bulk cash, precious metals, gemstones, or other stores of value not described under subsection (a)(10);

''(H) knowingly, directly or indirectly, sold, transferred, or otherwise provided significant amounts of crude oil, condensates, refined petroleum, other types of petroleum or petroleum byproducts, liquified natural gas, or other natural gas resources to the Government of North Korea (except for heavy fuel oil, gasoline, or diesel fuel for humanitarian use or as excepted under subsection (a)(11));

''(I) knowingly, directly or indirectly, engaged in, facilitated, or was responsible for the online commercial activities of the Government of North Korea, including online gambling;

''(J) knowingly, directly or indirectly, purchased or otherwise acquired fishing rights from the Government of North Korea;

''(K) knowingly, directly or indirectly, purchased or otherwise acquired significant types or amounts of food or agricultural products from the Government of North Korea;

''(L) knowingly, directly or indirectly, engaged in, facilitated, or was responsible for the exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the Government of North Korea or by the Workers' Party of Korea;

''(M) knowingly conducted a significant transaction or transactions in North Korea's transportation, mining, energy, or financial services industries; or

''(N) except as specifically approved by the United Nations Security Council, and other than through a correspondent account as described in subsection (a)(14), knowingly facilitated the operation of any branch, subsidiary, or office of a North Korean financial institution.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on the date of the enactment of this Act and apply with respect to conduct described in subparagraphs (D) through (N) of section 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016, as added by paragraph (1), engaged in on or after such date of enactment.

(c) MANDATORY AND DISCRETIONARY ASSET BLOCKING.—Section 104(c) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(c)) is amended—

(1) by striking ''of a designated person'' and inserting ''of a person designated under subsection (a)'';

(2) by striking ''The President'' and inserting the following:

''(1) MANDATORY ASSET BLOCKING.—The President''; and

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

''(2) DISCRETIONARY ASSET BLOCKING.—The President may also exercise such powers, in the same manner and to the same extent described in paragraph (1), with respect to a person designated under subsection (b).''.

(d) DESIGNATION OF ADDITIONAL PERSONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report including a determination as to whether reasonable grounds exist, and an explanation of the reasons for any determination that such grounds do not exist, to designate, pursuant to section 104 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214), as amended by this section, each of the following:

(A) The Korea Shipowners' Protection and Indemnity Association, a North Korean insurance company, with respect to facilitating imports, exports, and reexports of arms and related materiel to and from North Korea, or for other activities prohibited by such section 104.

(B) Chinpo Shipping Company (Private) Limited, a Singapore corporation, with respect to facilitating imports, exports, and reexports of arms and related materiel to and from North Korea.

(C) The Central Bank of the Democratic People's Republic of Korea, with respect to the sale of gold to, the receipt of gold from, or the import or export of gold by the Government of North Korea.

(D) Kumgang Economic Development Corporation (KKG), with respect to being an entity controlled by Bureau 39 of the Workers' Party of the Government of North Korea.

(E) Sam Pa, also known as Xu Jinghua, Xu Songhua, Sa Muxu, Samo, Sampa, or Sam King, and any entities owned or controlled by such individual, with respect to transactions with KKG.

(F) The Chamber of Commerce of the Democratic People's Republic of Korea, with respect to the exportation of workers in violation of section 104(a)(5) or of section 104(b)(1)(M) of such Act, as amended by subsection (b) of this section.

(2) FORM.—The report submitted under paragraph (1) may contain a classified annex.

SEC. 312. PROHIBITION ON INDIRECT CORRESPONDENT ACCOUNTS.

(a) IN GENERAL.—Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.) is amended by inserting after section 201 the following new section:

''SEC. 201A. PROHIBITION ON INDIRECT CORRESPONDENT ACCOUNTS.

''(a) IN GENERAL.—Except as provided in subsection (b), if a United States financial institution has or obtains knowledge that a correspondent account established, maintained, administered, or managed by that institution for a foreign financial institution is being used by the foreign financial institution to provide significant financial services indirectly to any person, foreign government, or financial institution designated under section 104, the United States financial institution shall ensure that such correspondent account is no longer used to provide such services.

''(b) EXCEPTION.—A United States financial institution is authorized to process transfers of funds to or from North Korea, or for the direct or indirect benefit of any person, foreign government, or financial institution that is designated under section 104, only if the transfer—

''(1) arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction that has been authorized by a specific or general license issued by the Secretary of the Treasury; and

''(2) does not involve debiting or crediting a North Korean account.

''(c) DEFINITIONS.—In this section:

''(1) CORRESPONDENT ACCOUNT.—The term 'correspondent account' has the meaning given that term in section 5318A of title 31, United States Code.

''(2) UNITED STATES FINANCIAL INSTITUTION.—The term 'United States financial institution' means has the meaning given that term in section 510.310 of title 31, Code of Federal Regulations, as in effect on the date of the enactment of this section.

''(3) FOREIGN FINANCIAL INSTITUTION.—The term 'foreign financial institution' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations, as in effect on the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by inserting after the item relating to section 201 the following new item:

''Sec. 201A. Prohibition on indirect correspondent accounts.''.

SEC. 313. LIMITATIONS ON FOREIGN ASSISTANCE TO NONCOMPLIANT GOVERNMENTS.

Section 203 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9223) is amended—

(1) in subsection (b)—

(A) in the heading, by striking ''TRANSACTIONS IN LETHAL MILITARY EQUIPMENT'' and inserting ''TRANSACTIONS IN DEFENSE ARTICLES OR DEFENSE SERVICES'';

(B) in paragraph (1), by striking ''that provides lethal military equipment to the Government of North Korea'' and inserting ''that provides to or receives from the Government of North Korea a defense article or defense service, as such terms are defined in section 47 of the Arms Export Control Act (22 U.S.C. 2794), if the President determines that a significant type or amount of such article or service has been so provided or received''; and

(C) in paragraph (2), by striking ''1 year'' and inserting ''2 years'';

(2) in subsection (d), by striking ''or emergency'' and inserting ''maternal and child health, disease prevention and response, or''; and

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

''(e) REPORT ON ARMS TRAFFICKING INVOLVING NORTH KOREA.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, and annually thereafter for 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that specifically describes the compliance of foreign countries and other foreign jurisdictions with the requirement to curtail the trade described in subsection (b)(1).

''(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.''.

SEC. 314. AMENDMENTS TO ENHANCE INSPECTION AUTHORITIES.

Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C.

9221 et seq.), as amended by section 102 of this Act, is further amended by striking section 205 and inserting the following:

"SEC. 205. ENHANCED INSPECTION AUTHORITIES.

''(a) REPORT REQUIRED.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees a report—

''(A) identifying the operators of foreign sea ports and airports that knowingly—

''(i) significantly fail to implement or enforce regulations to inspect ships, aircraft, cargo, or conveyances in transit to or from North Korea, as required by applicable United Nations Security Council resolutions;

''(ii) facilitate the transfer, transshipment, or conveyance of significant types or quantities of cargo, vessels, or aircraft owned or controlled by persons designated under applicable United Nations Security Council resolutions; or

''(iii) facilitate any of the activities described in section 104(a);

''(B) describing the extent to which the requirements of applicable United Nations Security Council resolutions to de-register any vessel owned, controlled, or operated by or on behalf of the Government of North Korea have been implemented by other foreign countries;

''(C) describing the compliance of the Islamic Republic of Iran with the sanctions mandated in applicable United Nations Security Council resolutions;

''(D) identifying vessels, aircraft, and conveyances owned or controlled by the Reconnaissance General Bureau of the Workers' Party of Korea; and

''(E) describing the diplomatic and enforcement efforts by the President to secure the full implementation of the applicable United Nations Security Council resolutions, as described in subparagraphs (A) through (C).

''(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

''(b) SPECIFIC FINDINGS.—Each report required under subsection (a) shall include specific findings with respect to the following ports and airports:

''(1) The ports of Dandong, Dalian, and any other port in the People's Republic of China that the President deems appropriate.

''(2) The ports of Abadan, Bandar-e-Abbas, Chabahar, Bandar-e-Khomeini, Bushehr Port, Asaluyeh Port, Kish, Kharg Island, Bandar-e-Lenge, and Khorramshahr, and Tehran Imam Khomeini International Airport, in the Islamic Republic of Iran.

''(3) The ports of Nakhodka, Vanino, and Vladivostok, in the Russian Federation.

''(4) The ports of Latakia, Banias, and Tartous, and Damascus International Airport, in the Syrian Arab Republic.

''(c) ENHANCED SECURITY TARGETING REQUIREMENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Homeland Security may, using a layered approach, require enhanced screening procedures to determine whether physical inspections are warranted of any cargo bound for or landed in the United States that—

''(A) has been transported through a sea port or airport the operator of which has been identified by the President in accordance with subsection (a)(1) as having repeatedly failed to comply with applicable United Nations Security Council resolutions;

''(B) is aboard a vessel or aircraft, or within a conveyance that has, within the last 365 days, entered the territory or waters of North Korea, or landed in any of the sea ports or airports of North Korea; or

''(C) is registered by a country or jurisdiction whose compliance has been identified by the President as deficient pursuant to subsection (a)(2).

''(2) EXCEPTION FOR FOOD, MEDICINE, AND HUMANITARIAN SHIPMENTS.—Paragraph (1) shall not apply to any vessel, aircraft, or conveyance that has entered the territory or waters of North Korea, or landed in any of the sea ports or airports of North Korea, exclusively for the purposes described in section 208(b)(3)(B), or to import food, medicine, or supplies into North Korea to meet the humanitarian needs of the North Korean people.

''(d) SEIZURE AND FORFEITURE.—A vessel, aircraft, or conveyance used to facilitate any of the activities described in section 104(a) under the jurisdiction of the United States may be seized and forfeited, or subject to forfeiture, under—

''(1) chapter 46 of title 18, United States Code; or

''(2) part V of title IV of the Tariff Act of 1930 (19 U.S.C. 1581 et seq.).''.

SEC. 315. ENFORCING COMPLIANCE WITH UNITED NATIONS SHIPPING SANCTIONS AGAINST NORTH KOREA.

(a) IN GENERAL.—The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following new section:

"SEC. 16. PROHIBITION ON ENTRY AND OPERATION.

''(a) PROHIBITION.—

''(1) IN GENERAL.—Except as otherwise provided in this section, no vessel described in subsection (b) may enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States.

''(2) LIMITATIONS ON APPLICATION.—

''(A) IN GENERAL.—The prohibition under paragraph (1) shall not apply with respect to—

''(i) a vessel described in subsection (b)(1), if the Secretary of State determines that—

''(I) the vessel is owned or operated by or on behalf of a country the government of which the Secretary of State determines is closely cooperating with the United States with respect to implementing the applicable United Nations Security Council resolutions (as such term is defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016); or

''(II) it is in the national security interest not to apply the prohibition to such vessel; or

''(ii) a vessel described in subsection (b)(2), if the Secretary of State determines that the vessel is no longer registered as described in that subsection.

''(B) NOTICE.—Not later than 15 days after making a determination under subparagraph (A), the Secretary of State shall submit to the Committee on Foreign Affairs and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate written notice of the determination and the basis upon which the determination was made.

''(C) PUBLICATION.—The Secretary of State shall publish a notice in the Federal Register of each determination made under subparagraph (A).

''(b) VESSELS DESCRIBED.—A vessel referred to in subsection (a) is a foreign vessel for which a notice of arrival is required to be filed under section 4(a)(5), and that—

''(1) is on the most recent list of vessels published in Federal Register under subsection (c)(2); or

''(2) more than 180 days after the publication of such list, is knowingly registered, pursuant to the 1958 Convention on the High Seas entered into force on September 30, 1962, by a government the agents or instrumentalities of which are maintaining a registration of a vessel that is included on such list.

''(c) INFORMATION AND PUBLICATION.—The Secretary of the department in which the Coast Guard is operating, with the concurrence of the Secretary of State, shall—

''(1) maintain timely information on the registrations of all foreign vessels over 300 gross tons that are known to be—

''(A) owned or operated by or on behalf of the Government of North Korea or a North Korean person;

''(B) owned or operated by or on behalf of any country in which a sea port is located, the operator of which the President has identified in the most recent report submitted under section 205(a)(1)(A) of the North Korea Sanctions and Policy Enhancement Act of 2016; or

''(C) owned or operated by or on behalf of any country identified by the President as a country that has not complied with the applicable United Nations Security Council resolutions (as such term is defined in section 3 of such Act); and

''(2) not later than 180 days after the date of the enactment of this section, and periodically thereafter, publish in the Federal Register a list of the vessels described in paragraph (1).

''(d) NOTIFICATION OF GOVERNMENTS.—

''(1) IN GENERAL.—The Secretary of State shall notify each government, the agents or instrumentalities of which are maintaining a registration of a foreign vessel that is included on a list published under subsection (c)(2), not later than 30 days after such publication, that all vessels registered under such government's authority are subject to subsection (a).

''(2) ADDITIONAL NOTIFICATION.—In the case of a government that continues to maintain a registration for a vessel that is included on such list after receiving an initial notification under paragraph (1), the Secretary shall issue an additional notification to such government not later than 120 days after the publication of a list under subsection (c)(2).

''(e) NOTIFICATION OF VESSELS.—Upon receiving a notice of arrival under section 4(a)(5) from a vessel described in subsection (b), the Secretary of the department in which the Coast Guard is operating shall notify the master of such vessel that the vessel may not enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States, unless—

''(1) the Secretary of State has made a determination under subsection (a)(2); or

''(2) the Secretary of the department in which the Coast Guard is operating allows provisional entry of the vessel, or transfer of cargo from the vessel, under subsection (f).

''(f) PROVISIONAL ENTRY OR CARGO TRANSFER.—Notwithstanding any other provision of this section, the Secretary of the department in which the Coast Guard is operating may allow provisional entry of, or transfer of cargo from, a vessel, if such entry or transfer is necessary for the safety of the vessel or persons aboard.

''(g) RIGHT OF INNOCENT PASSAGE AND RIGHT OF TRANSIT PASSAGE.—This section shall not be construed as authority to restrict the right of innocent passage or the right of transit passage as recognized under international law.

''(h) FOREIGN VESSEL DEFINED.—In this section, the term 'foreign vessel' has the meaning given that term in section 110 of title 46, United States Code.''.

(b) CONFORMING AMENDMENTS.—

(1) SPECIAL POWERS.—Section 4(b)(2) of the Ports and Waterways Safety Act (33 U.S.C. 1223(b)(2)) is amended by inserting ''or 16'' after ''section 9''.

(2) DENIAL OF ENTRY.—Section 13(e) of the Ports and Waterways Safety Act (33 U.S.C. 1232(e)) is amended by striking ''section 9'' and inserting ''section 9 or 16''.

SEC. 316. REPORT ON COOPERATION BETWEEN NORTH KOREA AND IRAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an assessment of the extent of cooperation (including through the transfer of goods, services, technology, or intellectual property) between North Korea and Iran relating to their respective nuclear, ballistic missile development, chemical or biological weapons development, or conventional weapons programs;

(2) the names of any Iranian or North Korean persons that have knowingly engaged in or directed—

(A) the provision of material support to such programs; or

(B) the exchange of information between North Korea and Iran with respect to such programs;

(3) the names of any other foreign persons that have facilitated the activities described in paragraph (1); and

(4) a determination whether any of the activities described in paragraphs (1) and (2) violate United Nations Security Council Resolution 2231 (2015).

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

SEC. 317. REPORT ON IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS BY OTHER GOVERNMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees and leadership a report that evaluates the degree to which the governments of other countries have knowingly failed to—

(1) close the representative offices of persons designated under applicable United Nations Security Council resolutions;

(2) expel any North Korean nationals, including diplomats, working on behalf of such persons;

(3) prohibit the opening of new branches, subsidiaries, or representative offices of North Korean financial institutions within the jurisdictions of such governments; or

(4) expel any representatives of North Korean financial institutions.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

SEC. 318. BRIEFING ON MEASURES TO DENY SPECIALIZED FINANCIAL MESSAGING SERVICES TO DESIGNATED NORTH KOREAN FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 5 years, the President shall provide to the appropriate congressional committees a briefing that includes the following information:

(1) A list of each person or foreign government the President has identified that directly provides specialized financial messaging services to, or enables or facilitates direct or indirect access to such messaging services for—

(A) any North Korean financial institution (as such term is defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202)) designated under an applicable United Nations Security Council resolution; or

(B) any other North Korean person, on behalf of such a North Korean financial institution.

(2) A detailed assessment of the status of efforts by the Secretary of the Treasury to work with the relevant authorities in the home jurisdictions of such specialized financial messaging providers to end such provision or access.

(b) FORM.—The briefing required under subsection (a) may be classified.

Subtitle B—Sanctions With Respect to Human Rights Abuses by the Government of North Korea

SEC. 321. SANCTIONS FOR FORCED LABOR AND SLAVERY OVERSEAS OF NORTH KOREANS.

(a) SANCTIONS FOR TRAFFICKING IN PERSONS.—

(1) IN GENERAL.—Section 302(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241(b)) is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) a list of foreign persons that knowingly employ North Korean laborers, as described in section 104(b)(1)(M).''.

(2) ADDITIONAL DETERMINATIONS; REPORTS.—With respect to any country identified in section 302(b)(2) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241(b)(2)), as amended by paragraph (1), the report required under section 302(a) of such Act shall—

(A) include a determination whether each person identified in section 302(b)(3) of such Act (as amended by paragraph (1)) who is a national or a citizen of such identified country meets the criteria for sanctions under—

(i) section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108) (relating to the prevention of trafficking in persons); or

(ii) section 104(a) or 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)), as amended by section 101 of this Act;

(B) be included in the report required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) (relating to the annual report on trafficking in persons); and

(C) be considered in any determination that the government of such country has made serious and sustained efforts to eliminate severe forms of trafficking in persons, as such term is defined for purposes of the Trafficking Victims Protection Act of 2000.

(b) SANCTIONS ON FOREIGN PERSONS THAT EMPLOY NORTH KOREAN LABOR.—

(1) IN GENERAL.—Title III of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241 et seq.) is amended by inserting after section 302 the following new sections:

''SEC. 302A. REBUTTABLE PRESUMPTION APPLICABLE TO GOODS MADE WITH NORTH KOREAN LABOR.

''(a) IN GENERAL.—Except as provided in subsection (b), any significant goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part by the labor of North Korean nationals or citizens shall be deemed to be prohibited under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) and shall not be entitled to entry at any of the ports of the United States.

''(b) EXCEPTION.—The prohibition described in subsection (a) shall not apply if the Commissioner of U.S. Customs and Border Protection finds, by clear and convincing evidence, that the goods, wares, articles, or merchandise described in such paragraph were not produced with convict labor, forced labor, or indentured labor under penal sanctions.

''SEC. 302B. SANCTIONS ON FOREIGN PERSONS EMPLOYING NORTH KOREAN LABOR.

''(a) IN GENERAL.—Except as provided in subsection (c), the President shall designate any person identified under section 302(b)(3) for the imposition of sanctions under subsection (b).

''(b) IMPOSITION OF SANCTIONS.—

''(1) IN GENERAL.—The President shall impose the sanctions described in paragraph (2) with respect to any person designated under subsection (a).

''(2) SANCTIONS DESCRIBED.—The sanctions described in this paragraph are sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to block and prohibit all transactions in property and interests in property of a person designated under subsection (a), if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(c) EXCEPTION.—

''(1) IN GENERAL.—A person may not be designated under subsection (a) if the President certifies to the appropriate congressional committees that the President has received reliable assurances from such person that—

''(A) the employment of North Korean laborers does not result in the direct or indirect transfer of convertible currency, luxury goods, or other stores of value to the Government of North Korea;

''(B) all wages and benefits are provided directly to the laborers, and are held, as applicable, in accounts within the jurisdiction in which they reside in locally denominated currency; and

''(C) the laborers are subject to working conditions consistent with international standards.

''(2) RECERTIFICATION.—Not later than 180 days after the date on which the President transmits to the appropriate congressional committees an initial certification under paragraph (1), and every 180 days thereafter, the President shall—

''(A) transmit a recertification stating that the conditions described in such paragraph continue to be met; or

''(B) if such recertification cannot be transmitted, impose the sanctions described in subsection (b) beginning on the date on which the President determines that such recertification cannot be transmitted.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by inserting after the item

relating to section 302 the following new items:

''Sec. 302A. Rebuttable presumption applicable to goods made with North Korean labor.

''Sec. 302B. Sanctions on foreign persons employing North Korean labor.''.

SEC. 322. MODIFICATIONS TO SANCTIONS SUSPENSION AND WAIVER AUTHORITIES.

(a) EXEMPTIONS.—Section 208(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(a)) is amended in the matter preceding paragraph (1)—

(1) by inserting ''201A,'' after ''104,''; and

(2) by inserting ''302A, 302B,'' after ''209,''.

(b) HUMANITARIAN WAIVER.—Section 208(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(b)(1)) is amended—

(1) by inserting ''201A,'' after ''104,'' in each place it appears; and

(2) by inserting ''302A, 302B,'' after ''209(b),'' in each place it appears.

(c) WAIVER.—Section 208(c) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(c)) is amended in the matter preceding paragraph (1)—

(1) by inserting ''201A,'' after ''104,''; and

(2) by inserting ''302A, 302B,'' after ''209(b),''.

SEC. 323. REWARD FOR INFORMANTS.

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)), is amended—

(1) in paragraph (9), by striking ''or'' at the end;

(2) in paragraph (10), by striking the period at the end and inserting a semicolon; and

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

''(11) the identification or location of any person who, while acting at the direction of or under the control of a foreign government, aids or abets a violation of section 1030 of title 18, United States Code; or

''(12) the disruption of financial mechanisms of any person who has engaged in the conduct described in sections 104(a) or 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 2914(a) or (b)(1)).''.

SEC. 324. DETERMINATION ON DESIGNATION OF NORTH KOREA AS A STATE SPONSOR OF TERRORISM.

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a determination whether North Korea meets the criteria for designation as a state sponsor of terrorism.

(2) FORM.—The determination required by paragraph (1) shall be submitted in unclassified form but may include a classified annex, if appropriate.

(b) STATE SPONSOR OF TERRORISM DEFINED.—For purposes of this section, the term ''state sponsor of terrorism'' means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

Subtitle C—General Authorities

SEC. 331. AUTHORITY TO CONSOLIDATE REPORTS.

Any reports required to be submitted to the appropriate congressional committees under this title or any amendment made by this title that are subject to deadlines for submission consisting of similar units of time may be consolidated into a single report that is submitted to appropriate congressional committees pursuant to the earlier of such deadlines. The consolidated reports must contain all information required under this title or any amendment made by this title, in addition to all other elements mandated by previous law.

SEC. 332. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit—

(1) the authority or obligation of the President to apply the sanctions described in section 104 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214), as amended by section 311 of this Act, with regard to persons who meet the criteria for designation under such section, or in any other provision of law; or

(2) the authorities of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

SEC. 333. REGULATORY AUTHORITY.

(a) IN GENERAL.—The President shall, not later than 180 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this title and the amendments made by this title.

(b) NOTIFICATION TO CONGRESS.—Not fewer than 10 days before the promulgation of a regulation under subsection (a), the President shall notify and provide to the appropriate congressional committees the proposed regulation, specifying the provisions of this title or the amendments made by this title that the regulation is implementing.

SEC. 334. LIMITATION ON FUNDS.

No additional funds are authorized to carry out the requirements of this title or of the amendments made by this title. Such requirements shall be carried out using amounts otherwise authorized.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, this bill represents a very broad, bipartisan House-Senate agreement that the United States must enforce tougher sanctions against North Korea, against Russia, against Iran.

I thank the gentleman from New York (Mr. ENGEL), the ranking member of the Foreign Affairs Committee, for his determined and excellent work on this legislation. This is a very important bill.

These three regimes in different parts of the world are threatening vital U.S. interests and they are destabilizing their neighbors. It is well past time that we forcefully respond.

Under Vladimir Putin, Russia has invaded its neighbor, Ukraine, seizing its territory and destabilizing its government. It poses a threat to our NATO allies in Europe, as Moscow works to undermine democratic values with determination and sophistication, as U.S. intelligence agencies have made clear. This former KGB colonel attempted to interfere with our own election. Left unchecked, Russia is sure to continue its aggression.

Putin's forces continue to prop up the murderous Assad regime in Syria, prolonging a deadly conflict that has driven tens of millions of people from their homes, while enabling the use of chemical weapons and other systematic human rights abuses against the people of Syria.

The Russia sanctions in this bill are substantially similar to those that overwhelmingly passed the other body. They give the administration important economic leverage, they give it diplomatic leverage by targeting the things that matter to Vladimir Putin and that matter to his allies the most, and that is their corrupt efforts to profit from the country's oil wealth and their ability to sell weapons overseas.

To focus their impact, we clarified several provisions that could have inadvertently handed Russian companies control of global energy projects and impacted pipelines that our European allies rely on in an effort to end their dependence on Russian gas. So this strengthens the bill.

To ensure these economic sanctions remain in place as long as Putin's aggression continues, this bill empowers Congress to review and to disapprove any sanctions relief. This strong oversight is necessary, it is appropriate. After all, it is Congress that the Constitution empowers to regulate commerce with foreign nations.

Mr. Speaker, Russia has found a willing partner in Iran. The regime's Iranian Revolutionary Guard are fighting alongside Russian forces in Syria. At the same time, Tehran continues to threaten Israel by providing funding and advanced rockets and missiles to Hezbollah. Hezbollah is its leading terrorist proxy. It continues to hold Americans hostage, while developing intercontinental ballistic missiles capable of delivering nuclear weapons.

To strengthen the U.S. response to the threat from Iran, this bill includes provisions originally introduced by my counterpart, Senator CORKER, which increase sanctions on those involved in the regime's human rights abuses and its support for terrorism, as well as its efforts on the ballistic missile program, which the Iranian Revolutionary Guard forces control.

Finally, I am proud that this bill includes the text of H.R. 1644, the Korean Interdiction and Modernization of Sanctions Act, which we passed in May. We passed it here out of the House by a vote of 419–1. These provisions, which were strengthened in consultation with the other body, expand

sanctions targeting North Korea's nuclear weapons program, but they also go after those around the world who employ North Korean slave labor.

This is a human rights abuse. It is one that operates by having a situation where the indentured workers are fed, but the check, instead of going to the workers, goes to the regime, and that money then goes into the nuclear weapons program. It is estimated that this earns hundreds of millions of dollars for the regime in hard currency.

So with every test, Kim Jong-un's regime comes closer to being able to mount a nuclear warhead on a missile that is capable of reaching the U.S. mainland. We simply cannot pass up an opportunity to increase pressure in response to this threat.

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

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

Mr. Speaker, I rise in support of this legislation. I want to, first of all, thank my colleagues on both sides of the aisle for all the hard work that has gone into this legislation so far. I want to especially thank our chairman, ED ROYCE, who has been my partner on this committee for nearly 5 years. We have passed excellent legislation. The legislation today just adds to it, and it shows what you can do when you work in a bipartisan way, so I want to thank the chairman for all his hard work and all his courtesies.

Mr. Speaker, I support this bill. I certainly plan to vote for it, but it seems we may be on the floor before we have ironed out all the differences with the other body. I hope that is not the case.

In particular, there have been issues with the North Korea sanctions. It was another Royce-Engel bill, which already passed in the House and, frankly, should have been taken up by the other body on a separate track; instead, it is now put into this bill. I hope we don't face further delays when this bill gets back to the other House.

Our job isn't done, obviously, until we get this thing across the finish line; and we need to do that because this bill is critical to our national security.

It does far more than just send a message to leaders in Russia, Iran, and North Korea. It exacts a heavy price for their aggressive and destabilizing behavior.

Just like the bill we already passed, this legislation would update and expand our sanctions on North Korea, closing loopholes that have allowed money to flow to the Kim regime, funding its illegal weapons program. It would crack down on the trading partners, banks, and shipping vessels that enable the regime, and go after the regime's most lucrative enterprises, whether exported goods or the pilfered wages of North Korean laborers sent abroad to work.

With respect to Iran, this bill would go after so many of the things Iran's leaders do to drive violence and instability, from Tehran's ballistic missile program and its support for terrorism to the regime's abhorrent human rights record and efforts to build up its military. I have said this again and again, that we need to hold the regime's feet to the fire on all these issues. This bill does exactly that.

Finally, on Russia, this bill is a strong, direct response to Vladimir Putin's efforts to undermine American democracy. It imposes new sanctions on those who want to do business with Putin's cronies or with Russia's military or intelligence. It strengthens existing sanctions for Russia's illegal annexation of Crimea and armed intervention in eastern Ukraine. It pushes back against Russia's cybercrimes, including the hacking of our election to help Donald Trump—a story which Congress and the special counsel are still trying to get to the bottom of—as well as Putin's support for the murderous Assad regime in Syria. And it gives Congress a strong oversight role in making sure that these Russian sanctions are not lifted prematurely.

This administration has shown over and over that they are willing to cozy up to Putin, but here is the truth: Russia is not our ally. Putin wants to harm the United States, splinter our alliances, and undermine Western democracy. This Congress will not allow him to succeed, so I am glad to support this bipartisan bill.

I thank the chairman once again. We need to keep working to make sure this bill gets to the President's desk.

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

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Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), and I just want to thank him for his good work to strengthen the bill, as he will discuss, and for his focus on pipelines that primarily carry oil and gas through Russia that compete with Russian gas and drives down the price of gas.

Mr. MCCAUL. Mr. Speaker, I rise in strong support of increased sanctions on Russia, Iran, and North Korea. I thank Chairman ROYCE and Ranking Member ELIOT ENGEL for their leadership on this issue. I cannot overstate the importance of sending a strong message to our adversaries that there will be consequences for their bad behavior.

Back in October of last year, at the height of the Presidential campaign, I was briefed by our intelligence community. They told me that Russia engaged in a blatant effort to meddle in our domestic affairs and, specifically, our democratic process. I was an outspoken supporter of the need for a strong response then, and I remain so now.

However, in the process of making Russia pay an economic cost for their bad behavior, we must ensure we are not harming U.S. interests at home and abroad.

I want to thank Chairman ROYCE for clarifying that Section 232 of this bill only applies to Russian energy export pipelines. We should not be in the business of sanctioning pipelines that help provide energy independence from Russia. Putin uses this as a tool to provide political leverage over his neighbors.

So, again, I want to thank Chairman ROYCE for his leadership in working with me on this, I think, clarification to the Senate companion and for his leadership in the House on this important issue.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), my colleague on the Foreign Affairs Committee.

Mr. CICILLINE. Mr. Speaker, I rise in support of H.R. 3364, the Russia, Iran, and North Korea Sanctions Act. I thank my colleagues, Chairman ROYCE and Ranking Member ENGEL, for all of their work, together with the Senate, to reach this important agreement.

This legislation will ensure that Russia, Iran, and North Korea, and those who seek to help them, will suffer consequences for their bad behavior. Passage of this legislation is important to hold Iran accountable for its support for terrorism, human rights violations, and continued defiance of international treaties, including on ballistic missiles.

Today we are taking an important step toward holding the Iranian Government, including the IRGC, and anyone who seeks to support them, accountable for their bad actions. Anyone who contributes to Iran's ballistic missile program, supplies it with weapons, or assists the Iranian Government in their vast human rights abuses will be subject to sanction.

It is important to note that these sanctions do not violate the JCPOA and, in my view, strengthen the nuclear deal by showing our allies and Iran that the United States is serious about continuing to enforce violations of international law.

I am also pleased to see additional sanctions imposed upon Russia and North Korea in this legislation. The human suffering that North Korea has brought upon its own people is unimaginable. Such a depraved leader as Kim Jong-un getting his hands on nuclear weapons that can be used against American allies is an outcome that we simply cannot tolerate.

Finally, Russia engaged in an unprecedented attack against our democracy when it interfered in our 2016 election. This is the fundamental foundation of our democracy, our election, and we simply cannot allow any foreign power to interfere in our electoral process.

Given our President's complete unwillingness to hold Russia accountable for their attack—and let's not mistake it for anything else; it was an attack on America—it has become necessary for Congress to assert its role in this area and ensure that Russia will be held accountable.

So, again, I thank Chairman ROYCE, Ranking Member ENGEL, Leader PELOSI, Whip HOYER, and members of

the Senate who worked together to get this bill to the floor. I urge my colleagues to support this legislation.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding. I thank him and ELIOT ENGEL for sponsoring this important bill.

This bill brings together a critical arsenal of stiff and timely sanctions against Iran, Russia, and North Korea.

The administration was absolutely right in early February to put Iran on notice regarding its continued testing of ballistic missiles. This bill underscores that warning by imposing expanded sanctions against Iran's missile program, demonstrating that the United States will not sit idly by as Iran augments its ability to militarily blackmail the United States, Israel, and our allies.

It also, as the world's largest sponsor of terrorism, imposes terror sanctions on the Islamic Revolutionary Guard Corps. It very importantly, as well, authorizes the imposition of sanctions on individuals responsible for Iran's human rights abuses.

The State Department suggests there are as many as 800 political prisoners in Iran alone. It also reminds us and draws attention to Iran's despicable practice of arresting American citizens to use them as bargaining chips.

On Russia, Mr. Speaker, the Putin government's invasion of Ukraine and annexation of Crimea; indiscriminate bombing in Syria; and threatening behavior toward our NATO allies, above all, in the Baltics makes it—important in respects—the worst actor in the global stage today. Putin's government has passed from threats to aggressive actions against our friends, allies, and innocent people abroad.

Let's not forget that in 2008—and I was there in Tbilisi as it was happening—the Russians invaded Georgia and annexed South Ossetia and Abkhazia.

As to North Korea, a gulag masquerading as a country, we must cut off all economic lifelines to Kim Jong-un, and punish Pyongyang's clients and its enablers. A regime that murdered Otto Warmbier and then, of course, is working on more missiles and the means to deliver them needs to be taken seriously. This legislation does that with very stiff sanctions.

I thank, again, Chairman ROYCE, ELIOT ENGEL, Majority Leader MCCARTHY, and STENY HOYER as the principal sponsors of the bill.

Mr. Speaker, I rise today to support H.R. 3364, the Countering America's Adversaries Through Sanctions Act, introduced by my good friend, Chairman ED ROYCE. I'm proud to be a co-sponsor. This bill brings together a critical arsenal of stiff and timely sanctions trained at some of the gravest national security threats our country faces today.

The Trump Administration was absolutely right in early February to put Iran ''on notice'' regarding its continued testing of ballistic missiles. This bill underscores that warning by imposing expanded sanctions against Iran's missile program—demonstrating that the United States will not sit idly by as Iran augments its ability to blackmail Israel and other allies.

The stakes could hardly be higher. Iran possesses the largest ballistic missile program in the region and its medium-range ballistic missiles are already able to strike Israel and our allies and installations in the Gulf from deep within Iranian territory. Iran's growing space launch program—a thinly veiled testing scheme for intercontinental ballistic missiles—is cause for greater alarm still.

Iran is also the world's largest state sponsor of terrorism. By requiring the imposition of terror sanctions on the Islamic Revolutionary Guard Corps, H.R. 3364 treats the IRGC as what it truly is: Iran's principal means of exporting terrorism around the world, particularly to Israel, Syria, Lebanon, Yemen, and Bahrain.

The U.S. cannot tolerate this brinksmanship and blackmail. Iran dreams of nothing less than regional hegemony and Israel's annihilation. There is no room for compromise with such an adversary. Now is the time to act: Iran is entrenching its influence in Syria and Iraq and insuring these gains with the credibility of its missile threat and militant proxies. We must pass this bill to bring maximum pressure to bear against a mounting threat.

Importantly, this bill also authorizes the imposition of sanctions on individuals responsible for Iran's horrifying human rights abuses. In May, the State Department reported to Congress that: ''The Iranian regime's repression of its own people includes reports of over 800 political prisoners, composed of peaceful civic activists, journalists, women's rights activists, religious and ethnic minorities, and opposition political figures.''

This bill would also draw increased attention to Iran's despicable practice of arresting American citizens to use them as bargaining chips. On Friday, the Trump Administration rightfully called Iran out for using these detentions as ''a tool of state policy'' and threatened ''new and serious'' consequences if this practice continues. We must not forget the lives and families of Robert Levinson, Siamak and Baquer Namazi, Xiyue Wang, and others that have been torn apart by Iran's cynical schemes.

Mr. Speaker, regarding Russia, the Putin government's invasion of Ukraine and annexation of Crimea, indiscriminate bombing in Syria, and threatening behavior toward our NATO allies, above all in the Baltics, makes it among the worst actors on the global stage today. Putin's government has passed from threats to aggressive action against our friends, allies and innocent civilians abroad. And it did so long ago, when it invaded Georgia in 2008.

I was there, in Tbilisi, several weeks after that invasion began, to work to secure the exit of two young children, constituents of mine, trapped behind Russian lines in South Ossetia. I will never forget the quiet courage of the Georgian people in Tbilisi—not entirely surprised by Putin's invasion—they were too wise for that—uncertain whether the Russian army would proceed to Tbilisi, and determined to soldier on in defense of their country.

And then in 2014 the Russian government annexed Crimea and invaded eastern Ukraine—each of these incursions was marked by massive human rights violations, violence toward anyone suspected of being unsympathetic to the Russian imperialist cause, and created massive humanitarian crises of displaced persons, which the Russian government did nothing to relieve.

These acts of aggression underscore the seriousness with which we must take the Russian government's testing of our limits and our will, by buzzing our ships and planes, harassing our diplomats, and intimidating our allies—as it does for example with the Zapad exercises set to take place in September near the Polish, Lithuanian, Latvian, and Estonian borders.

We know from experience that the best way to maintain the peace and keep our country secure is to respond strongly to Russian expansionism and intimidation attempts—this sanctions bill does just that.

The large number of political assassinations that have scarred Russian public life since Putin arrived on the scene—the most notorious but not the only attack on the rights of Russian citizens for which the Putin government is responsible. These brutal crimes only underscore the need to respond strongly to Putin's attempts to intimidate us and our allies.

Congress has responded strongly to Putin's aggressions and crimes before, for example with the Sergei Magnitsky Rule of Law and Accountability Act and the Global Magnitsky legislation, of which I was the House chief sponsor, taking the lessons of the earlier act and applied them globally, while in its name further memorializing the heroic sacrifice of Sergei Magnitsky. The Magnitsky legislation was so strongly detested by the Putin government that in early 2013, having cosponsored the original Magnitsky legislation, the Russian government refused to issue me a visa to visit Russia to work on international child adoption issues. A State Department official commented to me at the time that as far he knew, I was the first Congressman denied a visa since the Brezhnev era.

So, in addition to enacting this new legislation, I want to join Vladimir Kara-Murza's call that the Magnitsky legislation continue to be implemented energetically and fully. Kara-Murza is a Russian democracy activist who twice was nearly killed by sophisticated poisons while visiting Russia—he testified for me at the Helsinki Commission after the first poisoning attempt, in October 2015. Many of the Putin government's murders are motivated by economic crimes and implementation of the Magnitsky legislation should also include U.S. government advocacy on behalf of U.S. investors defrauded by Russian expropriations—the Yukos oil company is the most notorious case of this.

As to North Korea—a gulag masquerading as a country—we must cut off all economic lifelines to Kim Jong un and punish Pyongyang's clients and its enablers. A regime that murders Otto Warmbier does not deserve respect and should be considered an imminent threat to the US and its allies because of its nuclear proliferation.

We cannot negotiate our way out of these strategic problems. Carrots have not worked, we need bigger sticks.

We know sanctions are working. Thae Yong Ho (Thay Young Ho)—North Korea's former

deputy ambassador to Britain and the highest ranking defector in twenty years—said that international sanctions are beginning to squeeze the regime. He also said that the spread of information from the outside world is having a real impact. So it shouldn't be a surprise that South Korea has reported that high-level defections are surging.

This legislation provides crucial tools and I support them wholeheartedly—as I supported them in May of this year.

The Trump Administration will find that it can use the tools we offer today to much greater use than did the last White House. With hundreds of thousands of North Korean laborers abroad—sending as much as $2 billion a year back to the regime in hard currency—we should look at targeting this expatriate labor and the governments and corporations that employ them.

Loopholes in our sanctions on North Korea's shipping and financial sectors must be closed. And when we discover that foreign banks have helped Kim Jong un skirt sanctions—as those in China have repeatedly done—we must give those banks and businesses a stark choice: do business with Kim Jong un or the U.S.

Cut off Kim Jong un's economic lifelines, punish those who keep his murderous regime afloat, and signal to China and its client state in North Korea that the era of "strategic patience" is finally over.

Mr. Speaker, I urge my colleagues to strongly support this critical measure at a perilous moment for our country and the rest of the planet.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CASTRO), our colleague on the Foreign Affairs Committee and a member of the Intelligence Committee.

Mr. CASTRO of Texas. Mr. Speaker, I thank Ranking Member ENGEL for yielding.

I also thank Chairman ROYCE for his leadership on the sanctions package. The American people have been waiting some time for the sanctions package to finally pass.

This bill dials up our current sanctions on North Korea, Iran, and Russia to hold their governments accountable for their destabilizing actions.

The Russia piece in this package is particularly necessary. Russia has flagrantly violated international law by invading Ukraine and interfering in American and European elections. These sanctions are a clear signal that the United States will hold President Putin and his close associates accountable for their actions. They are also a declaration that Congress can and will act, even when President Trump refuses to do so.

In addition to these sanctions, Congress must continue to investigate to determine the scope of Russia's attack on America's democracy and establish which Americans, if any, aided in those efforts.

Again, I thank Ranking Member ENGEL, Chairman ROYCE, and everyone in this Congress who has supported these sanctions.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING), chairman of the Committee on Financial Services.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding and certainly for his leadership on this very important bill.

I rise in support of the Russia, Iran, and North Korean Sanctions Act.

Mr. Speaker, I particularly want to highlight the provisions that are the product of the hard work of the Financial Services Committee's Subcommittee on Terrorism and Illicit Finance. The inclusion of these provisions will undoubtedly assist our government's anti-money laundering and counterterrorist financing efforts.

For instance, this bill includes language directing the President, acting through the Secretary of the Treasury, to develop and maintain a national strategy for combating the financing of terrorism and related forms of illicit financing.

The opportunistic nature of terrorist groups, combined with the emergence of financial technology, creates new challenges for our law enforcement community and their efforts to disrupt terror finance.

The national strategy should also seek to enhance partnerships with the private sector that prevent and detect illicit financing, and increase efforts to facilitate compliance with our anti-money laundering and counterterrorist financing laws.

I would like to commend Congressman TED BUDD for introducing the National Strategy for Combating Terrorists, Underground, and Other Illicit Financing Act, which is almost entirely incorporated in section 2 of the underlying legislation.

I would also like to recognize Congressman PEARCE and Congressman PITTENGER, the chairman and vice chairman of the Terrorism and Illicit Finance Subcommittee of our committee, whose leadership on these issues has been instrumental to achieve the legislation that is before us today.

Mr. Speaker, we know that Thomas Jefferson once famously said: "The price of liberty is eternal vigilance." And that is indeed true.

Thanks, in no small part, to the hard work of the Subcommittee on Terrorism and Illicit Finance, the bill before us today ensures that we remain vigilant to address the evolving threats to our financial system. I am proud to support it and I encourage all Members to support it.

Again, I thank Chairman ROYCE for his leadership today on this bill and in our committee.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), who was instrumental in putting this bill forward, who has been with us every step of the way and so invaluable to this finished product, the distinguished Democratic whip.

Mr. HOYER. Mr. Speaker, I thank Ranking Member ENGEL for yielding. And I thank Mr. ROYCE for his hard work on this bill.

I have said this before and I will say it again: Mr. ROYCE, as chairman, and Mr. ENGEL, as ranking member, are an example for, frankly, all of us on how to work together productively in a bipartisan fashion to reach a result that is good for our country, for our people, and indeed for international security.

I also want to thank Senators CARDIN and CORKER for their leadership and their involvement.

This legislation is the product of very careful and sometimes difficult negotiations on a bipartisan basis. It is a strong, tough, and appropriate response to Russia's attempts to meddle in our election process, its support for violent separatists in Ukraine, its illegal occupation of Crimea, and, yes, its unhelpful activity in Syria.

It also imposes new sanctions on Iran's ballistic missile program, which threatens the United States, our Gulf allies, and Israel.

Russia's power comes from its ability to coerce other nations by its energy distribution, in many instances. This bill seeks to make it harder for Russia to use that type of coercion, and empower other nations to join us in standing up against Russian aggression. These sanctions will only be successful, however, if they are truly bipartisan and if Congress continues to play its important and necessary oversight role.

Democrats and Republicans are coming together on this bill, Mr. Speaker, to ensure that the President cannot alter sanctions toward Russia without congressional review. This is critical at a moment when our allies are uncertain about where this administration stands with respect to Russian aggression.

I remain open to additional sanctions on Russia's energy sector at a later date if the Russian leader and his associates fail to heed the message of this bill that their business as usual cannot and must not continue.

Once this bill passes the Senate, as I believe it will, Russia will know that sanctions levied because of its malevolent acts will be lifted only with the concurrence, either tacitly or expressly, of the Congress of the United States. There will be no side deals or turning a blind eye to its actions.

This legislation, Mr. Speaker, will also make it clear that Russia's interference in Ukraine comes with consequences, and it puts pressure on Iran to end its ballistic missile program.

In addition, it deters, hopefully, North Korea from pursuing its dangerous development of nuclear weapons and vehicles to deliver those weapons as close as the western part of this country.

I urge my colleagues to support this legislation and to send it to the Senate as quickly as possible.

Mr. ROYCE of California. Mr. Speaker, I wanted to recognize the good work of the Democratic whip, Mr. STENY

HOYER, and also the Republican leader, KEVIN MCCARTHY, on this legislation and to thank them.

Mr. HOYER. Will the gentleman yield?

Mr. ROYCE of California. I yield to the gentleman from Maryland.

Mr. HOYER. Frankly, all four of us—yourself and your leadership, Mr. ENGEL, the majority leader, and I—were privileged to work together in a way that, as I said at the beginning, was constructive and that, I think, has resulted in a very good product.

Mr. ROYCE of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS), the chairman of the Rules Committee, for the purpose of a colloquy.

□ 1500

Mr. SESSIONS. Mr. Speaker, I want to thank the chairman for yielding me this time, and I rise to applaud him for the hard work and the responsible actions that the chairman has taken, not only to ensure this piece of legislation is prepared, but bettered and ready to go back to the Senate.

I think we have a forceful sanctions bill that is before the House today, and one that targets not only Iran and Russia, but also the North Korean regime.

As you know, the bill that was passed by the Senate risked giving Russian energy firms a competitive advantage across the globe by inadvertently denying American companies access to neutral third-party energy markets where there would simply be a small or de minimis Russian presence.

The bill before us today prevents Russia from being able to weaponize these sanctions against U.S. energy firms. I want to thank Chairman ROYCE for his hard work on this issue.

I also want to ensure that we have an understanding of the definition of the word ''controlling'' in section 223(d) of H.R. 3364. For purposes of clarification and legislative intent, the term ''controlling'' means the power to direct, determine, or resolve fundamental, operational, and financial decisions of an oil project through the ownership of a majority of the voting interests of the oil project.

Mr. Speaker, I would ask the gentleman, the young chairman, if he agrees with that definition.

Mr. ROYCE of California. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from California.

Mr. ROYCE of California. Yes. Yes, that is my understanding.

Mr. SESSIONS. I want to thank the gentleman for not only this clarification, but making sure that we are most specific in what we are undertaking.

Mr. Speaker, I would also like to note that the Shah Deniz Pipeline and the Southern Gas Corridor projects will continue to be able to bring gas from the Caspian Sea, which is a huge find, to our European allies, reducing their dependency on Russian energy.

Mr. ROYCE of California. That is my understanding.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman, and I would thank him for his time on this colloquy.

Mr. ENGEL. Mr. Speaker, I now yield 1½ minutes to the gentleman from California (Mr. SHERMAN), one of my senior colleagues on the Foreign Affairs Committee, the ranking member of the Terrorism, Nonproliferation, and Trade Subcommittee.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of this bill, which is really a combination of three bills. First, as to North Korea, it embodies a bill passed on this floor in May introduced by Chairman ROYCE, Ranking Member ENGEL, Mr. YOHO, and myself from the Asia and the Pacific Subcommittee. We will expand our sanctions on North Korea's precious metals, minerals, jet fuel, coal, and across the board, and especially banking sanctions.

But keep in mind, ultimately, we have got to force China to decide whether they are going to support North Korea or whether they are going to have access to American markets. We can't let them have both.

As to Iran, this bill designates the entire Iran Revolutionary Guard Corps, as the Quds Force has already been designated, as subject to terrorism sanctions, and provides an arms embargo. Let us remember that the real face of this regime in Tehran is not their dapper foreign minister, but rather it is the hundreds of thousands who have died in Syria as a result of Iranian action.

Speaking of countries that have supported Assad, finally and perhaps most importantly, this bill provides sanctions against Russia necessary because of its action in the Ukraine and its interference in our elections.

We hit Russia in a very important way by dealing with the technology they would need to explore oil. Unfortunately, even under this very strong bill, it would take a two-thirds vote for us to block a sanctions waiver should our resolution be vetoed.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), chairman of the Foreign Affairs' Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I thank the chairman, and I also thank the ranking member for their work on this legislation.

Mr. Speaker, I have spoken to our military leaders, and they said that the biggest threat to the United States is North Korea. Strategic patience is over. It is time for strategic sanctions. This bill will go a long way to tighten the screws on little Kim and bring the dictator to his knees. We can no longer stand by meekly while North Korea terrorizes the world.

This bill includes my bill that has already passed the House that calls on the State Department to reassess if North Korea should be on the State Sponsors of Terrorism list. Let us not forget that North Korea helped supply Syria with chemical weapons. It has given Iran ballistic missiles and advice on how to develop its own nukes.

North Korea and Iran's evil cooperation is even going on as we speak today. They are now working together to develop an intercontinental ballistic missile that can reach American shores.

This bill also puts China in the crosshairs. Chinese banks have enabled the Korean regime to avoid sanctions and build its illegal weapons programs. China even provided the vehicle used to launch North Korea's new ICBM.

China also uses slave labor from North Korea to help North Korea avoid sanctions already in place. China needs to understand how its support for Kim will not only endanger the United States and South Korea, but it also endangers its own security.

Mr. Speaker, by targeting these rogue nations, we show we will not go away quietly in the darkness of silence.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY), one of our senior members on the Foreign Affairs Committee.

Mr. CONNOLLY. Mr. Speaker, I thank my friend, the distinguished ranking member, Mr. ENGEL.

Mr. Speaker, today, this House comes together on a bipartisan basis to address sanctions and the rules on the girding sanctions for North Korea, Iran, and, most importantly perhaps, Russia. Importantly, because there has been a lot of doubt about whether this Congress would ever again speak eloquently and forcefully about Russian behavior.

Today, we answer that question. Overwhelmingly, we say Russia's behavior is unacceptable in many ways, not least of which is the incursion of sovereign territory of its neighbors, specifically Georgia, Ukraine, including Crimea.

I vote easily and enthusiastically for the resolution today, but it must not be construed, because it references the Minsk agreement, that that means that we don't mean to continue sanctions on the Crimean invasion. We do.

Mr. CHABOT and I, and I know the chairman and the ranking member of our committee, will continue to be vigilant on that until that illegal annexation is ended.

Mr. Speaker, I commend the leadership for bringing this resolution to the floor, and I am proud today to be a Member of this body and speaking with one voice about Russian behavior and the need for sanctioning it.

Mr. Speaker, this Congress does not trust the President of the United States to manage U.S.-Russia relations.

Case in point—the first major legislative accomplishment of the Republican-led Congress in the Trump era will be a sanctions package

that limits, in every imaginable way, the president's ability to appease Putin.

President Trump and his administration have given the American public little reason to trust them on all things Russia.

The President obstructed justice by firing FBI Director James Comey, the law enforcement officer tasked with investigating illegal collusion between the Trump campaign and Russia.

Attorney General Jeff Sessions potentially perjured himself by failing to disclose secret meetings with the Russian Ambassador.

Donald Trump, Jr. obscured a meeting he had with the Trump campaign's chairman, the president's son-in-law, and Russian operatives until the New York Times forced his hand and he had to publish emails that confirmed his collusion with individuals associated with Russian intelligence operations.

And now the president is attempting to intimidate his own Attorney General into prosecuting political opponents and upending the Russia investigation.

Today, we will pass this sanctions package, the strongest ever, and send a clear message to President Putin that there are consequences to invading peaceful neighbors and attacking American democratic institutions.

I reserve an important objection to the fact that this bill allows a waiver of Crimea-related sanctions on the condition that the Minsk agreement is being implemented.

Minsk does not mention Crimea, and therefore its implementation should have no bearing on the U.S.-led effort to combat the illegal and forcible annexation of Crimea sovereign Ukrainian territory.

However, I will vote for this bill because it sends a powerful and unified message to Russia, Iran, and North Korea at time when the foreign policy emanating from the White House is unsteady and confused.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a member of the Committee on Energy and Commerce.

Mr. LANCE. Mr. Speaker, I rise today in strong support of this sanctions bill. The governments of Iran, North Korea, and Russia do not share American values or interests and are active threats to our national security. These regimes will see a united message from the Congress of the United States with an overwhelming vote in favor of strong sanctions.

Iran is the world's leading state sponsor of terrorism. North Korea, the most dangerous and isolated place on Earth, has tested long-range missiles demonstrating a frightening potential to target our West Coast. Russia has intolerably involved itself in our Nation's democratic electoral process. Its invasion of Crimea and actions in Ukraine are totally unacceptable.

Mr. Speaker, let us act decisively today and put these states on notice: violate international law by threatening the United States and thereby face the consequences.

Mr. Speaker, I urge a ''yes'' vote.

Mr. ENGEL. Mr. Speaker, I now yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Mr. Speaker, I thank Ranking Member ENGEL for his leadership and for yielding me time. I thank Chairman ROYCE for his leadership and the way that he has worked with our side of the aisle.

Mr. Speaker, I rise in support of the Russia, Iran, and North Korea Sanctions Act, legislation that is desperately needed to prevent this administration from rolling back sanctions tied to Russia's invasion of Ukraine and interference in our election.

This bill's enhanced sanctions on Russia are important in light of the actions of Russian President Vladimir Putin, not to mention the many ties between the Trump administration and the Kremlin.

In a recent development, the Treasury Department confirmed that ExxonMobil violated existing Russian sanctions while under the leadership of Rex Tillerson, who is now Donald Trump's Secretary of State. Indeed, in 2014, Exxon signed documents related to oil and gas projects in Russia with Igor Sechin, president of Rosneft, a Russian state-owned oil giant. Sechin was one of the individuals subject to sanctions. Exxon was fined a mere $2 million—a slap on the wrist for a company that earned $7.8 billion in profits in 2016.

Russia is continuing its aggression in Ukraine. It is supporting the murderous regime of Bashar al-Assad in Syria. It interfered in the 2016 U.S. election. That is why we must strengthen the sanctions against Russia, and we must block Rex Tillerson and Donald Trump from waiving or lifting those sanctions without review.

Before closing, I would also note that the legislation before us also includes several measures championed by Democrats on the Financial Services Committee. These provisions will focus the government on creating a national strategy to combat the financing of terrorism, enhance Treasury's tools for combating money laundering vulnerabilities such as the well-known risk in high-end real estate, and help address the de-risking trend that is driving fund transfers into the shadows.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUDD), a member of the Committee on Financial Services.

Mr. BUDD. Mr. Speaker, I rise today in strong support of H.R. 3364. In particular, I am proud of the bipartisan language in the bill which would create a national strategy for combating terrorism and illicit finance. The financing of terrorism and related forms of illicit finance present a direct threat to our national security and financial system.

It is critical for the government to create and maintain a unified strategy to fight financial crime, both to accommodate new and developing threats and to help Congress develop legislative and funding priorities now and in the future.

Additionally, a national strategy should seek to enhance intergovernmental cooperation, to identify illicit financing trends, and to encourage Federal agencies to work with the private financial sector to do the same.

Mr. Speaker, this bill does these things and will go a long way in making sure we are keeping pace with the ever-changing terror finance landscape.

I would like to thank Chairman HENSARLING for his extraordinary conservative leadership on the Financial Services Committee and for helping to include this language in the overall bill.

Additionally, I want to thank the chairman of the Terrorism and Illicit Finance Subcommittee, Mr. PEARCE, and for his support, and for my colleague, Ms. SINEMA, for her work on this as well.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA), my friend on the Financial Services Committee.

Ms. SINEMA. Mr. Speaker, I rise today in support of H.R. 3364. The authoritarian regimes in Iran, Russia, and North Korea continue to undermine global peace and security and threaten the safety of the United States and our allies.

Russia's coordinated efforts to undermine democracies and free and fair elections around the world is particularly troubling and demand a strong response.

I thank Chairman ROYCE and Ranking Member ENGEL for their bipartisan legislation that counters these belligerent regimes and ensures strong oversight by Congress and the American people.

The safety and security of our communities and our country must come before partisanship.

I also thank the chair and ranking member for introducing our bipartisan legislation introduced with Congressman BUDD to establish a whole-of-government strategy to combat the financing of terrorism.

Current U.S. efforts to counter the financing of terrorism lack sufficient coordination, and the U.S. has no unified national strategy to guide our counter-financing efforts. Money is the lifeblood of any organization. We must establish a comprehensive and effective strategy to deny money to terrorists. This strategy will enhance detection, deterrence, and prosecution and ultimately strengthen our broader national security goals.

Mr. Speaker, I thank the chair and ranking member for advancing this important bipartisan national security bill, and I urge my colleagues to vote ''yes.''

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

□ 1515

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. RYAN), my friend on the Appropriations Committee.

Mr. RYAN of Ohio. Mr. Speaker, I want to thank the chairman and the

ranking member for their leadership on this.

This clearly is a big issue pressing the country, and I just wanted to rise in support of what is happening here today; of taking a firmer stance on Russia, Iran, and North Korea; trying to stabilize the peninsula; trying to take care of the funding that is coming out of Iran to all of these terrorist groups across the country and across the world.

What is happening with these sanctions here in the targeting of Russian gas pipelines—their number one export—I think is entirely appropriate. The Nord Stream 2, which carries gas from Russia through the Baltics to Germany—and I know Germany isn't happy about it, but this is something that we have to do.

The point I want to make is that we have to address this issue in a comprehensive way. We must continue to focus on how we get our gas here in the United States, our natural gas to Europe, to our allies, so they are not so dependent on Russia. We have got to have the sanctions, but we also have got to be shipping liquid natural gas to some of these allies of ours so they are not so dependent on the Russians, which is part and parcel of this entire approach.

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

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a respected member of the Energy and Commerce Committee.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of today's sanction legislation, which I am so happy to find has complied with the Iran nuclear agreement, something I worked very hard on, as did many here.

Experts, the international community, and even some of President Trump's own advisers agree that the Iran nuclear agreement is working. In June, the International Atomic Energy Agency certified that Iran is within the limits set by this historic deal. There are serious issues left to be addressed with Iran, especially in regards to human rights violations and ballistic missiles, which this bill covers.

The Iran deal took Iran's nuclear weapons off the table and allowed us to deal with these remaining challenges. Withdrawing or violating the agreement would be an enormous mistake. This bill upholds our agreement with Iran while also holding Russia and North Korea accountable for their actions.

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

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

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise to stress two critical aspects of this legislation.

First, it would impose tough sanctions on Russia for its serious international violations, the seizure of Crimea, its violent incursion into Ukraine, its cyber interference in the 2016 U.S. election. Perhaps most importantly, in the present context, it would prevent President Trump from removing or softening existing sanctions without congressional approval.

Second, the bill addresses Iran's unacceptable behavior in the non-nuclear realm, such as ballistic missile development, human rights violations, financing of terrorism, without violating the nuclear deal with Iran.

The JCPOA celebrated its second anniversary 2 weeks ago. It has given the international community 24/7 access to Iran's nuclear sites, provided an enforcement mechanism to ensure that Iran's nuclear-related activity is solely peaceful, and elongated Iran's breakout time to over a year. It has made the world a safer place.

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

Mr. ENGEL. Mr. Speaker, I yield an additional 30 seconds to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Speaker, as the United States continues to monitor the JCPOA and Iran's behavior, it is important that Congress continue to refrain from actions that would violate the deal, threaten the deal, or impose careless sanctions that—under the guise of being tough on Iran—would make the United States less safe.

This legislation meets that test, and I urge its adoption.

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

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

On Vladimir Putin's orders, Russia attacked American democracy last year. That makes Russia a threat to this country, just like Iran, just like North Korea.

When the United States faces a real threat, we have an obligation to respond. So far, a response to Russia has fallen far short. That ends with this legislation.

Along with Pyongyang and Tehran, Moscow needs to understand that if you violate international law, you threaten the security of the United States and our allies, there will be consequences.

Now, I wish we were going to pass this incentive to the President's desk today. So after we vote today, leaders in both houses have an obligation to clear away any remaining issues and get this bill signed into law as soon as possible.

So long as Russia remains a threat, so long as Iran and North Korea defy global norms with their destructive agendas, none of us are off the hook.

I want to also thank the Democratic leader, Ms. PELOSI, for her advice and counsel on this bill. Let's pass this bill and keep pressing this bill forward.

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

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

Mr. Speaker, in closing, I would like to again thank my colleagues; the ranking member of the Foreign Affairs Committee, Mr. ENGEL; our counterparts, Senators CORKER and CARDIN; the majority leader, Mr. MCCARTHY; the minority whip, Mr. HOYER; as well as the leadership on both sides of the aisle in the other body. They deserve credit for their efforts.

Let me also say it is critically important that we stand shoulder to shoulder with our European allies encountering Russian aggression. That is why, in the bipartisan House-Senate negotiations, we secured important changes to improve transatlantic cooperation. So I am confident that, under the text of this House bill that we will pass today, these concerns have been addressed.

Let me also say that every time North Korea tests a ballistic missile or a nuclear device, it gets closer to having the ability to strike the U.S. mainland with a nuclear weapon.

For years, the policies of successive administrations have failed to get North Korea to change.

Why?

Because diplomatic pressure has been applied only in spurts. It has been lifted prematurely for North Korean promises that have never materialized.

So we need leverage, and leverage comes from real sustained pressure. That is why I have authored tough new sanctions to crack down on the regime, to shut off the regime's access to the hard currency it needs to fund its nuclear program, and we have included that in this bill.

These sanctions passed in this House in May by a vote of 419–1, and it is time for the other body to pick them up. By including these North Korean sanctions in the legislation, we ensure that our colleagues do so.

We cannot afford any more delay, and that is why I worked with the other body to make small changes to the North Korean sanctions in this bill, to ensure swift passage in both Houses. I am confident this bill, including the North Korean sanctions bill, will soon become law.

Let me say that congressional engagement in foreign affairs is strongest when we all speak with one voice. I urge my colleagues to vote in favor of the bill and join us in sending a clear message to Vladimir Putin, to Kim Jong-un, and to the radical regime in Tehran that efforts to threaten the United States and to destabilize our allies will be met with a united American response.

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

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 3364 or the bill entitled "Russia, Iran, and North Korea Sanctions Act."

As a senior member of the Committee on Homeland Security and its Subcommittees on Counterterrorism and Intelligence, and Cybersecurity, Infrastructure Protection, and Security

Technologies, I am reminded daily that there are actors and nation-states that threaten the security of our nation.

Within the past year, the United States has experienced a series of aggressions that threaten not only our nation's security, but also the very democratic principles that are the foundation upon which our country was built.

These hostile acts have been orchestrated and perpetrated by our long-time adversaries—Russia, Iran, and North Korea.

Within that short time span, their actions have been so egregious that it is inexcusable that this administration has failed to respond to these acts of aggression with strength and resolve.

Mr. Speaker, U.S. intelligence agencies have confirmed that Russian hackers launched cyberattacks during one of the most sacred processes in our republic—the U.S. presidential election.

Specifically, we know that Russia was behind the cyber theft of DNC documents and that Russian hackers intentionally targeted 21 U.S. state election systems during the 2016 presidential campaign.

This administration refused to acknowledge Russia's tampering in last year's election until it became impossible to deny what everyone knows to be true.

Further, Iran's support of groups who actively operate against U.S. interests is disturbing even in the face of the implementation of the JCPOA in January 2016.

North Korea is growing increasingly belligerent, launching 17 missiles since the beginning of this year as it attempts to improve its missile capabilities with each launch.

Although North Korea has launched missiles in the past, never have they occurred in such a rapid, unpredictable succession.

In a show of bipartisanship, our counterparts in the Senate led the charge in adopting legislation that would stop Russia, Iran, and North Korea from operating with such impunity.

On June 15, 2017, the Senate passed an amended version of S. 722, the ''Countering Iran's Destabilizing Activities Act of 2017'' that not only penalizes Iran but also punishes Russia for its interference in the 2016 U.S. presidential election.

The fact that that legislation was passed 98–2 demonstrated congressional willingness to set clear boundaries for what is and is not acceptable behavior especially for our adversaries.

The House must act just as decisively by passing H.R. 3364.

H.R. 3364 will work to avert and penalize any threat posed by adversaries in several ways.

One of the most important provisions of this act is that it will prevent the Trump Administration from repealing existing Obama-era Russian sanctions tied to Ukraine and election interference.

H.R. 3364 will also impose new sanctions on Russia while strengthening other sanctions.

Furthermore, it will require congressional oversight for altering sanctions related to Russia.

With respect to Iran, H.R. 3364 will mandate new sanctions on those who support the development of Iran's ballistic missile program.

H.R. 3364 requires the imposition of sanctions on Iran for human rights violations as well as sanctions on the Islamic Revolutionary Guard Corps.

Finally, H.R. 3364 clamps down on North Korea by updating and expanding sanctions in direct response to its repeated aggression.

In addition, H.R. 3364 also makes it more difficult for North Korea to secure the funding for its illegal weapon program.

Mr. Speaker, it is time that this body acts to show that the United States will not tolerate and will respond to threats to our homeland, our national security.

That is why I urge all Members to join me in voting for H.R. 3364.

Mr. BLUMENAUER. Mr. Speaker, today I voted for H.R. 3364, the Countering America's Adversaries Through Sanctions Act (Roll no. 413). This legislation is an important step forward in punishing Russia for its annexation of Crimea in 2014 and for the country's alleged interference in the 2016 United States presidential election.

The bill also updates and expands sanctions on North Korea at a time when the country continues to pursue dangerous weapons programs.

Further, I commend leadership and committee members in the House and Senate for ensuring that the Iran sanctions portion of this legislation does not violate the Joint Comprehensive Plan of Action (JCPOA) reached between Iran, the United States, and five major world powers, including Russia and China. While the Iranian ballistic missile program is deeply concerning and must be addressed, undermining the nuclear agreement, which has forced Iran to remove thousands of centrifuges from service and halt all uranium enrichment, would be a mistake of tragic proportions.

The bipartisan support for the bill should be a signal to the administration to refrain from taking action that would encourage Iran to change course.

To be sure, Iran has some unsavory hardline people in key positions of leadership, but these hardliners just suffered a major defeat in the Iranian elections. President Hassan Rouhani has been a voice of and a force for moderation—and people voted for him.

We must proceed with the utmost caution and develop a thoughtful approach to ensure we continue to keep Iran away from the nuclear threshold, while also countering the regime's nefarious activities.

Mr. MCGOVERN. Mr. Speaker, I rise in support of H.R. 3364—but with reservations.

I strongly support the section of this bill that provides a role for the Congress before any president may waive sanctions or provide relief from sanctions against Russia. Russia sought to undermine America's 2016 election. It attempted to subvert our democracy. It did so deliberately, methodically, and ruthlessly, spreading lies and misinformation and exploiting weaknesses in computer systems and records to steal private information and release it in sensationalistic fashion.

These attacks against our democracy were and are totally unacceptable and must be condemned. I remain bewildered that the current president of the United States still fails to acknowledge that these actions happened and that the Russian government, at the very highest level, is responsible—even though there is a consensus among all U.S. domestic and international intelligence and law enforcement agencies that this is the case.

Sanctions imposed by the Obama Administration in response to this multifaceted operation were lifted by President Trump. This legislation rectifies that situation by re-imposing those sanctions and ensuring that they cannot be removed without congressional consultation and consent.

In addition, Russia continues to threaten its neighbors, especially Ukraine, for which economic and military sanctions are now in place.

But I am somewhat reluctant in my support for this legislation because of the provisions included on Iran. Like all my colleagues, I am worried about Iran's continued testing and development of ballistic missile technology. It is threatening and provocative to Iran's neighbors and the region. I also oppose Iran's support for regional militant and terrorist organizations, and for choosing to side with the brutal regime of Bashir al-Assad in the Syrian conflict, as did Russia.

I do support, however, Iran's continuing compliance with the terms of the Joint Comprehensive Plan of Action (JCPOA)—or the Iran nuclear deal. I worry that the sanctions against Iran included in this bill will be used and manipulated to undermine the JCPOA. I am worried that we now have a president and an Administration actively seeking to abrogate this international nuclear agreement. And I strongly oppose any action that would violate, let alone abandon, the JCPOA.

The Trump Administration—and the White House in particular—seem hell-bent on putting us on a path that leads to yet another costly war in the Middle East and to a nuclear-armed Iran. This would be a calamity of the greatest order, one that would place our friends and allies in the region in even greater danger than what they now face. We must not go there.

While I will vote in favor of H.R. 3364, I do so with grave misgivings about how President Trump will seek to exploit the sanctions against Iran provided in this bill to violate U.S. obligations under the JCPOA, which will, in turn, give permission to Iran to develop a nuclear weapon, and bring us all to the brink of war in the Middle East.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3364.

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. ROYCE of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO ARBITRATION AGREEMENTS

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 468, I call up the joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Arbitration Agreements'', and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 468, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 111

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Bureau of Consumer Financial Protection relating to ''Arbitration Agreements'' (82 Fed. Reg. 33210 (July 19, 2017)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and submit extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, hardworking Americans want something different in their Nation's Capital. They want to change the toxic culture in Washington, D.C., that for far too long has allowed unaccountable bureaucrats to overreach and overregulate.

The best way we can change Washington is to begin to drain the bureaucratic swamp, but it is not easy because we have seen in the last 6 months the swamp fights back. The most recent example of this is a rule issued by one of the swampiest of Washington bureaucracies, the Orwellian-named Consumer Financial Protection Bureau.

We all know that this is a rogue agency with a checkered past, chockfull of rampant allegations of abuse, racial and gender discrimination, and Big Government nannyism, which constantly makes credit more expensive and less available to hardworking Americans.

Mr. Speaker, so radical is this agency and so extreme in lacking accountability that a three-judge panel of the D.C. Circuit Court of Appeals declared the Bureau's governing structure unconstitutional.

Now, this unaccountable bureaucracy has joined forces in an unholy alliance with one of the Democratic Party's favorite special interest groups; namely, the trial lawyers lobby. And this unholy alliance will specifically deprive consumers of a low-cost, easy way to resolve legal disputes that can be accomplished without hiring trial attorneys.

What the Bureau and the wealthy trial lawyers want is to take away arbitration for consumers and, instead, force them into class action lawsuits, which just so happens to require consumers to hire the very trial lawyers who will benefit most from this rule.

Americans were promised a Consumer Financial Protection Bureau, but, instead, they obviously got a trial lawyer enrichment bureau. Oh, by the way, the director of this swampy bureaucracy rushed this regulation onto the books because it is widely reported he is on the way out the door to run for political office in Ohio.

Let's be clear, Mr. Speaker, one accountable bureaucrat has decided that he knows better than the American people, and he has acted unilaterally to dictate the terms of contracts in a way that will actually increase consumer costs and reduce consumer choice. In a free and Democratic society, no one unelected individual should possess this much power.

Mr. Speaker, making consumers pay more for less is the exact opposite of consumer protection, but it is exactly what this regulation means for every American.

This regulation will perpetuate a justice gap that takes away a quicker, less expensive legal option for low-income and middle-income Americans.

Even the CFPB's own study says this: the Bureau's own study found that 87 percent of the class actions it examined resulted in no consumer benefit whatsoever. In the mere 13 percent that actually provided some benefit, Mr. Speaker, the average payout per consumer was $32.

How much did the trial attorneys make?

31,000 times that amount.

So, again, Mr. Speaker, we have an average payout of $32 for the consumers and millions for the trial attorneys. So no wonder the powerful trial attorneys lobby is so eager to see this rule go into effect.

The Bureau's own study also concludes that arbitration is less expensive for consumers and up to 12 times faster than litigation.

□ 1530

Consumers who obtain relief in arbitration recovered in a CFPB study an average of $5,389. Again, Mr. Speaker, compare that to $32 the average consumer received under the CFPB study.

Now, we are about to hear from some Members on the other side of the aisle that somehow consumers will lose their day in court and that somehow big banks will be helped. The CFPB's own study shows that not a single class action it examined, not a single one, resulted in trial by a judge or a jury. So no consumer got his or her day in court under the Bureau's preferred class actions. Instead, we know consumers are far more likely to obtain decisions on the merits in arbitration.

With this rule, we once again see our colleagues in the other party hurting small community banks and credit unions. I have a statement that has been published already from the Independent Community Bankers of America. They are not Wall Street. This is small town community banks, and their statement says they strongly oppose the CFPB rule.

Also, I have a statement from the Credit Union National Association—again, Mr. Speaker, not Wall Street, but credit unions, our neighborhood credit unions. They say that the CFPB's rule will limit options for resolving disputes and could increase the number of frivolous lawsuits and that credit union members ''could suffer when costs rise and resources are depleted as a result of this rule.''

Indeed, the CFPB, itself, estimates its final rule will increase costs for American businesses over $1 billion per year. That is money that our community banks and credit unions won't be able to lend to our small businesses, to our families, and to American workers.

The CFPB's rule is bad for consumers, it is bad for community banks, it is bad for credit unions, and it is bad for our economy. Washington should be focused on creating more jobs, not more class action lawsuits.

So, Mr. Speaker, it is time to fight the bureaucratic swamp. It is time to pass the resolution offered by the gentleman from Pennsylvania (Mr. ROTHFUS). I appreciate his leadership in helping protect consumers instead of enriching trial lawyers.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.J. Res. 111 is an affront to hardworking Americans across the country. Using the Congressional Review Act, this joint resolution repeals the Consumer Financial Protection Bureau's final rule to curb forced arbitration clauses in contracts for consumer financial products.

Today, many banks require consumers wanting to open a bank account, get a credit card, or take out a private student loan to enter into forced arbitration agreements that take away their rights to collectively sue the bank for any harm. Instead, consumers must go through bank-friendly arbiters to resolve their grievances. These contracts are literally buried deep into the fine print, enshrouded in legalese. Consumers don't know what they are giving up—but the banks do.

Arbitration proceedings, which happen behind closed doors, have no judge and no jury. Their proceedings and their outcomes heavily favor big businesses and Wall Street. Studies have shown that forced arbitration favors big business and results in less compensation for American consumers who have been abused or defrauded, if they receive any at all.

Simply put, forced arbitration is an instrument that benefits large corporations and Wall Street banks, and it

hurts consumers. For example, everybody remembers Wells Fargo. Wells Fargo continues to use forced arbitration to prevent consumers from working together to sue the bank for opening up millions of fraudulent accounts using their personal information. Just weeks ago, the Consumer Bureau used a critical rule to finally clamp down on forced arbitration clauses. The Consumer Bureau should be applauded for taking this step to help consumers by fully restoring their legal rights.

Once again, the Consumer Bureau has acted to make our financial marketplaces fairer and transparent. As is their practice, the Consumer Bureau issued this rule after careful deliberation and exhaustive review. As part of this deliberative process, they issued a 728-page report on the issue, considered views from all stakeholders, and consulted carefully with the other Federal financial regulators.

The Consumer Bureau's final rule has widespread support, including from over 310 consumer, civil rights, faith-based, and senior groups, 256 law professors and scholars, and the Military Coalition, an organization that represents 5.5 million current and former servicemembers and their families.

Now, this rule was just finalized, but congressional Republicans are already shamefully forging ahead to cut it off at the knees. This resolution wouldn't just nullify the rule, it would also prevent the Consumer Bureau from ever issuing a rule that is ''substantially similar.'' That means, if Republicans pass this resolution into law, then, for the foreseeable future, consumers will be robbed of important legal rights and generally left at the mercy of industry-friendly auditors.

Let's be clear. There is absolutely no valid public policy rationale for repealing this rule. It is a part of a pattern from congressional Republicans of irrational hostility toward the Consumer Bureau and its work and a callous disregard for the issues facing America's consumers. But just as they have with the ''Wrong'' CHOICE Act, Republicans are pushing an anticonsumer agenda that puts profits over people.

Enough is enough. We must hold true to a fundamental principle of our democracy that each of us has a right to trial if we so choose. The rule fully restores this right to American consumers by giving them a choice between arbitration or the free exercise of their Seventh Amendment right to a trial by jury through whatever means they choose.

So I urge all of my colleagues to vote ''no'' on this senseless and harmful resolution, and I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), who is the sponsor of the legislation and vice chairman of our Financial Institutions and Consumer Credit Subcommittee.

Mr. ROTHFUS. Mr. Speaker, I thank the chairman for yielding and for his leadership on getting this legislation to the floor.

Mr. Speaker, the CFPB's anticonsumer, anti-arbitration, pro-trial lawyer rule is just the latest example of the harm that can be done by an out-of-control, Washington-knows-best bureaucracy. This is a teaching moment for the country about how, when elites in Washington pander to special interests, they end up hurting the very people they claim to be protecting.

We all want fairer outcomes for consumers, but the CFPB's unfair, deceptive, and abusive rule will deprive millions of Americans of a convenient, fast, and effective way to resolve their disputes.

According to the CFPB's own study, only 13 percent of class actions provided a benefit to consumers, and the average payout was—get this—$32. How is that pro-consumer? The same study, on the other hand, showed that consumers who obtain relief through arbitration recover over $5,300, on average. Again, that is $5,300 in arbitration against $32 through a class action.

Meanwhile, trial lawyers in class actions earn about $1 million, on average. Consider that—$1 million for the plaintiffs' lawyers, a $32 coupon, $32 cash, for a consumer. In other words, trial lawyers stand to earn 31,000 times more than a consumer in a class action.

In arbitration, however, consumers get meaningful relief. Yet the CFPB has finalized a rule that would effectively get rid of arbitration and promote class actions as the preferred dispute resolution process. This hardly seems fair.

The CFPB's anti-arbitration rule is an invitation to trial lawyers to take all they can get. Banks, credit unions, and other businesses that American consumers interact with on a daily basis will be forced to hold greater reserves because of the risk of future costly litigation. This will increase costs for consumers, and it will lead to less access or more expensive financial services for millions of Americans. It could also harm the safety and soundness of the financial system, according to the Comptroller of the Currency, one of the main Federal banking regulators.

The Dodd-Frank Act requires that any move by the CFPB to regulate arbitration agreements needs to be in the public interest and for the protection of consumers. I fail to see how forcing consumers to accept a coupon for their troubles and handing millions of dollars in payouts to trial lawyers meets either of those goals.

Only at the CFPB could endangering local banks and credit unions and restricting consumer access to financial services be cast as a win for the American people. But, again, this is what you get from the least accountable agency in history, an agency with, according to the D.C. Circuit Court of Appeals, massive and unchecked power that is headed by a Director who possesses more unilateral authority than any single commissioner or board member in any other independent agency in the U.S. Government.

It has long been understood that expeditious, fair resolution of disputes is in the public interest and part of the public policy of this country. The CFPB rule we are reviewing today challenges that premise, as did the Dodd-Frank section that spawned this rule. But it is the people, acting through their elected Representatives, who have the final say in this matter.

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

Mr. HENSARLING. Mr. Speaker, I yield the gentleman from Pennsylvania an additional 30 seconds.

Mr. ROTHFUS. Mr. Speaker, I introduced H.J. Res. 111 so that Congress can, through the Congressional Review Act, strike down this unfair, deceptive, and abusive rule and push back against an out-of-control agency. I ask my colleagues to support this legislation and stand for consumers, fairness, and the American economy.

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri (Mr. LUETKEMEYER) be allowed to control the remainder of my time.

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

There was no objection.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), who is a senior member of the Financial Services Committee and ranking member of the Subcommittee on Capital Markets, Securities, and Investments.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for yielding to me and for her leadership on this committee and in so many other ways.

Mr. Speaker, I rise today in strong opposition to this resolution. My friends on the other side of the aisle keep talking about what this bill does, but let me tell you what it does not do.

I want to be absolutely clear that this rule does not say that arbitration is bad for consumers, and it does not say that consumers can't use arbitration. The only thing that the CFPB's rule says is that financial institutions cannot force consumers to waive their right to participate in class action lawsuits and only use arbitration. This protects an individual customer's rights. This is critically important because the evidence shows that consumers receive a great deal more relief from class action litigation against institutions than they do in arbitration.

So my friends on the other side of the aisle always say that they believe in consumer choice and customer choice and that customers should be able to choose what is best for them and not be dictated to by this Congress, but mandatory arbitration clauses restrict choice for consumers. They prohibit

consumers from choosing class action lawsuits over arbitration.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield the gentlewoman an additional 10 seconds.

Mrs. CAROLYN B. MALONEY of New York. The CFPB's rule would restore this consumer choice, further empowering people, customers, empowering them to make their own decisions for themselves. This should be welcomed by any American. This should be welcomed.

Mr. Speaker, I urge a ''no'' vote on this resolution.

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

Mr. Speaker, I rise today in support of this resolution which would block the Consumer Financial Protection Bureau from denying the American people use of arbitration as a means to resolve consumer complaints.

I went to the CFPB website last night, and the first thing I saw read: ''We are the Consumer Financial Protection Bureau, a U.S. Government agency that makes sure banks, lenders, and other financial companies treat you fairly.''

If we handed out grades to government agencies based on their ability to meet a mission statement, the CFPB would most decidedly receive an F. That is because the Bureau's arbitration rule does absolutely nothing to ensure that consumers are treated fairly. In fact, this rule is proof of what House Republicans have said for years: the CFPB does not operate in the best interests of the American consumers.

The Bureau's own study, which we have cited several times already and will continue to cite, shows that arbitration helps consumers and that the alternatives are far less successful.

□ 1545

Mr. Speaker, the truth of the matter is that this rule is anticonsumer. It hurts the very people the CFPB is supposed to protect, and it is yet another example of Washington bureaucrats looking out for their friends instead of the American people.

Today, this body will cast a vote to ensure U.S. consumers are treated fairly and that they have the tools necessary to get the best possible settlement in their case.

Mr. Speaker, if the CFPB can't adhere to a simple mission statement and provide actual consumer protections, Congress will do it for them.

I want to again thank Chairman HENSARLING and the gentleman from Pennsylvania (Mr. ROTHFUS) for their leadership on this issue and so many more issues that impact consumers.

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

Ms. MAXINE WATERS of California. Mr. Speaker, the Republicans are siding with Big Business again, against our consumers.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished leader and a strong supporter of consumers and the Consumer Financial Protection Bureau.

Ms. PELOSI. Mr. Speaker, I commend my distinguished ranking member of the Financial Services Committee for her brilliant leadership, for her bipartisanship, and for always trying to find a way to help America's consumers and protect America's taxpayers.

Mr. Speaker, I am very sad today because of what is happening on both sides of the Capitol. The cruelty, carelessness, and contempt Republicans are showing for working families boggles the mind. Now, Senate Republicans are careening toward shattering the healthcare of millions of Americans, with no regard or appreciation for the consequence.

Every chance they get, they stack the deck against America's working families. Here, on this side of the Capitol, Republicans are stacking the deck even further against America's working families by seeking to deny those families their fundamental right to obtain justice in court.

Eight years ago, unchecked recklessness on Wall Street ignited a financial meltdown that devastated families across the country. Democrats proudly took bold action and passed Dodd-Frank, the strongest set of consumer financial protections in history. But today, House Republicans are once again trying to destroy those protections for America's consumers.

Last month, Republicans passed what we called the ''Wrong'' CHOICE Act, the Dodd-Frank repeal, which was a giveaway to the financial industry at the expense of hardworking families.

Republicans are waging a war on the Consumer Financial Protection Bureau, a bureau that has returned nearly $12 billion to 29 million wronged Americans, many of them seniors, veterans, and members of the Armed Forces.

Forcing consumers into arbitration—indeed, forced arbitration—gives financial services providers a free pass to get away with abuse. It denies, again, veterans, servicemembers, and seniors justice against the predatory financial marketplace practices. Sadly, it reflects a Republican Party that works relentlessly to empower Wall Street and to rig the system against consumers. It denies them consumer class action.

More than 800 years ago, the Magna Carta first laid out a basic right to justice as the foundation of a fair society. Even under a king, the Magna Carta declared, this much was owed the people: ''. . . to no one will we deny or delay right or justice.''

Every day, Americans take a similar solemn pledge: ''liberty and justice for all.'' Republicans' attack on consumers insult those pledges and deny Americans their justice.

All the American people deserve a better deal than what they are getting from the Republicans in Congress. Democrats are going to fight back. We will fight to protect hardworking American consumers. We will fight to put leverage back into the hands of the American people.

Who has the leverage? If I am a financial institution and I know that you have no leverage, that you cannot act in a class action way, you can just imagine what I have in store for you. But if I think you have leverage and you can act in a different way and not be forced into arbitration, I might have more respect for our financial relationship with each other.

We will put the leverage back in the hands of the American people. We will fight this resolution. I call upon my Republican colleagues to join Democrats in voting ''no'' because this bill is an unfair and unjust bill.

Who is it unfair to? America's working families, America's consumers, and America's taxpayers.

I urge a ''no'' vote.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of the Capital Markets, Securities, and Investments Subcommittee.

Mr. HUIZENGA. Mr. Speaker, let's talk about a stacked deck: trial attorneys putting cash over conscience. That is not the answer that we are in search of, but it is the answer that others who are opposed to this certainly are.

The CFPB, the so-called Consumer Financial Protection Bureau, has a study itself that shows that consumers who actually use arbitration reach more favorable outcomes than those who are roped into lawsuits with cash-starved trial lawyers.

It is astounding that only 13 percent of these lawsuits provide any benefit to actual consumers, but the Bureau is still pushing this ill-advised rule. Arbitration decisions also come much more quickly for consumers. Again, the Bureau's own study concludes that arbitration decisions come 12 times faster than lawsuits.

So let's review quickly: a faster, more favorable outcome for consumers versus helping trial lawyers line their pockets. This should not be hard.

In fact, Mr. Speaker, according to the D.C. Circuit Court, unelected Bureau Director Cordray has more unilateral authority than any other single commissioner or board member in any other independent agency in the entire U.S. Government.

Congress must begin to use its authority to hold this agency accountable for its anticonsumer policies and actually provide the checks and balances that our Founders would have intended. That is the stacked deck that we have right now, folks.

The Bureau's flawed arbitration rule does absolutely nothing to protect the consumers it is charged with protecting. Instead, it is nothing more than a windfall for trial lawyers and well-connected Washington elites. The

rule's only accomplishment will be to create more class action lawsuits, lining trial lawyers' pockets with more cash while providing no real protection to consumers.

This anticonsumer rule will have the effect of making consumers wait longer for worse decisions as they seek resolutions for their disputes. In no way, shape, or form does this rule actually do what the Bureau was created to do: protect consumers.

This CRA is an important step in allowing Congress to rein in this rogue agency. I urge my colleagues to support this resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ), a senior member of the Financial Services Committee and ranking member of the Small Business Committee.

Ms. VELÁZQUEZ. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, the right to seek redress in the courts is one of the most fundamental rights we have as Americans. Unfortunately, companies routinely try to undermine this right by including mandatory arbitration clauses in contracts we use every day, including credit cards, student loans, auto loans, and cell phones.

These clauses often state that a consumer must resolve a dispute they are having with a third party often chosen by the company at a location that is chosen by the company. Companies also use these clauses to block class action lawsuits brought by consumers.

Now, once again, thanks to the CFPB, contracts that have these clauses will no longer be permitted to prohibit consumers from banding together or joining a class action. This rule helps hold companies accountable and protects consumers. That is why more than 280 consumer, civil rights, labor, community, and nonprofit organizations support this rule. That is also why unscrupulous firms are lobbying so aggressively to block this rule.

Stand up for consumers. Vote ''no'' on this joint resolution.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR), chairman of the Financial Services Monetary Policy and Trade Subcommittee.

Mr. BARR. Mr. Speaker, make no mistake: the anti-arbitration rule recently finalized by the Consumer Financial Protection Bureau is not consumer protection. It is a giveaway to special interest trial lawyers that will expose financial firms to ruinous liability; limit consumer access to affordable, high-quality financial services and products; and undermine consumers' ability to resolve disputes more quickly and more cost-effectively than class action lawsuits.

The Bureau's own study found that, while trial lawyers earn millions of dollars in fees, in 90 percent of class action lawsuits, consumers were awarded absolutely nothing—nothing. Of the remaining 10 percent, the average payout to consumers was a mere $32. That same CFPB study found that the average arbitration payout was almost $5,400, or over 150 times more than the average class action recovery.

Even more troubling, the Bureau's unilateral decision to ban alternative dispute resolution will result in increased litigation costs for financial services firms, undermining their safety and soundness, forcing consumers to pay higher prices and making it more difficult to obtain credit cards and other financial services and products. That is not pro-consumer.

For these reasons, I am a proud cosponsor of Congressman ROTHFUS' bill that would disapprove this misguided resolution to the Congressional Review Act.

Congress should be making the laws of the land, not unaccountable, unelected bureaucrats at the CFPB circumventing the democratic process. That is why, in addition to invalidating this bad anticonsumer, pro-trial lawyer, anti-arbitration rule, Congress must act swiftly to rein in the Bureau and subject this agency to the congressional appropriations process, reclaiming Congress' constitutional power of the purse over this out-of-control agency.

I urge my colleagues to vote ''yes'' on this resolution of disapproval to block this ill-advised, anticonsumer rule and reclaim its authority under Article I of the Constitution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), a leading member on this consumer issue.

Mr. ELLISON. Mr. Speaker, if you listen to my friends on the other side of the aisle, they are going to tell you that having access to a lawyer in a court is a bad thing, but it is the foundation of American justice. The foundation of American justice is that, if somebody rips you off, you can sue them in court.

These arbitration clauses are the fine print, Mr. Speaker, that you find in these contracts that say, if you have a dispute with this particular company, you can only go to arbitration. And these arbitrators are almost always picked by the company themselves.

The fact is this is not justice. It is a railroad court. It is not a real court, and consumers are less well off. That is why over 100,000 individual consumers across the country wrote in to support the rule during the public comment period.

If my friends on the other side of the aisle are right, how come they don't have 100,000 people saying that their position is correct?

The people have spoken. They have engaged in the comment period and said: We want to be able to go to court to hold these people accountable.

Wells Fargo ripped off literally hundreds of thousands of Americans. In 2 million transactions, they opened up accounts people never asked for.

If you sue them, you might just be limited to an arbitration clause, which limits your award, and they pick the judge. Why not be able to join with other Americans and sue in court the good, old-fashioned way: get some discovery, get some money back, get some justice? This is what it is all about.

We believe that the American people deserve to take them to court if they take your money and rip you off. That is what we are standing up for today.

This is nothing but a U.S. Chamber, Big Business giveaway that they are talking about. We stand on the side of American consumers. American consumers want to take them to court.

□ 1600

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. TIPTON), vice chairman of the Oversight and Investigations Subcommittee.

Mr. TIPTON. Mr. Speaker, this resolution of disapproval will repeal the CFPB's Arbitration Agreements rule, a rule that consumers are going to be able to be protected by, according to the CFPB. That is their stated mission: to protect the consumers.

Let us look at the data that has been provided by the CFPB. Just 13 percent of the class action suits actually provided a benefit to the consumers. And what was that whopping benefit? Thirty-two dollars. Thirty-two dollars that they are willing to celebrate over as compensation for people who have been harmed.

Let us look at the other side of the ledger. What are trial lawyers receiving? On average, $1 million. So while our friends may want to stand up for the trial lawyers, for their million-dollar paychecks, we are going to choose to stand with the American consumer to make sure that they are going to be able to receive the justice that they deserve, and one way to be able to do that is going to be through arbitration.

When we look at the CFPB's own statistics, the average arbitration payout is not your $32. It is almost $5,400, which has been received in terms of compensation that is going to be paid.

This latest rule, Mr. Speaker, joins a growing list of CFPB actions that have hurt consumers. Since the Bureau's inception, they have rolled out rules and regulations 3½ times faster than other Federal agencies, and according to the research from the American Action Forum, just 26 of these regulations have added an additional $2.8 billion in regulatory costs.

The practical effect of the Bureau's actions are measurable, especially in rural districts like mine: no mortgage credit for young families trying to purchase their first home, community banks that spend more time on compliance than serving their community, and small businesses that cannot get the capital that they need to grow.

The Arbitration Agreements rule is nothing more than the latest sleight-

of-hand by the Bureau taking money out of pockets of consumers and gifting it to trial lawyers.

The SPEAKER pro tempore (Mr. VALADAO). The time of the gentleman has expired.

Mr. LUETKEMEYER. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. TIPTON. Mr. Speaker, the CFPB would lead you to believe that a multiyear class action lawsuit—and that is according to the CFPB's own estimates, average attorneys' fees of $388 million, and that is a win for consumers.

The judgment is not on the side of consumers. They may want to stand for the trial lawyers. We are going to stand for the consumers. Let's repeal this and institute the CRA for the arbitration rule.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO), a senior member of the Financial Services Committee and a strong progressive member.

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

Let us be honest. There are no legitimate consumer groups who support repealing this rule. The consumer groups are actually with the consumers, and they want this rule.

So let us be clear. This rule is being repealed for the biggest financial institutions in the country.

Let us be clear. I do not oppose arbitration as an option. I do oppose it as the only alternative allowed. Very simply, you go to a bank, they open up a bank account in your name, they steal your money, they move it over. If you catch them, you go to the bank, you file arbitration, they give you your $100 back and maybe a dollar's worth of interest, and it is over.

They don't tell you there is 2 million, 3 million, 5 million other people with the same situation who don't know about it. Because it is arbitration, no one talks about it. It is done in private.

I am not opposed to arbitration as a way to avoid court when possible. I am vehemently opposed to taking options away from consumers that say you cannot individually stand for your rights. That is what this bill does. That is all it does.

If you care about consumers, you would work with us to try to find a simpler way. You don't want to do it. You want to help the big boys. Good luck.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. WILLIAMS), the vice chairman of the Monetary Policy and Trade Subcommittee.

Mr. WILLIAMS. Mr. Speaker, a few weeks ago, the Consumer Financial Protection Bureau implemented their most recent arbitration rule. While this rule claims consumer protection, it does the very opposite. It will cost Americans more of their hard-earned money and time.

The CFPB is arguably the most powerful and yet unaccountable government agency in the history of this country. By intentional design, the CFPB is not accountable to Congress or the taxpayer.

According to the D.C. Circuit, the unelected CFPB Director, Richard Cordray, ''possesses more unilateral authority than any single commissioner or board member in any other independent agency in the U.S. Government.''

What does this mean exactly? Well, it means that no one is checking the Director's actions. The CFPB is able to evade all limits and restraints proposed by the government. Because of this, Director Cordray is only looking out for one person—that is himself.

The CFPB chose to ignore their own study because the results did not fit the narrative they were trying to impose on Americans. This study showed that the average consumer receives $5,400—we have heard this already—in cash relief when using arbitration, as opposed to an inadequate $32 through class action suits.

In addition, the study concluded that the use of arbitration produced a higher recovery rate and shorter timeline for the consumer, and that is good. Regardless of this study, Director Cordray has refused to acknowledge that taxpayers will feel the immediate damage that comes from limiting their options by being forced to pay more for less.

Bottom line, this is just another example of overregulation by the CFPB taking away the option of arbitration that will hurt all Americans.

As a small business owner, I have gone both ways. Arbitration wins every single time for those involved. It is called fairness.

Mr. Speaker, I commend Representative KEITH ROTHFUS for leading the way on this much-needed CRA. I encourage all my colleagues to join us in repealing this harmful rule and ensuring the Bureau is not able to issue any similar rule relating to arbitration.

In God We Trust.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN), a senior member of the Financial Services Committee and Foreign Affairs Committee.

Mr. SHERMAN. Mr. Speaker, which is more fraudulent? On the one hand, we have Wells Fargo, 3 million phony accounts, and then they use their forced arbitration provision to tell people that if you signed up for a legitimate account and there was some language in there that created arbitration, that it even applies to the phony accounts.

Well, what is even more fraudulent? The supporters of this bill who say that the rule deprives people of the option of arbitration. It hardly does that. It simply prohibits forced arbitration.

But more important are the numbers. Arbitration is typically used by someone with a $50,000 claim. Class action lawsuits, it is 50,000 people with a $32 claim. So then they say: Well, arbitration provides more. Of course it provides more. Because the average person in the pool has got a $50,000 claim, and class action only produces $32 because it is designed for a situation where you have a million plaintiffs or a half a million plaintiffs each with a $32 claim.

You cannot compare the two except to say that arbitration is unavailable to anyone with a claim of less than $1,000.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York (Ms. TENNEY), a member of the Financial Services Committee.

Ms. TENNEY. Mr. Speaker, I rise in support of H.J. Res. 111.

Mr. Speaker, the Consumer Financial Protection Bureau finalized a rule forbidding financial service firms from including a mandatory arbitration clause in contracts with consumers. The rule is not only bad for consumers, it highlights the need for accountability in Washington.

Unelected bureaucrats wield too much power with too little oversight, and this rule would force consumer class actions and eliminate arbitration options. As an attorney, I know that many class action lawsuits are all too often more about cash for plaintiffs' trial lawyers than protection for consumers. In fact, the CFPB's own study even admitted that arbitration is faster, less expensive, and pays out consumers much higher compared to the class action lawsuit.

Of course, many trial lawyers oppose arbitration because it denies them of exorbitant class action lawsuit fees. It is an inexpensive alternative to courtroom litigation.

If consumers are lucky enough to be part of the successful class action, the average individual payment is, as my colleague just pointed out, only about $32. Remarkably, the trial lawyers raked in $425 million in class action fees between 2010 and 2013, according to a study by Forbes.

Of the arbitrations reviewed by the CFPB in which consumers were victorious, the average individual payout was $5,389. Why would the Consumer Financial Protection Bureau want to take a fair and elective alternative for resolving disputes away from consumers when they benefit from them?

The consumers have the option to do as they please, but I believe the CFPB's antiarbitration rule would do nothing but harm consumers, line the pocket of trial lawyers, and literally take money out of the hands of consumers.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. FOSTER), a member of the Financial Services Committee.

Mr. FOSTER. Mr. Speaker, I urge my colleagues to vote ''no'' on H.J. Res. 111 to block the Consumer Financial Protection Bureau's arbitration rule.

The CFPB is charged with protecting consumers from unfair and abusive behaviors by banks and financial firms. To that end, the CFPB's rules would prohibit provisions requiring that a bank customer surrender the right to participate in class actions.

This practice undermines a consumer's right to be compensated for damages, particularly when they get nickeled and dimed by the fine print in financial contracts.

Class actions often represent the only realistic option for consumers who are ripped off to the tune of a few dozen or a few hundred dollars, and they reduce the burden on the courts by consolidating claims, thereby saving money for both plaintiffs and defendants.

Opponents of the CFPB's rule hope that, by prohibiting the consolidation of claims, they can make potential damages so small that the individual claims are not viable.

Meritorious claims from aggrieved plaintiffs who have suffered actual damages would go uncompensated, and equally importantly, wrongdoers would go unpunished.

I urge my colleagues to stand up for consumers and ensure that they can be fairly compensated by actual damages and wrongdoers punished.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. TROTT), a member of the Financial Services Committee.

Mr. TROTT. Mr. Speaker, I rise in support of H.J. Res. 111, which will block the CFPB's harmful arbitration rule.

I want to start with a little story. Last year, I opened up the mail, and I got a wonderful surprise. I got a check for $3.92. Apparently, I was part of some class action lawsuit, didn't know it, dug into the facts, didn't feel I had been harmed, didn't know who the attorneys were, but I got $3.92, almost enough to buy a latte. I did a little digging around and turns out the lawyers representing the plaintiff class made millions of dollars.

Now, we have heard a lot of conflicting stories here today about this bill being harmful to consumers. Here are the facts.

In a class action lawsuit, a typical consumer gets $32; in arbitration, a typical consumer gets $5,400; in a class action lawsuit, it takes 12 times longer for the consumer to get the money.

But how can this be? Well, in my prior life, I represented a lot of clients who were involved in class action lawsuits. Here is your typical class action lawsuit.

It involves a highly technical violation, not the Wells Fargo example, where there is little or no harm to the consumer, goes on for years, costs millions of dollars in legal fees, and at the end of the day, there is a settlement for $3.92.

I will make a deal with my friends on the other side of the aisle. I will buy anyone a latte who comes clean with the American people and tells them why they are opposing this bill.

The reason why they are opposing this bill is the Trial Lawyers Association makes millions of dollars, and that money lines the pockets of their campaign coffers. It is not about consumers. It is about lawyers protecting lawyers, and it is about protecting the bureaucrats in the swamp.

I ask all my colleagues to join me in supporting this joint resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I am sick and tired of my colleagues on the opposite side of the aisle talking about this $32.

Republicans keep discussing that consumers get $32 in class action, but they ignore how few consumers win in arbitration. Big banks win 93.1 percent of the time in arbitration. The deck is stacked against consumers, not Wall Street.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON), a leading member on this consumer arbitration issue.

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the Congresswoman, and I rise in strong support for the Consumer Financial Protection Bureau on the important topic of forced arbitration.

I urge my colleagues to vote ''no'' on H.J. Res. 111. Forced arbitration is a modern twist to an old trick, tricking people out of their day in court. Forced arbitration tricks people out of their constitutional right to a jury trial on their claim against corporate special interests. Forced arbitration prohibits consumers from taking their case to court for a jury trial and forces the consumer into the back room with a secret arbitrator selected by the corporation who then decides the case for the corporation. It doesn't take a genius to know what happens when you get behind those closed doors.

The outcome will be against the consumer. It is not fair; it is not right; and it is not justice.

□ 1615

Corporate special interests trick consumers into giving up their rights to a jury trial by hiding forced arbitration clauses in the fine print of consumer agreements that they require consumers to accept when there is no other choice.

Consider the latest example from Wells Fargo, which was caught red-handed engaging in unscrupulous banking practices to the detriment of their customers. They were ruining the credit of their customers by opening millions of fake accounts in the names of their unsuspecting customers.

When Wells Fargo got caught, their customers were barred from going to court because they had unknowingly agreed to the forced arbitration. If this is not adding insult to injury, I don't know what is.

Congress authorized CFPB to consider banning or limiting forced arbitration in cases of consumer financial products or services. The CFPB found that forced arbitration clauses denied consumers the ability to obtain justice. That is why Congress should vote in approval of the rule for the CFPB and reject H.J. Res. 111.

Mr. LUETKEMEYER. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Missouri has 6 minutes remaining. The gentlewoman from California has 13¾ minutes remaining.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK), a member of the Financial Services Committee.

Mr. LOUDERMILK. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, Ronald Reagan had a unique gift of communicating in a way that reflected the ideas and the thoughts of the American people. He also understood that out-of-control government bureaucracy had a well-deserved reputation of working in its own best interest, not in the best interest of the American people.

President Reagan best defined this mistrust of government when he stated: ''The most terrifying words in the English language are: I'm from the government and I'm here to help.''

The skepticism Americans have of their too-big-to-be-useful government has only increased since Reagan spoke those words. And it is rules and regulations, such as the one we are discussing here today, that fosters the distrust Americans have of their government. The CFPB's decision to ban arbitration with preference to class action lawsuits will cause harm to both consumers and businesses.

Arbitration has proven to be an effective tool that benefits both parties in a dispute, and has shown to be more favorable to consumers than traditional litigation in the courts. The average compensation, as you have heard, to consumers when using arbitration is $5,400. In contrast, the average settlement for consumers in a class action lawsuit is $32.

Not only is arbitration more financially beneficial to consumers, it is less costly and less time-consuming than fighting through the courts. Disputes which use arbitration are usually settled in 2 to 7 months; however, lawsuits can take an average of 2 years to settle.

Even the CFPB has recognized that arbitration is more efficient, less costly, and more beneficial to consumers; so it boggles the mind trying to figure out why they are pursuing a course that would harm Americans.

It is the responsibility of Congress to rein in government when it is outside the constitutional boundaries of its office or pursues a course of action that is harmful to the citizens. In this case, the CFPB is in violation of both of these principles.

I support this legislation that would roll back the CFPB's ban on arbitration.

Again, I thank the chairman for the time, and I thank the gentleman from Pennsylvania (Mr. ROTHFUS) for sponsoring this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, my colleagues on the opposite side of the aisle hate Mr. Cordray so much because he has been so effective, returning $12 billion to consumers, that they would harm the American public rather than admit that they are wrong.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in opposition of H.J. Res. 111, which will overturn the Consumer Financial Protection Bureau's rule, prohibiting forced arbitration for many consumer contracts, including student loan contracts.

Banks and large corporations often take advantage of ordinary Americans by burying forced arbitration clauses and boiler plate fine print in standard contracts.

When corporations force consumers to secretly arbitrate with handpicked firms, which rely on those same corporations for repeat business, the system is rigged.

Take, for example, Matthew, who enrolled in a for-profit aviation school that closed before Matthew could finish his degree. At the recommendation of the school, he had taken out $56,000 in private student loans.

With debt and no credential because the school had closed, Matthew joined a class action with thousands of other students. But due to a class action ban in the loan contract, the court ruled that thousands of individual students must individually settle their disputes with the bank in arbitration.

That means each individual student had to hire their own lawyer, take time off to present their case, and everything else you have to do to present a case. That is why most victims of this kind of fraud will never collect what they are owed.

If each victim only loses a little bit, virtually nobody will bring a claim. With the class action, at least you can achieve an injunction so the corporation will stop. Each plaintiff might receive a little bit, but without the class action, the corporation is free to continue the fraud.

Without this rule, the banks will continue to use forced arbitration clauses to advance their special interests at the expense of innocent victims who will be ripped off.

Mr. Speaker, that is why we need to stand with consumers. I urge my colleagues to do that: stand with consumers, reject this repeal of the important rule, and vote ''no'' on H.J. Res. 111.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), the ranking member on the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise in strong opposition to H.J. Res. 111, which would repeal protections for our men and women in uniform and other everyday consumers against the use of forced arbitration by megabanks and other financial service providers.

Earlier this month, the CFPB finalized strong rules to protect the rights of hardworking Americans to band together in our justice system to hold corporate wrongdoers accountable. This protection is particularly critical for our Nation's men and women in uniform and their loved ones.

For over a decade, under both Democratic and Republican administrations, the Defense Department has warned Congress about the effects of forced arbitration in servicemembers' contracts. Often buried in the fine print of financial contracts, these clauses waive the rights of veterans and servicemembers to a day in court before a dispute even arises.

If these arbitration provisions were so beneficial to consumers and to servicemen and -women, why do you have to sneak these mandatory provisions into the contract?

There is overwhelming support for this rule among military service organizations who agree that forced arbitration clauses block access to the justice system and funnel the claims of servicemembers into private, costly arbitration systems.

Since the Second World War, Congress has continuously expanded and strengthened the rights and protections for servicemembers and veterans out of a sense of obligation that we must honor and protect our men and women in uniform. But this resolution would end vital financial protections for those who have sacrificed so much in service to our country and the fundamental idea that we are a nation of laws and institutions that guarantee the rights and prosperity of every American.

Mr. Speaker, I urge my colleagues to oppose this resolution, to preserve this rule, to stand up for the men and women in uniform, to stand up for the American consumer, and to stop being errand boys for the megabanks.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. SARBANES), the leader of the Democracy Reform Task Force.

Mr. SARBANES. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, here we are again: the special interests are running the show in Washington. Pointblank, this resolution will make it harder for Americans to get justice. Specifically, this will unwind critical new rules that allow financial consumers to take collective action. You heard that right. This is an effort to take away your ability to sue big banks when they run you over. Instead, the majority wants to force you into unfair, bureaucratic arbitration processes that severely disadvantage you in favor of the Wall Street firms.

I always ask the same question when the Republicans bring these measures up here to gut consumer protections: Who back home is asking for this? Who is coming to the townhalls and begging to repeal this rule? Who is asking you to make it harder to seek damages when someone is being harmed by a big bank?

Nobody is asking for this. In fact, as KEITH ELLISON said a few minutes ago, there are 100,000 people who are beseeching us to support this rule to protect them out there. Nobody is asking to repeal this rule or shut this rule down.

I know who wants it here in Washington. It is the big money special interests, the so-called swamp. We can't let this happen. The American people should be furious.

Mr. Speaker, I urge my colleagues to oppose this reckless, shameful effort.

Mr. LUETKEMEYER. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. KUSTOFF).

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in support of H.J. Res. 111, which uses the Congressional Review Act to disapprove and nullify the rule issued by the CFPB on July 10, 2017.

Time and time again, we have seen the CFPB abuse their power and authority to unilaterally issue rules without seeking any input from Congress.

Since its establishment, the CFPB has displayed complete disregard for due process, as it has issued enforcement actions against companies that are unjustly accused of wrongdoing.

Frankly, the CFPB's recent antiarbitration rule is no different. This rule would change the ability for consumers to resolve disputes with financial services companies through arbitration, which has consistently provided consumers with expedient, efficient, and less costly resolutions.

In short, making consumers pay more for less is the exact opposite of consumer protection, and is the reason we need to reject this harmful rule.

I applaud the work of Chairman HENSARLING and the other members of this committee on this work to hold the CFPB accountable.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Higher Education and Workforce Training Subcommittee.

Mrs. DAVIS of California. Mr. Speaker, as representatives of the people, our job is to protect working families. So let's be clear, we should be protecting

consumers, including members of our military who sacrifice so much for us.

When a predatory lender forces arbitration, it puts consumers into a system where their grievances don't get the fair treatment of a court. Instead, a law firm handpicked by the corporation will decide the outcome, putting the consumer at an extreme disadvantage from the start.

The CFPB issued a long, overdue role to prohibit this unfair practice that benefits wealthy special interests at the expense of the American people.

So why would we take a step back?

Even worse, these predatory lenders often prey on our military, so we should be protecting our military to have transparent and just legal options. Forced arbitration is just the opposite.

Mr. Speaker, we need a process that works for consumers. This resolution will only bring us back to a broken system.

Mr. Speaker, I urge my colleagues to join me in striking down this resolution.

Mr. LUETKEMEYER. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Missouri has 3 minutes remaining. The gentlewoman from California has 7½ minutes remaining.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TAKANO), the vice ranking member of the Veterans' Affairs Committee.

Mr. TAKANO. Mr. Speaker, I rise today to strongly oppose this CRA opposition, which rolls back critical protections for American consumers.

Passing this resolution would set a nearly irreversible policy that allows Wall Street companies to commit pervasive fraud while avoiding the accountability that comes with a class action lawsuit.

Access to our courts and the transparency and fairness they provide is a fundamental right enshrined in our Constitution. It is a sad irony that many of those that would be denied their constitutional rights through this resolution are the servicemembers and veterans who have risked their lives to protect those rights.

When the American consumer takes on a Wall Street corporation, it is already a David versus Goliath situation. Now Republicans want to steal David's slingshot. Mr. Speaker, don't let them steal David's slingshot. Don't let them steal America's slingshot.

Mr. Speaker, I strongly encourage my colleagues to reject this resolution.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI), a senior member on the Committee on Education and the Workforce.

□ 1630

Ms. BONAMICI. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, I rise today in strong opposition to H.J. Res. 111, a resolution that will undermine the Consumer Financial Protection Bureau and allow financial institutions to continue taking advantage of consumers.

The CFPB's arbitration rule protects consumers, including students, servicemembers, and seniors, by allowing them access to justice in court and to participate in class action lawsuits against unscrupulous financial institutions.

I am a former consumer protection lawyer. I have no problem with arbitration clauses when they are agreed to by parties with equal bargaining power, but we have seen what happens when institutions include nonnegotiable forced arbitration clauses in the fine print of consumer contracts.

Private student loan providers, payday lenders, credit card companies, and banks have consumers sign away their rights to access the court system when they are cheated. The CFPB rule will address that inequity and provide consumers with a remedy.

We must reject this effort to roll back consumer protections and allow the CFPB to continue to do their important work. Please vote ''no.''

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. MCEACHIN), a member of the House Armed Services Committee.

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

Mr. Speaker, I rise to oppose this resolution, which would stack the deck against hardworking families, small businesses, and nearly any group or individual who needs financial services.

Mr. Speaker, universal access to fair and impartial courts is a principle that is enshrined in both the Sixth and Seventh Amendments of our Constitution. It is the cornerstone of our justice system. Without that access, we cannot hold bad actors accountable; families and small businesses suffer; justice is denied.

Forced arbitration clauses protect the powerful by denying Americans their day in court. Big corporations have enormous leverage. They offer essential services and have few competitors.

For many consumers, having a cell phone or a checking account means accepting arbitration. Often there are no other options.

The CFPB has sought to correct that injustice. The Bureau's arbitration rule ensures that those who are wronged by a financial institution have meaningful recourse. At Wells Fargo and elsewhere, recent events have shown why that recourse is essential.

When our courts are out of the picture, accountability can slip; cutting corners becomes less risky and more attractive.

Mr. Speaker, I ask my colleagues to oppose this resolution.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT), a member of the Committee on Appropriations and the Committee on Oversight and Government Reform.

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

Mr. Speaker, there is one thing about us Americans that separates us from the rest of the world: we have a Bill of Rights in this country, and it includes the Seventh Amendment, and my colleague, Mr. MCEACHIN, just mentioned it, the Seventh Amendment: the right of trial by jury shall be preserved. It is what makes us Americans.

And watch out. When you hear them attacking legal fees and lawyers making money, that means they are attacking your rights. They are trying to take them away.

For too long, big banks have gotten away with taking advantage of their customers, from fake accounts to subprime mortgages. American consumers have suffered a great deal of harm at the hands of Wall Street, and now we have a rule that will help consumers fight back. It is a rule from the Consumer Bureau that fixes a flaw in the judicial system that keeps victims from accessing justice by banding together with class actions.

Don't let them take your rights away. Let's fight this resolution.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO), a Member who is outraged by the attack on consumers by the opposite side of the aisle.

Mr. CAPUANO. Mr. Speaker, I am glad to be outraged on this one.

About a month ago, the majority party took away the ability of people using the internet to keep their information private. You allowed every person on the internet, every company, to access everything about anybody who uses the internet. The country hated it. During that entire debate, you told America: We are out to protect you; we are protecting you.

No one believed it, and here we are again today. You are out to protect the consumers, with no consumer groups who agree with you. You are basically telling people: Trust us more than you trust yourselves; therefore, in order to do that, we will take away your right to protect yourself in a court of law.

No one buys it. No one buys it. Leave us alone. Let me defend myself. I don't need you to defend me. America wants to be left alone. Leave them alone.

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

Mr. LUETKEMEYER. Mr. Speaker, that is what arbitration is all about, to allow the individual to defend himself.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I am now prepared to close, and I yield myself the balance of my time.

Mr. Speaker, today we have heard Democrats speak about the importance of the Consumer Financial Protection Bureau's rule to stop forced arbitration clauses in contracts for consumer financial products and the harm that would result from this joint resolution to repeal the rule.

Forced arbitration clauses severely limit consumers' legal rights and prevent groups of consumers from holding financial institutions accountable for wrongdoing. The Consumer Bureau's rule helps to ensure that financial institutions are held accountable and fully protects the legal rights of consumers, including servicemembers and veterans.

The majority has shamefully moved to nullify the Consumer Bureau's good work in a move that ultimately enables financial institutions to get off the hook when they commit wrongdoing, with less redress for consumers.

Studies have shown that forced arbitration favors big business and results in less compensation for American consumers who have been abused or defrauded, if they receive any at all.

This resolution steamrolls over the Consumer Bureau's sensible rule without regard for the harm that will result for American consumers and families. This is also despite the broad support for the rule from consumer advocacy, civil rights, and faith-based groups, legal scholars, and advocates for servicemembers.

Congress must not curtail the legal rights of consumers, must not repeal the Consumer Bureau's forced arbitration rule. Vote to protect consumer rights. Vote to fully restore the American principle of right to trial by jury. Vote ''no'' on H.J. Res. 111.

Mr. Speaker, I would simply like to say that I keep hearing my colleagues talk about how fast consumers are taken care of under the arbitration rule. Yes, because they are getting railroaded.

As I mentioned, they are in the back room without representation. These are people who have been forced to sign these arbitration agreements, not even knowing that they signed them.

Most people who go out now to get a credit card or to get a loan of some kind, they are forced into these agreements and they don't even know it. They are shocked and surprised when they cannot join with others who have been ripped off in class action lawsuits.

So don't pay attention to all of the information that you have received from the opposite side. Remember that the banks and big businesses win 93.1 percent of the time, not consumers.

Whose side are you on? Are you on the side of consumers or are you protecting big business?

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

Mr. LUETKEMEYER. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee, and I think we are going to have some answers to those important questions that the ranking member just asked.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Missouri (Mr. LUETKEMEYER) for yielding, and I appreciate his leadership on this issue, as I do the gentleman from Pennsylvania as well.

Mr. Speaker, since 1925, this institution, the United States Congress, has recognized the right of consumers to engage in arbitration, which we know for so many consumers is their avenue for redress of grievance. We know that this has been upheld on multiple occasions by the Supreme Court. We have almost 100 years of precedence. And now this rogue agency, the Orwellian-named CFPB, decides to promulgate a rule, and it is not even an agency. Mr. Speaker, it is one unelected, unaccountable individual who has decided that Americans no longer have the right to contract, they no longer have the right to decide that they would prefer to arbitrate instead of go through a class action lawsuit.

Mr. Speaker, let's let people know what this is truly about. What this is about is the trial attorneys relief act. Theirs are the voices that we are hearing on the other side of the aisle, and we are hearing them loud and clear, because what we know is that, in class action lawsuits, consumers end up with almost nothing and the trial lawyers make out like bandits.

Even in the CFPB's own study, they figured out that those who go through class action are doing well to get $32.35, yet the trial lawyers make out with millions. We also know in the CFPB's own study that those who went through arbitration ended up with settlements of $5,389.

Mr. Speaker, here are just a couple of different class action lawsuits that have happened recently. A Dell Computers class action lawsuit: $500,000 for class members, $7 million for the lawyers; Subway sandwiches: $50,000 for the class members, $500,000 for the trial attorneys.

Oh, here is a good one, Mr. Speaker, Coca-Cola class action: $0 for class members, $1.2 million for the lawyers; L.A. Fitness International: $7,000 for class members, $200,000 for lawyers.

Mr. Speaker, the American people are not foolish. It is time to drain the swamp and to start off with the bureaucracy that is taking away their rights to have dispute resolution through arbitration. They are tired of seeing others go and kowtow to the trial lawyers lobby in this town to give them what they want. It is time to make sure that Americans' consumer rights can be protected, and so it is time that we pass this Congressional Review Act for all Americans.

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

Mr. GOODLATTE. Mr. Speaker, as Chairman of the Judiciary Committee, I have worked long and hard to preserve the availability of fair, affordable arbitration to consumers. Hearings before the Judiciary Committee have demonstrated repeatedly that arbitration allows consumers to resolve disputes quickly, fairly and at lower costs than litigation. It also helps consumers to preserve relationships with companies with whom they contract, by avoiding the acrimony of litigation.

The Consumer Financial Protection Bureau's Arbitration Rule threatens to undo all of that, not to benefit consumers, but to benefit one special interest—the plaintiffs class-action trial bar.

By prohibiting consumers and companies from contracting to arbitrate individual matters, rather than litigate disputes through class actions, it ensures a steady stream of class-action litigation—and handsome class-action attorneys' fees—for the trial bar. But for consumers, it burdens their freedom of contract, subjects them to long, drawn-out class-action litigation, and sets up scenarios in which large portions of any recoveries they obtain will go, not to them, but to class-action lawyers with whom they are forced to deal.

For companies, meanwhile, the Rule threatens to force them into choosing whether to continue to fund their arbitration programs or, instead, to shutter those programs to preserve funds for high-dollar class-action defense.

I urge my colleagues to vote for this resolution and against the CFPB's special-interest, anti-consumer rule.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to H.J. Res. 111, which would repeal the Arbitration Rule recently created by the Consumer Financial Protection Bureau.

The Arbitration Rule is an important victory for consumer protection, because it prevents banks and other financial institutions from stripping consumers of their constitutionally-guaranteed right to a day in court.

The ''forced arbitration'' clauses that this rule addresses prevents a consumer from filing a lawsuit against a company, and always forces the consumer into a private and confidential arbitration process that operates outside of the legal system.

Additionally, these clauses, which are often buried in the fine-print of agreements and do not allow the consumer any authority to change them, frequently prohibit class-action claims.

This means that even if there are thousands of consumers who have been hurt by a bank or financial institution in a similar way, they would not be able to join their complaints into one case.

By forcing each and every consumer to endure arbitration on his or her own, outcomes for cases with the exact same complaints will vary unjustly, because arbitration does not set legal precedent.

Mr. Speaker, these forced arbitration clauses essentially amount to a rip-off clause.

It is clear that this rip-off clause is stacked against the consumer and is meant to shield predatory banks, payday lenders, credit card companies and other financial institutions from accountability when they cheat or plunder consumers.

In April of this year, it was revealed that Wells Fargo opened as many as 149,857 fraudulent bank accounts in my home state of Texas, including many in Houston.

But the rip-off clause prevented consumers from getting justice.

The Consumer Financial Protection Bureau's Arbitration Rule rightfully aims to protect consumers from being forced to sign away their legal rights when doing something as simple as opening a bank account, obtaining a credit card, financing a home, or obtaining a private student loan.

The CFPB's Arbitration Rule makes it easier for consumers to file a lawsuit if they are harmed by a bank or financial institution, and increases transparency in the arbitration process.

The Arbitration Rule strongly serves the public interest.

H.J. Res. 111 is only the latest in a long series of attacks that Republicans have leveled against the Consumer Financial Protection Bureau since its very creation in 2011.

The Bureau is a tremendous ally in the fight for consumer protection, and it is imperative that its work be allowed to continue.

It is unconscionable that Republicans are working so hard to repeal a rule that only serves to protect consumers from harmful and predatory practices by the financial services industry.

I urge all of my colleagues to join me in rejecting this harmful resolution.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 468, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Ms. MAXINE WATERS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.J. Res. 111 will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 3364.

The vote was taken by electronic device, and there were—ayes 231, noes 190, not voting 12, as follows:

[Roll No. 412]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Buchanan
Costello (PA)
Crowley
Cummings
Davis, Danny
Graves (MO)
Lawson (FL)
Meadows
Napolitano
Palmer
Renacci
Scalise

□ 1706

Ms. BASS changed her vote from ''aye'' to ''no.''

Mr. ADERHOLT changed his vote from ''no'' to ''aye.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. LAWSON of Florida. Mr. Speaker, On rollcall vote No. 412 I was unavoidably detained. Had I been present, I would have voted "no."

COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3364) to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 3, not voting 11, as follows:

[Roll No. 413]

YEAS—419

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat

Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—3

Amash
Duncan (TN)
Massie

NOT VOTING—11

Budd
Costello (PA)
Crowley
Cummings
Davis, Danny
Graves (MO)
Meadows
Napolitano
Palmer
Renacci
Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1713

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 407 through No. 413 due to my spouse's health situation in California. Had I been present, I would have voted "nay" on H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018, as amended. I would have also voted "nay" on S. 114—A bill to authorize appropriations for the Veterans Choice Program, and for other purposes, as amended. I would have also voted "yea" on H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act of 2017, as amended. I would have also voted "nay" on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.J. Res. 111. I would have also voted "nay" on H. Res. 468—Rule providing for consideration of H.J. Res. 111—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements." I would have also voted "nay" on the Passage of H.J. Res. 111—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements." I would have also voted "yea" on H.R. 3364—Russia, Iran, and North Korea Sanctions Act.

PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on July 24 and 25, 2017, I was absent for recorded votes 407 through 413 because I was attending my son's induction into the Naval Academy Preparatory School in Rhode Island. Had I been present, I would have voted:

On rollcall 407 I would have voted "no"
On rollcall 408 I would have voted "no"
On rollcall 409 I would have voted "yes"
On rollcall 410 I would have voted "no"
On rollcall 411 I would have voted "no"
On rollcall 412 I would have voted "no"
On rollcall 413 I would have voted "yes"

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 391

Mr. JOHNSON of Louisiana. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 391, a bill originally introduced by Representative Chaffetz of Utah, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. FERGUSON). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

APPOINTMENT OF INDIVIDUAL TO HEALTH INFORMATION TECHNOLOGY ADVISORY COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4003(e) of the 21st Century Cures Act (Pub. L. 114–255), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Health Information Technology Advisory Committee:

Ms. Cynthia A. Fisher, Newton, Massachusetts

THANKING ELLEN MURPHY AND KATIE ORREL FOR THEIR SERVICE AT STAR FOUNDATION

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Ms. Ellen Murphy and Ms. Katie Orrel, who will retire at the end of the year after more than 40 combined years of volunteer service at the Southern Technology Advocacy Research Foundation, known as STAR, in Brunswick, Georgia.

Ms. Murphy and Ms. Orrel created the STAR Foundation in 1997 to help area citizens gain meaningful and rewarding employment opportunities through career training classes. The training classes at STAR include how to balance a checkbook, to use a computer, and how to write a resume.

Ms. Orrel teaches personal financial management and interviewing skills, and pushes her students to do their very best every day. At the same time, Ms. Murphy has been the executive director at STAR since its inception over

20 years ago, and has done a great job to grow the organization and reach more students.

I would like to thank Ms. Murphy and Ms. Orrel once more for helping south Georgians to advance their careers.

SANCTIONS ON THE RUSSIAN FEDERATION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to acknowledge all of my colleagues who voted ''yes'' on continuous and strengthened sanctions on the Russian Federation. That was the correct vote, and I commend the leadership of Ohio's Senator SHERROD BROWN, the leading Democrat in the other body on the Banking Committee who fought for this package.

The bill also holds Iran, North Korea, as well as Russia accountable. Specifically, Russia for interference in our Democratic Republic, but also for its ongoing human rights violations, its illegal invasion and occupation of Crimea, and continued military violence in eastern Ukraine with over 10,000 dead due to Russian aggression.

This bill will impose sanctions on people involved in human rights abuses, those who launch cyber attacks and those who supplied weapons to the Assad government in Syria. President Trump and his staff regularly question the intelligence that shows Russia interfered in our election.

Given the President's priorities lately, it is imperative that Congress send a clear message and make it more difficult to undercut sanctions without congressional approval.

This package tells the world: Congress won't stand by idly. But what a sad day we have reached when there is doubt whether sanctions against Putin's Russia, liberty's proven adversary, will be even signed by this President of the United States.

STOP FUNDING PALESTINIAN TERRORISTS

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

Mr. POE of Texas. Mr. Speaker, last Friday night, an Israeli family sat down for Shabbat dinner to celebrate the birth of a new grandchild, but a 19-year-old Palestinian terrorist put an end to this joyous occasion.

The terrorist brutally attacked the Salomon family with a large knife. Pictures of the family's home show a white floor stained red with the blood of the innocents.

A father and two of his children were murdered that night. Upon learning of the tragic event, Palestinians in Gaza took to the streets to sing, dance, and celebrate. No Palestinian leader has even condemned this grizzly attack.

Mr. Speaker, unfortunately, this is our U.S. tax dollars at work. The millions the United States sends to the Palestinians are funneled to terrorists and their families through the so-called martyrs fund. The leaders we prop up glorify terrorists and incite violence.

The American people refuse to continue this insanity. We refuse to continue enabling terror against the Israeli people.

And that is just the way it is.

INVEST BORDER WALL FUNDS IN OTHER PROVEN METHODS TO KEEP US SAFE

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

Mr. CORREA. Mr. Speaker, on Friday we are voting on a crucial funding program for armed services. Yet somehow it also includes $1.6 billion to begin funding the construction of an unnecessary border wall. Without discussion, the funding for the border wall was added.

This wall won't make us safer, and it won't stop drug smugglers, and it will not keep out the bad hombres.

If we are serious about protecting our borders, then let's invest the $1.6 billion in programs that have a proven record of success. Let's invest in drug detection canine teams. Let's rebuild our Coast Guard. And let's strengthen our partnership with Canadian and Mexican law enforcement.

These are the proven methods that will keep America safe.

PUERTO RICO'S TERRITORIAL GOVERNMENT

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, Puerto Rico's territorial constitution is 65 years old today. An act of Congress authorized the island's people to pass a charter of the local government.

It did not, however, eliminate Federal authority to govern Puerto Rico in local matters. The island's constitution names the territorial government a ''freely associated State'' in Spanish, but we are not a freely associated State because we are not a sovereign nation.

Under the U.S. Constitution, Puerto Rico remains subject to a territorial clause until it becomes a State. Proof of that power is PROMESA, which installed Federal appointees to make final decisions on Puerto Rico's fiscal matters.

The Americans I represent want to exercise self-government in local matters once again; but, more importantly, want to fully possess that power as the States do.

SECURE FIREARM STORAGE

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

Mr. SCHNEIDER. Mr. Speaker, communities throughout our country are suffering from an epidemic of gun violence.

In far too many cases, stolen guns represent a growing source of the weapons used in these crimes. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives, last year alone, nearly 18,000 firearms were reported stolen or lost just from Federal firearm licensees, or FFLs. That is Federally licensed dealers, manufacturers, and importers.

Today I introduced the SECURE Firearms Storage Act to help address the stolen-gun problem by requiring all FFLs to securely store their inventory when not open for business.

Additionally, this bill would require the Attorney General to review and put forth further commonsense security measures to reduce the risk of theft, and require new applicants to detail their security plans before a new license is issued.

There are simply too many innocent lives being destroyed by these stolen guns. I invite my colleagues to join me on this bill to make commonsense improvements for gun safety.

RURAL AMERICA'S CONTRIBUTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. ARRINGTON) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. ARRINGTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my Special Order.

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

There was no objection.

Mr. ARRINGTON. Mr. Speaker, I rise today in support of my friends, my family, my neighbors, and my fellow Americans in rural communities all across this land. I am proud to represent 29 counties in rural west Texas. I am grateful that I grew up in a small town—the town of Plainview, Texas, a little farming community.

We are the sum of many things and many contributions and influences, and I am thankful for the influences of that town. I am grateful to my coaches and my teachers. I was inspired by Ms. Becky Taylor, my first government teacher at Plainview High School. I have countless people to thank, and as I walk the Halls here, and as I stand on the floor of the House and cast my vote for the people I represent, I think about all of those people who have made an investment.

You see, in rural America, they take responsibility for their community.

They believe in making investment in all of those young people who are working their way through the school system, who have big dreams to make a difference in the world, and I was one of them.

I pray I could be a champion for rural America. I pray I will be an effective legislator and that I will be a strong voice for a people that feel often that they don't have a voice. Maybe it is because we don't have the votes, and maybe it is because we don't have as many people, but what we don't have in numbers of people, we more than make up for in our contribution to this country in the food, in the fuel, in the fiber that we produce in rural America.

The folks who I represent help put food on the table of all Americans. They put clothes on the backs of all Americans. They help fuel this great American economy. They give us energy independence.

They allow us to have an affordable, safe, and abundant supply of food. We take it for granted. When you ask folks around the country, especially in urban and suburban areas, ''Where does your food come from,'' many answer, ''The grocery store or the food truck.''

□ 1730

My colleagues and I are standing today to speak about the virtue and the values of rural America and the contribution to this great experiment in democracy and liberty. We know that it is by the blood, sweat, and tears of farmers and ranchers all across this great land.

I love everything about rural America, Mr. Speaker. I love the people, I love the values, and I love our way of life. We are not just the energy basin, and we are not just the breadbasket. We are the backbone of this country. If you lose rural America, then you lose something very special. You lose those traditional American values that are at the heart of the greatness of this country.

They are counting on us—all of us who represent rural communities—to fight for them. If you think about this Presidential election, more than 70 percent of rural communities and people living in rural areas in the swing States voted for our President. They felt voiceless and powerless. They felt like they were losing their country, and they wanted their country back. They were tired of political correctness. They were tired of do-nothing institutions and politicians that said they were going to change things and then—status quo.

They know, as well as anybody, what is at stake in the next few years and the next several years. This window of time is special. They came out strong in support of our President because they wanted something different. They wanted results.

Rural America defines leadership different than we do. They define leadership as working together to solve problems and deliver results. If you don't deliver results, you are not a leader in rural America. The proof is in the pudding. So I am especially excited about this opportunity in the life of our Nation. I am exceptionally honored to serve in this august body with so much history.

I am overjoyed that I wear the rural America jersey when I stand on this floor. I am going to do all I can to fight for the future of this country, which means I am going to fight for rural America's traditional values, and I'm not going to apologize for it because, again, where we come from is a lot of who we are, and who we are is a whole lot more important than what we do.

I am rural America. I am traditional values. I am from the land of farmers, ranchers, and public schoolteachers who believe they can have an impact on a kid and inspire him to believe he can change the world. You are looking at one of them.

Mr. Speaker, I thank Miss Becky Taylor, I thank Coach Cunningham, I thank Coach Irlebeck, and I thank youth minister Karl Shackleford. I could go on and on.

I stand on the shoulders of a lot of good people in small town, middle America, and I don't stand alone. I stand in the company of great men whom I have met since I have been here. I know a lot of Americans look at this United States Congress as dysfunctional and do-nothing, and do you know what? They are right in many ways. But I look at the individuals, and I see some of the most impressive, patriotic people who want to make a difference.

I am thankful that in this fight for the heart and soul of this country, in this battle for the identity of our Nation, this constitutional Republic, I have got folks in the foxhole with me.

To start my foxhole friends who stand on the side of rural America, I want to introduce a great American, a dear friend, and the president of our freshman class. He comes from a big swath of rural Michigan, Michigan's First District. He is a general, he is a soldier, he is a businessman, and he is a proud granddad. When I think of JACK BERGMAN, I think of a leader. He is a leader.

I am proud to serve with JACK BERGMAN.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. BERGMAN).

Mr. BERGMAN. Mr. Speaker, how do I even start after getting an introduction like that other than to say that I am so blessed to be part of what I will put up against any Congress as the finest freshman class that has come across this floor to be sworn in. I am just proud to be one of Mr. ARRINGTON's colleagues.

Mr. Speaker, when you talk about rural America, how do you know it if you have never been part of it? I was born, raised, and grew up in a little Minnesota farming town. My dad came from the Upper Peninsula of Michigan because there was no work there for 18-year-olds. He went to Minneapolis looking for work. Of course, he found it, and then he found my mom. You know how that goes. So she told him that is where he was going to live for a while, and so that is where I was born.

I had to walk all of a half a mile to work on a farm to help. It was about a 200-head dairy farm that also had some corn and some soybeans, and they had hay. I learned how to bale hay, I learned how to not fall off the wagon, and I learned how to shoot the silage into the silo and not fall into the silo when you are doing it.

One of the least favorite jobs was cleaning up the dairy barn because it had those unique aromas. On a hot August day, you learn that they are all unique, but they are all important to the betterment of what we are trying to accomplish here.

When you work with your hands—I have seen firsthand how rural America works, the dedication, the hard work, and the life that on a daily basis begins before the sun rises and, in many cases, ends long after the sun sets—that is commitment. It is not only commitment to your family, it is commitment to yourself, and it is commitment to your God that you know that you are blessed with what we have in our land.

It is such important work. DANIEL WEBSTER said:

''Let us not forget that the cultivation of the earth is the most important labor of man.''

''The farmers, therefore, are the founders of civilization.''

It is so easy to believe that when the lights go off at the grocery store at night that the food just magically appears on the shelves. It is amazing how that just happens. Well, we know it doesn't just happen. It is the last in a series of long steps. Rural America knows better than anyone what it takes to get the food on those shelves. Rural America feeds the world, produces resources that are used in other industries, acts as job creators and the foundation of the economy, provides food security, and contributes to the moral fabric of our society.

Farmers face so many challenges already. They are at the mercy of the weather, crop volatility, and ever-changing prices. Why is the government so insistent on adding more rocks to the pack of the farmer who is already overburdened in so many ways? They don't need any more headaches.

I have often said that if something works in Michigan's First District, it will work anywhere. We are largely rural. We have got a lot of big water shoreline, and part of that big water shoreline provides the water to cultivate our fields. We grow a lot of potatoes up there. Anybody who really loves potato chips, chances are they came from a potato that started in Michigan. We grow sugar beets, cherries, and apples, just to name a few. In fact, just this past weekend, back in the district, I had a chance to really taste the cherries that we picked off

the tree because it is that time of the year.

We should be looking forward and looking to rural America as the example for success, not trying to hold it back with bureaucratic regulations and out-of-control government spending. It is time to cut through the red tape. Rural and urban survival depend on it. Power belongs in the hands of the individual—the farmers, the loggers, the fishermen, the miners, the ranchers, and every other hardworking man and woman in so many districts around the country and especially in our First District of Michigan.

Mr. Speaker, speaking of hands, people who work with the land know when you are working with your hands that you don't just go right to the harvest. You first must till the land. You have to plant. You have to manage the growing season. Only then, after that long process that you cannot shortcut in any way, then comes a successful harvest. It has to happen in order. There is no other way. So anyone who expects good things happen easily has never been a farmer and has never been working with their hands.

It is our job not just to honor but to raise rural Americans up as an example that hard work and traditional American values are still something to be admired so deeply.

Mr. Speaker, it is an honor just to be talking about this subject tonight. It actually makes me want to somehow figure out a way to get back to the district right away to finish up the cherry harvest. It looks like we are going to have a really good one this year because God has blessed us with good weather.

Rural America is who we are, and it is who we fight for. I am proud to be a Member of the 115th Congress.

Mr. Speaker, I thank the gentleman from Texas (Mr. ARRINGTON) for the opportunity to speak on something that is so passionate and dear to my heart.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Michigan for his wonderful, beautiful, and heartfelt words about where he comes from, how that shaped him, and how deeply he believes in the people in the country, as we say in west Texas. He talked about a lot of things. He talked about the folks who work the land, and he talked about traditional American values. Mr. Speaker, I think you are going to hear some common themes from my colleagues this evening.

The gentleman also mentioned the burden of Big Government. I said, coming into this office and after 8 years of the advent and explosion of Big Government, that when our economy in urban and suburban is like a patient who is sick, the rural patients are in the ICU because small businesses, community banks, and family farmers bear a disproportionate burden when it comes to the trillions of dollars and the cumulative effect of all the rules and regulations out of the last year.

So rescuing the American economy is about helping a sick patient. Rescuing the rural economy is getting the patient stabilized and off life support so we can live to farm, to fight, and to have the kind of quality of life that we love for another day.

Mr. Speaker, I have got a good friend that I have made since I came to the United States Congress. The gentleman is from the 12th District of the great State of Georgia. He is a son of a farmer. I bet he knows something about working the land. I bet he knows something about a work ethic. I bet his daddy taught him something about that.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. ALLEN) who is my friend and a businessman. The gentleman received the Augusta Metro Chamber of Commerce Small Business of the Year Award, and he will talk about rural America and why it is so important to making America great.

Mr. ALLEN. Mr. Speaker, I thank my friend, Congressman ARRINGTON, for this Special Order and for this opportunity to talk about what makes America great.

Mr. Speaker, I am a product of rural America. I did learn a lot about work ethic and about values. I can't think of any other way to grow up, to be honest with you. Sure it was difficult, and sure I probably had some times where I thought I would like to be somewhere else. But I will tell you, there was nothing like it, and I take and cherish those memories. I have tried to instill those in my children as well.

□ 1745

It is the greatest honor of my life to represent the people of Georgia's 12th Congressional District, which is largely rural. We have 18 counties. About 15 of those counties would be considered rural. My district is home to the Masters Tournament and the growing cyber industry in Augusta, but it is our rural farms that are the true heart of my district.

Georgia's 12th District is rural, and I am proud to say it is truly God's country. You won't find more steadfast, faithful Americans than in rural Georgia.

Agriculture is the number one industry in my home State of Georgia. It is also the number one industry in my district. Our farmers have been forgotten by out-of-touch politicians and unelected bureaucrats here in Washington, particularly over the last 8 years.

Farm income, for example, is down more than 55 percent, largely due to what our President has talked about, which is our trade policies. However, as of last November, we are approaching a new day. This is President Trump's day and President Trump's America. That is why I am proud to have a President that knows that rural Americans deserve more.

In April, President Trump created the Interagency Task Force on Agriculture and Rural Prosperity to be led by Secretary of Agriculture and fellow Georgian, Sonny Perdue. This task force was created with one goal in mind: to promote economic growth and innovation in rural America. As a member of the House Agriculture Committee, I look forward to working with Secretary Perdue on this mission, as well as the next farm bill, which is critical to the lifeblood of our farmers.

From looking at cotton to peanuts, to specialty crops and the programs they are using, I have participated in numerous hearings on how to make the next farm bill successful for all of our farmers. I am working hard to make sure the commodities most important to Georgia's 12th District are protected.

We also have a crisis in our community banking system. Community banks are the lifeblood of the creation of small business. We continually lose our community banks. That is why I am so proud of Chairman JEB HENSARLING and his work to pass the CHOICE Act.

The CHOICE Act reduces the regulatory burden on our community banks. It allows them to thrive and to provide the capital to grow the small business community in our rural areas. Small business in our rural communities accounts for about 75 percent of all new job growth.

We also have to fix healthcare. We are losing a number of our community hospitals. I know in Congressman ARRINGTON's district, in small towns, the community hospital is the largest employer in that community, and it is critical that we repurpose those hospitals, that we fix healthcare and we provide healthcare for our rural areas.

We also need to look at technology. There is a tremendous need for broadband and expanding our broadband capabilities. I know the President is talking about a major infrastructure package. Broadband needs to be a part of that infrastructure package because the 12th District of Georgia, through technology, could be the new Silicon Valley of the East Coast. We would like to see that trickle down into our rural areas, and it can, but we have to have the capability of the broadband.

As far as the future of rural America, we are seeing tremendous strides made as far as technology, as far as farming. Last year, I planted peanuts. I was operating a tractor, which I remember operating as a child and a teenager and having to pay attention to all the moving parts. I tell you, I sat on this tractor and I planted 17 inches over from the year before, and I never touched the steering wheel. The technology is amazing.

I was with a group of farmers the other day and we were talking about God is blessing us with a lot of rain and if it continues, we are going to have a bountiful crop, a great yield. They said: Yeah, we are good 8 inches down, but the other 8 inches we are a little concerned about. They have these probes that are measuring how much water we are receiving.

So we have a got a lot going on in our rural areas. We just, as a body here, need to provide our farmers, our small business people, with the tools they need to get the job done, and they will get the job done.

Again, I want to thank my distinguished colleague from Texas, Congressman ARRINGTON, for shining the spotlight on rural America tonight. It is the lifeblood of this country. I want to see rural America become everything it needs to be.

We are seeing improvement in the economy through many pieces of this legislation that we are passing. I hear it from the business community and some of our city centers. It is time for that to trickle down into rural America.

Again, I thank the gentleman for shining this spotlight.

Mr. ARRINGTON. Mr. Speaker, I thank my colleague from Georgia for his personal experience in agriculture, in a farming family, and a man who loves all that is good about rural America and knows that what is good about rural America is what is helping make this country great.

I have got other colleagues that I want to invite to speak. We have got folks from Illinois, Michigan, and some colleagues from Texas.

I am looking at a guy from the Commonwealth of Kentucky, another new friend, a dear friend, and a friend of agriculture. He is a guy who not only knows agriculture because he took a loan out right after graduating from Western Kentucky and started a farming operation—he claims it is successful today. I believe him—he was also the ag commissioner of Kentucky. He served in the Kentucky House, and now he is lending his expertise and his love for this country and all things about rural America to the First District of Kentucky.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I thank Representative ARRINGTON for shining the spotlight on rural America today.

I am proud to be a product of rural America. The great thing about growing up in rural America is you learn values, you learn morals, and you learn a work ethic. Not every individual in America has that opportunity. So those of us that grew up with that upbringing in rural America should appreciate that.

That is why, when I took the oath of office as a brand-new Congressman back in November, I said my number one priority is to promote agriculture and restore and revive rural America. I believe we can. I believe in the future of rural America. But we are going to have to work together.

Rural America has many challenges right now. The number one challenge is the economy. We need to help create good-paying jobs in rural America, because in rural America we are faced with a brain drain. That is why our best and brightest young people graduate from the good public schools that we have in rural America, they go off to college or technical school, but they don't come back. There aren't the same opportunities, unfortunately, in many of the rural communities as there are in the more urban and suburban areas.

I believe that we can change that because rural America has so much to offer. We have work ethic. We have available skilled workers. We have communities where everyone knows everyone. Everyone has a spirit of community. We have good churches, good schools, and good rural hospitals.

So I believe that we need to spread that message as Members of Congress. As Members of Congress, we also need to invest in rural America.

As was mentioned earlier, one of the President's main priorities is an infrastructure bill. I believe that we need to invest in infrastructure. I believe in a limited government, I believe in small government, but I do believe it is the government's responsibility to do certain things. One of those things that is the government's responsibility is to invest and maintain infrastructure. When we talk about infrastructure, it is not just interstates and airports. It is also things that we need in rural America, like broadband and wireless technology.

I believe that we can create an environment with public-private partnerships where we can make that investment to help revive rural America and help to create jobs in rural America to keep our best and brightest in rural America.

Growing up in Monroe County, which is a rural community in south-central Kentucky, I had the opportunity to go to Monroe County schools, where I knew every student in my class. I knew the teachers, I knew where they lived, I knew where they go to church. I played every sport I could play and excelled in none, but I enjoyed that opportunity and learned a lot about it. Of course, we went to church on Sundays.

Throughout my business career as a farmer, the president of the Monroe County Chamber of Commerce, a State representative, and as a commissioner of agriculture, I always worked hard to try to promote and be positive about rural America. Now as a Member of Congress, I want to join with my fellow colleagues that represent rural areas like the First Congressional District of Kentucky and make sure that we make that investment to where we can take rural America to the next level.

So I appreciate Congressman ARRINGTON creating this opportunity tonight to talk about rural America. I pledge to work with him and our colleagues to see that we can make a brighter future for rural America.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Kentucky for his passion and his resolve to be a voice for rural America and for agriculture. It has been great to serve alongside of him on the Agriculture Committee.

I have got another dear, new friend and fellow freshman Member of Congress who is a great American. He hales from the great State of Louisiana, my wife's home State. He represents the Third District. I was about to say I have a couple more racehorses for rural America in the stable. He actually was raised on a horse ranch near Covington, Louisiana.

He is a veteran and highly decorated law enforcement officer. He is a man of deep and abiding faith. I say that God probably hears all of our prayers, but when he speaks and prays with that thick Louisiana accent, I think he enjoys his prayers more.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. HIGGINS) and prayerfully ask him to speak about rural America and why it is important to this country.

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank the gentleman from Texas for yielding.

I recognize my friend, Representative JODEY ARRINGTON, as exactly the type of American that our Founding Fathers envisioned serving within the House of we the people.

Mr. Speaker, I rise this evening to highlight the importance of American agriculture and the spirit of the American farmer. Being raised on a horse ranch, I learned at an early age the value of work and that rural America wasn't just a place, but a way of life.

Now my wife and I live in a 1,000-square-foot, 65-year-old, wood-frame home in the middle of farm country in south Louisiana. We have nine pecan trees, two magnolia trees, and two bushes with flowers on them. I am not sure what they are, but I know she knows. She enjoys them. They bloom once a year.

Other than that, it is just an honor to represent my district, which is deeply agriculturally centered: farmers, ranchers, fishermen, oil and gas workers, petrochemical workers. They are salt-of-the-earth folks who know what it is to earn a living. They understand sweat. They understand labor. In representing my district in Louisiana, these are the industries that stand up our rural communities. They are the backbone of our economy.

My district is home to the heart of sugarcane for the entire country. Cane farmers in south Louisiana account for about 20 percent of all sugar production in the United States.

My district is also home to the rice capital of America. Crowley, Louisiana, right in the heart of Cajun country, is home to more rice mills than anywhere else in our Nation.

Those two crops, alone, account for billions of dollars in economic output every year and employ tens of thousands of hardworking Americans.

Given a level playing field and opportunities to compete on a global scale, American farmers will always win.

□ 1800

That is why we are working to put American farmers first to open new

markets, expand American exports, and create jobs in our communities. We are rolling back regulations that slow growth, stifle innovation, and restrict the agricultural industry's access to the resources and manpower it needs to thrive.

We have made great strides this year to help our farmers, and we will continue to do so. Just last week, a groundbreaking rice export agreement with China, the world's largest rice consumer, was announced. This opens a massive new market to United States rice farmers.

These are the type of landmark policy victories that elevate American farmers and bring economic growth to our rural communities. I am committed to an America First agriculture policy where American farmers compete and win. Agriculture is a critical industry that bolsters economic growth and ensures American independence and national security.

In my home State, we understand that our economy is run on the sweat of hardworking American patriots.

As Congress moves forward, I will continue to work tirelessly with my colleagues on behalf of our farmers and producers to provide Louisiana's agricultural industry with critically needed support. I am proud to represent a district so strongly rooted in the spirit of rural America, and I am honored to stand with my colleagues today in loud and vocal support for the Americans who we serve in rural America.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from the great State of Louisiana for his comments and his heartfelt commitment to his district, to the farmers, and the ranchers like the ranch he grew up on. This is personal for CLAY HIGGINS, and I know when he says he is going to be a champion for rural America, you can take that to the bank, and I want to thank him for his comments.

I have other colleagues who are here and want to speak loudly and proudly for the folks from rural America who are counting on us. What we lack in numbers up here, we got to make up for in strength of leadership. I am looking at the bench right now, and I am believing that we can overcome those numbers with effectiveness and with the strength of leadership and courage that it takes to get something done in this town and in this institution.

The next gentleman who I want to introduce to the American people who are watching with great anticipation is another freshman wonder from the great State of Georgia, whose district is home to a portion of western Georgia. He went off and got his dental degree and came back to where he grew up, West Point, Georgia, came back home to small town America, and I reckon he did for a lot of reasons, but probably at the top of the list was he wanted to raise his kids in small town America.

Mr. Speaker, I yield to the gentleman from Georgia's Third District (Mr. FERGUSON), to talk about that and anything else, and there are lots of great things to talk about with respect to rural America.

Mr. FERGUSON. Mr. Speaker, I would like to thank my colleague, the Representative from Texas (Mr. ARRINGTON), for highlighting this most important part of our American culture, the rural America.

As you mentioned, I came from a small town, like many small towns across this Nation, and we have seen our area fall into decline, but we have seen what happens when you have a tremendous rebirth in your local economy.

But there are so many parts of our great Nation in my great State of Georgia that simply don't have the opportunities that other areas do, and that is not necessarily new. It is something that we have faced in America before, and our country has always stepped up to find the right answers, to give access to success to the people in rural America and, in my case, rural Georgia.

And if you think about that, we have done that in multiple ways. We have built infrastructure there that includes highways. We have built electric grids to the rural parts of our communities, telecommunications. It has been absolutely amazing to see what happens and the benefits to this Nation that come when we invest in infrastructure to rural Georgia and to rural Alabama and any other State in this great Nation.

One of the things that we have got to recognize is all of the wonderful things that we have going on that have been highlighted by our colleagues here tonight, the agricultural industry that exists, from everything like our colleague from Louisiana talked about, my colleague from Georgia, the farming communities. In our area, we have a tremendous number of cattle farmers, dairy farmers, folks who grow pine trees.

All of those things are important, but we have got to talk about enhancing that in a new direction for rural America. As has been talked about here tonight, a big part of that has to be new infrastructure and an information highway known as rural broadband that goes into America.

We have companies right now throughout this great Nation that are wanting to invest in many areas. A lot of times all they are asking us to do is to get out of the way and let the private sector take over and do it.

If we do that and we build that infrastructure but we fail to educate our children in a 21st century economy, then we have built infrastructure that will never reach its full capacity.

So not only is building broadband to the rural community so vitally important, pairing our education system to that is vitally important, too. I believe in our rural communities there is a wealth of talent, people of all backgrounds, ages, demographics that have incredible talents that are yet to be tapped into.

I believe that we can tap into those talents, and I believe that those talents can be highlighted, they can be brought out, and they can be enhanced by allowing our education systems to be adaptive, to be able to train these young people, young adults, the future of rural America, to give them the skills that they need so that they can become a competitive part of the 21st century economy.

I think that many of our States that have large metropolitan areas like we do in Georgia with Metro Atlanta have a desire to tap into this wealth of talent in this workforce that exists in rural Georgia, and I believe that it gives families a chance to stay together because it creates economic opportunities for families in rural Georgia that simply do not exist right now.

So think of a vision for rural America where we are connected with new infrastructure and information technology systems that allow the talent that we have congregated in rural Georgia, every small town across this great Nation, to be able to harness that power, to tie it back into our metropolitan centers, to create vibrant economic opportunities, let us figure out ways to harness that economic opportunity to be able to generate revenue to further enhance our school systems and enhance our communities in rural America.

We have incredible talent, and we need to bring that talent to the top. We need to make sure that the talent stays in rural Georgia and all of our communities, and I believe that we can do that.

We have got to make the commitment to build infrastructure across this Nation as we have in the past, and I believe the future of rural America is with rural broadband creating business and educational opportunities where we are going to harness tremendous talent and reap tremendous benefits.

Rural America is so important to the fabric of our Nation. It is so important to the people, to the leadership, to our economy, to who we are. The greatness and the freedoms that we enjoy are exemplified nowhere better than in rural America.

I am proud to be from rural America, I am proud to raise my family there, and I believe that the future is bright.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Georgia for his comments, and what a strong leader he has been for our freshmen class, and what a great representation of his district in the great State of Georgia.

And who knows better about the challenges of sustaining rural communities than a mayor who is fighting the fight at the local level. And so I am just so grateful that he spoke from his heart this evening about our friends and family and our neighbors back home in small town America.

I have got another good friend and a guy who knows something about rural

America. His district takes up almost the entire State of Nebraska. He has had Nebraska as his home and his family's home for six generations.

He served at the local level and at the State level, but his greatest claim to fame is that he married a good friend of mine who served with me in the George W. Bush White House, Andrea. And I didn't know him before Andrea, but she has done a great job of cleaning him up, and I look forward to his comments.

Mr. Speaker, I yield to the Representative from Nebraska's Third District (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I thank Congressman ARRINGTON for yielding. It is great to join him and others here this evening to really celebrate rural America.

A lot happens in rural America. Oftentimes, it kind of flies under the radar. That is okay. That is generally the way rural Americans like it. It is interesting. As I represent the 75 counties of Nebraska's Third District, it is part of two different time zones and just a diverse perspective there of many different Nebraskans.

I would say that anecdotally, at least, the most common request among my constituents is to be left alone. And it is interesting that when we talk about policies like waters of the U.S. or various—healthcare, interestingly, you know, a lot of promises were made there that haven't panned out, and so I am grateful that I can represent so many Nebraskans who are focused on solutions, and I seek to really reflect their ideas as solutions here in Washington.

Obviously, there is a lot happening now. I would say all too much or all too often there is so much bickering that we can't get to the solutions that we know will help the American people.

I am proud to represent the top producing agriculture district in the country, and of course, with 75 counties, we have a lot of production, whether it is livestock, whether it is row crops. I am happy to have helped start the Modern Agriculture Caucus, and I am grateful for colleagues participating in this effort to focus on new ways of doing things in terms of agriculture.

We know that, obviously, agriculture has been around a long time, and things change. Resources can change oftentimes, but I am glad that we can focus on new ways of doing things that we know are good for the environment. We conserve resources, natural resources and others, as we focus on research that has led to increased yields for our crops so that we can help feed the world.

We know that many countries around the world look to America as leaders in agriculture, especially production agriculture, and so I am glad to help reflect to those successes, help celebrate those successes.

Who would have thought that not so long ago, who would have thought that today, we can have record yields amidst a drought. That not only helps producers, that helps consumers, and that literally helps every person around the world.

And America is a big country, we know that, and oftentimes there seems to be somewhat of a disconnect between rural America and urban America.

Interestingly, I like to share this story. There was a very well-meaning civil servant who visited rural Nebraska a while back, and we were touring part of Nebraska. We turned onto a gravel road, and this well-meaning individual said it had been about 20 years since he traveled on a gravel road.

I don't think there was any intended disrespect at all, but certainly a difference of perspective. And so here we are, literally raising the awareness of all of America in terms of what we can do in rural America as we do focus on helping feed the world, helping feed America, certainly, but applying biotechnology out across the fields and across the prairies of rural America.

And when it comes to trade, we know that we are good at producing agriculture products. We want to sell our products around the world, especially when 96 percent of these customers reside outside our country. So that is why I hope that we can focus on trade policies moving forward so that we can bring some prosperity to the home front amidst a struggling ag economy.

Let us be honest about that. Crop prices are not what they were, but property taxes are still high, input costs are still high, and we want to do what we can to bring stronger market prices to agriculture.

□ 1815

That is why we want to and we need to focus on the global economy that is so important.

I am grateful to have the opportunity to stand here and really celebrate rural America, as we do have so many of the solutions that our country needs right now.

Mr. ARRINGTON. Mr. Speaker, I am honored that the gentleman from Nebraska joined us to lift our voices high, as our flag of rural America flies high in this House. We think about those families, those middle and working class families, every day as we govern on behalf of the people we represent.

Mr. Speaker, I have got another gentleman who I am learning a great deal from as I serve with him on the House Agriculture Committee and the House Committee on Veterans' Affairs. He is a very passionate man from the great State of Illinois' 12th District. He is a firefighter, the son and grandson of coal miners, and a proud daddy.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. BOST).

Mr. BOST. Mr. Speaker, I thank the gentleman from Texas for hosting this Special Order on rural America.

I am a proud resident of a rural district in southern Illinois. If you are from Illinois, you understand that the ''S'' is capitalized on the word ''southern''; and that is because it is a unique area in itself. It is nowhere near—and there are great people in the Chicago area, but we are farther—well, actually the district starts just across from St. Louis and goes south to where the Mississippi River and the Ohio River come together. There are a lot of farming communities there.

In my opinion, though, we don't talk enough about our rural communities here on the House floor. So, I am really glad that we are having that opportunity tonight.

In so many ways, you have to realize that our rural areas are the backbone of this country. But if you listen to the media and the advertisers and the Hollywood producers, you would think there wasn't anything between the East Coast and the West Coast. But, let me tell you, I am here today to say that there is.

Too many of these small communities are struggling, trying to get through, and, quite often, are weighed down by things that we do here in Washington. They want investment. They care about the growth of their communities and they care about jobs.

But when the press talks about jobs, the same industries that come up every time are the tech startups, the consulting firms, the real estate companies, and the new restaurant chains. Those are all good, but one group that doesn't get talked about enough is our farmers.

And let me tell you, that is not something new. It has happened over many years. This Nation's farmers have planted and kept us fed for all the years this great Nation has been in existence.

And I am going to tell you that Benjamin Franklin called farming the only honest way to acquire wealth. Thomas Jefferson said our government would remain virtuous as long as it remained chiefly agricultural. Illinois' own Abraham Lincoln was born into farming and described agriculture as a great calling.

In southern Illinois, beginning farmers tell me their cost of doing business is climbing and their income is shrinking.

This is not the first time this has happened. I want to kind of express a story that took place several years ago.

Right now, in the Agriculture Committee, we are working on the farm bill. Well, the first farm bill came into existence because then-President Ronald Reagan began to hear from the farmers around this Nation of the problems that they were facing and the concerns that they had. And one in particular farmer, a man by the name of Herman Krone, who lives in a little town called Du Quoin, Illinois, about 18 to 20 miles from my home, wrote a letter. Because back then you didn't send emails and you didn't send texts. You actually wrote letters. He sent it to the

President, not thinking that he would get a response, but he just wanted to voice his concern of his son Rick, and was Rick going to stay in the family business. Well, he really couldn't because of the high risk of doing business in our agricultural communities.

Well, one night—as a matter of fact, it was a Sunday night, if I remember correctly, because I heard this story from Herman himself before he passed—the phone rang. Now, I understand it wasn't a cell phone, like we have now. It was actually hardwired to the wall. The phone rang, he reached over and picked it up, and someone asked: Is this Herman Krone? Mr. Krone?

He said: Yes.

They said: Can you hold for the President?

Herman said: The president of what?

The man on the other end said: The President of the United States, Mr. Ronald Reagan.

He said: Well, you are kidding me?

The man said: No, Mr. Krone. It really is.

Sure enough, the President himself called Herman.

He said: Herman, I read your letter, and I realize that you understand what the problems are that the rural farmers are facing today.

He said: I will tell you what I would like to do. I would like to come to your farm. You bring a group of your agricultural people together and I want to talk with them.

And, sure enough, the next month or so, President Ronald Reagan came. The conversation he had, along with other conversations he had around this United States, led to the first farm bill.

We are working on that farm bill right now. But farming and ranching operations are getting squeezed, due to low commodity prices, just like they were then. And the need for increased credit, in order to expand the diversity, has to be done.

Small family-owned businesses are most affected. We hear about corporate farming, but the fact is, 97 percent of American farms are family-owned farms.

That is why one of the bills that I have introduced is known as the BALE Act, which is to modernize the Guaranteed and Direct Loan program at the USDA to better reflect the costs of farming because times have changed. It is our job here in this House to remember that we are dealing with those rural areas and the farmers that are in them.

Now, this will help the next generation of producers make their mark on the industry. As Republicans and Democrats, we need to work together on more ideas like this one. We need to keep focused on the heartland because these are the red-blooded Americans who love their country and deserve a voice.

By addressing the needs of hardworking families who are too often forgotten, we can strengthen these communities for generations to come. It really is all about the next generation.

Each one of us in this House hopes and prays that this Nation holds and grows, and the next generation has to come up. We need that generation of farmers to make sure that they stay on the farm.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Illinois for his heartfelt comments about rural America. I am so proud to be shoulder to shoulder with him in this righteous cause.

Mr. Speaker, I now have the greatest privilege of the night for me, because this man has been a mentor and a friend for many years and has probably done as much as anybody to welcome me and coach me up so I can represent west Texas to the best my abilities. He is from the 25th District of Texas, and he is an all-American baseball player. Let me tell you, he won back then and he is winning now. I am just so proud that he is on the side of rural America and helping rural America win in the outcomes of public policy so we can keep it strong and vibrant and keep America great.

Mr. Speaker, I yield to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for that nice introduction, I thank him for what he is doing, and I thank him for bringing rural America together tonight in the people's House.

Mr. Speaker, I would like to take this time to recognize rural America and the impact it has on our Nation. Rural America makes up 72 percent of our country's land, and roughly 46.2 million Americans simply call it home.

Our country has been relying on rural America since the beginning. It is where our roots are, where our values are, and where our heritage began.

The 25th District of Texas, which I am honored to represent, has tens of thousands of hardworking men and women who are employed in the agricultural industry. These men and women make up a large driving force that help supply our Nation's families with products we would be unable to get otherwise.

But it is more than that. These folks instill values, such as hard work, ethics, taking days on and not taking days off, doing the right thing, and taking care of your neighbor. This is the fabric of our Nation that is passed on from generation to generation.

Mr. Speaker, I would like to highlight a few specific rural areas in my district that are truly making a difference.

Located in Stephenville, Texas, the Tarleton State University's Southwest Regional Dairy Center is a one-of-a-kind facility. This establishment is home to hundreds of cows that are used for teaching purposes, research for higher education, and directly contributes to the dairy industry in Texas and all of the Southwest. I am proud to represent this unique institution that not only provides goods to our Nation, but also serves as a learning institute, so we can train the dairy farmers of tomorrow.

I would also like to recognize the Comanche Peak Nuclear Power Plant, located in rural Glen Rose, Texas. This power plant has been providing reliable clean power to Texas' electric grid for almost 27 years. Taking up approximately 10,000 acres of land, this plant can power about 1.15 million homes. Their standard of quality is what has made Comanche Peak one of the best nuclear power plants in the Nation, and I am proud to represent it in our district.

It is because of rural places like these and the people that work there that our country is able to run dependably and efficiently. It is why America is the greatest country in the world. And we sometimes think Texas might be the best place in America.

I applaud their efforts, and I look forward to continuing to represent them here in the United States Congress. And I remind you that you need to go see the 25th District. You are going to like it.

But the people in the 25th District just ask several things. They just ask that we believe in the Constitution. They just ask that we have a conscience. They just ask that we listen to them. And they also just ask that we read the Bible. I am proud to represent the people in the 25th District.

In God we trust.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from the great State of Texas. I appreciate his friendship, his mentorship, and that acid test that he taught me when I first stepped foot on the floor of the House of Representatives—your conscience, your constituents, the Bible, the Constitution. If you vote that way, you are going to do right by your children and grandchildren.

Mr. Speaker, I thank ROGER WILLIAMS, a great American.

Mr. Speaker, I have another colleague here. He came here because he feels so passionate about rural America. I am so grateful that he is here.

Mr. Speaker, I yield to my colleague from the great State of Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank Mr. ARRINGTON for his dedication to rural America. That is the heartland. I thank him for knowing that and representing his district so well.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Texas for those remarks.

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

HEALTHCARE

The SPEAKER pro tempore (Mr. FITZPATRICK). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I want to follow along on my Republican colleagues, as they were talking about rural America.

As a son of rural America, I agree with much of what they said about the role of the Federal Government in providing support in so many different ways to rural America. Many of the programs that they were talking about are really found in the effort of the U.S. Government to rebuild rural America following or during the days of the Great Depression.

Mr. Speaker, I want to put up here on my easel one of the key documents. This is actually etched in the marble at the Franklin Delano Roosevelt Memorial here in Washington, D.C. I think it is instructive as we talk about rural America and what is going on in rural America today, and really across all of America.

During the height of the Depression, Franklin Delano Roosevelt said these words:

''The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.''

During those days of the Depression, rural America was hurting, it was devastated, and many of the programs that we just heard about from our Republican colleagues were put in place at that time.

In 2010, the Congress of the United States, together with President Obama, put in place another program that significantly helped rural America. Today—in fact, just a couple of hours ago—the United States Senate moved to remove from rural America the pillar of healthcare that has provided millions of those 46 million Americans in rural America with healthcare.

□ 1830

Through the expansion of the Medicaid program, the Medi-Cal program in California, many of my constituents in rural America were able to get healthcare for the first time, and they were also able to get insurance because of the cost share reduction program where their insurance premiums on the exchanges were reduced to a level that they could afford.

A significant program for rural America is now in jeopardy as a result of the Congress of the United States passing legislation a couple of months ago that would repeal the Affordable Care Act and replace it with whole cloth, ripping apart the Medicaid Expansion program so that across this Nation some 16 million Americans would lose their Medicaid coverage immediately, and more beyond that.

So in the initial year, 2018, 10 million Americans, many of them in rural America, would lose their health coverage. Across this Nation in the outyears, by 2025, 24 million Americans would lose their health coverage as a result of the actions of the Republicans here in Congress.

Today, just a couple of hours ago, the Senate decided to move forward to make it even worse, to repeal and maybe not even replace, so that 32 million people would lose their coverage if that were to happen. Eighteen million in 2018 and 2019 would lose their health coverage under the program that was proposed by the U.S. Senate last week.

Unbelievable that, here on the floor, we heard a discussion about rural America and the needs of rural America.

I am here to tell you, as the son of rural America, I grew up on a ranch 2 miles from a community that had 500 people in it, that had a three-room schoolhouse and just five of us in the eighth grade class. I have raised my children in a community twice as large, a thousand people in rural America, and I know that the people in my community today depend upon the Affordable Care Act, ObamaCare, for the healthcare coverage that they now have.

In California, over 5 million Californians gained coverage. The uninsured rate dropped by 50 percent, from 18 to just over 9 percent.

Why? Why on Earth would we neglect this, these statements, this moral imperative set down by Franklin Delano Roosevelt. It is not what we are going to do for the wealthy.

And keep this in mind, that the legislation that passed this House and repeated over in the Senate would be the largest transfer of wealth of any legislation ever—ever—by the Congress of the United States, transferring more than a trillion dollars from the men and women who have been able to gain coverage in their healthcare.

This is real money taken out of their pockets as these programs disappear because of the repeal and the replacement: a trillion dollars taken from the working men and women and the poor in America and transferred to the wealthy. That is what the legislation did that passed this House; that is what is being considered in the Senate at this moment: a monumental transfer of wealth, the largest transfer of wealth in any single piece of legislation.

How can it be, if this is the test, not what we are doing for the wealthy, not for those who have much, but, rather, for those in rural America and urban America who have so little?

America ought to be upset. America ought to be outraged at what is happening today.

We need to build America. We need a better America. We need better jobs. We need better wages. We need better healthcare, better education.

That is what we need, but where is this Congress going? It is going in exactly the opposite direction. It is taking money out of the pockets of Americans, rural and urban and everybody in between, transferring a trillion dollars from their pockets to the superwealthy.

Who are they? Five members, including the President, in the Cabinet of the United States are among the superwealthy, the 400 wealthiest families in America. They are there in the Cabinet, in the President's office.

What do they stand to gain? A $4 million, $5 million, $6 million, $7 million reduction in their taxes.

What do the working men and women of America stand to gain? Their healthcare is going to be taken away from them, not just in the reduction of the cost sharing, but also in the fact that, as we know it today, the insurance market itself will be so destabilized, so destabilized by the proposed action of the Senate and the House, that it will really enter a death spiral, because the proposed laws allow the healthy to opt out, and those who need insurance would continue to try to get their insurance in an ever-increasing market of people who have high health expenses. That is called a death spiral.

I know this. I was the insurance commissioner in California for 8 years, and we fought all those 8 years, from 1991 until I left that office in 2006, we fought to try to put in place laws that are now in place as a result of ObamaCare. The insurance companies cannot discriminate on the basis of preexisting conditions. The fact that you are a woman, the fact that you are older, they cannot discriminate. But the bill that is now being debated in the Senate and will be back here in the House allows for a return to those days of discrimination.

So if you happen to need healthcare, if you happen to have a preexisting condition, if you happen to have high blood pressure, diabetes, or you happen to be 60 years or 50 years of age, you will be hit with a heavy increase in your premiums, perhaps two- to threefold increases. That is what they are promising Americans.

We can't let it happen. And interestingly enough, America is pushing back. They say: No more. No more. What we want is better healthcare. We don't want to lose our healthcare policy. What we want is better education. We want you in Congress to work on the education systems, on the skills that my children need, your children need to be able to get a decent job.

Americans want higher wages. They don't want their healthcare ripped away as is happening here. They want us to focus on infrastructure. They want us to focus on the well-paying jobs that occur from infrastructure. Better jobs, better wages, better healthcare, better education—that is where we are going.

And by God, we are going to protect the Affordable Care Act and we are going to stand with Americans. We are going to stand with Americans all across this Nation that say: No, we are not going to let it happen.

Mr. Trump, I know that you promised a repeal, but you are wrong, Mr. President, you are wrong.

Mr. Speaker, I pass that message on to the President. You should not take away from working men and women

who, for the first time, are able to get their healthcare and are able to afford the private sector market or are able to get on the Medicaid programs. You should not take it away so that you can give, to the superwealthy, a trillion dollars. It is outrageous.

I need to take a deep breath. I am a bit riled up. I am a bit riled up when I hear my colleagues come in and talk about rural America, where I know, from my experience in my district, there is an opioid epidemic and methamphetamines, and I know that those people are dependent upon the Medicaid program that they intend to rip away.

Okay. Calm down, JOHN. Don't get too excited. Don't get too mad. Take a deep breath and turn it over to my colleague from the East Coast.

Congressman TONKO, you and I have been on this floor many times talking about making it in America, about jobs, about making it better for education. Give me a chance to take a deep breath.

Mr. TONKO. Mr. Speaker, I thank the gentleman from California for yielding.

Certainly I understand the anger, Representative GARAMENDI, and I know I am not alone. I know all of my colleagues are hearing the outbursts in our given districts about the foolishness and the hard-heartedness of taking away a very valuable asset. Healthcare coverage is so important now to the American public, but in a particular way, it is near and dear to those who most recently realized that coverage.

I will tell you, being on this floor when the Affordable Care Act was passed, that was a monumental effort. It was difficult to launch that program. It took a lot of hard work, years of messaging, going to hearings, working those amendments that were suggested into the discussion, and making certain that the package met the mission that we embarked upon. So it is important now to make certain that we only go forward and upward from this moment.

Like many programs before the Affordable Care Act—Social Security, Medicare, Medicaid—they were difficult to launch; but unlike those programs, Congress and the Presidents in those given eras came forward and said: Okay. What did we learn from that launch? How can we improve upon the package? How can we strengthen some of the dynamics of concern?

Here we have people, as you indicated, that are not only unwilling to make those reforms possible, but disguising what they call healthcare reform in the name of a tax package for the wealthy. How vulgar is that, when you can sweep the dollars, the savings from denying people healthcare coverage, and utilize it to relieve taxes for those most comfortable in our society? For those 400 households of which you spoke, the on-average relief was on the order of $7 million. Imagine that: taking away healthcare from people who live paycheck to paycheck in some cases, and using that to provide for tax relief for those most comfortable.

That is not in keeping with the spirit of this legislation. It is not in keeping with the harmony that was necessary to create this legislation.

The spirit was to speak to the fundamental needs of healthcare for individuals and families across this country to be able to get past difficult moments and situations like preexisting conditions, preexisting conditions that can be with an individual toddler from the moment of birth, as we have heard in the news.

This hard-hearted approach, this senseless attitude, this insensitive expression to Americans across this country by these reform efforts, today we know that the United States Senate went forth with a vote to proceed on their efforts. What will it be? Straightforward repeal, as the President recommends, where 30-plus million people lose their healthcare coverage, you rip it away from those tens of millions? Or will it be repeal and delay? Or will it be repeal and replace?

So far with the iterations, the versions of healthcare reform that have come forth from this House, that were approved in this House and sent over to the Senate, those devised by the Senate have been heartless.

This is about expressing compassion, about being just and fair.

Just this weekend I was with groups of constituents. The first that comes to mind is a fundraising effort for individuals who live with cystic fibrosis. Before I was even to walk into the room, where hundreds of people gathered to support the efforts for this cause, individual sets of parents came to me and said: Keep up the fight to keep Medicaid in the equation.

□ 1845

Our daughter, our son, can't do it without Medicaid. And these people were proud of their given children, adult children, in some cases, who had graduated with honors, played athletics and were athletes, star athletes in their high school years who, then, earned full scholarships to college. And his daughter made him most proud; he cited that moment of pride when he witnessed her on her campus wheeling her IV to class.

That is what we see out there, motivation, inspiration, respect for people who live with difficult challenges in life. And we were responding as a compassionate society, one that should separate us from the rest of the world because, within our abundance, we want to share that with everybody.

And it is so wonderful, Representative GARAMENDI, that you would bring that quote from the memorial, that speaks to the abundance of those who have where we are, evidently, with some of the constructs of legislation here, adding to that abundance, at the expense of those who have precious little. And so we can do better than this.

One other gathering that I attended was for developmentally disabled, differently-abled individuals whose programs focus and strengthen their abilities, focus upon and strengthen their abilities; again, people approaching me saying: Keep up the fight for Medicaid.

We cannot, our consumers cannot, do it. Our loved ones cannot do it without Medicaid. And I think the rejection of Medicaid expansion in this House that was offered by this House, by this town, by Washington, to the many States across the country, the rejection by those States, I believe, was sheer politics. And so, we denied people in States who pay Federal taxes the benefits of Medicaid expansion.

What sense does that make? What heart does that show? We are better than that. We are better than that.

Finally, I will say this, because I know we have colleagues who are looking to share their thoughts and their stories. I looked at some constituents this weekend, in the eyes, and in heartfelt conversation said: Do you think it is fair, do you think it is just to rip away healthcare from people so you can afford a tax cut for the very wealthy? Is it fair to deny preexisting condition coverage for individuals? Is it unfair to take it away?

What about the essential health benefits package, those of our neighbors and friends who struggle, who live with mental illness and mental health disorders, those who are dealing with the illness of addiction? Is it fair not to help them?

I looked at them, and I said: Okay, I know who you voted for. This is a nation where we have the freedom of choice. But when we vote for whomever, it is also our duty, our responsibility to see if they are acting accordingly. Do you think your candidate of choice is being fair and just?

They couldn't answer me about that situation. They wanted to redirect the conversation. Why?

Because I think it is difficult to say that people, leaders in this town, the President and leaders in the House and the leaders in the Senate, are not listening to America; and so it is unfair to utilize the sweeping of services, of healthcare and response to tens of millions of individuals and families, and utilize those dollars for a tax cut for the wealthy.

We are going to watch this aggressively, with laser sharp focus. The people of America have spoken. They are continuing to speak. They don't like the injustices. They don't like the unfairness. They don't like the calculated ripping away of healthcare insurance for tens of millions of people. Whether it is 30, 23, 22, 21, whatever the iteration, shame on us for allowing something like that to happen.

America deserves to be—as an industrialized nation that did not have access, affordability, and quality of care as givens for many households in this country, they need to express those terms in a much better format.

Mr. Speaker, I thank Representative GARAMENDI for leading us in a discussion this hour to alert people to the fact that the Democrats in this House are still battling for those families that would have healthcare coverage ripped from them so that we can afford a tax cut for the wealthy.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman from New York.

The view from the great State of New York and the State of California, somewhere in between those two States lies the State of New Mexico. I yield to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) to share with us the view from the great State of New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I want to thank my colleague, Mr. GARAMENDI, and certainly thank Mr. TONKO for their incredible statements about what is really at risk and why it is at risk.

I think it is very important for viewers, and our constituents, and families, to really understand that this is not a healthcare debate. This is not a healthcare reform measure.

Nothing that has occurred and passed in the House or in the Senate has involved serious discussion or debate of any kind of healthcare reform because what this really is, as you stated, is a tax break, not just for the wealthiest of Americans, but for two critical corporations, insurance companies and pharmaceutical companies, who, I assure you, do not need additional tax breaks, who are still making record profits. And when we look at the pharmaceutical industry, in particular, it has been one of the most profitable industries in America's history.

So this is an effort to provide more benefits to the three groups who do not need these benefits; and the way in which they pay for it is to remove healthcare benefits from millions of Americans. And as the gentleman pointed out, 32 million Americans are at risk of losing their healthcare, and many more who are in jeopardy of having to pay far more for the benefits that are necessary and lifesaving.

I really wanted to weigh in because States like mine, rural, frontier, very poor States, in fact, we have the most to lose of any State in the Nation if this draconian measure, which is one step closer, is passed in the Senate after today's procedural vote.

It means $11.4 billion out of our economy. It is a devastating blow to one of the poorest States in the Nation, who has one of the highest percentages of individuals in Medicaid to the expansion.

For the first time in my lifetime, I am seeing New Mexicans in a position to have access to care, the right care at the right time at the right place. If this country is going to get healthcare right, then we have got to make sure that people have access so we are not the sickest population in one of the wealthiest countries in the world.

The only way that you do that is providing access. We provide access in the Affordable Care Act by giving people subsidies and asking insurance companies to treat their beneficiaries and enrollees fairly, right? Subsidies to afford those premiums, by making sure that they have to cover preexisting conditions, by making sure that they are not making women and other populations pay more for their care.

This is a Congress that has an obligation to address the things that both Republicans in Congress and pharmaceutical companies and insurance companies have done to us, not for us. Premiums are still too often too high; copays still too often too high; and deductibles, still too high.

But is that the fault of the Democrats or an administration that worked to make sure that insurance companies got payments to deal with the rising costs of folks with serious catastrophic illnesses and chronic disease? No, it is Republicans who refuse to continue to fund those risk corridors and those cost-sharing mechanisms.

Did we do anything in this Congress to require pharmaceutical companies who sell the very same drugs for 10 cents on a dollar to nations around the world, to make sure that you got a fair drug price, after your tax dollars helped those same pharmaceutical companies do the research required? And then we give them patent protections to make the most possible money, including now protections on generic brand drugs?

No, we did nothing to hold that industry accountable, which would mean lower costs for consumers.

But what I know happens for sure with this bill is, not only do they rip the rug out from under any of those protections by hardworking New Mexicans and hardworking Americans who deserve the protection and the knowledge that their healthcare will be there for them tomorrow, we also close every rural community health center, every rural hospital at risk in the country, which is why no hospitals, no doctors, no insurance companies, no pharmaceutical companies—because who are they going to sell these proceeds to—are supporting this bill.

And the Senate is ignoring every Republican Governor whose State took up Medicaid, who is saying this is a disaster. They want something else.

Yet this is the path we are under because it would be more important to give tax breaks than to do this—to protect Mr. Templeton in my State, who was diagnosed with prostate cancer in December 2016. He began treatments in January 2017.

He explained in an email that, without the ACA, he is not able to afford any of his treatments. He said: ''Am I being sentenced to death by Congress? How many more U.S. citizens are out there like me?''

The answer to Mr. Templeton's question is there are at least 32 million.

As I close with what I think is an outrageous effort by Republicans in the House and the Senate, and by that procedural vote in the Senate, is at the same time they are looking at ripping healthcare away from millions of Americans, they are willing to put $1.6 billion into a wall that they promised that Americans would not pay for.

Here is an idea. You have got $1.6 billion to invest; invest that to protect folks with their costs under the ACA. Give more subsidies.

Let's deal with Medicaid fairly. Let's make sure that we drop prescription drug costs. Let's lower copays. Let's invest in rural community health centers more. Let's have a targeted effort to deal, as you said, with opioid and substance abuse problems that were created by pharmaceutical companies. Let's do that.

If you really care, this is money that would hire more nurses. This is money that would hire thousands more teachers. This is money that would put thousands of New Mexicans and Americans back to work in better, safer, more productive infrastructure for our futures—our very future, Mr. GARAMENDI, Mr. Speaker, at stake by the wrong path and the draconian efforts today in the Senate.

I thank the gentleman for the opportunity to highlight how terrible these efforts are and how important it is for us to encourage our supporters to fight for fairness and justice in this country.

Mr. GARAMENDI. Mr. Speaker, America has been enlightened by the gentlewoman's very forthright statement. The voice of New Mexico has been heard here on the House floor, Ms. MICHELLE LUJAN GRISHAM. I cannot tell you how much I appreciate that message from New Mexico and what it means with the repeal of the Affordable Care Act. Thank you so very much for doing that, a very powerful statement, a very powerful voice on behalf of New Mexicans and Americans.

Somewhere between New Mexico and New York lies the State of Ohio, and, Ms. KAPTUR, you have represented that State so very well for a few years here. We won't say exactly how many years. But over those years, you have always been the voice for the working men and women of Ohio.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank Congressman GARAMENDI and Congressman TONKO for their comments. It is a pleasure to be with them tonight, and also Congresswoman MICHELLE LUJAN GRISHAM. She really has been such a leader, not just for New Mexico, but for the whole issue of health across our country. I am really pleased to join all of them.

And I will just say, as a member of the Appropriations Committee, the American people should know, this past week we tried very hard to pass an amendment that would simply ask the executive branch to report back to us on how much money we were spending as a country in Medicare, Medicaid, at the VA, the Department of Defense, for certain classes of drugs in our country.

Now, don't you think it would be right for us to know, since we are spending tax dollars, that if we are spending more money on, let's say, a diabetic medicine than a heart medicine, whatever medicine it is, it would be good for us to do cost accounting to go back and look at what we are paying?

Do you know we were not able to get that simple reporting-back amendment on how much pharmaceuticals are costing the people of the United States, because the Republican members of our committee blocked it.

□ 1900

Ms. KAPTUR. They voted ''no.'' They don't want to know how much the American people are spending through their tax dollars at the Federal level because the goal is to figure out how this money was being spent and to hold those companies responsible to look at what costs were over time and so forth.

It is amazing and it is really wrong what the pharmaceutical industry is doing to the people of this country. They are killing people. People cannot afford the medicine that they need.

Yesterday, and I give this as homework, in The New York Times, there was a great story titled, ''When Health Law Isn't Enough, the Desperate Line Up at Tents.'' It was written by what must be a brilliant young reporter named Trip Gabriel, and it reported about a charity group in our country called the Remote Area Medical Expedition. They were in Wise, Virginia, somewhere south of here.

What it is is a group of charitable citizens who are in optometry. They are doctors. They are dentists. They donate their time over a weekend, and they go to places in our country that don't have medical care.

So no American should assume that everybody has care and that everybody has insurance, even with the current system.

I will tell you, if you want your eyes opened, read that story.

Over one weekend, over 2,000 people came. There were people there who were diabetic who had no medication. One woman, they reported in the story, came with a dispenser for insulin, but the needle was broken. Her glucose reading was over 500.

They talked about people who were there for glasses. They couldn't afford glasses. One woman was diagnosed with vision of 20/100 in one eye, and they were looking for glasses that would fit her.

They had a gentleman who was coughing, and he thought he had black lung disease. It turned out what he really had was sleep apnea. Finally somebody diagnosed what his problem was.

They start out with the story about a gentleman who showed up at that event, and he took them to the trunk of his car and showed them the pliers he was using to rip out his teeth because he had so many decayed teeth and he hadn't been to the dentist in years. They had dentists. They had all kinds of physicians. They had nurses trying to help people.

I read that article and I thought: This is America? This is America?

Here are just the first few sentences, if I might. It says: ''Anthony Marino, 54, reached into his car trunk to show a pair of needle-nosed pliers like the ones he used to yank out a rotting tooth.

''Shirley Akers, 58, clutched a list of 20 medications she takes, before settling down to a sleepless night in the cab of a pickup truck.

''Robin Neal, 40, tried to inject herself with a used-up insulin pen, but it broke, and her blood sugar began to skyrocket.

''As the sun set in the mountains of southwest Virginia, hundreds of hurting souls were camped out or huddled in vehicles, eager for an early place in line when the gates swung open at 5 a.m. for the Nation's largest pop-up free clinic.''

That free clinic is called the Remote Area Medical Expedition. I just read that. There were several photos in the paper. This is America.

So, for the Senate, particularly the leader of Senate who comes from Kentucky, a State that is noted to have very poor medical care, where there are large rural areas where many people, including those who are single who get none of this coverage—right? The single are especially discriminated against—how that could be pushed forward by someone from the State of Kentucky, I simply don't understand it.

And here in this House, where we tried so hard to save the Affordable Care Act and to make necessary changes to it, a lot of those changes are needed in these rural States that don't have enough people to really set up a large enough exchange. We need to lump two or three States together so you get a pool that is insurable. We know how to fix this. But we don't need to take more people off health insurance, millions and millions and millions, because we have millions who still are uninsured, and we have industries like the pharmaceutical industry fighting us against trying to get affordable medications to our constituents.

I want to thank you for being here tonight and for fighting the good fight for the American people. Really, to have almost a trillion dollars of money given away over the next 10, 15 years to the wealthiest people in our country? You know what? They have doctors. They can afford insurance. Frankly, they don't need more money. They might benefit by a little less money, actually. Their heirs certainly would. We need a little rigor out there, even among the wealthy in our country, to help us to heal this Nation and to deal with its real medical problems.

I will just say this. We were checking today on the diabetic costs across our country. One facility in Ohio, just one veterans facility, over 30,000 veterans in that facility have been diagnosed with diabetes. Many, many of those veterans go for the treatment of dialysis in order to help them to deal with their condition. For 1 year, that treatment costs $100,000. Over a 10-year period, it costs $1 million per person who goes through dialysis.

Imagine if we were able to prescribe food as medicine, which hospitals are doing in many places, and help people learn how to not become so severely diabetic. We would save so much money across this country, including with our veterans. And more important than money, we would save their lives. We would save the amputations. We would save all of the costs that diabetes incurs over the years. So people would learn how to be healthier.

I want to thank you for being here. I am proud of you two gentlemen, Congressman GARAMENDI and Congressman TONKO. You are honorable gentlemen. You have come here from both ends of the country, New York and California. We are here tonight because we know what the American people want. They want affordable healthcare. They want affordable medicine. They are willing to do their part, and nobody should be left out.

We can find that answer as the United States of America. We don't have to accept this set of death panels that they are figuring out over there in the Senate: who is going to die, who is not going to have health insurance, who is going to be shortchanged. Because when that wheel of fortune turns, you never know who in your family is going to get sick. You simply don't know, and no one should be without coverage.

I thank you for being here on the floor tonight and for doing what the American people expect us to do, and that is to defend and protect them.

Mr. GARAMENDI. Ms. KAPTUR, thank you for your comments. For years you have been the strong voice of working men and women in the State of Ohio. Thank you for bringing us the message from mid-America.

Also, in your wrap-up, you began to talk about the issue of prevention. One of things that the Affordable Care Act does so very well—ObamaCare, if you will—is prevention, particularly for seniors. There is a free annual healthcare checkup for seniors as a result of the Affordable Care Act.

When seniors get that healthcare checkup, they also are able to understand that they have high blood pressure, incipient diabetes or other illnesses that ultimately, as Ms. KAPTUR so correctly pointed out, become extraordinarily expensive if they are not treated.

One other fact is that the Medicaid program in America, more than 50 percent of the total expenses in the Medicaid program are for men and women who are in the nursing homes. We are not just talking about families and

children. We are talking about the elderly that are being cared for in nursing homes.

Now, the result of the repeal of the Affordable Care Act and the reduction of the Medicaid expenditure is that those men and women who are in the nursing homes will no longer have the support to keep them in a nursing home.

So what comes of those men and women? What happens to them if they are no longer able to have care in a nursing home?

Just let that question hang there because it is a question that our Republican colleagues and the Senate must answer, because the repeal and replace legislation or repeal legislation and wait legislation goes right to the heart of the Medicaid program and the support that enables those seniors in nursing homes to receive that service.

In addition to that, what comes of the Medicare program? We know that the Medicare program solvency was significantly increased to about 15 years. It is not going to go bankrupt in the near term as was predicted before the Affordable Care Act but, rather, extended into the out-years. So the solvency of the Medicare program would be reduced, and the free medical checkups, we are not sure whether they would be able to continue or not.

So it is not just men and women who are not yet 65 years of age, but it is men and women who are 65 that would see significant pressure on the services that they now receive, and quite probably reductions in the services that they would receive both in the Medicare as well as in the Medicaid program.

Mr. TONKO, why don't we chat for a few moments back and forth here.

You in New York, you are faced with the same problems that my constituents in California would be faced with, and that is a repeal seriously hurts people, I mean, physically hurts them. They will not be able to get the medical services that they currently have.

I yield to the gentleman from New York.

Mr. TONKO. I thank the gentleman from California for yielding, and, Representative GARAMENDI, I am so honored to associate my comments with those of yours, to connect with you in this effort to make certain that we stop this foolishness coming from this House and the United States Senate that totally rejects the pleas of Americans across this country to make certain that the dynamics that drove the Affordable Care Act still stay in place, and that being affordability, accessibility, and quality of care. Those are such essential forces. They are the underpinning of the foundation of the Affordable Care Act.

When I heard your expression of concern here tonight and pinpointing those various elements of the positive reinforcement that comes from the Affordable Care Act legislation, hearing the voice of two Congresswomen here from New Mexico and Ohio on the floor joining us, it reminds me that our force is the essential force on the Hill in Washington to make certain that the people's voices are heard. There is anger out there, there is injustice, there is unfairness, and it has to be addressed.

I am proud of the efforts that have been made in my State. I know that you talked about the progress in California. In New York, I am proud of what the Governor, Governor Cuomo, and the legislature did in building those exchanges. It took response from each of the 50 States to make this work, or at least we had hoped each State would respond fully. But in New York, we are managing that effort through sound exchanges.

I get worried when I see tweets from the President when things didn't work for awhile in the Senate, when they couldn't move forward with the repeal or repeal and delay or repeal and replace: Well, we will just let the Affordable Care Act die of its own right.

What are you talking about? That sounds to me like a poor attitude, one that wouldn't do the very best to underpin, through the agencies that are connected to this legislation, to reinforce the markets out there. That is part of this response.

When I hear an attitude like that expressed, I am concerned about what the voice over to these agencies will be saying: Look, we need to be a good partner, a sound partner, an effective partner with the Affordable Care Act.

I don't know if we would get that. So that worries me if your attitude is let it just die and crumble. Why? Why can't you put the American public before politics?

Let's do our best effort. Let's, in earnest, do our best. Let's be genuine in our approach.

I think it is absolutely incredible. You know, as the Republicans, Representative GARAMENDI, in the Senate race to pass TrumpCare, a bill that would rip coverage away from tens of millions of people, perhaps as many as 30 million—if you would allow me to share a few stories from my district, I think it is so important to put a face onto these discussions. I have documented some of the recent stories we have heard from constituents.

Cathryn, a 30-year-old in my district, left work to return to school to pursue graduate studies in social work, and she used the ACA exchange, their plans, to bridge gaps in employer-based coverage.

□ 1915

The ACA plans provided her with essential preventative healthcare services and ensured that a major health event would not leave her bankrupt as she was doing what we asked people to do: develop your talent and your skills to serve the general public.

So she was pursuing graduate studies. The security and affordability of Catherine's ACA plan was tremendously reassuring, allowing her to take risks in order to build a career in service to others. That is what the ACA afforded Catherine to do, a 30-year-old in my district.

Robert, a 52-year-old in my district, purchased insurance on a healthcare exchange while suffering from diabetes. Before buying an exchange plan, Robert spent hundreds and hundreds of dollars each month just to purchase insulin, and no other health coverage.

Because of the ban on discrimination that could be utilized against him based on his preexisting conditions, Robert can now afford a health plan that covers himself and his family.

A couple of other examples, if you will allow me.

Tracey, a 38-year-old from my district, a certified nursing assistant, needs multiple drug prescriptions to treat preexisting conditions, including diabetes. The Affordable Care Act has made it possible for Tracey to get health coverage for herself and her family. Without the ACA, Tracey would not be able to pay her doctors or her drug companies. As recently as January, Tracey was still paying off old bills for her medical care.

This has provided hope for people. We need to make certain we don't have people digging deeper into their pockets for healthcare coverage. We want to relieve that pressure that is upon them. We want to make prescription drugs affordable. We want to make certain that efficiencies are there in the system so we can save, but get the care to people.

That is the difference that we need to cite here. The contrast is that we are trying to make this ACA better and make it work, and we are asking for a bipartisan, bicameral, executive legislative partnership to make it better. Is that too much to ask?

Let me share one more story.

Elliot, a 56-year-old in the 20th Congressional District of New York lost his job in September last year after his company made a massive layoff, even though he just started his job. So through no fault of his own, he lost his employment. Elliot was then left to figure out how to support himself and his 19-year-old son who was a Syracuse University student. A COBRA plan would have cost $2,000 a month. Because of Medicaid, Elliot and his son now have quality health coverage as Elliot continues to look for work and his son is pursuing his college education.

These are real stories, real hardships, real challenges, real help, real assistance that has come in the way of these families. We don't need to take that good news and suffocate it. We need to build upon these stories.

Now, Senate Republicans are racing to pass a bill that would open the doors to less coverage, rip it away from tens of millions of people, and in many ways perhaps provide for an imposition of lifetime limits on care.

What does that do?

It is a death sentence for far too many people. It would impact severely upon those who are struggling with cancer—working their hardest to defeat that, working with their doctor, their medical community to defeat that impact of cancer in their lives—heart disease, and other long-term illnesses.

My friends, this is about being a compassionate voice. It is about utilizing the advancements in medical care, technology, making affordable our healthcare system, making affordable prescription drug costs.

There is improvements that we want to make, not give a tax cut for the rich, which has been a terrible response. People would say: Oh, the Affordable Care Act is not working.

So if there were improvements required, be fair, be only honest with the public you represent, be there for them.

Finally, the last point I will make right here is Medicaid and the changing profile of Medicaid in many of our States. In New York, people need to see where the growth in Medicaid is. And because we have a disproportionate senior population in upstate New York, you are seeing the growth of Medicaid the farther north you go.

I ask my colleagues to be sensitive to their constituent base. Don't be heartless. Don't be cruel in the outcome. Walk away from this.

The silence is deafening at times when it comes to some of the proposals being sent by leadership in this House and in the Senate. Silence is not what is called for here. Outspoken rejection of some of these harsh measures is what we need, and bipartisan cooperation, bicameral activity is what will serve the public best.

So I thank the gentleman for yielding. I thank him for bringing us together in what is a very important discussion here in this Special Order.

Mr. GARAMENDI. I thank Mr. TONKO so very much for his comments. He covered the issues very well.

I want to go to two issues really quickly that need to, I think, be wrapped up here.

First of all, the President talks about the Affordable Care Act dying, and it is not going to make it. That could happen because of actions that he is specifically telling the administration to take.

There are three different areas, one of which is being very late in providing the cost-sharing funding programs for those people who are purchasing insurance. It is discretionary right now. We ought to make that mandatory and not given the President the option of not providing those funds. If those funds are not provided, then, yes, the exchanges will collapse.

Secondly, we know that there is the cross subsidization from one insurance company to another called reinsurance that tries to balance out the risk pool of each individual insurance company. Some insurance companies, for many different reasons, wind up with a very high risk, high cost population. Others are able to have a very low risk. The risk needs to be balanced out between those two. If that is not done, then there will be a death spiral amongst the insurance companies.

Thirdly, under the Affordable Care Act, people are mandated to buy insurance or else pay a penalty. That penalty is enforced by the Internal Revenue Service, which has been specifically given instructions by the President not to enforce the law. That will lead to those young and healthy invincibles not buying insurance because there is no penalty. That will cause the insurance pool to become more risky and, again, start that death spiral that is so much talked about.

The death spiral can be avoided, and the Affordable Care Act is drafted and written in such a way as to avoid it. So my plea to the President is: Use the law. Do not cause the Affordable Care Act to collapse.

Mr. Speaker, please pass on to the President that the President has within his power to maintain the Affordable Care Act. He also has within his power to cause the Affordable Care Act to collapse.

Now, the final point—and help me with this, Mr. TONKO—is that the Democrats have known for 5 years that there are improvements that need to take place within the Affordable Care Act, and we have pleaded with our Republican colleagues to allow those improvements to take place. We have had a deaf ear from our Republican colleagues. So as we go into this possible crisis, let it be known that the Democrats are seeking improvements in a variety of areas. We heard about the drug prices. I know, Mr. TONKO, you were talking in your earlier presentation about some of the improvements that can be made. So jump in here. Interrupt me, if you will.

Mr. TONKO. To repeat what my colleague just said, I will say that we want to work with the American public. We have said over and over again that it is about affordability, accessibility, quality of care. Share with us the improvements that you think will work. Let us know of the hurdles in the road that you have faced.

Remind us that Medicaid serves the needs of our parents and grandparents in nursing homes. Remind us that those who are born with challenges in life are served well by healthcare coverage and Medicaid. Remind us that those living with developmental disabilities, showcasing their abilities requires Medicaid to make it work; chronic illnesses requiring an insurance clause that addresses preexisting conditions, building upon an essential health benefits package.

We are with you. We walk with you. We raise our voices with you. We lift our hearts with you. We want to be victorious with you and for you. Let's not let them rip away this health insurance for the opportunity to provide tax cuts for the very wealthy.

Again, I thank the gentleman for the opportunity to speak forcefully in this given Special Order. It is so important to save the Affordable Care Act, make it stronger, and respond to the needs of people across this country who are speaking out.

Mr. GARAMENDI. I thank Mr. TONKO so very much, once again, from the East Coast and the West Coast, I hope, to a message that America has listened to.

I just looked out here in the audience and I noticed that our colleague from Texas is here to speak.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank Mr. GARAMENDI for yielding. I was detained at another meeting, but I could not help but conclude our very important Special Order.

And I do want to emphasize that we have a better deal. We have the opportunity to be able to stabilize the markets.

We heard from Mr. COHEN today, who is from the great State of California, who says: The Affordable Care Act does work. Subsidies do work. And if we go the route of the Senate—the tragic vote today—Americans will wind up paying more for premiums than their own income.

So I join in saying we can fix and stabilize—fix the Affordable Care Act, stabilize the healthcare system, and ensure that 49 million people do not lose their insurance by 2026; or with the Senate bill, 32 million don't lose their insurance.

So I simply conclude with this: I met with a family who has an autistic child—a young woman who wants to live on her own. She can't do that without the Affordable Care Act.

I met with a young man by the name of Matthew, who spent $700,000 over a 2-year period because he has a chronic illness; $73,000 on his medication in the last 6 months. The American people need us to do for them what the government can do, and that is to ensure a healthcare system for all.

That is what the Affordable Care Act's underlying premise is. That is what Democrats have as their message. Mr. GARAMENDI, I believe in saving lives. That is what I want to do with the Affordable Care Act.

Mr. GARAMENDI. Mr. Speaker, I thank Ms. JACKSON LEE very much for her comments.

Indeed, we do look for a better deal, better jobs, better wages, better education. That is our goal, and we can do that.

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

TRIBUTE TO FORMER CONGRESSMAN RALPH REGULA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Ohio (Mr. GIBBS) for 30 minutes.

GENERAL LEAVE

Mr. GIBBS. 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 topic of this Special Order.

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

There was no objection.

Mr. GIBBS. Mr. Speaker, I rise to pay tribute to a good friend who passed away last week: the former Congressman from Ohio, Ralph Regula.

Ralph Regula served in this body for 36 years, from 1973 to 2009. He ran in 1972 to replace former Congressman Frank Bow. He got on the Appropriations Committee in 1975, and I remember him telling the story of how that happened. When Gerald Ford was in the leadership here in the House, he praised former President Gerald Ford for getting him on the Appropriations Committee, in which he became a cardinal, in all the many years he was on the Appropriations Committee.

Some major things that he helped do in his time here in Congress were: he found funding for the Cuyahoga Valley National Park; he formed the Ohio and Erie Canal National Heritage Corridor; and he worked with his wife to create the National First Ladies' Library in Canton.

Having had many conversations with him over the years, I know all the work he did to support the National Institutes of Health, medical research, and also National Parks around the country that he so treasured.

Last week, when Congressman Regula passed away, he left his wife, Mary, and three grown children: Martha, Richard, and David.

Congressman Regula was born December 3, 1924, in Beach City, Ohio.

From 1944 to 1946, he served in the United States Navy. He earned his undergraduate degree from the University of Mount Union in 1948, where The Ralph and Mary Regula Center of Public Service and Civic Engagement is housed.

He earned his law degree in 1952, and went to law school at night while working as a teacher.

□ 1930

He also served on the Ohio State Board of Education from 1960 to 1964. He served in the Ohio senate. He was elected in 1966, and he served in the Ohio house one term when he was elected in 1964.

During his time in the State house, he created the Northeast Ohio Medical University complex and Stark State College, which is paying many dividends to the residents of northeast Ohio.

Ralph was a good friend, and he always made sure that the staff knew that constituents came first. He even had a lapel pin button made up to remind his staff. He truly did. So my little memento that I remember was when I came here in the early 1980s, representing as a farmer in the Ohio Farm Bureau, we had an appointment at that time, and Ralph was my Congressman. Ralph was a farmer, too, and loved his beef cattle. He was an early riser. We had an early meeting well before 8 a.m. Another county Farm Bureau president from Wayne County and I got there in his office, Steve Grimes, and Ralph Regula said to us: Did you guys eat breakfast yet?

We said: No.

He said: Come with me.

I guess he took us down to the Members' dining room. I remember this because I brought this picture. How I got this picture was one of the agricultural media reporters tagged along and took this picture. It was in one of the local agricultural papers back in Ohio. My parents were so proud of the fact that our Congressman—my Congressman—would meet with us and take us to breakfast in the Capitol that they called the paper and got the print, and they framed it.

A few years ago, I had the privilege to speak at the McKinley Day Dinner in Stark County when I was redistricted in that area. Ralph and Mary were there. I brought this picture and passed it around to show them. Of course, this picture is 33 years old. What is really neat about it is we both had brown hair. I remember Ralph and Mary got a big kick out of that.

Another time that I remember that was really a treasure is he had Senator THAD COCHRAN come to his house one weekend, and he invited all the agricultural leaders from the district to have breakfast there one Saturday morning. I remember that quite well as a great experience.

A lot people said that Ralph Regula cared. He really did care. He really cared about the constituents he represented. He was a true public servant.

Another issue is he had a relationship at the time with President Reagan. They hit it off really good because they got talking about their farms. Of course, Ralph Regula had a beef cattle farm outside of Navarre, Ohio, in Stark County. They were talking about how to build fence. Ralph used to tell that story, and you can tell that he held that dear to him.

I first met Congressman Regula in 1974. He was the commencement speaker at the first graduating class which I was in at the Ohio State University Agricultural Technical Institute in Wooster, and Ralph was a fairly new Congressman at the time. But he came and spoke. I remember that. That was my first chance to get to know Congressman Regula at the time.

I do have here some notes from his former staff. I just want to read them because I think words say a lot. Ralph left an impression not just on his constituents but also on his staff.

Susan Ross, who worked for Congressman Regula, offered some insight and stories about Ralph.

Ralph's motto was ''Constituents First,'' according to Susan. One day, Ralph got a frantic call from a woman whose daughter was gravely ill in Mexico. She needed help immediately, as she didn't have a passport and couldn't find her birth certificate. By the next day, she was on her way to Mexico to help her daughter return to the U.S. Ralph made sure that his constituent could get a copy of her birth certificate and called the State Department to get her a passport within just a few hours. Considering the bureaucracy of government, this is a minor miracle. That is how committed he was to the people of Ohio.

Ralph would go out of his way to help people. Ralph had a red pickup truck, and after the September 11 attack in 2001, he drove it home with the luggage of several constituents who were stranded here because of the attacks and no way to rent a car and obviously the planes were not flying.

A former schoolteacher himself, he would say to the teachers: The lower the grade, the more you should be paid; and when you look out at your class, you have 30 little mirrors looking back at you.

Susan wrote: We are so grateful for the chance to work alongside and learn from this giant of a man. His accomplishments are legendary, and his legacy can be seen across all of Ohio. It was an honor and privilege to call him our boss.

When former staff members say those kinds of things about their former boss, that says a lot.

I had the privilege to know Ralph for three decades. Two of those decades he was my Congressman, and then the last decade he wasn't because of redistricting. I had a different Congressman and a different congressional district. Then 4 or 5 years ago now, redistricting, they moved me into the Stark County, Ohio, area, and Ralph became a constituent of mine. There were a few times here a few years ago that Ralph came in and visited me in the office, and we had some great conversations.

It seemed a little strange because I can remember, in the 1980s and the 1990s, I would be visiting Ralph here in the Rayburn Building for pork producers in the Farm Bureau talking about agricultural policy and talking to another farmer who is also a Congressman, too. Those are fond memories that I will treasure for the rest of my life.

I think that we are so glad that so many are standing out here tonight to pay tribute to Congressman Ralph Regula because he was a true public servant and loved his constituents, loved Stark County, Ohio, and loved his farm. So it is a privilege to make a few remarks tonight to pay tribute to him for his 36 years of service in this Chamber and this body and all the service he did throughout his life to help the people of Stark County, Ohio, the 16th Congressional District in the State of Ohio, and the United States.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. TIBERI) who is from the

Columbia area and who served some of the time here when Congressman Regula was here.

Mr. TIBERI. Mr. Speaker, I thank Congressman GIBBS for yielding.

The Akron Beacon Journal, a few days ago, wrote an extraordinary editorial about Ralph Regula. The last paragraph sums Congressman Regula up best: ''What would benefit Congress and the country today are more lawmakers like Ralph Regula, devoted to their districts without losing sight of the larger picture. He wasn't just superb at legislating. He delivered what governing requires.'' I couldn't say it any better.

We in Ohio lost a truly wonderful person, a great American. Ohio has lost three of them in the last year who I served with here in the United States Congress who made this body a better place and who made this country a better place: nearly a year ago, Steve LaTourette from northeastern Ohio; earlier this year, Mike Oxley; and now Ralph Regula.

Ralph Regula was the dean of the delegation even before I got here, and he was the dean of the delegation when I came here in 2001. One of the great things that Ralph Regula did on our side of the aisle when we were in the minority and then when we were in the majority is he strategically placed members of our team from Ohio throughout all the committees. So you had people on the Appropriations Committee, you had people on the Ways and Means Committee, on the Energy and Commerce Committee, and on the Armed Services Committee. Ralph was so thoughtful that way trying to make sure that we represented our State in all sorts of ways.

I got to know Ralph mostly sitting in that corner with Dave Hobson, Ralph Regula, and Steve LaTourette. The dean of the delegation didn't speak loudly. He often spoke softly, but his words were meaningful—and usually right. He was a thoughtful guy who cared about our State, who cared about our country, and who taught so many of us how to legislate not just on the Appropriations Committee, but actually how to get things done. I have fond memories of the lessons that he gave us on an ongoing basis.

I only got to serve with Ralph for 8 years. There are others in the room who got to serve with him a lot longer. But it is safe to say what the Akron Beacon Journal said is right: He knew how to get things done.

He did it in a bipartisan way, he did it with his constituents in mind, and he did it because it was the right thing to do.

There is a long list of things that he accomplished and that got done. He didn't brag about it. He just did it in his soft-spoken, nice, gentlemanly way. The gentleman from Navarre contributed and gave more than he ever got. His former staff knows, the former Members on both sides know it, and he will always be remembered for that great spirit that he had around this place—a true gentleman describes the gentleman from Navarre. It was an honor and a privilege to serve with him.

Mr. GIBBS. Mr. Speaker, I yield to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. Mr. Speaker, I rise today in memory of an incredible leader from my home State of Ohio but also for the United States: Congressman Ralph Regula. He was a teacher, a patriot, and a veteran. He served during World War II in the United States Navy. He had been a schoolteacher and a school principal, and he devoted his life to public service.

His career in government began with service in the Ohio house of representatives and the Ohio senate before he came to Congress in 1972. For nearly four decades in Congress, Congressman Regula became known as a leader who was willing to reach across the aisle to get things done—to compromise—both on Capitol Hill and with the White House. He worked to pass legislation that helped his district and the American people.

His spirit of bipartisanship carried throughout his career when he remained an outspoken advocate, even in his retirement, for bipartisanship. He was truly an example of how to get things done.

Through his role on the House Appropriations Committee, he served as an important advocate for Ohio, including funding for the Cleveland Clinic and support for the Great Lakes. He was the quintessential example of what it means to be a public servant.

Mr. Speaker, my thoughts go out to his wife, Mary, and the rest of his family.

Mr. GIBBS. Mr. Speaker, I yield to the gentleman from Ohio (Mr. LATTA) who is from Bowling Green, Ohio.

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding. I, too, would like to express my sympathies to Mary and all the Regula family on Ralph's passing.

I got to know Ralph a long time ago because my dad served here for 30 years. Dad was elected in 1958, Ralph was elected in 1972, and toward the end of their terms that they were here together—of course, Ralph served on for 36 years—their offices were very close to one another. I know that in those days sometimes you had a little more time than we seem to have today, but folks could actually go to one another's office and sit down and chat. I know that Dad and Ralph were very good friends.

What has been said by my other colleagues is true; Ralph worked hard. He served his district well, he worked hard, he did his job, he served the people of his district, and he served the people of this country.

At all times, though, he always was a gentleman. I know that for a fact because I know that when I was younger, I always liked to be able to come here with my dad, I was able to sit in a lot of meetings, and Ralph was an incredible individual.

One of the things that my dad always said was that there was always a difference in life between people who wanted to be politicians and public servants. Dad said that it was very simple: A politician is a person who sees how much they can take from the people they represent for their own benefit, while public servants see how much they can give of themselves to the people they represent. Ralph did this over and over and over again, giving of himself.

Marcia and I do want to express our regret to Mary and all of Ralph's family on his passing because, again, we have lost a great friend, a great colleague, and it is tough to say goodbye.

Mr. GIBBS. Mr. Speaker, I am sure the gentleman shares a lot of childhood memories running around here with his dad being a Congressman and Congressman Regula for all those years.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. CHABOT) who is from the Cincinnati area.

Mr. CHABOT. Mr. Speaker, I want to thank Mr. GIBBS for organizing this Special Order here this evening in which we are honoring Ralph Regula, our former colleague.

I had the pleasure of serving with Congressman Regula for 14 years here in this great institution.

Ralph Regula was truly a gentleman in the truest sense of the word. He served Ohio and our Nation with a dignity and grace that few will ever match. When I think of the phrase ''disagreeing without being disagreeable,'' I think of Ralph Regula.

□ 1945

Ralph was a lot of things. He was an attorney, a teacher, a school principal, a veteran, a farmer, and a loving husband, father, and grandfather. But perhaps most of all, he was dedicated to serving the people of the 16th Congressional District and his country.

He was born in Beach City, Ohio, in 1924—the same year my mom was born, by the way. Ralph first served his country, as my father did, in World War II. My dad was in the Army and served in Europe. Ralph was in the Navy from 1942 to 1946 during World War II.

Ralph then graduated from Mount Union College in Alliance, Ohio, where he met his wife, Mary, and later obtained his law degree from William McKinley School of Law in Canton.

Ralph had a passion for education. Before getting into politics, he served his community as a schoolteacher, as I also did. He was then a principal and even ran for the Ohio Board of Education.

As a former teacher myself, as I mentioned, I know the time you spend with students helps shape the way you view the world. Ralph was no different. He brought those experiences with him here to Washington, D.C., and put his

passion to work on the Appropriations Committee.

Prior to being elected to Congress, Ralph got his start in politics as a member of the Ohio House of Representatives and, later, the Ohio Senate. In 1972, he ran for Congress and won, beginning a long and impressive congressional tenure.

Ralph served 18 terms, 36 years, and he was a leader on the Appropriations Committee. In that role, he helped to shape the country, but he never forgot where he came from: Stark County, Ohio.

Back in 1998, Ralph and his wife, Mary, were instrumental in the establishment of the National First Ladies' Library in Canton, and they both remained very involved in the library's operations over the years.

Many Ohioans and Cantonians remember him for his staunch support of Stark County's park system, the Cuyahoga Valley National Park, and the Towpath Trail.

While many around the Nation will remember Ralph Regula as an important figure on the Appropriations Committee, a role he served in for many, many years, I will remember him as a respected colleague and someone I was proud to call a friend.

Ralph was a soft-spoken, old-school gentleman. By the time I was elected to Congress back in 1994, Ralph Regula was the dean of the Ohio delegation. A few years after Congressman Regula retired, I became the dean of the Ohio Republican delegation, and I tried to model my approach to the role that he set. He set a great example for all of us who serve here in the House because he truly was a gentleman.

Tonight, as we remember our former dean, I hope that we also remember his ability to work across the aisle. Ralph always treated everyone with respect and genuinely listened to the viewpoints of others. He believed that bipartisanship was a virtue and would work tirelessly to find common ground. I think we can all learn from his example.

I would note that MARCY KAPTUR, who is one of our more respected Democratic colleagues in the House, is here this evening. I think it is a tribute to the bipartisanship that Ralph Regula showed over the years. I know that she worked not only with him, but with many of us in a bipartisan manner. That is just the way that Ralph Regula operated.

Mr. Speaker, Ralph Regula was a decent, hardworking family man who was dedicated to Ohio, and particularly the 16th Congressional District and the people of Stark County. He was a public servant and a role model. He will be deeply missed.

To Ralph's wife, Mary; his daughter, Martha; his sons, David and Richard; and the entire Regula family, please know that we are saddened by your loss. We share that loss. We appreciate the time that you allowed Ralph to serve our Nation. You are in our thoughts and our prayers. God bless you all.

Mr. GIBBS. Mr. Speaker, I yield to the gentlewoman from Toledo (Ms. KAPTUR), who serves on the Appropriations Committee and who, I am sure, has some interesting tales to tell about Congressman Regula.

Ms. KAPTUR. Mr. Speaker, I thank the kind gentleman for yielding, and I thank him for arranging this Special Order this evening. I thank Congressman CHABOT for his kind words and all the Members who have come to pay tribute to our beloved colleague, Ralph Regula.

Mr. Speaker, I rise tonight to honor my late friend and respected colleague who served 18 terms and was a gentleman farmer, the very Honorable Congressman Ralph Regula of Ohio. Ralph passed away earlier this month in Bethlehem Township, Ohio. He was 92.

To his beloved wife, Mary, for whom we all hold deep affection, and their family—Martha, Richard, David, and their children—please let me extend heartfelt sympathy and deepest affection.

I had the privilege of serving with Ralph for 26 years, many of those on the Appropriations Committee.

As others have mentioned, Ralph Straus Regula was born in Beach City, Ohio, on December 3, 1924, right before the Great Depression.

In 1948, he graduated from Mount Union College in Alliance, Ohio, and went on to receive a degree in law as a night student from William McKinley School of Law in Canton, and then went on to serve in the United States Navy during World War II.

Some of my memories of Ralph include him pulling into the congressional garage on so many occasions in his spiffy red pickup truck, always thinking about what was happening back in Ohio on his farm. That truck had many purposes.

So many evenings we were in the same building and I could see him walking down the hall with Mary, his wife, well after 9 p.m. in the evening after having put in a very long day here in Congress.

The press never reports about the Members who are dutiful and do their work. They generally focus on those who run into a little bit of trouble or get into a fracas, but Ralph Regula was the type of citizen who holds this Republic together.

He was first elected in 1972 and was a longstanding, prominent figure in our body, serving 36 years in the House by the time of his retirement. At the time he retired, he was dean of the Ohio delegation and number three in seniority on the Republican side of the powerful Appropriations Committee. His service embraced the tenure of seven U.S. Presidents.

As a lawmaker, Ralph was a champion of cross-party collaboration, as others have referenced, and he was a moral compass in an era of personal enrichment. Ralph is remembered as a hardworking, constructive, affable, intelligent, and effective Member. He set a very high standard.

I tried to write words that remind me of Ralph—certainly ''talented,'' ''honest,'' ''hardworking,'' ''sensible,'' ''understated,'' ''straightforward,'' and ''even-tempered.''

If you never met him, he was sort of a cross between Andy Griffith and Robert Redford. He was even-tempered and not vindictive—and he had reason to be vindictive. He described himself as a conservative in spending but a progressive in programs.

A proud Canton resident, he worked tirelessly to honor the legacy of his hometown hero, President William McKinley. Regula sought to preserve the fellow Ohioan's memory by fighting to keep the name Mount McKinley for the summit in Alaska, homage to the man who represented his same district.

During my time in the House, I have had the pleasure of serving alongside Ralph on the Appropriations Committee, where he was distinguished for sensible solutions that worked for Americans and for Ohioans.

When he served on the Labor, Health, and Human Services Subcommittee, he instructed me, when I got to Congress: This is where you really help people.

Ralph was dedicated to that. He had such a heart, but he didn't wear it on his sleeve. He supported working people. There are many votes he cast in favor of the minimum wage. His father was a coal miner. He understood what it was to do that kind of work for a living.

On the centennial of the Metro Parks' creation, we remember his adoration and commitment to our public lands, founding one of northeast Ohio's proudest landmarks, the Cuyahoga National Valley Park. He dedicated so many of his years to creating that park, the Ohio and Erie Canal system, and expanding that park to among the top 10 most visited in the United States of America.

He attended to Ohio while he attended to the Nation. He had the guts to pass new user fees for all national parks to raise money to improve them, so he was thinking of the future.

He was the founder and leader of the Steel Caucus in this House—that was one of the first places that I met him—and an early and effective voice about foreign dumping and about the importance of manufacturing in America, the importance of that steel industry and having fair trade among nations.

With his wife, Mary, he was instrumental in creating the National First Ladies' Library in Canton, Ohio, a most amazing place, with important untold stories about valorous women in our country that, for years, had been largely hidden from the public.

I recommend that the public go to the website of that library and just read about the First Ladies of this country—not just who they were, but

what they endured. I learned so much that I didn't know.

Ralph brought phenomenal experience to his public service. Others talked about how he had practiced law, serving in the Navy, held a degree in business administration, served as a school administrator, a teacher, a principal, State legislator, and served on the Ohio Board of Education. He was so level-headed.

An article in the The Washington Post reported that he introduced language in appropriations bills and procedural maneuvers to fight efforts to change Alaska's Mount McKinley name. Obviously, he held the seat that was once occupied by President McKinley, the 25th President, who, sadly, was assassinated in 1901.

As a graduate of the old William McKinley School of Law in Canton, Mr. Regula did not want to see the name of his fellow Buckeye erased from the tallest peak in North America. Ralph said: The law says it is Mount McKinley, and no President can change the law by the flick of a pen.

When he set his mind to it, he prevailed. His vast experience on the legislative front led him and drove his successful efforts to invest millions and millions of dollars in the improvement of healthcare for the American people, as well as Ohio institutions such as the Cleveland Clinic, University Hospitals, Case Western Reserve University, and MetroHealth.

He championed the Great Lakes and fought mightily to find a way to clean up coal. I can remember being on the Republican side of the aisle. He said: Congresswoman KAPTUR, you have got to help me clean up coal.

He was always looking for a way to try to make life better. He advocated for the National Endowment for the Arts. He worked to clean up Florida's Everglades and led the construction of the popular children's farm here in Washington at the National Zoo.

When people come to public service at the national level, they learn that it is very hard to accomplish things over a brief period of time. It takes a long time. It takes decades to do something of merit. Ralph certainly achieved that.

In 2010, the Cleveland Plain Dealer quoted him. I will end my tribute to him this evening with a quote that he gave to the Plain Dealer. He said: ''Inflammatory rhetoric may satisfy the partisans, but it does little or nothing to move the legislative ball to the goal line.'' He was talking about the necessity of breaking legislative gridlock and advocating bipartisan compromise.

I think by Congressman BOB GIBBS being on floor tonight, by my being on the floor tonight, in a bipartisan spirit, giving tribute to Ralph Regula, this is a life that Members of Congress can learn from: real achievement, real merit, real honor. He brought real meaning to the word the ''Honorable'' Ralph Straus Regula.

May God let him rest in peace and bless his spirit.

Mr. GIBBS. Mr. Speaker, in closing, we heard tonight that we will miss Ralph Regula. He was a dedicated public servant. He didn't grandstand. He worked hard, and he got the job done for the people of Ohio and the people of this country. We will sorely miss him.

Best regards to his beloved wife, Mary, and three children and the rest of the Regula family. It was an honor and privilege to know Ralph Regula.

Mr. RENACCI. Mr. Speaker, I join my colleagues today to offer my tribute on behalf of my predecessor, mentor, and most importantly my friend, the late Congressman Ralph Regula. We not only had the chance to share the same district but we celebrated the same birthday, something that always made our connection feel stronger.

Congressman Regula represented the 16th District of Ohio in the United States House of Representatives from 1973 until his retirement in 2009. For thirty-six years and eighteen terms, Ralph Regula brought common-sense, Ohio values to Washington each and every day.

Ralph came to Washington, often in his ubiquitous red pickup truck, to do a job for the American People. His was an office held in trust for a time and then relinquished with grace when that season of his life was over.

Ralph Regula began his career as a teacher and grade school principal. Throughout his long career in public service he always encouraged students who approached him to ''Learn something new every day''. It was more than advice: it was a heartfelt wish that every young person he met would embrace a lifetime of learning and go on to become the very best versions of themselves.

As a public servant, Ralph Regula was a thoughtful, conscientious man of the people. From humble beginnings as village solicitor in Navarre, Ohio, Ralph brought his experience as an educator to the Ohio Board of Education, and from there, to the Ohio state house where he served in the Ohio House of Representatives and the Ohio Senate. In 1972, Ralph Regula was elected to Congress to represent the 16th District of Ohio, an office he always said he held in trust for the people he represented back home in Ohio. His constituents sent him back to Washington eighteen times, asking for and receiving his best service and judgment on their behalf in the People's House.

In Congress, Ralph Regula served most of his tenure in the Committee on Appropriations. Ralph would say he was one of the keepers of America's checkbook. In that role, Ralph brought his own brand of fiscal conservatism to bear on the great issues facing the United States. As chairman of the Committee on Appropriations Interior subcommittee, Ralph was instrumental in securing the future of Cuyahoga Valley National Park.

I have no doubt that Ralph Regula will be remembered for many things during his time in Congress. I think his sense of fairness and his bi-partisan approach to lawmaking will, no doubt, be among the best attributes recalled by his friends and colleagues. Debate ended at the doors to the House, but the friendship always endured.

Ralph was foremost, though, a family man. The great love of his life, Mary, was his partner through thick and thin. Partners in all things, Ralph and Mary built a life together and raised three wonderful children: David, Richard and Martha.

In closing, Mr. Speaker let me just say this: It truly was the honor of a lifetime to know Congressman Ralph Regula and call him my predecessor, mentor, and my friend. He will be dearly missed by all.

RECESS

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

Accordingly (at 8 p.m.), the House stood in recess.

□ 2139

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 9 o'clock and 39 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 115–259) on the resolution (H. Res. 473) providing for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 26, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2076. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Captain Daniel L. Cheever, United States Navy, to wear the insignia of the grade of rear admiral (lower half) while serving as Commander, Naval Aviation Warfighting Development Center, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2077. A letter from the Attorney-Advisor, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's Major final rule — Amendments to Federal Mortgage Disclosure Requirements under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2016-0038) (RIN: 3170-AA61) received July 21, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2078. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Minority and Women Inclusion Amendments (RIN: 2590-AA78) received July 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2079. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Elementary and Secondary Education Act of 1965, As Amended by the Every Student Succeeds Act--Accountability and State Plans [Docket ID: ED 2016-OESE-0032] (RIN: 1810-AB27) received July 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2080. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Fiscal Year 2015 and Fiscal Year 2016 Distribution of Funds Under Section 330(r)(3) of the Public Health Service Act Report to Congress; to the Committee on Energy and Commerce.

2081. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-101, ''Medical Marijuana Certified Business Enterprise Preference Temporary Amendment Act of 2017'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2082. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-100, ''Closing of a Public Alley in Square 2960, S.O. 15-53893, Act of 2017'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2083. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2017 Annual Performance Plan, pursuant to 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867); to the Committee on Oversight and Government Reform.

2084. A letter from the Acting Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting the Administration's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

2085. A letter from the Secretary, Department of Transportation, transmitting the Department's Status of Actions Addressing the Safety Issue Areas on the National Transportation Safety Board's (NTSB) Most Wanted List, pursuant to 49 U.S.C. 1135(e)(1); Public Law 103-272, Sec. 1(d) (as amended by Public Law 111-216, Sec. 202(b)); (124 Stat. 2351); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 3178. A bill to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes; with an amendment (Rept. 115–254, Pt. 1). Ordered to be printed.

Mr. HENSARLING: Committee on Financial Services. H.R. 2246. A bill to repeal the mandatory flood insurance coverage requirement for commercial properties located in flood hazard areas and to provide for greater transfer of risk under the National Flood Insurance Program to private capital and reinsurance markets, and for other purposes; with an amendment (Rept. 115–255). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2053. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to enhance and support mining and mineral engineering programs in the United States by funding activities at mining schools, and for other purposes; with an amendment (Rept. 115–256). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2939. A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes (Rept. 115–257, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3210. A bill to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes; with an amendment (Rept. 115–258). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 473. Resolution providing for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115–259). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 2939 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FARENTHOLD:

H.R. 3377. A bill to prohibit importation of seafood products of countries that do not prohibit the practice of shark finning, and for other purposes; to the Committee on Ways and Means.

By Mrs. WALORSKI (for herself, Ms. DELBENE, Mr. JOHNSON of Ohio, Mr. RUIZ, and Mr. SESSIONS):

H.R. 3378. A bill to amend title XVIII of the Social Security Act to require reporting of certain data by providers and suppliers of air ambulance services for purposes of reforming reimbursements for such services under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN (for himself, Mr. CICILLINE, Mr. FASO, and Mr. TAKANO):

H.R. 3379. A bill to amend the Internal Revenue Code of 1986 to provide for an increase in the earned income tax credit for individuals with no qualifying children, and for other purposes; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ (for herself, Mr. ELLISON, Ms. JAYAPAL, Mr. DEFAZIO, Ms. SHEA-PORTER, Mrs. CAROLYN B. MALONEY of New York, and Mrs. WATSON COLEMAN):

H.R. 3380. A bill to cancel the registration of all uses of the pesticide chlorpyrifos, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANNY K. DAVIS of Illinois (for himself, Ms. LEE, Ms. ROYBAL-ALLARD, and Mr. CONNOLLY):

H.R. 3381. A bill to establish in the Administration for Children and Families of the Department of Health and Human Services the Federal Interagency Working Group on Reducing Child Poverty to develop a national strategy to eliminate child poverty in the United States, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. CLARK of Massachusetts (for herself and Mr. BUCSHON):

H.R. 3382. A bill to amend the Public Health Service Act to better address substance use and substance use disorders among young people; to the Committee on Energy and Commerce.

By Mr. ESTES of Kansas:

H.R. 3383. A bill to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the ''M.S. 'Mitch' Mitchell Floodway''; to the Committee on Transportation and Infrastructure.

By Mrs. HARTZLER:

H.R. 3384. A bill to amend the Richard B. Russell National School Lunch Act by repealing the paid lunch equity requirements; to the Committee on Education and the Workforce.

By Mr. SAM JOHNSON of Texas (for himself, Mr. SCHWEIKERT, and Mr. CURBELO of Florida):

H.R. 3385. A bill to require the Commissioner of Social Security to update the medical-vocational guidelines used in disability determinations; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mr. KELLY of Pennsylvania):

H.R. 3386. A bill to amend titles II and XVI of the Social Security Act to provide for quality reviews of benefit decisions, and for other purposes; to the Committee on Ways and Means.

By Mr. HARPER:

H.R. 3387. A bill to amend the Safe Drinking Water Act to improve public water systems and enhance compliance with such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LATTA (for himself and Ms. SCHAKOWSKY):

H.R. 3388. A bill to provide for information on highly automated driving systems to be made available to prospective buyers; to the Committee on Energy and Commerce.

By Ms. BARRAGÁN:

H.R. 3389. A bill to give priority in allocation of rental assistance vouchers under the Veterans Affairs Supported Housing program of the Department of Housing and Urban Development to areas having the largest populations of homeless veterans, and for other

purposes; to the Committee on Financial Services.

By Ms. CASTOR of Florida (for herself and Mr. SOTO):

H.R. 3390. A bill to amend the Higher Education Act of 1965 to reduce the interest rate caps for Federal Direct student loans, to eliminate loan origination fees on all Federal Direct student loans, and to provide for refinancing of Federal Direct student loans and Federal family education loans; to the Committee on Education and the Workforce.

By Mr. HARRIS (for himself, Mr. BLUMENAUER, Mr. GRIFFITH, and Ms. LOFGREN):

H.R. 3391. A bill to amend the Controlled Substances Act to make marijuana accessible for use by qualified marijuana researchers for medical purposes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Louisiana:

H.R. 3392. A bill to provide for stability of title to certain land in the State of Louisiana, and for other purposes; to the Committee on Natural Resources.

By Mr. TED LIEU of California (for himself, Mr. CARTWRIGHT, and Ms. KUSTER of New Hampshire):

H.R. 3393. A bill to increase cybersecurity education and job growth, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, Education and the Workforce, and Oversight and Government 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 Mrs. MCMORRIS RODGERS (for herself, Mr. CARTER of Georgia, Mr. HECK, Mr. KENNEDY, Mr. KHANNA, Mr. LAMALFA, Mr. MCGOVERN, Mr. O'HALLERAN, Mr. RASKIN, Mr. VELA, Mr. YOUNG of Iowa, Mr. CAPUANO, Mr. CARTWRIGHT, Mr. CROWLEY, Mr. DENHAM, Mr. ESPAILLAT, Mr. FASO, Ms. JENKINS of Kansas, Mr. KILMER, Mr. MOULTON, Mr. NEWHOUSE, Mr. TAKANO, Mr. VALADAO, Mr. COHEN, Mr. CONYERS, Mr. COURTNEY, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DELAURO, Ms. DELBENE, Mr. GARAMENDI, Mr. LARSEN of Washington, Mr. LONG, Mr. LUCAS, Mr. MARINO, Mr. MURPHY of Pennsylvania, Mr. NOLAN, Ms. ROS-LEHTINEN, Mr. RUSH, Ms. SCHAKOWSKY, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. SERRANO, Ms. TSONGAS, Ms. BONAMICI, Mr. RUIZ, Ms. CLARK of Massachusetts, Mr. COLE, Mr. ROGERS of Kentucky, and Mr. LARSON of Connecticut):

H.R. 3394. A bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEHAN (for himself and Mr. NORCROSS):

H.R. 3395. A bill to amend the Internal Revenue Code of 1986 to allow tax free distributions from section 529 college savings plans for certain expenses associated with registered apprenticeship programs; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 3396. A bill to amend the Internal Revenue Code of 1986 to change the classification of employers and employees for services providers; to the Committee on Ways and Means.

By Ms. ROSEN (for herself, Mr. KNIGHT, Mr. EVANS, Mr. MEEKS, Mr. TONKO, Ms. HANABUSA, Mr. BEYER, Ms. ESTY of Connecticut, Mr. CRIST, Ms. SLAUGHTER, and Mr. SOTO):

H.R. 3397. A bill to direct the National Science Foundation to support STEM education research focused on early childhood; to the Committee on Science, Space, and Technology.

By Mr. YOUNG of Alaska (for himself and Ms. GABBARD):

H.R. 3398. A bill to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE (for herself, Mr. COHEN, Ms. HANABUSA, Mr. GUTIÉRREZ, Mrs. CAROLYN B. MALONEY of New York, Mr. CASTRO of Texas, Mr. TED LIEU of California, Mr. CLEAVER, Mr. BUTTERFIELD, Mr. LEWIS of Georgia, Mr. CONNOLLY, Mr. MEEKS, Mr. RASKIN, Mrs. LAWRENCE, Ms. BASS, Mr. KRISHNAMOORTHI, Mr. KILDEE, and Mr. BEYER):

H. Res. 474. A resolution expressing disapproval of any action by the President to remove the Special Counsel investigating Russian interference in the 2016 presidential election and opposition to the granting of pardons to any person for offenses against the United States arising out of Russia's activities to bring about the election Donald J. Trump as President of the United States; to the Committee on the Judiciary.

By Mr. POLIQUIN (for himself and Mr. HECK):

H. Res. 475. A resolution expressing support for the designation of the month of September 2017 as ''National Month for Renters''; to the Committee on Financial Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FARENTHOLD:

H.R. 3377.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mrs. WALORSKI:

H.R. 3378.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. COFFMAN:

H.R. 3379.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Ms. VELÁZQUEZ:

H.R. 3380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3381.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. CLARK of Massachusetts:

H.R. 3382.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ESTES of Kansas:

H.R. 3383.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mrs. HARTZLER:

H.R. 3384.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. SAM JOHNSON of Texas:

H.R. 3385.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to ''provide for the common defense and general welfare of the United States.''

By Mr. SAM JOHNSON of Texas:

H.R. 3386.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to ''provide for the common defense and general welfare of the United States.''

By Mr. HARPER:

H.R. 3387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LATTA:

H.R. 3388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Ms. BARRAGÁN:

H.R. 3389.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. CASTOR of Florida:

H.R. 3390.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. HARRIS:

H.R. 3391.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. JOHNSON of Louisiana:

H.R. 3392.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, clause 2

By Mr. TED LIEU of California:

H.R. 3393.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of the U.S. Constitution.

By Mrs. MCMORRIS RODGERS:

H.R. 3394.

Congress has the power to enact this legislation pursuant to the following:

To regulate Commerce as enumerated by Article I, Section 8, Clause 1 of the Constitution

By Mr. MEEHAN:

H.R. 3395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. PAULSEN:

H.R. 3396.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. ROSEN:

H.R. 3397.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the Constitution

By Mr. YOUNG of Alaska:

H.R. 3398.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 and Article 4, Section 3, Clause 2.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. CARTER of Georgia.
H.R. 37: Mr. HARPER.
H.R. 44: Ms. GABBARD and Mrs. WALORSKI.
H.R. 52: Mr. CLAY.
H.R. 112: Mr. LAWSON of Florida and Mr. GAETZ.
H.R. 126: Mr. POCAN.
H.R. 149: Ms. CLARKE of New York, Mr. RUSH, and Mr. GONZALEZ of Texas.
H.R. 150: Mr. GONZALEZ of Texas.
H.R. 256: Mr. CARTER of Georgia.
H.R. 350: Mr. POLIQUIN and Mr. FRANCIS ROONEY of Florida.
H.R. 380: Mr. CARTER of Georgia.
H.R. 432: Mr. LARSON of Connecticut.
H.R. 444: Ms. SLAUGHTER and Mr. SOTO.
H.R. 465: Mr. DAVIDSON.
H.R. 490: Mr. GALLAGHER.
H.R. 564: Mr. WOODALL.
H.R. 692: Mr. CARTER of Georgia.
H.R. 718: Mr. CARTER of Georgia.
H.R. 754: Mrs. LOVE, Mr. CARTWRIGHT, Ms. ESHOO, Mr. HILL, Mr. SIRES, Mr. HASTINGS, Mr. SERRANO, and Miss RICE of New York.
H.R. 771: Ms. ROSEN.
H.R. 772: Mr. ROUZER.
H.R. 785: Mr. FLEISCHMANN and Mr. CRAWFORD.
H.R. 820: Mr. CAPUANO and Mr. LONG.
H.R. 825: Mr. CURBELO of Florida.
H.R. 846: Mr. PRICE of North Carolina.
H.R. 849: Mr. JOHNSON of Louisiana.
H.R. 850: Mr. GRAVES of Missouri, Mr. LAMBORN, and Mrs. WAGNER.
H.R. 873: Mr. CARTER of Georgia, Mr. QUIGLEY, Mr. ABRAHAM, and Ms. HERRERA BEUTLER.
H.R. 918: Ms. ESTY of Connecticut.
H.R. 986: Mr. VALADAO.
H.R. 997: Mr. WITTMAN.
H.R. 1002: Mr. BOST.
H.R. 1057: Mrs. ROBY, Mr. HOLDING, and Mr. ROTHFUS.
H.R. 1094: Mr. COOPER.
H.R. 1124: Mr. FLORES and Mr. POLIQUIN.
H.R. 1133: Mr. CARTER of Georgia.
H.R. 1136: Mr. COLLINS of Georgia.
H.R. 1227: Mr. KHANNA.
H.R. 1264: Mr. RATCLIFFE.
H.R. 1267: Mr. GENE GREEN of Texas.
H.R. 1281: Mr. SIRES and Mr. LARSON of Connecticut.
H.R. 1291: Mr. SMITH of Washington.
H.R. 1298: Mr. WALZ.
H.R. 1300: Mr. HIGGINS of New York.
H.R. 1307: Mr. CARBAJAL and Mr. LARSEN of Washington.
H.R. 1339: Mr. WALBERG.
H.R. 1360: Mr. SMITH of Texas.
H.R. 1400: Mr. FERGUSON.
H.R. 1406: Ms. FRANKEL of Florida, Mr. JOYCE of Ohio, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MCSALLY, and Mr. SERRANO.
H.R. 1436: Mr. BANKS of Indiana.
H.R. 1444: Ms. ROSEN.
H.R. 1470: Mr. COFFMAN.
H.R. 1494: Mr. UPTON, Ms. DELAURO, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mrs. LOWEY, and Mr. SOTO.
H.R. 1555: Ms. LOFGREN and Mr. LUCAS.
H.R. 1645: Mr. STIVERS.
H.R. 1650: Mr. LANGEVIN.
H.R. 1676: Mr. CURBELO of Florida and Mr. QUIGLEY.
H.R. 1697: Mr. WILLIAMS, Mr. BRADY of Texas, Mr. BUDD, Mr. DIAZ-BALART, and Mr. LONG.
H.R. 1698: Mr. JODY B. HICE of Georgia and Ms. GABBARD.
H.R. 1731: Mr. MARINO and Mr. GIBBS.
H.R. 1739: Mr. KHANNA, Ms. BROWNLEY of California, Mr. KIND, and Ms. MOORE.
H.R. 1795: Mr. LEWIS of Georgia and Mr. SMITH of Washington.
H.R. 1810: Mr. KHANNA.
H.R. 1825: Mr. POLIQUIN.
H.R. 1828: Mrs. NOEM.
H.R. 1846: Ms. KUSTER of New Hampshire and Mr. MCGOVERN.
H.R. 1861: Ms. VELÁZQUEZ.
H.R. 1868: Mr. TAKANO.
H.R. 1896: Mr. FORTENBERRY.
H.R. 1897: Mr. FORTENBERRY.
H.R. 1902: Mr. SABLAN.
H.R. 1963: Mr. RASKIN.
H.R. 1999: Mr. CARTER of Georgia.
H.R. 2004: Mr. HIGGINS of Louisiana.
H.R. 2016: Mr. COHEN.
H.R. 2030: Mr. GONZALEZ of Texas.
H.R. 2040: Mr. FERGUSON.
H.R. 2044: Mr. LOEBSACK.
H.R. 2051: Mr. RENACCI.
H.R. 2123: Mr. JONES.
H.R. 2158: Mr. NORCROSS.
H.R. 2193: Mr. MARSHALL and Ms. SÁNCHEZ.
H.R. 2234: Mr. SMITH of Washington.
H.R. 2261: Mr. KHANNA.
H.R. 2276: Mrs. BLACKBURN.
H.R. 2286: Mr. CURBELO of Florida.
H.R. 2291: Mr. KILMER.
H.R. 2298: Mr. JENKINS of West Virginia.
H.R. 2307: Ms. MOORE.
H.R. 2315: Ms. VELÁZQUEZ and Ms. MCCOLLUM.
H.R. 2318: Mr. NORCROSS.
H.R. 2326: Mr. COSTELLO of Pennsylvania and Mr. CONNOLLY.
H.R. 2327: Mr. CARTER of Georgia, Ms. LOFGREN, Mr. MOULTON, Mr. ROSKAM, and Mr. LOUDERMILK.
H.R. 2340: Mr. YOUNG of Alaska and Mr. PETERSON.
H.R. 2408: Mr. CURBELO of Florida and Ms. SLAUGHTER.
H.R. 2450: Mr. TIBERI.
H.R. 2465: Mr. KENNEDY, Mrs. NAPOLITANO, Mr. RUSH, Ms. MATSUI, and Mr. COURTNEY.
H.R. 2472: Mr. SOTO, Mrs. MCMORRIS RODGERS, and Mr. KHANNA.
H.R. 2478: Mr. MCHENRY.
H.R. 2491: Mr. SCHNEIDER.
H.R. 2499: Mr. CUMMINGS.
H.R. 2501: Mr. GALLEGO.
H.R. 2526: Mr. NORCROSS.
H.R. 2591: Mr. THOMAS J. ROONEY of Florida.
H.R. 2617: Mr. RUTHERFORD.
H.R. 2641: Mr. MOONEY of West Virginia and Mr. PAULSEN.
H.R. 2666: Mr. SCHWEIKERT and Ms. MCSALLY.
H.R. 2670: Mr. CUMMINGS.
H.R. 2683: Mr. CRIST.
H.R. 2692: Mr. COHEN.
H.R. 2705: Mr. CARTER of Georgia.
H.R. 2713: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2719: Mr. BEYER, Ms. WASSERMAN SCHULTZ, Mr. HECK, Mr. CRIST, Mr. DEUTCH, and Mr. MOULTON.
H.R. 2723: Mr. BANKS of Indiana, Mr. LABRADOR, Mr. LONG, Mr. MCCAUL, Mr. LAMBORN, Mrs. NOEM, and Mrs. WAGNER.
H.R. 2740: Mr. MCGOVERN, Ms. BONAMICI, Ms. KUSTER of New Hampshire, Mr. BUDD, Mr. CLAY, Mr. BRADY of Texas, and Mr. MCEACHIN.
H.R. 2771: Mr. VALADAO.
H.R. 2790: Mr. JONES, Mr. LOWENTHAL, Mr. RUPPERSBERGER, and Mrs. MURPHY of Florida.
H.R. 2819: Mr. BRAT.
H.R. 2820: Mr. FITZPATRICK and Ms. STEFANIK.
H.R. 2821: Mr. BLUMENAUER.
H.R. 2830: Mr. LIPINSKI, Mr. FASO, Mr. COFFMAN, and Mr. BEYER.
H.R. 2832: Mr. FARENTHOLD, Mr. WALKER, Mr. PITTENGER, and Mr. BANKS of Indiana.
H.R. 2851: Mr. GOTTHEIMER and Mr. FITZPATRICK.
H.R. 2856: Mr. BRADY of Texas.
H.R. 2864: Mr. WILLIAMS, Mr. HILL, and Mr. MESSER.
H.R. 2890: Mr. ROSKAM, Mr. KIND, and Mr. FOSTER.
H.R. 2899: Mr. CUMMINGS.
H.R. 2901: Mr. REICHERT.
H.R. 2902: Mr. BLUMENAUER and Mr. POLIS.
H.R. 2903: Mr. SOTO.
H.R. 2925: Mr. HUFFMAN.
H.R. 2933: Ms. WILSON of Florida, Ms. BONAMICI, and Mrs. BUSTOS.
H.R. 2936: Mr. VALADAO and Mr. WALDEN.
H.R. 2946: Mr. WALZ.
H.R. 2968: Mr. BLUMENAUER.
H.R. 2976: Ms. JUDY CHU of California.
H.R. 2978: Mr. NEAL.
H.R. 2996: Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. LUETKEMEYER, Mr. PITTENGER, Mr. GRAVES of Missouri, Mr. LAMBORN, Mr. BISHOP of Michigan, and Mrs. WAGNER.
H.R. 2999: Mr. POCAN and Ms. ESHOO.
H.R. 3011: Mr. WITTMAN.
H.R. 3024: Ms. CLARK of Massachusetts.
H.R. 3035: Mr. HIMES and Mr. COURTNEY.
H.R. 3048: Mr. PETERSON.
H.R. 3053: Mr. COHEN and Mr. ROUZER.
H.R. 3055: Mr. LOUDERMILK.
H.R. 3056: Mr. LOUDERMILK.
H.R. 3089: Mr. BLUMENAUER.
H.R. 3100: Mr. O'HALLERAN, Mr. CUELLAR, Mr. CRIST, Mr. COSTA, Mr. LIPINSKI, Mr. BISHOP of Georgia, Mr. CORREA, Mr. GONZALEZ of Texas, Mrs. MURPHY of Florida, Mr. SCHNEIDER, and Mr. THOMPSON of California.
H.R. 3107: Mr. WITTMAN.
H.R. 3110: Mr. DELANEY, Mrs. CAROLYN B. MALONEY of New York, Ms. SINEMA, and Mr. CURBELO of Florida.
H.R. 3111: Ms. BARRAGÁN, Mr. MCGOVERN, and Ms. MCCOLLUM.
H.R. 3117: Mr. JOHNSON of Louisiana.
H.R. 3152: Mr. SCOTT of Virginia.
H.R. 3199: Mrs. DINGELL, Ms. CLARKE of New York, and Ms. JUDY CHU of California.
H.R. 3205: Mr. O'ROURKE.

H.R. 3227: Ms. GABBARD.
H.R. 3236: Mr. JOHNSON of Louisiana.
H.R. 3261: Ms. STEFANIK.
H.R. 3265: Mr. COOK.
H.R. 3269: Ms. SLAUGHTER and Mr. PASCRELL.
H.R. 3274: Mr. BUCSHON, Mr. AMODEI, Mr. MOOLENAAR, Mr. BYRNE, Mr. DOGGETT, Mr. KING of New York, Mr. COSTA, Mr. HOYER, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, and Ms. KUSTER of New Hampshire.
H.R. 3282: Mr. STIVERS, Mr. LUCAS, Mr. ALLEN, Mr. YOUNG of Iowa, and Mr. LAMALFA.
H.R. 3284: Mrs. DEMINGS and Mr. KING of New York.
H.R. 3285: Mr. CURBELO of Florida.
H.R. 3300: Ms. LOFGREN.
H.R. 3301: Mr. HOLDING.
H.R. 3314: Mrs. NAPOLITANO, Mr. RASKIN, Mr. EVANS, and Ms. SCHAKOWSKY.
H.R. 3316: Ms. ESTY of Connecticut, Mr. KHANNA, and Ms. SLAUGHTER.
H.R. 3324: Mr. CONNOLLY.
H.R. 3329: Mr. FITZPATRICK.
H.R. 3330: Mr. LOUDERMILK and Mr. PITTENGER.
H.R. 3332: Mr. KIND, Ms. ESTY of Connecticut, Mr. MCGOVERN, Ms. PELOSI, Mr. KENNEDY, Mr. KILMER, Mr. HOYER, Mr. SCHRADER, Mr. LIPINSKI, Mr. NEAL, Mr. CRIST, Ms. DEGETTE, Ms. JACKSON LEE, Mr. CLEAVER, Mr. BLUMENAUER, Mr. SEAN PATRICK MALONEY of New York, Ms. ROYBAL-ALLARD, Mr. WELCH, Mr. LEWIS of Georgia, Mr. BUTTERFIELD, and Mr. THOMPSON of California.
H.R. 3361: Mr. THOMPSON of California, Mr. RUSH, and Ms. ESTY of Connecticut.
H.R. 3364: Mr. COHEN and Mr. SMITH of New Jersey.
H.J. Res. 113: Mr. CARBAJAL.
H. Con. Res. 28: Mr. FASO.
H. Con. Res. 59: Ms. LOFGREN, Mr. CRAWFORD, and Ms. ROYBAL-ALLARD.
H. Con. Res. 70: Mr. ALLEN.
H. Con. Res. 72: Mr. COLE.
H. Res. 31: Mr. ZELDIN.
H. Res. 129: Mr. CRAWFORD.
H. Res. 220: Mr. NORCROSS.
H. Res. 257: Mr. DENT and Mrs. MURPHY of Florida.
H. Res. 279: Mr. DESANTIS.
H. Res. 311: Mr. ENGEL.
H. Res. 317: Mr. KILDEE.
H. Res. 327: Mr. KIND.
H. Res. 359: Mr. SMITH of New Jersey.
H. Res. 401: Ms. NORTON, Mr. SERRANO, Mr. RASKIN, Mr. GUTIÉRREZ, Mr. THOMPSON of California, Ms. BASS, Mr. SUOZZI, and Mr. PETERS.
H. Res. 422: Mr. CONNOLLY.
H. Res. 433: Mr. ROKITA.
H. Res. 446: Ms. JUDY CHU of California, Mr. EVANS, Mr. KRISHNAMOORTHI, Ms. LEE, Mr. MCEACHIN, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. MCGOVERN, Ms. MOORE, Mr. SERRANO, Mr. SWALWELL of California, Mrs. TORRES, Mr. BROWN of Maryland, Ms. KAPTUR, Mr. KHANNA, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Ms. MAXINE WATERS of California, and Mr. DEUTCH.
H. Res. 449: Ms. LEE.
H. Res. 456: Mr. BLUMENAUER.
H. Res. 457: Mr. RASKIN, Mrs. BUSTOS, Ms. TITUS, Mr. CONYERS, Mr. MOULTON, Ms. BORDALLO, and Ms. SHEA-PORTER.
H. Res. 462: Mr. ALLEN.
H. Res. 466: Mr. CLAY, Ms. HERRERA BEUTLER, Mr. MESSER, Mr. GALLEGO, and Mr. FITZPATRICK.

PETITIONS, ETC.

Under clause 3 of rule XII,

60. The SPEAKER presented a petition of David Koehler, State Senator, 46th District, Illinois, relative to Senate Resolution No. 377, urging the Congress to adopt a farm bill that supports and promotes the development of local and regional food systems; which was referred to the Committee on Agriculture.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

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Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, we sing of Your steadfast love and proclaim Your faithfulness to all generations. Make us one Nation, truly wise, with righteousness exalting us in due season.

Today, inspire our lawmakers to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make. Lord, keep them from evil so that they will not be brought to grief, enabling them to avoid the pitfalls that lead to ruin. Empower them to glorify You in all they say and do as You fill their hearts with thankful praise. May they never fail to acknowledge their total dependence upon You.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 175, H.R. 2810.

The PRESIDENT pro tempore. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 175, H.R. 2810, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDENT pro tempore. The majority leader.

WELCOMING BACK SENATOR MCCAIN

Mr. MCCONNELL. Mr. President, I wish to start this morning with a few words about our friend and colleague from Arizona, Senator MCCAIN, whom we will have an opportunity to welcome back today.

As I noted last week, we all know Senator MCCAIN is a fighter. That is evidenced by his remarkable life of public service, just as it is again evidenced by his quick return to the Senate this afternoon. I know he is eager to get back to work, and we are all very pleased to have him back with us today.

HEALTHCARE

Mr. President, on the vote we will have today in a couple of hours, Senators will have an important decision to make. Seven years after ObamaCare was imposed on our country, we will vote on the critical first step to finally move beyond its failures.

Many of us have made commitments to our constituents to provide relief from this failed leftwing experiment. Now we have a real opportunity to keep those commitments by voting to begin debate and ultimately to send smarter healthcare solutions to the President's desk for his signature. Just yesterday, the President reiterated his intention to sign them.

Yesterday, the administration released a statement urging all Senators to vote in favor of the motion to proceed so that we can ''move forward on repealing ObamaCare and replacing it with true reforms that expand choice and lower costs.'' I wish to express my appreciation to the administration for its continued close work with us on this issue at every step of the way. From the President and Vice President to Secretary Price and Administrator Verma, as well as so many others, the engagement we have seen has been important to our efforts, and it has sent an unmistakable signal to the country that this administration not only understands the pain middle-class families have felt under ObamaCare but is actually committed to doing something about it.

By now, we are all keenly aware of the pain ObamaCare has caused for literally millions of families. Premiums have skyrocketed, doubling on average in the vast majority of States on the Federal exchange. Insurance options have declined under ObamaCare, leaving many with as few as one or even zero insurers to choose from. Many Americans now face the real possibility of having no options at all and could find themselves trapped, forced by law to purchase ObamaCare insurance but left by ObamaCare without any means to do so. All the while, markets continue to collapse under ObamaCare in States across the country.

It is a troubling indication of what is to come unless we act. Fortunately, the American people have granted us the opportunity to do so. We finally have an administration that cares about those suffering under ObamaCare's failures and a President who will sign a law to actually do something about it. We have a House that recently passed its own legislation to help address these problems. We have a Senate with a great chance before us to do our part now.

If other Senators agree and join me in voting yes on the motion to proceed, we can move one step closer to sending legislation to the President for his signature. I hope everyone will seize the moment. I certainly will. Only then can we open up a robust debate process.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Only then will Senators have the opportunity to offer additional ideas on healthcare.

Inaction will do nothing to solve ObamaCare's problems or bring relief to those who need it. In fact, it will make things worse for our constituents all across the country.

I wish to reiterate what the President said yesterday:

> Any senator who votes against starting debate is telling America that you are [just] fine with the ObamaCare nightmare. . . .
>
> That's a position that even Democrats have found hard to defend. Remember President Clinton called ObamaCare ''the craziest thing in the world'' and a Democratic Governor said it's ''no longer affordable.''

You won't hear me say this often, but they are right.

I hope colleagues will consider ObamaCare's history of failures—the unaffordable costs, the scarce choices, the burden on middle-class families—as they cast their vote this afternoon. I urge them to remember the families who are hurting under this collapsing law.

Numerous Kentuckians, like so many others across the Nation, have conveyed their heartbreaking stories with my office through phone calls, letters, meetings, and dozen of healthcare forums all across Kentucky. These families are suffering under ObamaCare. They need relief. I will be thinking about them as I vote to proceed to the bill today. I know many other colleagues will do the same.

Our constituents are hurting under ObamaCare. They are counting on us to do the right thing right now. That means voting to allow the Senate to finally move beyond ObamaCare's failures. That is what I intend to do. That is what I urge every colleague to do.

We can do better than ObamaCare. We have a responsibility to the American people to do that. Today's vote to begin debate is the first step, and we should take it.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following my remarks, the Democratic leader be recognized to use his leader time for up to 20 minutes; and that following his remarks, the Senator from Nebraska, Mrs. FISCHER, be recognized to suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, in a few short hours, we will vote on the motion to proceed to the House Republican healthcare bill. I will have more to say on the matter prior to the vote.

At the moment, no one knows the plan that is being cooked up in the Republican leader's office, but it seems to be his intention to do whatever it takes to pass anything, no matter how small, to get the House and Senate Republicans into a conference on healthcare.

Surprisingly, I have heard that my friend, the junior Senator from Kentucky, will vote yes on the motion to proceed. He announced it himself. It is true he will likely get a vote on the motion to repeal without replace, but surely he knows that will fail. Why then would the junior Senator from Kentucky—a man who has preached the repeal of the Affordable Care Act root and branch, a man who proselytized that Republicans should stop at nothing short of full repeal—why would the junior Senator from Kentucky vote on the motion to proceed knowing he will not get what he wants? It is because, I believe, he and some of the others in this body know that if the Senate manages to pass something to get to conference in the House, the likely compromise in the conference is either a full repeal of the Affordable Care Act or something close to it. It will certainly mean drastic cuts in Medicaid, huge tax cuts for the rich, no healthcare for those with preexisting conditions, and millions and millions losing healthcare, particularly in our poorer and more brutal States. That is the only thing our Republicans have been able to agree on.

The hard-right Freedom Caucus in the House would never accept a Republican bill that only repeals a few regulations in the ACA but leaves much of it in place. No, they want full repeal, and, at minimum, deep cuts to Medicaid, huge tax breaks for the wealthy, and millions in every State in this Nation losing their healthcare.

To my Republican friends who have repeatedly said that full repeal without replace would be a disaster and to my Republican friends who have opposed the deep and drastic cuts to Medicaid, I say: Don't be fooled by this ruse. A vote in favor of the motion to proceed will mean deep cuts to Medicaid, maybe even deeper than in the House bill. It will mean people with preexisting conditions will be left high and dry. It will mean huge tax breaks for the wealthiest of Americans. It will mean millions will lose their coverage.

So with all the complaining, why are we here at this late moment? Because even the House bill was too drastic for many of the Members here, and it is now being ignored on this motion to proceed, and because we all know the ruse that is going on. The ruse is this: Send it back to the House; then, we will see what they send us. We know what they will send us. We may not know every detail. It will either be full repeal without replace or something far too close to that, and all of the work and all of the anguish that so many of my colleagues on the other side of the aisle have shown in the last several weeks will be wasted because they know darn well what is going to happen when there is a conference.

There are no Democratic votes in the House. The Freedom Caucus calls the shots. They will either ask for full repeal or something very close to it. Make no mistake about it. A vote in favor of the motion to proceed this afternoon will be a permission slip to slash Medicaid, hurt millions, and give huge tax cuts for the wealthy—something the vast majority of Americans in every State, a large percentage of Republicans and Trump voters, abhor.

One last plea to my colleagues: Do not fall for the ruse that the majority leader is putting together. We know what is going on. We all know. Our constituents will not be fooled—oh, no. We on this side are not fooled—oh, no. I hope my colleagues who, out of compassion and care for the people in their States, have made such a fuss up to now will not be fooled either.

COMMENTS OF THE PRESIDENT ON ATTORNEY GENERAL SESSIONS

Mr. President, in recent days, President Trump has gone out of his way to undermine his own Attorney General, his first supporter—what has been reported to be his best friend in the Senate. He has tweeted scathing criticism of Attorney General Sessions and chastised him publicly for recusing himself from the Russia investigation and several other perceived failures, in the eyes of the President.

We should all take a moment to think of how shocking these comments are on a human basis. This is the first person who stuck his neck out for Donald Trump and who was with him through thick and thin. Now, even if the President has disagreements with him—which I think are ill-founded and self-centered and wrong—you don't ridicule him in public—someone who is your close friend. That speaks to character.

But I would like to speak to the major issue before us, which is related. It is clear that President Trump is trying to bully his own Attorney General out of office. How can anyone draw a different conclusion? If President Trump had serious criticisms of his Attorney General, why not talk to him in person? Why air his grievances so publicly? He wants him out. Here is the danger. Many Americans must be wondering if the President is trying to pry open the Office of Attorney General to appoint someone during the August recess who will fire Special Counsel Mueller and shut down the Russia investigation.

First, let me state for the record now, before this scheme gains wings, that Democrats will never go along with the recess appointment if that situation arises. We have some tools in our toolbox to stymie such action. We are ready to use every single one of them at any time, day or night. It is so vital to the future of the Republic.

Second, I cannot imagine that my friends on the Republican side, particularly in the Republican leadership—my friend the majority leader, who I have great respect for, and Speaker RYAN—would be complicit in creating a constitutional crisis. They must work with us and not open the door to a constitutional crisis during the August recess.

SANCTIONS BILL

Mr. President, on one last item, I know there is a lot going on today, but I just want to mention one item from the House of Representatives. Later, the House is going to take up and, hopefully, pass with near unanimity a sanctions bill that includes strong sanctions against Russia, Iran, and North Korea. It is critical that the Senate act promptly on this legislation.

I will work with the majority leader, as I have in recent weeks, to ensure its swift passage so we can get it to the President's desk before we leave for recess.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

RECESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m. today for the weekly conference meetings.

There being no objection, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Democratic leader be recognized for 5 minutes for debate only and that I then be recognized for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Democratic leader.

HEALTHCARE

Mr. SCHUMER. Mr. President, in a short time, we will vote on the motion to proceed to debate the House Republican healthcare bill. Several months into this new process, with Republicans in the majority in both Chambers, the American people have not been treated to a high-minded debate or to much debate at all.

The very first action of this Congress was for the majority to pass reconciliation instructions on healthcare—a process which has locked out Democrats from the very beginning. The very first thing this Republican Congress said to the American people is that healthcare is going to be a partisan project, undertaken by Republicans and Republicans alone. Right out of the gate, Democrats were locked out. The majority leader elected to forge a bill in secret and bypass the committee process entirely—no public hearings, no open debate, no opportunity for the minority to amend the bill or even to read it before it emerged from the leader's office. Their plan all along was to keep their bill hidden for as long as possible, evade scrutiny, hide the truth from the American people, and then jam the bill through in the dead of night on a party line.

Now, here we are, after so much cloak-and-dagger legislating, about to vote on proceeding to a debate on one of the most important issues of our time—one-sixth of the economy and tens of millions' health and even lives affected without knowing exactly what we will be debating on. Perhaps nothing could sum up the process that has gotten us here quite as well as this. The best the majority leader has been able to cook up is a vague plan to do whatever it takes to pass something—anything—to get the bill to a House and Senate conference on healthcare.

My colleagues, plain and simple, it is a ruse. The likeliest result of a conference between the House and Senate is the full repeal of the Affordable Care Act or something very close to it. It will, certainly, mean drastic cuts in Medicaid, huge tax cuts for the wealthy, no help for those with preexisting conditions, and tens of millions losing healthcare, particularly in poorer and more rural States.

The hard-right Freedom Caucus in the House would never accept a Republican bill that only repeals a few regulations in the ACA but leaves much in place.

I would say to my colleagues, particularly those on the other side of the aisle who have heartfeltly fought hard for not cutting Medicaid drastically, for keeping preexisting conditions, for not giving tax cuts to the rich while you are cutting healthcare for the poor, do not go along with this motion to proceed, because you know and I know what it will lead to. All of the things that you have been trying to avoid will emerge from that conference, and you will hurt the people of your States dramatically.

We all know what is happening here. The leader could not get the votes on a full repeal because it is so damaging to America. He could not get the votes even on his own bill. Instead, the plan is to come up with a proposal that is simply a means to repeal, a means to dramatic cuts, a means to getting us in conference, and we all know what the result of that conference will be.

I would plead one last time with my friends on the other side of the aisle—and I know you have sincerely tried to modify and change things—to turn back. We can go through regular order. We want to work with you. We know that the ACA is not perfect, but we also know that what you have proposed is much worse. We can work together to improve healthcare in this country. Turn back now before it is too late and millions and millions and millions of Americans are hurt so badly in ways from which they will never, ever recover.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, 7 years ago, Democrats imposed ObamaCare on our country. They said that costs would go down. Costs skyrocketed. They said that choice would go up. Choice plummeted. Now ObamaCare's years-long lurch toward total collapse is nearing a seemingly inevitable conclusion, and it will hurt even more Americans on the way down.

This, my friends, is the ObamaCare status quo. This is the status quo. We have had to accept it for a long time. We do not have to accept it any longer.

The American people elected a House with a vision of a better way on healthcare. Then they elected a Senate. Then they elected a President. Now, having been given the responsibility to govern, we have a duty to act. The President is ready with his pen. The House has passed legislation. Today, it is the Senate's turn. That starts with a vote that we will take momentarily. The critical first step in that process is the motion to proceed. It is the vote that determines whether this debate can proceed at all, whether we will even take it up after four straight elections in which this was a huge commitment to the American people. It is the vote that determines whether the Senators of both parties can offer their amendments and ideas on healthcare.

I told the people of my State, over this period, that I would vote to move beyond ObamaCare, and that is what I am going to do today by voting yes. I ask all of my colleagues to join me in doing so. We have already shown that it is possible to put legislation on the President's desk that moves us beyond ObamaCare and its years of failure. We did that 2 years ago. President Obama vetoed what we passed before. President Trump will sign what Congress passes this time.

I thank the President and the administration for all they have done on this issue already. They have worked with us every step of the way, and they, like us, know the consequences of failing to act.

Look, we cannot let this moment slip by. We cannot let it slip by. We have

been talking about this for too long. We have wrestled with this issue. We have watched the consequences of the status quo. The people who sent us here expect us to begin this debate, to have the courage to tackle the tough issues. They did not send us here just to do the easy stuff. They expect us to tackle the big problems. Obviously, we cannot get an outcome if we do not start the debate, and that is what the motion to proceed is all about.

Many of us on this side of the aisle have waited for years for this opportunity and thought that it would probably never come. Some of us were a little surprised by the election last year, but with a surprise election comes great opportunities to do things that we thought were never possible. All we have to do today is to have the courage to begin the debate with an open amendment process and let the voting take us where it will.

That is what is before us, colleagues. Will we begin the debate on one of the most important issues confronting America today? It is my hope that the answer will be yes.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that, following the vote, Senator MCCAIN be recognized to speak for debate only for up to 15 minutes and that the time not count on H.R. 1628.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN HEALTH CARE ACT OF 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 120, H.R. 1628.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 120, H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Chamber. The Sergeant at Arms will restore order in the Chamber, please.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Chamber.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 167 Leg.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NAYS—50

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murphy	

The VICE PRESIDENT. As a reminder to our guests, expressions of approval or disapproval are not permitted.

On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative.

The motion is agreed to.

AMERICAN HEALTH CARE ACT OF 2017

The VICE PRESIDENT. The clerk will report the bill.

The legislative clerk read as follows:

A bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

The VICE PRESIDENT. The senior Senator from Arizona is recognized.

ROLE OF THE SENATE

Mr. MCCAIN. Mr. President, I have stood in this place many times and addressed as ''President'' many Presiding Officers. I have been so addressed when I have sat in that chair, and that is as close as I will ever be to a Presidency. It is an honorific we are almost indifferent too; isn't it? In truth, presiding over the Senate can be a nuisance, a bit of a ceremonial bore, and it is usually relegated to the more junior Members of the majority.

But as I stand here today—looking a little worse for wear, I am sure—I have a refreshed appreciation for the protocols and customs of this body and for the other 99 privileged souls who have been elected to this Senate.

I have been a Member of the U.S. Senate for 30 years. I had another long, if not as long, career before I arrived here, another profession that was profoundly rewarding and in which I had experiences and friendships that I revere. Make no mistake, my service here is the most important job I have had in my life. I am so grateful to the people of Arizona for the privilege—for the honor—of serving here and the opportunities it gives me to play a small role in the history of the country I love.

I have known and admired men and women in the Senate who played much more than a small role in our history—true statesmen, giants of American politics. They came from both parties and from various backgrounds. Their ambitions were frequently in conflict. They held different views on the issues of the day. They often had very serious disagreements about how best to serve the national interest.

But they knew that however sharp and heartfelt their disputes and however keen their ambitions, they had an obligation to work collaboratively to ensure the Senate discharged its constitutional responsibilities effectively. Our responsibilities are important—vitally important—to the continued success of our Republic. Our arcane rules and customs are deliberatively intended to require broad cooperation to function well at all. The most revered Members of this institution accepted the necessity of compromise in order to make incremental progress on solving America's problems and to defend her from her adversaries.

That principled mindset and the service of our predecessors who possessed it come to mind when I hear the Senate referred to as the world's greatest deliberative body. I am not sure we can claim that distinction with a straight face today. I am sure it wasn't always deserved in previous eras either. I am sure there have been times when it was, and I was privileged to witness some of those occasions.

Our deliberations today, not just our debates but the exercise of all our responsibilities—authorizing government policies, appropriating the funds to implement them, exercising our advice and consent role—are often lively and interesting. They can be sincere and principled, but they are more partisan, more tribal more of the time than at any time I can remember. Our deliberations can still be important and useful, but I think we would all agree they haven't been overburdened by greatness lately. Right now, they aren't producing much for the American people.

Both sides have let this happen. Let's leave the history of who shot first to the historians. I suspect they will find we all conspired in our decline, either by deliberate actions or neglect. We have all played some role in it. Certainly, I have. Sometimes, I have let my passion rule my reason. Sometimes I made it harder to find common ground because of something harsh I said to a colleague. Sometimes I wanted to win more for the sake of winning than to achieve a contested policy.

Incremental progress, compromises that each side criticizes but also accepts, and just plain muddling through to chip away at problems and to keep

our enemies from doing their worst aren't glamorous or exciting. It doesn't feel like a political triumph. It is usually the most we can expect from our system of government, operating in a country as diverse, quarrelsome, and free as ours.

Considering the injustice and cruelties inflicted by autocratic governments and how corruptible human nature can be, the problem-solving our system does make possible, the fitful progress it produces, and the liberty and justice it preserves, are a magnificent achievement.

Our system doesn't depend on our nobility. It accounts for our imperfections and gives an order to our individual strivings that has helped make ours the most powerful and prosperous society on Earth. It is our responsibility to preserve that, even when it requires us to do something less satisfying than winning, even when we must give a little to get a little, even when our efforts managed just 3 yards in a cloud of dust, while critics on both sides denounced us for timidity, for our failure to triumph.

I hope we can again rely on humility, on our need to cooperate, on our dependence on each other to learn how to trust each other again and, by so doing, better serve the people who elected us. Stop listening to the bombastic loudmouths on the radio and television and the internet. To hell with them. They don't want anything done for the public good. Our incapacity is their livelihood.

Let's trust each other. Let's return to regular order. We have been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle. That is an approach that has been employed by both sides: mandating legislation from the top down, without any support from the other side, with all the parliamentary maneuvers it requires. We are getting nothing done, my friends. We are getting nothing done.

All we have really done this year is confirm Neil Gorsuch to the Supreme Court. Our healthcare insurance system is a mess. We all know it, those who support ObamaCare and those who oppose it. Something has to be done. We Republicans have looked for a way to end it and replace it with something else without paying a terrible political price. We haven't found it yet. I am not sure we will. All we have managed to do is make more popular a policy that wasn't very popular when we started trying to get rid of it. I voted for the motion to proceed to allow debate to continue and amendments to be offered.

I will not vote for this bill as it is today. It is a shell of a bill right now. We all know that. I have changes urged by my State's Governor that will have to be included to earn my support for final passage of any bill. I know many of you will have to see the bill changed substantially for you to support it. We have tried to do this by coming up with a proposal behind closed doors in consultation with the administration, then springing it on skeptical Members, trying to convince them it is better than nothing—that it is better than nothing—asking us to swallow our doubts and force it past a unified opposition. I don't think that is going to work in the end and probably shouldn't.

The administration and congressional Democrats shouldn't have forced through Congress, without any opposition support, a social and economic change as massive as ObamaCare, and we shouldn't do the same with ours. Why don't we try the old way of legislating in the Senate—the way our rules and customs encourage us to act. If this process ends in failure, which seems likely, then let's return to regular order. Let the Health, Education, Labor, and Pensions Committee, under Chairman ALEXANDER and Ranking Member MURRAY, hold hearings, try to report a bill out of committee with contributions from both sides—something that my dear friends on the other side of the aisle didn't allow to happen 9 years ago. Let's see if we can pass something that will be imperfect, full of compromises, and not very pleasing to implacable partisans on either side but that might provide workable solutions to problems Americans are struggling with today.

What have we to lose by trying to work together to find those solutions? We are not getting much done apart. I don't think any of us feels very proud of our incapacity. Merely preventing your political opponents from doing what they want isn't the most inspiring work. There is greater satisfaction in respecting our differences but not letting them prevent agreements that don't require abandonment of core principles; agreements made in good faith, that help improve lives and protect the American people. The Senate is capable of that. We know that. We have seen it before. I have seen it happen many times. And the times when I was involved, even in a modest way with working on a bipartisan response to a national problem or threat, are the proudest moments of my career and by far the most satisfying.

This place is important. The work we do is important. Our strange rules and seemingly eccentric practices that slow our proceedings and insist on our cooperation are important. Our Founders envisioned the Senate as the more deliberative, careful body that operates at a greater distance than the other body from the public passions of the hour. We are an important check on the powers of the Executive. Our consent is necessary for the President to appoint jurists and powerful government officials and, in many respects, to conduct foreign policy. Whether or not we are of the same party, we are not the President's subordinates, we are his equal.

As his responsibilities are onerous, many, and powerful, so are ours. We play a vital role in shaping and directing the judiciary, the military, and the Cabinet; in planning and supporting foreign and domestic policies. Our success in meeting all these awesome constitutional obligations depends upon cooperation among ourselves.

The success of the Senate is important to the continued success of America. This country—this big, boisterous, brawling, intemperate, restless, striving, daring, beautiful, bountiful, brave, good, and magnificent country—needs us to help it thrive. That responsibility is more important than any of our personal interests or political affiliations. We are the servants of a great nation, ''a . . . nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.'' More people have lived free and prosperous lives here than in any other Nation. We have acquired unprecedented wealth and power because of our governing principles, and because our government defended those principles.

America has made a greater contribution than any other nation to an international order that has liberated more people from tyranny and poverty than ever before in history. We have been the greatest example, the greatest supporter, and the greatest defender of that order. We aren't afraid. We don't covet other people's land and wealth. We don't hide behind walls. We breach them. We are a blessing to humanity.

What greater cause could we hope to serve than helping keep America the strong, aspiring, inspirational beacon of liberty and defender of dignity of all human beings and their right to freedom and equal justice? That is the cause that binds us and is so much more powerful and worthy than the small differences that divide us.

What a great honor and extraordinary opportunity it is to serve in this body. It is a privilege to serve with all of you. I mean it. Many of you have reached out in the last few days with your concern and your prayers. It means a lot to me. It really does. I have had so many people say such nice things about me recently that I think some of you must have me confused with someone else. I appreciate it, though, every word, even if much of it isn't deserved.

I will be here for a few days—I hope managing the floor debate on the Defense authorization bill, which I am proud to say is again a product of bipartisan cooperation and trust among the members of the Senate Armed Services Committee. After that, I am going home for a while to treat my illness. I have every intention of returning here and giving many of you cause to regret all the nice things you said about me, and I hope to impress on you again that it is an honor to serve the American people in your company.

Thank you, fellow Senators.

Mr. President, I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mr. HOEVEN).

The majority leader.

AMENDMENT NO. 267

(Purpose: Of a perfecting nature.)

Mr. MCCONNELL. Mr. President, I call up amendment No. 267.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 267.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

Mrs. MURRAY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will read the amendment.

The legislative clerk continued with the reading of the amendment.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Gallery.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER (Mr. STRANGE). The Sergeant at Arms will restore order in the Gallery.

The clerk will continue.

The legislative clerk continued with the reading of the amendment.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that, for the duration of the Senate's consideration of H.R. 1628, the majority and Democratic managers of the bill, while seated or standing at the managers' desks, be permitted to deliver floor remarks, retrieve, review, and edit documents and send email and other data communications from text displayed on wireless personal digital assistant devices and tablet devices.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that the use of calculators be permitted on the floor during the consideration of H.R. 1628.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, what is the regular order with respect to the pending amendment?

The PRESIDING OFFICER. It is 2 hours equally divided.

Mr. ENZI. Thank you, Mr. President.

I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WELCOMING BACK SENATOR MCCAIN

Mr. NELSON. Mr. President, I am so encouraged by the words of our dear friend and fellow Senator, Mr. JOHN MCCAIN.

First of all, I am so encouraged by seeing that fighting spirit of JOHN MCCAIN and so glad to see him back. In the midst of everything he is facing, that he would come and insert himself to give us some considerable words of wisdom—it was such an enormous, emotional experience when JOHN walked in. Then, to have all of us seated here because of the vote that was occurring—and not a Senator left after the vote was concluded because we wanted to hear from JOHN and did so willingly. His eloquent words about how we all need to come together and stop being driven apart by partisan reasons were timely, and they were well received.

Mr. President, this Senator never thought we would see a vote to advance a bill which, to so many, feels as though it is going to harm so many of our fellow Americans. Obviously, we can disagree on specifics, but we have seen that particular expression of opinion of harm over and over. We have seen it in the coverage of the townhall meetings, where people stand up and say: If I didn't have this healthcare, I would be dead.

This Senator has seen it in Florida over and over, as I have had people come up to me wherever I am—in a meeting, on the street corner, in the airport, wherever—and say: Senator, please don't let them take my healthcare away from me.

Indeed, when people explained their particular circumstances, four different families—one family, if they did not have the waiver on Medicaid, indeed, that fellow would not only not be alive, but even if he were alive, he would be in an institution instead of being able to be cared for or three other families who brought forth testimonies about how the Affordable Care Act has given them insurance they had never been able to get before. It was at a price they could afford and involved coverage they never could have had.

In other cases, people had preexisting conditions. This Senator, as a former elected insurance commissioner of Florida, has seen insurance companies refuse to insure people because they had a preexisting condition. If you had asthma, that was a preexisting condition; if you had a bad rash, that was a preexisting condition, and they were not going to insure you. Also, insurance policies never had the guarantee of lifetime coverage but instead the policy said you had lifetime caps. There was a dollar figure which, if you exceeded it, the insurance policy was not going to cover any more.

If we are really serious about wanting to fix the situation, if our brothers and sisters on the other side of the aisle are not successful in proceeding with what the majority leader is going to be coming forth with, if that is voted down, and if we are serious about it, take what is left, which is the existing law—the Affordable Care Act—and fix it.

Senator COLLINS, a former insurance commissioner, appointed in the State of Maine, and this Senator, a former elected insurance commissioner in the State of Florida, are already working on a reinsurance fund which would insure the insurance companies against catastrophe. I asked for this to be costed out in the State of Florida. This fix would lower premiums 13 percent in the State of Florida.

In the words of Senator MCCAIN, if we really want to get together and fix the problems, we can. Yet, in the midst of hearing from constituents all around the country who have shared their personal stories about how the existing law has helped, we are in the parliamentary position we are in, where we will proceed on trying to repeal what is the existing law.

For some people, they don't care about the politics. As a matter of fact, for a lot of people, they don't care about the politics. They just want access to healthcare. They want what is genuinely described as health insurance—whether it is a Medicaid type of insurance or whether it is an actual policy through a private insurance company offered on the health exchanges in the States or whether it is the guarantees of the coverage in an individual policy that they might buy, they just want healthcare. That is the reason you have health insurance in the first place.

Now, I have heard some fixes say: Oh, let's cut back on Medicaid, which, remember, is spread over millions and millions of people, just like Medicare is spread over millions and millions of people. The difference there is age. If you are 65, you are eligible for Medicare.

There are some people we overlook in the system who depend on Medicaid. How about veterans? Veterans' healthcare has been taken care of while on Active Duty in the U.S. military. Then their healthcare is transferred to the Veterans' Administration, but there are a lot of veterans who are not getting their healthcare through the VA. They get their healthcare through Medicaid. If you start cutting back on Medicaid, which are the versions of the so-called replace bills we have seen—if you start cutting back on Medicaid and make a capped program or a block grant program, we already know the figures. It has been costed out by the CBO. The figures tell us it is close to an $800 billion cut over a decade. When you start doing that, the people who rely on Medicaid at the edges, like some poor people or like seniors in nursing homes—by the way, in my

State, 65 to 70 percent of the seniors in nursing homes are on Medicaid, and some of those veterans I told you about are not on VA healthcare but Medicaid. How about some of the children's programs on Medicaid? If you start cutting that back to the tune of about $800 billion over a decade, you are going to knock out a lot of these people. That is not something we want to do. That is why, when explained, you have such low numbers who support what is being attempted as a replacement if you repeal the Affordable Care Act. We should be focused on working together to improve the Affordable Care Act, not to make it worse.

I pretty much have said it all. The bills we have seen coming forth as replacements change the age ratio from the existing law, the Affordable Care Act, of 3 to 1 in the healthcare exchanges so you can charge an older person three times as much as a young, healthy individual—not in the replacement bills we see coming up. It is 5 to 1. What does that mean? That means for those older Americans, before they turn 65 and become eligible for Medicare, they are going to be paying more for their insurance premiums. Is that what we want to do? I don't think so.

You cannot ignore these facts. I ask those who come forth with these replacements, why in the world do you do this? Why do you support a bill that will hurt so many Americans, which has been demonstrated over and over? Why do you support a bill that will hurt so many of your constituents that your constituents cry out to you, please, don't do this? And they give personal testimonies.

I urge our colleagues, after the emotional appeal of Senator MCCAIN, to do things in a bipartisan way. Take a moment, reflect on what your constituents have said—not just some of your constituents. Listen to all of your constituents and ask yourself, are you doing the right thing?

Let's improve our Nation's healthcare system. Let's not make it worse. Let's do it in the spirit of the uplifting words of Senator MCCAIN and what he said: Let's do it together in a bipartisan way.

I yield the floor.

Mr. HATCH. Mr. President, I rise today to once again remind my Senate colleagues what is at stake with the procedural vote that took place today.

The Senate voted on the motion to proceed to the House-passed budget reconciliation bill. The Senate will now start working in earnest to consider and, hopefully, pass legislation that would repeal and replace ObamaCare with a 2-year transition period, or other, specific replacement policies.

That is a complicated undertaking to say the least. However, the first vote on the motion to proceed was relatively simple. While pundits and talking heads have already analyzed this particular vote to death, all of the talk boils down to a single question: Do Republicans want to repeal and replace ObamaCare?

I don't want to belittle or discredit the concerns some of my colleagues have raised about the various legislative proposals that are out there. However, we won't be voting on any particular policy or proposal.

On the contrary, the vote was simply to determine whether the Senate is actually going to consider the budget reconciliation bill. Members were not voting for or against any particular healthcare proposal; they were simply voting on whether the Senate will actually debate any such measure.

That being the case, the vote was a simple one. Anyone who supports the larger effort to repeal and replace ObamaCare should be willing to at least debate the various proposals that have been put forward.

That is the very definition of a no-brainer.

The final pieces of ObamaCare were signed into law in March 2010, more than 7 years ago. Since then, the law has been one of the key focal points of legislative and political debate and discourse nationwide. Very few topics in our Nation's history have been the subject of more public debate and fierce disagreement.

After all this time, one thing is very clear: ObamaCare has failed the American people.

The vast majority of Americans are dissatisfied with the healthcare status quo. These people want answers from Congress that will bring down their healthcare costs, reduce their tax burdens, and put them back in charge of their own healthcare. For more than 7 years now, virtually every Republican in Congress has been promising to provide those solutions.

We have never been closer to making good on those promises than we are right now with a Republican President ready to take action to support congressional efforts to repeal and replace this unworkable law.

Make no mistake, none of the major proposals that have been put forward are perfect. In fact, in my personal view, they are all far from perfect. But, at the end of the day, any bill—particularly a bill as wide and sweeping as one that addresses a large portion of our healthcare system—that is ''perfect'' in the eyes of one Senator is likely fatally flawed in the eyes of 99 others.

Translation: When it comes to legislating successfully, the word ''perfect'' shouldn't be in anyone's vocabulary.

Like any aspect of governing, drafting and passing important legislation is about compromise and prioritization. It is about recognizing which fights need to be fought now and which ones can wait for another day.

I have been here a while. In that time, I have noticed a few things.

Some who are elected to this Chamber would rather fight the good ideological fight for legislative purity than get the majority of what they want—but not everything—through compromise. These people tend to claim that even the most embarrassing legislative losses are victories, so long as they can say that they went down swinging.

Now, don't get me wrong; speaking in terms of advocating good policy I have never been one to back down from a fight. In fact, I have battled some of the most revered and admired Senators in our Nation's history right here on the Senate floor.

One reason I think I have developed a reputation as an effective legislator is I don't believe that fighting for a cause is an end unto itself. Fights are only meaningful if there is an objective in mind. While I am no mathematician, I believe getting 60, 70, or 80 percent of what you want out of a bill is better than getting nothing, even if, on the way to getting nothing, you have fought a valiant fight for that perfect—yet ultimately unattainable—outcome.

The fight to repeal ObamaCare, at least from where I have been standing, has always had an objective in mind. That objective, of course, has been to actually repeal ObamaCare.

We have fought for that objective for more than 7 years. Now, we find ourselves on the cusp of being able to take major steps toward that larger goal.

No, we don't have a perfect bill to vote on. However, the fact remains that we are close to being able to pass legislation that would accomplish the majority of our goals and keep most of the promises we have all made to repeal and replace ObamaCare.

Before we can do any of that, we need to at least get a chance to consider and debate the matter on the floor. That is what this afternoon's vote was to determine: whether we are committed enough to this effort to at least take that step.

I remind my Republican colleagues that, when the ObamaCare reconciliation bill was brought up for debate in 2010, all of our friends on the other side, who were present at the time, except for one Member, voted in favor of the motion to proceed. They supported their leader. Leader MCCONNELL is owed the same loyalty.

Any Senator who has fought with us to undo the damage caused by ObamaCare should be willing, at the very, very least, to take that step and allow the floor debate to actually happen.

I hope we all will. Toward that end, I urged my colleagues to vote in favor of the motion to proceed to the House-passed reconciliation bill to allow the Senate to begin debate on repealing and replacing ObamaCare.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Thank you, Mr. President.

History was made on the floor of the Senate Chamber today. I don't think it

has ever happened before. Think about this: 50 out of 100 Senators came to the floor with the Vice President of the United States and voted to begin debate on a bill they have never seen—a bill they have never seen—because we don't know what the Republicans are going to offer as the alternative to the Affordable Care Act.

There have been a lot of different versions. Technically, the one that is before us now is the version that passed the House of Representatives, but I think the Republican leader, Senator MCCONNELL, has known from the beginning that has no chance whatsoever. So many Republicans have taken a look at what the House passed and said: We can't vote for that. You have to give us something different. The problem the Senate Republicans ran into is that they couldn't come up with anything better.

They tried. They wrote several different versions, and every time they would write a version of the new Affordable Care Act, it got worse for the American people, and here is what I mean. Under one proposal for the Republicans—not the one before us, but the Senate Republicans—1 million people in my home State of Illinois would have lost their health insurance. There are 12.5 million people in Illinois, and 1 million would have lost their health insurance because of dramatic cutbacks in Medicaid and cutbacks in the premium support that is given to a lot of working families to buy regular health insurance in the health insurance market.

It was so terrible that every time Republicans came up with a Senate proposal, two or two of them would announce: Can't buy it, won't vote for it—and ran away from it.

So Senator MCCONNELL came to the floor today and said: I am begging you, just vote to open debate on a bill that I haven't written yet, and 50 Republican Senators did, and the Vice President broke the tie, the 50-to-50 tie to move forward, and here we are.

Let me start by tossing flowers—and this will probably get them in trouble—to two Republican Senators, SUSAN COLLINS of Maine and LISA MURKOWSKI of Alaska. They were the only two Republican Senators who had the courage to stand up and say: This is wrong. We shouldn't do this to the American people. They are the only two who are willing to say that we should have done this differently.

There is an interesting thing that happened at the end of this. At the very last moment, the very last vote that was cast was cast by Senator JOHN MCCAIN. Everybody knows JOHN has been diagnosed with a serious form of cancer. He made it back from Arizona here to cast his vote, and he asked for 15 minutes after the rollcall to make a speech. I don't think many, if any, Senators left the Chamber. Democrats and Republicans stuck around to hear his speech after the vote. Can I tell you that is unusual in the Senate? Most of us race for the doors and go up to our offices and watch on television and may catch a piece of this speech and a piece of the other speech, but we sat and listened because of our respect for JOHN MCCAIN.

He is my friend. We came from the House of Representatives together many years ago. I served with him in the Senate when we put together a bipartisan group to rewrite the immigration laws for America—four Democrats, four Republicans. I sat across the table with JOHN for months. We went back and forth through all the provisions on immigration. JOHN even conceded today that he has an interesting temper. There were days when JOHN MCCAIN was Mount Vesuvius, just exploding in every direction, and you had to step back. And there were days when he smothered you with kindness. That is the way he is. We love him for it.

He came today to give a speech that every American should read if you want to understand how a Democratic Senator can stand on the floor and give compliments and praise to a Republican Senator, which I am about to do. Senator MCCAIN said that we have to do something about this country of ours—the political divisions. I will not get the words perfectly, but he said to us: Will you please start ignoring these radio and TV and internet talking heads who want us to fail and make a living by laughing at us? Will you ignore those people? Instead, look to what this institution, the U.S. Senate, is all about and what we should be doing to solve the problems for the people we represent.

JOHN MCCAIN went on to say: Why don't we have debates on the floor of the Senate anymore?

Do you know what? He is right. We are 7 months into this year's Senate session. We have not had one bill on the floor of the Senate that we have debated and amended—not one. This is a first, and it is in this kind of convoluted reconciliation process where you speed up the amendments.

Think about this. We are amending your healthcare policy that affects you and your family. We are amending how you will buy health insurance as an individual and how your company will buy health insurance for you. We are amending, basically, whether your insurance policy is going to protect your family or not. Listen to how it works.

People propose an amendment, and then we debate it. Do you know how long we debate it? We debate it for 1 minute on both sides. Disgraceful. JOHN MCCAIN called us on it today and asked: Why have we reached this point when an issue this important is going through a process that is totally partisan?

You see, the Republicans decided early on that they were not going to invite us to the party; that they were going to write this healthcare bill by themselves, in secret. Senator MCCONNELL picked 13 Republican Senators, and they sat for I don't know how long—months, weeks—and wrote a bill. One of them I mentioned earlier was ultimately rejected by the Republicans themselves. JOHN MCCAIN challenged us and said: For goodness' sake. He has been in the Senate—and I have too—during a time when it was much different. He really begged us, pleaded, and urged us to get back to that time when we worked together on a bipartisan basis to solve problems. JOHN MCCAIN was right. I did not agree with his vote to put us in this position we are in at this moment, but I was encouraged by the way he closed. He turned to Senator MCCONNELL, who was sitting right there, and said to him: Do not count on my vote on final passage. I want to see what we do in this bill. I want to see how we debate this bill.

One Republican Senator like JOHN MCCAIN can make the difference as to whether this process stops and a real bipartisan process starts. Isn't that what the American people expect of us?

Seated in the Chair, the Presiding Officer, is a brandnew Senator from the State of Alabama.

Welcome, Senator STRANGE.

He comes here because Senator Sessions went on to become the Attorney General. He has seen the Senate for a couple of months or 3 months, maybe—5 months now—and I am sure he has his impressions of this body. They may be different than what he thought about it before he was elected. Yet I can tell him for sure that this is a much different Senate than the one PATTY MURRAY was elected to, that it is much different than the one I was elected to. Even for MIKE ENZI, my friend from Wyoming, it is much different than the one he saw.

I see my colleague here, Senator SCHATZ, from Hawaii.

How long have you been here now, BRIAN?

Mr. SCHATZ. Four-and-a-half years.

Mr. DURBIN. Four-and-a-half years.

He is a newbie, and he has not seen the Senate I am describing.

Can you believe there was a time in the Senate when we would bring an important measure to the floor on many different issues, and Members would come to the floor—I am not making this up—and actually hand an amendment to the clerk and say: I would like to offer an amendment to the bill. Then we would debate it, and then we would vote on it. Sometimes you won, sometimes you lost, and you moved on to the next amendment. That actually happened on the Senate floor. For the people who are new to the Senate, I am sure they do not believe me, but it did happen over and over and over. We had a healthy respect for one another. The amendments went back and forth, and we ended up seeing bills passed that made a difference in America.

What we are doing now is a disgrace to this institution, and it does not honor the Senate, its Members, or our Constitution when what is at stake is

so important. In looking at some of the provisions that have been brought before us in the Senate's Republican repeal bills to repeal the Affordable Care Act, I do not know how they can do it. I do not know how Senators could go home and say in their home States: A million of you are going to lose your health insurance because of something I just voted for.

Health insurance means a lot to me personally. I have said it on the floor. There was a time in my life when I was a brandnew law student and was married. God sent me and my wife this beautiful little baby. She had some health issues, and we had no health insurance, as I was a law student. We ended up sitting in the charity ward of a local hospital here in Washington, hoping our baby girl would have a good, talented, capable doctor walk through the door and see her. I was not sure because I did not have health insurance. I will never forget that as long as I live, and I thought to myself that it will never happen to me again. I am going to have health insurance no matter what it takes. It meant that much to me, and it means that much to everybody.

There is not a single one of us who does not want the peace of mind of knowing that if we get sick or if someone we love gets sick, he will have access to good hospitals and good doctors. That is what health insurance is all about. As the Republican proposals eliminate health insurance for 60 million, 20 million, 30 million Americans, you ask yourself: How can you do that to this country?

The cuts they make in Medicaid have really educated America about Medicaid. People know about Social Security. They know what that is all about. We all pay into it and wait to receive our Social Security checks when we reach that age. They also know about Medicare. You have to be 65 years of age. It is pretty good coverage, isn't it? The ones who receive it think it is a pretty good deal to have Medicare coverage when they reach the age of 65, but Medicaid was one of those mystery programs. People were not sure. What does it do? The Medicaid Program in America does the following:

In Illinois, that program takes care of half of the new mothers and their babies. Half of them are paid for by Medicaid—prenatal care to make sure the baby is healthy, the delivery of the baby. Afterward, the mom and baby are taken care of, paid for by Medicaid. This is one out of every two births in Illinois.

Medicaid also sends provisions—money—to your local school districts. I will bet you did not know that. If your local school district has a special education program—and virtually all of them do—they receive Medicaid to pay for some basics. It pays for counselors for special ed students. Sometimes transportation in a local school district in downstate Illinois or feeding tubes for some severely disabled students are paid for by Medicaid. You may not know that for disabled people, Medicaid is their health insurance. Many of them have no place else to turn.

I mentioned on the floor before that a mother in Champaign, IL, with an autistic child, said: Senator, if it were not for Medicaid, my son would have to go into an institution. I couldn't afford it.

Medicaid is his health insurance.

I have not touched the most expensive part of Medicaid of which you may not know, which is that two out of three people in nursing homes depend on Medicaid to get basic medical care. Medicare is not enough. They need the help of Medicaid. So if it is Mom or Dad or Grandma or Grandpa who is in a nursing home, two out of three of them depend on Medicaid.

The Republican bill to replace the Affordable Care Act says we are going to cut the spending on Medicaid, that 25 to 35 percent will be cut. That is why Governors of both political parties have screamed bloody murder: You cannot do that. You are cutting the Federal contribution to Medicaid in our States. Who is going to pay for that baby? Who is going to pay for the mom? Who is going to pay the school district? Who is going to pay for the disabled? Who will take care of the folks in nursing homes?

Why did they make that deep of a cut in Medicaid—a program that is so important to so many people? There is the tough part. That deep of a cut was made in Medicaid so Republicans, in their healthcare proposal, could include a tax break for the wealthiest people in America, for health insurance companies, and—get this—for pharmaceutical companies. To give them tax breaks, they had to cut Medicaid coverage for all of the people whom I just described.

Is it any wonder that many Republicans backed away from this? Senator HELLER, of Nevada, talked to Governor Sandoval—both Republicans—and said he could not support an early version of the bill because of the deep cuts in Medicaid.

If this is supposed to be an improvement over the Affordable Care Act, which part of it is an improvement? Is it in cutting Medicaid coverage for all of those people, saying that your health insurance policy does not have to cover people with preexisting conditions, raising the cost of healthcare premiums, particularly for people between the ages of 50 and 64, eliminating health insurance for millions? Is that an improvement over the current system? It is not. It is a disaster.

The question is, By the end of this debate, after we have gone through this crazy process of voting up and down quickly and with very little debate, will one more Republican Senator stand up and say unacceptable? Two of them have. If one more will join them, then we can get down to the real business we should face. The real business is being the Senate again with regular order, which means taking the measure to the HELP Committee. Senator MURRAY, of Washington, is the ranking Democrat. Senator LAMAR ALEXANDER is the chairman from Tennessee. I respect him and like him a lot. The two of them ought to have hearings on a bill to change the affordable care system and make it work better, bring down the cost of premiums, and expand health insurance coverage. I think that is what we should be all about.

Now, there is a basic difference in philosophy here. I will close with this, but this is what drives us. Answer the following question, and I can tell you how you are going to vote on this bill:

Do you believe healthcare is a right for every American or do you believe it is a privilege; that if you have enough money and you are lucky enough, you can get it, and if you don't, you go without.

If you answer the question that it is a right, that it should be a right in America, then you have to reject this approach. You cannot take helpless people, some of whom are working hard in two and three jobs at a time and who have no healthcare benefits, and say to them: Sorry. Our system will not take care of you.

One last point. The irony of that is that if you do not give people health insurance, if you do not give them protection, they still get sick, they still go to the hospital, and they still get care. What happens to the bills they cannot pay? Everybody else pays them. Before the Affordable Care Act, each of us paid $1,000 a year in premiums just to cover for the people who could not afford health insurance.

We think there is a better way. We think Americans should have access to affordable health insurance across the board, and we think we can achieve that if we work together on a bipartisan basis. So I hope one more Republican Senator will join Senators COLLINS and MURKOWSKI and bring us back to what JOHN MCCAIN described on the floor today to the Senate—of having a real debate about real issues and really caring about the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that after my remarks, the senior Senator from Hawaii be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, what is happening today on the Senate floor is outrageous. I still cannot quite believe my colleagues as their staff members stood behind them in the Senate Chamber to my right. All of them have health insurance that is paid for by taxpayers. All of us—all of them, all of the staff, all of the Senators, all of the House Members—have insurance paid for by taxpayers. Yet they would come to the Senate floor with their votes entrusted to them and given to them by

the voting public in their districts and their States. All of them have health insurance that is paid for by the taxpayers, and they would vote to take insurance away from hundreds of thousands of people in my State and in Washington and in Wyoming and in Alabama and in Hawaii.

Millions of people around the country, most of whom have jobs—people who are working $8-, $10-, $12-, $15-an-hour jobs—are not as well paid as the staff who stand behind us as these floor sessions go on, and they would take insurance away from people like them. I am still just incredulous that that would have happened. This bill affects all of our constituents. It would upend one-fifth of the American economy. Yet the people whom we serve have no idea what is in this bill. We really do not know what is in it.

Over the weekend, people said Senator MCCONNELL was going to bring us all to the floor on Tuesday to vote on the healthcare law. This is the law to repeal the Affordable Care Act. I was part of writing the Affordable Care Act as a member of the Health, Education, Labor, and Pensions Committee. That bill took months and months and months, dozens of hearings, and hundreds of amendments. The committee adopted, and I supported, 150 Republican amendments. It was the way we should do things here. Instead, Senator MCCONNELL met just down this hall—I know the camera does not quite show this. Down this hall in his office, he met with lobbyists from Wall Street, with lobbyists from the drug companies, and with lobbyists from the insurance companies. I do not think the Presiding Officer was part of this—he is, perhaps, too junior—but four or five Republican Senators were in there, and they wrote a bill that, alas, was good for drug companies, was good for insurance companies, and was good for Wall Street. It just left out the public.

Now, we do not really know what is in the bill this time. One of the things we do know is, all of the options are bad for my State of Ohio and that all of the options are bad for the people who elected us to serve here. Let me talk about those options.

First, behind door No. 1, we have the repeal of the Affordable Care Act with no replacement. Again, behind door No. 1, I do not know if that is what this bill is. I do know it is one of the options. So behind door No. 1 is repeal with no replacement. That means repealing the entire Affordable Care Act with no plan to replace it. It creates dangerous uncertainty that of course will drive prices up for everyone. When insurance companies, when the people who have insurance now have no idea what is going to happen, of course it drives prices up. Of course, it means insurance companies will pull out of Wyoming and Alabama and Washington State and Hawaii and Ohio.

According to the nonpartisan Congressional Budget Office, 18 million Americans will lose their health insurance next year, and premiums will go up 20 percent. Professionals hold these jobs. They are people who are not Republicans, who are not Democrats, who are just like the Parliamentarian, who is not aligned with either party. The Congressional Budget Office is just like that.

Again, think about that. Think of the Members of the Senate. Think of the Senate's staff who line up along this wall during floor sessions. All of us have insurance. Yet we are going to take it away. According to this plan behind door No. 1, we are going to take it away from 18 million Americans. There would be less coverage, and premiums would go up 20 percent—higher costs. By the end of this decade, 32 million Americans—that is like 1 out of 10 Americans—who currently have insurance would be without health coverage and premiums would double. So 32 million people lose their insurance within the decade and premiums double.

Let's talk about Barbara. Barbara, whom I met in Toledo just recently, is 63. She is not old enough for Medicare; she relies on the healthcare exchanges. Repeal with no replacement would create massive uncertainty for Ohioans.

The people in this body who voted yes today—does the Senate staff who stands behind here who have insurance from—taxpayers like Barbara—do they think about Barbara? Do they think about somebody who reads in the paper that the Senate took the first—still reversible but barely—step toward taking their insurance away? Do they ever think about people like Barbara? Do they, as President Lincoln said, ever get out and get their public opinion pass and listen to people like Barbara? She is 63 years old, and she doesn't know if she will have insurance next month. Imagine that. Do the staff back here, do the Senators who get insurance from taxpayers—do they think: Oh, maybe my insurance won't exist a few months from now. Do they think about that? I am guessing they don't.

Repeal with no replacement creates massive uncertainty for Ohioans like her. We have already seen this year what that uncertainty does to Ohio families, with insurance companies that have been forced to pull out of the market as Congress and the White House create more and more uncertainty. When Aetna pulled out of Dayton and other communities in Ohio—in that part of Ohio—they and others left nearly 20 counties in Ohio without any insurer next year. When they did that, they announced it was because of the uncertainty in this Congress, that nobody really quite knows what is happening.

So that is door No. 1—repeal with no replacement, higher cost, less coverage.

Let's look at door No. 2. Behind door No. 2 is the plan that MITCH MCCONNELL negotiated in secret. As I said, straight down this hall, go to the right, that is MITCH MCCONNELL's office. That is where the drug company lobbyists hung out; that is where the insurance company lobbyists hung out; that is where the Wall Street lobbyists hung out and a small number of Senators, and then they slammed the door shut. That is how they wrote this bill. The Presiding Officer knows this from his constituents in Florida. The drug companies wrote the bill. The insurance companies wrote the bill. Wall Street wrote the bill. And, alas, the bill: tax cuts for insurance companies and tax cuts for the drug companies. The 400 richest families in America—many of them contribute huge numbers of dollars, with lots of zeroes on them, to my Republican colleagues who voted for this bill. The 400 richest families in America will get—under this McConnell door No. 2, there are not just higher costs with less coverage for the public, but 400 families will average a $7 million tax cut for each of the next 10 years. Four hundred families will get a $7 million tax cut for each of the next 10 years.

The McConnell plan would increase healthcare costs for working families. We know that. They would slap on higher costs. They would slap an age tax on Ohioans over 50 when they buy insurance. And when it comes to healthcare costs, Senator HELLER from Nevada said it best: There is nothing in this bill that would lower premiums.

So they give tax cuts to rich people. They give tax breaks to the insurance and the drug companies. They cut Medicaid. But there is nothing in this bill, according to Senator HELLER, a Republican from Nevada, that would lower premiums. There are, however, those massive tax breaks for drug companies that have been jacking up prices on lifesaving medicines like insulin and those drug companies that played a role in creating the opioid epidemic that devastates my State. More people in my State—as the Presiding Officer, who also represents a large State, knows—more people in my State died of opioid overdose than any other State in the United States.

What does this plan do for the opioid epidemic? I have had dozens—maybe not dozens—I have done at least 15 or 20 roundtables around Ohio to talk about the opioid epidemic with doctors and counselors, psychologists and therapists and nurses, people who are recovering from addiction and their families, and others. One thing they all agree on is that the single best tool to help with opioid addiction is, alas, Medicaid. The single best tool to combat the opioid epidemic is Medicaid. This bill would take away the No. 1 tool we have to fight that.

So 220,000 Ohioans right now struggling with opioid addiction, getting treatment for opioid addiction—220,000—they are getting their addiction treatment because they have the Affordable Care Act and insurance provided by the Affordable Care Act. We are going to take that away from them.

At one of my roundtables in Cincinnati—the Talbot House—a father

sitting next to his daughter, who I believe was in her early thirties, looked at me and said: My daughter would be dead from an opioid overdose had it not been for Medicaid expansion. I thank Governor Kasich for having the courage to stand up against his President and stand up against the Republican leadership in this town and do the right thing in expanding Medicaid.

This plan, door No. 2, has higher costs, less coverage, and would kick many of those 220,000 people off their insurance. It would disrupt treatment for hundreds of thousands of Ohioans as they fight for their lives. It would pull the rug out from under local police and communities in the midst of an epidemic.

A number of police officers told me that when they go to a home—a police officer or a firefighter or another first responder—when they go to a home where somebody is unconscious because of an opioid epidemic, first they give them Narcan to revive them, and the second thing they do is sign them up for Medicaid. They sign them up for Medicaid so they can get treatment. Otherwise, there is a very good chance that person will die.

The most important tool for fighting opioid addiction is Medicaid. Yet this body voted today—2 Republicans stood up and voted against this—today, 50 Republicans and the Vice President of the United States, who honored us with his presence today with the tie-breaking vote, voted essentially to kick those people off their treatment.

So door No. 2, the insurance company lobbyist plan: higher costs, less coverage. The same plan written by lobbyists.

Let's talk about door No. 3. Behind door No. 3 are higher costs and less coverage. It is the same plan written by lobbyists, just with taxpayer dollars thrown in to buy off votes. Same result—higher costs and less coverage.

They can't just throw money at this bill and make it better.

Take opioids. They want to take away Medicaid, which is the No. 1 tool we have to get people treated, and then they throw in a $45 billion Federal grant program instead.

Governor Kasich said that those dollars—taking away Medicaid, taking away treatment, taking away insurance from the 700,000 Ohioans in Medicaid expansion and hundreds of thousands of Ohioans later—Governor Kasich is a Republican, and he and I see this pretty much the same way. Governor Kasich said that putting that money in after taking away Medicaid is like spitting in the ocean.

The director of Ohio's Medicaid Program said the Republican Senate plan would be devastating for Ohio. For instance, if someone had cancer, I don't think the best treatment for cancer is to cut off their insurance and then give them a Federal grant to pay their oncologist—not even a Federal grant to pay their oncologist. You don't treat people by a Federal grant, you treat people by insurance and all of the wraparound part of insurance that matters.

It is not just those fighting addiction—I talked a lot about opioids—it is kids with special healthcare needs. It is Ohio schools. There is a program called Medicaid in Schools that helps young people struggling with various kinds of physical and mental illnesses in the schools. That is helpful.

It is rural hospitals. I have been on the phone with literally four dozen hospital CEOs in this State—at least four dozen, a number of them a number of times—and small hospitals in rural communities know that they may close if this bill, the one behind door No. 3, is adopted.

It is seniors in nursing homes, and it is their families who help care for them. Few people realize that three in five nursing home residents in my State rely on Medicaid to cover the cost of their care. That is 60 percent. They are our parents and our grandparents. These are middle-class families and working-class families who end up in nursing homes. They run out of money at the end of their lives. That is Medicaid dollars. Two-thirds of Medicaid dollars don't go to children or opioid addiction, they go to nursing homes to take care of our parents and grandparents.

I met with families again in Toledo last week who rely on Medicaid to help afford nursing home care.

Bob's mother Blanche lives at a home in Perrysburg, a suburb of Toledo.

> My mother and father worked all their lives. My mother is 95 and receives a pension of only $1,500 a month. Medicaid keeps her alive so she is able to spend time with her kids and her grandkids.

I remember Margaret Mead, the great anthropologist, who said that wisdom and knowledge are passed from grandparent to grandchild. A child can spend time with her grandparents, as my daughters got to spend time with their grandparents, especially my grandmother in her last years. It didn't just bring great joy to the grandparents, it imparts wisdom and understanding and education to the grandchildren. Medicaid does that, too, when people have insurance, when people are taken care of in nursing homes and assisted living.

We talk about people like Blanche who worked hard to build a good life for their families. They paid their taxes. They paid their insurance premiums. They paid into Medicare and Social Security. So we are going to cut their Medicaid in the last years of their lives. They shouldn't have to lose everything because they need more intensive care in the later years of their lives, and neither should their families, who are already squeezed—people in their forties and fifties and early sixties—who worry about their children's education on the one hand and then worry about paying for nursing home care for their parents on the other.

Another huge portion of the people Medicaid helps are Ohioans who are workers, who pay taxes, who have children with a disability or with serious special needs. Nearly 500,000 kids in Ohio—20 percent of Ohio kids, 2 in 10—have special healthcare needs. Boaz, whom I met in Cleveland, was born with several heart defects. He wouldn't be alive today without treatment covered by Medicaid. Benjamin Dworning from Akron, born with Down syndrome, visited my office recently with his parents.

It is not just kids with special needs who will lose out. Ohio schools could lose $12 million a year. Twenty-two percent of rural hospitals would be at risk of closing. It goes on and on.

These are all problems created by this bill behind door No. 3, written by lobbyists, written down the hall in Senator MCCONNELL's office by drug company and insurance company and Wall Street lobbyists. That is the bill—undisclosed, unknown until he regurgitated it on the Senate floor and gave us this bill.

Cleveland.com wrote: ''As for the proposed $200 billion to ease the path for ACA funding losses, this too would pale compared with the losses themselves.''

Again, Governor Kasich—he, a Republican; I, a Democrat—said this is spitting in the ocean.

So that is what is behind door No. 3—higher costs, less coverage.

That brings us to door No. 4. What is behind the last door? We have no idea. It is the ultimate mystery plan.

Remember what Washington uncertainty has already done to Ohio families? There are 20 counties with no insurer next year.

As an editor at the Columbus Dispatch—Ohio's most conservative newspaper—said to me about a month and a half ago, uncertainty is like carbon monoxide for business, a silent killer.

Now, the Republican Party, which fashions itself as the party of business, seems to have specialized over the last 10 years in injecting uncertainty into the economy—uncertainties such as, are we going to pass the Export-Import Bank, which Senator MURRAY worked so hard on, so our companies can export American-manufactured, well-made products? Are we going to pay our debts or are we not going to meet our obligations and shut down the government? Are we going to leave hanging out there the Affordable Care Act repeal? All of these things create uncertainty, and as a result, business investment freezes. We know what happens. So who knows what kind of damage this latest vote will do in the insurance market.

What we know for certain is that this mystery plan behind door No. 4 will mean higher costs and it will mean less coverage, because nothing so far—nothing that has been put on the table—could result in anything else. The math doesn't work. How can anyone stand here—again, staff standing by the wall here and Members of the Senate, all getting insurance provided by taxpayers—how can you stand here and

threaten to take away the insurance of others and at the same time drive up costs?

The Affordable Care Act is not perfect. Of course, it is not. We have work to do. Senator SCHUMER talked today about it. Sit down with us. We would love to work through many of the items and get more young, healthy people into the insurance pool, to stabilize the insurance market, to go after the high cost of prescription drugs and maybe, even to consider Medicare at 55. We were one vote away from opening up Medicare in a revenue-neutral way for people between 55 and 64 who might have lost their insurance as they get sick or as they get older. There are all of those options, but don't start with repeal, throwing millions of Americans off of their insurance.

I agree with Governor Kasich one more time. Yesterday, Governor Kasich said: Until Congress can step back from political gamesmanship—which we saw in spades today, as Senator JOHNSON and Majority Leader MCCONNELL were negotiating the last parts of the bill, and as, more or less, 98 of us sat here and watched and wondered what was going on and saw that political gamesmanship—and come together with a workable bipartisan plan, it is a mistake for the Senate to proceed with the vote we just took on Tuesday. He said that yesterday.

Instead of down the hall Senator MCCONNELL working with insurance company and drug company lobbyists, instead of listening to the drug companies so that he puts the tax break for drug companies in the bill, let's listen to the people of Kentucky, Wyoming, Texas, Louisiana, Alabama, North Carolina, Ohio, Hawaii, and Washington. Let's listen to the people of the States of my colleagues in this body.

Let's work on a bipartisan plan to fix what is not working in the Affordable Care Act. Let's keep what is working and make healthcare work better for the people whom we serve.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 5½ minutes.

Mr. SCHATZ. Mr. President, we just took one of the most reckless legislative actions in this body's history. We are blowing up the American healthcare system, and we don't even know what comes next.

I want to be clear. The Senate has never before voted on major legislation that would reorder about one-sixth or one-fifth of the American economy and impact millions of lives without actually knowing what the bill would even do.

There has been no bipartisanship. There has been talk of it, but there have been no real discussions. There have been no public hearings. Let me say something about hearings. This is not a technical point. This is the way a legislative body does its work. This is the way we figure out whether our bill is any good or not.

This is the way the Senate has always worked. We don't do major legislation without hearings. But that is what we are doing today, and that is because people don't want to disclose what is in this bill.

It is true that we don't know exactly what is in the bill, but we can be sure of a few things. First, whatever problems there are with the ACA, this bill doesn't even bother to take a swing at them. To the extent people are worried about high deductibles, it will increase the deductibles. To the degree people are worried about the choices on the exchanges, it doesn't even try to solve that problem.

We don't know exactly how much Medicaid will be cut, whether it is just rolling back the Medicaid expansion or making these radical structural reforms, but we know there will be deep cuts to Medicaid. This will hurt people. It will hurt people in nursing homes. It will hurt people with drug addiction. Medicaid is a program that works for tens of millions of Americans, and it will be slashed massively.

We don't know whether they are going to get rid of the capital gains tax or just other revenue, but we know they are going to reduce many of the taxes in the original Affordable Care Act, and they are going to pay for it by cutting Medicaid.

So under the guise of fixing the ACA, they are actually doing nothing about ACA. What they are doing is cutting taxes and cutting Medicaid. We don't know exactly what is in the bill, but we do know that.

People are going to be hurt—people with preexisting conditions, families with loved ones struggling with opioid abuse, people in nursing homes, people who rely on Planned Parenthood, and the tens of millions of people who will lose their insurance almost instantly. That is why every group—from the American Medical Association to the nurses, to the American Cancer Society, to the March of Dimes, to the National Physicians Alliance, and the AARP—opposes this bill. There are 14 different versions of this bill, but, actually, these organizations oppose them all.

There are some core elements of the vote we took that are going to be true no matter what. It will cut Medicaid and cut taxes. It will reduce patient protections. It will reduce the number of people who have insurance.

It was all done with no hearings, with no Democrats, with no experts on healthcare. This thing is going to be dropped on us without enough time to review it and without enough time to interact with our home State and figure out the impact.

Make no mistake, the reason they will not tell you what is going to be in the final bill is because the moment they do, this thing will come crashing down. What the American people have to do is to make sure that this thing comes crashing down anyway. We have to do it for the tens of millions of Americans who depend on Medicaid and the ACA. We have to do it for our rural hospitals. We have to do it for the people with preexisting conditions. We have to do it for the people without power, without money, without the ability to walk 200 yards from this gilded Chamber and get the best healthcare in the world.

I will be fine. All the Members of this Chamber will be fine. But our job is not to take care of ourselves. Our job is to represent our constituents, and this bill has earned the title of most unpopular major bill in American history, most unpopular major legislation in American history.

There is still time to walk back from the brink.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays with respect to amendment No. 267.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 270 TO AMENDMENT NO. 267

(Purpose: Of a perfecting nature.)

Mr. MCCONNELL. Mr. President, I call up amendment No. 270.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 270 to amendment No. 267.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will read the amendment.

The senior assistant legislative clerk continued with the reading of the amendment.

(Mr. DAINES assumed the Chair.)

The bill clerk continued with the reading of the amendment.

(Mr. ROUNDS assumed the Chair.)

The legislative clerk continued with the reading of the amendment.

The senior assistant legislative clerk continued with the reading of the amendment.

The bill clerk continued with the reading of the amendment.

The assistant bill clerk continued with the reading of the amendment.

(Mr. DAINES assumed the Chair.)

The legislative clerk continued with the reading of the amendment.

The senior assistant legislative clerk continued with the reading of the amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. ENZI. Mr. President, I ask unanimous consent that there be 1 hour for debate on amendment No. 270, equally divided between the two managers or their designees; that following the use or yielding back of time, Senator MURRAY or her designee be recognized to make a point of order against the amendment, and that Senator ENZI or his designee then be recognized to make a motion to waive; further, that following the vote on the motion to waive, Senator ENZI or his designee be recognized to offer a second-degree amendment, No. 271, and that Senator MURRAY or her designee be recognized to offer a motion to commit; finally, that the time from 10 a.m. until 12 noon be equally divided between the managers or their designees; that at 12 noon tomorrow, Senator MURRAY or her designee be recognized to make points of order, and that Senator ENZI or his designee be recognized to make a motion to waive; that following the motion to waive, the Senate vote in relation to the amendment No. 271; that following disposition of the amendment, the time until 2:15 p.m. be equally divided on the Murray motion to commit, with a vote on the motion at 2:15 p.m. I further ask that following disposition of the Murray motion, Senator MURRAY or her designee be recognized to offer an additional motion to commit.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the pitch to Republican Senators this afternoon before the first vote was that it was nothing but a little bit of throat clearing—just a first step to get the conversation started.

Let's be clear, nobody can pretend the stakes aren't real now. In a few minutes, the Senate will be voting on yet another version of the Senate TrumpCare bill. I call it the BCRA 3.0. It features a special gut punch to consumer protection offered by Senator CRUZ.

My view is, the Cruz proposal is a prescription for misery for millions of Americans dealing with serious illness and bedlam in the private insurance market. Forget, colleagues, all the talk about bringing costs down. This bill is going to send health expenses like deductibles and copayments into the stratosphere.

TrumpCare 3.0, BCRA 3.0, tells insurance companies: Look, you are off the hook for basic consumer protection. You get to bring back annual and lifetime caps on coverage, and those caps would hit people who get their healthcare through their employer, as well as those who buy it for themselves in the individual market. You can forget about essential health benefits. You get to flood the market with bargain-basement insurance plans, as long as you offer one, single, comprehensive option, the kind of plan that actually works for people with preexisting conditions and, by the way, you get to price that through the roof.

Under the Cruz proposal, we will be looking at a tale of two healthcare systems in America. The young and healthy are going to opt for the barebones insurance plans that don't cover much of anything, but there are millions of people in this country who cannot get by with skimpy Cruz-plan insurance. They are people who have had a cancer scare or suffer from diabetes. They are people who get hurt on the ski slopes or in a car accident. The only coverage that works for them will come with an astronomical pricetag.

There was no hearing in the Finance Committee, no hearing in the HELP Committee. Senators are flying in the dark, and as far as I can tell, the proposal is going to be before us without having been scored by the CBO.

Let me close with this. It is not too late for Republican Senators to put a stop to this shadowy, unacceptable process. Nobody in this Chamber—not one Senator—has to choose between TrumpCare and straight repeal or any partisan plan. I hope my colleagues will reject TrumpCare 3.0, BCRA 3.0 and say it is time to stop this my-way-or-the-highway process and say, after rejecting this ill-advised amendment, that they would like to return to the regular order, where we look to bipartisan approaches.

I urge my colleagues to oppose and to oppose strongly this first amendment that we will vote on tonight, BCRA 3.0. It is a prescription for trouble for millions of consumers, and I think it is going to cause chaos for the reasons I described in the private insurance market.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise tonight to talk about the Portman amendment and about the broader substitute that repeals and replaces the Affordable Care Act, otherwise known as ObamaCare.

Is this replacement perfect? No. I don't think any replacement is. But it is a big improvement over the status quo. The status quo on healthcare is simply no longer sustainable.

It isn't working for Ohio. We heard a lot about the middle-class squeeze in Ohio, and it is real. Wages are flat and expenses are up. For most folks, the biggest single expense is healthcare costs. It is the fastest growing expense because of higher premiums and higher deductibles.

It wasn't supposed to be this way. In fact, when the Affordable Care Act—ObamaCare—was enacted in 2010, we heard a lot of promises about lower costs. They promised that ObamaCare would bring down premium costs by 2,500 bucks for the average family, but we now know that families have seen their premiums skyrocket. According to the Ohio Department of Insurance, health insurance premiums on the individual market in Ohio have nearly doubled since the Affordable Care Act went into effect 7 years ago. Small business premiums have gone up 82 percent. Premiums for this year are up double-digits, and next year we all expect the same. No one can afford that.

To make matters worse, we have seen a sharp increase in deductibles. For a lot of people covered by insurance, they feel as though they really don't have health care insurance at all because their out-of-pocket expenses are so high and deductibles are so high, they really can't access it.

These higher premiums and deductibles have already made healthcare unaffordable for a lot of hard-working Ohioans. But it is not just about costs, it is also about choice. Some people are losing their coverage altogether because the policies established in the Affordable Care Act were set up for failure.

Fifteen of the 23 nonprofit insurers set up around the country as co-ops around the Affordable Care Act have now gone bankrupt. One was in Ohio. Last year in my State, 22,000 hard-working Ohioans lost their coverage because our co-op declared bankruptcy. Many of them, by the way, had already paid their deductibles on that, and they lost that as well.

Worse than that even, right now there are 19 counties in Ohio without a single insurance company in the exchange market, the individual market—not one insurance company. Another 27 counties in Ohio have only 1 insurer. That is not competition. That is not choice. Far too many Ohioans—thousands of them—if they want health insurance, are told they have to move out of their county to another county.

Less competition has also meant less choices and higher costs for Ohio families and cost shifting on to employer-based plans. As these insurance companies have lost money, some of them haven't left Ohio, but they shifted their costs to other people. That is why so many people's costs have gone up.

Without competition and choice in the market, we are never going to be able to lower healthcare costs for families and small businesses. That is one more reason why the status quo on healthcare, the system we have now, is not sustainable.

The Affordable Care Act has failed to meet the promises that were made, but we can do better, and we have to do better. It is our job to do better, but we should do it in a way that protects low-income beneficiaries of Medicaid, that protects the most vulnerable in our State. We can do that too.

At the outset of this debate and consistently throughout the debate, I have

said my goal was to create a more workable healthcare system that lowers the cost of coverage and provides access to affordable care while protecting the most vulnerable. This most recent version of the Better Care Reconciliation Act—as my colleague just called it, BCRA.3—is an improvement over the House bill, but it is also an improvement over the previous Senate bill. This measure includes reforms that will help lower premiums on families and small businesses. The No. 1 priority out there should be to lower those costs. This bill will help lower those premiums.

Throughout the process, I have expressed my concerns about how we deal with Medicaid, which is a critically important Federal program that provides healthcare benefits to about 70 million Americans who live below the Federal poverty line. The Affordable Care Act allowed States, including Ohio, to expand Medicaid eligibility actually above the poverty line, to 138 percent of poverty, and to cover single adults.

With our growing debt and deficits, we know the current Medicaid Program is not financially sustainable over the long term, and we have to look for innovation and reform to protect and preserve it now so that Ohioans can count on this program in the future and so that those who need it will have it.

My point all along has been that these reforms can and should be done in a way that doesn't pull the rug out from under people and gives States time to adjust. So, in this Senate bill, I have worked to put Medicaid expansion on a glidepath for 6 years, with the current law for 3 years and then a transition for another 3 years. That transition would be to a new healthcare system. This is a big improvement over the House bill, which had a cliff in 2 years without a glidepath.

Just as important, in this substitute before us, Governors would have new flexibility in this legislation to design innovative Medicaid Programs that meet the needs of their States and their expansion populations.

One issue I have focused on a lot in this discussion has been the opioid epidemic. In my own State of Ohio, this epidemic has had a devastating effect. About 200,000 Ohioans now suffer from drug addiction, primarily from heroin and prescription drugs and the new synthetic heroins, such as fentanyl. Unbelievably, I will tell you that about half of the funds we spend in expanded Medicaid in Ohio go for one purpose, and that is mental health and substance abuse treatment, primarily driven by addiction to heroin and prescription drugs and fentanyl.

We have to deal with this issue in a smart way. In this latest version of the substitute, that is why I fought to provide not only that transition for those on expanded Medicaid but also an additional and unprecedented $45 billion in new resources for States to address the opioid epidemic. I am pleased to say that in the legislation we are going to vote on tonight, it is included. We want those receiving opioid treatment under Medicaid expansion to maintain access to treatment as they work to get back on their feet. This new funding is critical to help with regard to that treatment and longer term recovery.

An additional issue I have been working on is to ensure that those on expanded Medicaid are able to find affordable healthcare options under a new system, whether it is under the new Medicaid structure or affordable healthcare options in the private sector on the private market. Over the past few weeks, I have worked with the President, the Vice President, administration officials, and many of my colleagues on ways to improve this bill further in this regard, to help out low-income Ohioans and others who are trying to find affordable coverage. That is why this proposal before us, the Portman amendment, is so important.

By the way, it is called the Portman amendment, but it is the result of the work of a lot of different Senators, some of whom I saw on the floor earlier and one I see here tonight. Senator CAPITO, who has been a leader on this, and Senators HOEVEN, GARDNER, SULLIVAN, CASSIDY, YOUNG, BOOZMAN, HELLER, MURKOWSKI, and others, have worked on this proposal.

I am pleased that we have received a commitment that the Senate will vote tonight on this approach to help those on Medicaid expansion and other low-income Americans get access to affordable healthcare in the private market.

This plan has two parts. First, it provides an additional $100 billion to the long-term stability fund in the Better Care Reconciliation Act to help people with out-of-pocket expenses, such as deductibles and copays, thus ensuring that those who transition from Medicaid expansion into private insurance under a new system not only have the tax credit to help them, which is part of the underlying bill, but also have this additional help for affordable coverage options.

Second, it is a Medicaid wraparound that allows States to provide cost-sharing assistance to low-income individuals who transition from Medicaid to private insurance and receive a tax credit on the exchange. The States could use this flexibility in combination with this long-term stability fund increase—the additional dollars I am talking about—to assist individuals with their deductibles, out-of-pocket expenses, and copays.

It would also allow the States to capture Federal Medicaid matched dollars to supplement the tax credits under the Better Care Act without having to seek and renew existing waiver authority.

This Medicaid wraparound is already available through a waiver, but we think it is critically important to put it in a statute so that other administrators and the current ones—Seema Verma has said she supports this waiver being granted—but others will grant it, and you don't have to renew this waiver or beg for a waiver. It is a commonsense way to help get people who are going into private plans the help they need to be able to afford the premiums, deductibles, and copays.

This is a commonsense approach to help ensure that these low-income Americans have access to affordable care, and I urge my colleagues to support it.

We must do better than the Affordable Care Act. I have heard from people across Ohio on both sides of this debate. Trust me, I have heard a lot. There is a lot of passion. I understand that. But it is interesting, the common denominator in many of these discussions is that doing nothing is not sustainable. Pretty much everybody acknowledges that the status quo is not working. Ohioans deserve action.

In my view, to throw in the towel and give up on finding a better alternative is to give up on Ohio's families, give up on Ohio's small businesses, and I am not willing to do that.

We all know the Affordable Care Act has not lived up to its promises to the American people. Today, after 7 years of consistently calling for repeal and replace, I am supporting a sensible plan to do just that. Is it perfect? No. I don't think any substitute is. Replacement is hard. But it is an improvement on the unsustainable status quo, and it does help keep our promise to the American people to do better.

I urge my colleagues to support the legislation before us.

I yield back my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

Mr. President, earlier today the Senate voted on a bill to dismantle this country's healthcare—a cruel bill that would affect every single American and one-sixth of our economy; a heartless bill that was crafted in secret, without public debate and without input from the families who will be impacted; an inhumane bill that would make health insurance unaffordable for millions of Americans and leave millions more with no access at all.

Despite this legislative malpractice, despite numerous independent analyses and nonpartisan Congressional Budget Office findings that millions of Americans will lose coverage and face increased costs, despite Americans from across the country pleading with Republicans not to rip away their coverage or take a machete to Medicaid, despite all that, President Trump and Republican leadership put politics ahead of people and voted to repeal the Affordable Care Act. That is a travesty.

I have often said that the proudest vote of my career was the one I cast in favor of the Affordable Care Act. The second proudest vote is today, voting no on this cruel, heartless, inhumane bill.

To all of my constituents in Massachusetts, please know that I vote no with you in mind.

Massachusetts is the home of universal healthcare. We have a model for the Affordable Care Act. Because of our belief that healthcare is a right and not just a privilege, 98 percent of Massachusetts residents have healthcare coverage. That was a dream of the great Teddy Kennedy, the lion of this Chamber, and it is a reality in Massachusetts.

We cast this historic vote today to proceed to debate on healthcare legislation, but rest assured, the fight to protect the Affordable Care Act is far from over.

It is a testament to how divided the Republican Party is over how to replace the healthcare law that we still don't know which version of TrumpCare we will proceed to vote on for final passage. It is not because Republicans haven't had time—they have had 7 years to craft a plan to repeal the Affordable Care Act. Rather, the chaos we have seen so far from Senate Republicans is because millions of Americans are finally benefiting from insurance coverage, many for the first time, and they don't want these protections taken away.

In many ways, it doesn't matter which bill they bring up for a vote because all versions of the Republican healthcare bill are terrible. Republicans still have no idea how they will go about protecting those with preexisting conditions and ensure that millions aren't kicked off their current insurance plan.

Senate Republicans have so far proposed three bills that would each devastate the healthcare sector, take a machete to Medicaid, and make the poorest in our country pay for tax breaks for the wealthiest. These bills are the bad, the worse, and the ugly.

First, the bad.

Senate Republicans proposed legislation at the end of June—just a month ago—that would rip away health insurance from 22 million Americans and give the top 400 wealthiest people in our country a tax break worth $33 billion.

Then the worse.

They introduced yet another bill that would also kick 22 million Americans off of their health insurance and cut Medicaid by $750 billion. They tried to buy Republican votes with a separate opioid fund, but that craven, political Hail Mary was not fooling anyone.

Then the ugly.

When Republican leadership realized that they did not have the votes for either of these cruel replacement bills, they decided to just repeal the healthcare law without any kind of replacement. This proposal would take coverage away from 32 million Americans and double premiums over the next decade.

That is the slate of Republican healthcare bills—the bad, the worse, and the ugly. All of these healthcare proposals have one thing in common: heartlessness. They all reduce coverage. They all increase costs for Americans. They all eviscerate Medicaid, causing irreparable damage to a program that provides coverage for 70 million Americans, and they all hand over billions in tax breaks to the wealthiest in our country, who do not need them or deserve them. Even in Massachusetts, the Republican proposals would mean more than 260,000 people would lose coverage, often the lowest income residents in the State. It would cost the State more than $8 billion by the year 2025.

There are no changes, no so-called fixes, no modifications to make any of these bills less cruel. Each of the Republican proposals will just exacerbate the most devastating public health crisis facing the country—the battle against opioid overdose deaths.

Leader MCCONNELL said today that he would be thinking about the families who are hurting in Kentucky when he casts his vote to kick at least 20 million Americans off of their health insurance coverage. Yet do you know who will really be hurting? It will be the families of the nearly 1,000 people who died of an opioid overdose in Kentucky last year.

In a blatantly craven attempt to make TrumpCare more palatable, moderate Republicans from States that have been ravaged by the opioid crisis included a paltry opioid fund in the most recent version of the GOP replacement fund. Those are crumbs compared to the amount that the Affordable Care Act would likely spend on covering opioid use disorder treatments if we would just leave the law alone to work as intended. This opioid fund is not a fix; it is a falsehood. It is a false promise to the people who are suffering from opioid addiction. It is a false future that will not include critical Medicaid funding for treatment and recovery services, and it is a false bargain that Republicans will make at the expense of families who are desperate for opioid addiction treatment.

The American people will not be fooled. They realize that opioid funding in this proposal is nothing more than a public health pittance—a wholly inadequate response to our Nation's preeminent public health crisis. No amount of money in an opioid fund can replicate the access to treatment that is provided through the comprehensive health insurance program that the Affordable Care Act represents. Families of those who suffer from substance abuse disorders have been shouting from the rooftops that cutting Medicaid and hamstringing access to health insurance coverage will only make a difficult situation worse.

We should be making health coverage and treatment access more robust, not weaker. Today, only 1 in 10 people with substance addiction receives treatment, and it has been estimated that 2 million people who live with opioid use disorders are not receiving any treatment for their disorders. It should not be a surprise to anyone that the epidemic of opioid abuse will only worsen as long as we have a system that makes it easier to abuse drugs than to get help.

These Republican proposals will be a death sentence for millions of people with substance use disorders. A vision without funding is a hallucination. They are cutting the funding for substance abuse. Republicans are turning their backs on their vow to combat the opioid epidemic, and President Trump is beginning to break his own promise from the campaign trail to ''expand treatment for those who have become so badly addicted.'' Instead, they are moving forward with a proposal that threatens insurance coverage for 2.8 million Americans with a substance use disorder—all to give hundreds of billions in tax breaks to billionaires and big corporations—and slashing funding for our Nation's preeminent public health crisis is just part of it.

Creating a separate fund for opioid use disorders just further stigmatizes the disease and pushes it back into the shadows. This is not how we treat chronic health conditions in this country, and it is insulting to those 33,000 Americans who lost their lives just last year from opioid overdoses.

This latest political maneuver proves yet again that TrumpCare has never been about creating health. It has always been and still is about concentrating wealth—tax breaks for the rich coming from the cuts in healthcare coverage for those who need it the most in our country. They are abandoning hard-working families so that they must fend for themselves while they bestow those gifts of billions in tax breaks to the wealthy. That is shameful.

The GOP replacement plan also imposes an age tax on older Americans, allowing insurance companies to charge older Americans five times more than younger Americans for the same coverage. That is unconscionable.

The GOP plan reduces access to care for those with preexisting conditions—Americans with cancer, diabetes, women who have had children. They want to force them to pay for a Cadillac, but they then hand over to them a tricycle. That is just plain wrong.

On this floor, it is going to be a battle to the very end on this bill, and I am going to keep speaking and keep fighting until my Republican colleagues understand how important these issues are to every single family in our country.

The American people who believe in quality, affordable healthcare will not be silenced by today's vote. Instead, we will be invigorated to call out the callousness in any of these bills that would threaten the economic security for low-income and working families in order to fill the already overflowing bank accounts of the 1 percent. Oh, no. This fight is just beginning out here on the Senate floor because the lives of all

Americans who would be hurt by the Senate's vote today to begin debate on repealing the Affordable Care Act are simply too important for us to stop fighting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, today is an important step in a very long journey. Some 7 years ago, ObamaCare passed into law, and in the 7 years that ObamaCare has been on the books, we have seen the results of this catastrophic law. We have seen the devastation that has resulted. ObamaCare is the biggest job killer in this country.

You and I and the Senators who have listened to their constituents across the country have heard over and over again from small businesses that have been hammered by ObamaCare. As I have listened to small businesses in the State of Texas over and over again, they have described ObamaCare as the single biggest challenge they face.

Indeed, thanks to ObamaCare, we have discovered two new categories of people who have been hurt by the Federal Government—the so-called 49ers and the so-called 29ers. The 49ers are the millions of small businesses that have 47, 48, 49 employees and yet do not grow to 50 because at 50, they would be subject to ObamaCare, and in being subject to ObamaCare, they would go out of business. There are literally millions of new jobs that are waiting to happen, waiting to grow, small businesses ready to expand that ObamaCare penalizes so punitively that they do not expand.

By the way, those jobs that would be the 50th and 51st and 52nd are typically low-income jobs. They are jobs for people who are just starting out in their careers. They are jobs for people who are minorities, who are African Americans, who are Hispanics. They are jobs for people like my father in 1957—washing dishes, making 50 cents an hour, but he was glad to have freedom in this new country.

Then there are the 29ers, the people all across this country who are forcibly put into part-time work at 28, 29 hours a week because ObamaCare defines a ''full-time employee'' as 30 hours a week. People all over the country are being hurt. Single moms who are trying to feed their kids are being hurt because they have been forced into part-time work so that they end up working two or three part-time jobs at 28, 29 hours a piece, and none of them provide healthcare. The burden on them has been enormous.

It hasn't just been jobs, although that is a big part of it; it has also been the millions of Americans who have had their health insurance canceled because of ObamaCare. We all know President Obama looked at the TV cameras and said: If you like your health insurance plan, you can keep your health insurance plan, and if you like your doctor, you can keep your doctor.

PolitiFact—that left-leaning news site—labeled Obama's promise as 2013's Lie of the Year, and it was. It was a deliberate lie, as Jonathan Gruber, the architect of ObamaCare, said that they were banking on what they called the stupidity of the American people—selling it based on a lie.

Then there is the impact on premiums. President Obama promised the American people that under ObamaCare the average family's premiums would drop $2,500 a year. That wasn't just a little bit wrong; it was wildly and dramatically wrong. In fact, the average family's premiums have risen over $5,000 a year.

People are hurting because health insurance is unaffordable. I hear from Texans over and over and over again: I cannot afford health insurance anymore.

I will say that the harms from ObamaCare—the people suffering under this failed law—have been mounting and mounting and mounting, and for 7 years, the Democrats have been content to do nothing. Barack Obama as President and Democrats having majorities in the Senate did nothing for the 49ers who could not get new jobs; nothing for the 29ers, the single moms forced to work part time; nothing for the millions of people who had the insurance plans that they liked canceled; nothing for the millions of people who could not go see their own doctors anymore; nothing for the millions of people whose premiums had skyrocketed.

After 7 years of stonewalling and blockading and saying ''We do not hear you'' to the American people, now our friends on the Democratic aisle are suddenly insisting that they want to do something. Today, we had a vote to take the first step in doing something—in honoring the promise every Republican made to repeal this disaster.

The bill before the Senate is not perfect. No one would expect it to be perfect. Bismarck's comments about sausage-making are certainly true in this process here today. Yet I will say that in the bill before the Senate, which is not likely to pass tonight—but I believe, at the end of the process, the contours within it are likely to be what we enact, at least the general outlines—there are at least four positive elements that are significant.

No. 1, it repeals the individual mandate.

The IRS fines about 6.5 million people a year because they do not have enough money to buy insurance. Think about that for a second. You are struggling to make ends meet, and you do not have the money to buy health insurance. Not only do you not have insurance, but the IRS slaps you with a fine—millions of dollars of fines. In the State of Texas, there are roughly a million people who are getting fined by the IRS, roughly half of whom make $25,000 a year or less and nearly 80 percent of whom make $50,000 a year or less. The Democratic solution is, if you do not have the money for healthcare, the IRS is going to fine you on top of it, and you still do not get healthcare. That is a terrible outcome.

This bill will repeal the individual mandate, repeal the IRS fines on 6.5 million Americans and the job-killing fines of the individual mandate.

It also repeals the employer mandate, which is the driver of the 29ers and 49ers. For 7 years, the Democrats had no answer to the single mom forced to work part time. Repealing the employer mandate provides relief to everyone who finds himself in those camps.

No. 3, this bill has a major reform that allows people to use health savings accounts—pretax money—to pay for insurance premiums. That means, for millions of Americans, their effective premium rates instantly drop 20 to 30 percent by using pretax money. That is a major reform for empowering you, the consumer, to choose the healthcare for your family.

No. 4, the bill before the Senate includes the consumer freedom amendment—an amendment that I have introduced like the health savings account amendment. It is an amendment that says you, the consumer, should have the freedom to choose the healthcare that is best for your family. You should have the freedom. You shouldn't have to buy what the Federal Government mandates that you must buy; you should choose what meets the needs for you and your family.

The consumer freedom amendment was designed to bring together and serve as a compromise for those who support the mandates in title I. The consumer freedom amendment says that insurance companies, if they offer plans that meet those title I mandates—all the protections for preexisting conditions—they can also sell any other plan that consumers desire. So it takes away nothing. If you like your ObamaCare plans, those are still there. It just adds new options and lets you decide: Do you want the ObamaCare option or do you want something else that is affordable? So rather than getting fined by the IRS, you can actually purchase something you and your family can afford.

Now, our friends on the Democratic aisle have been unwilling to look at any option expanding consumer freedom; they just say it won't work. What we know won't work is ObamaCare. We know premiums have risen over $5,000 a year. What happens with the consumer freedom amendment? And this is critical. Over the past 2 weeks, the Department of Health and Human Services conducted a study on the impact of the consumer freedom amendment. They concluded, No. 1, it would expand insurance coverage by 2.2 million people. Our friends on the Democratic aisle are constantly alleging that repealing ObamaCare will reduce coverage. Well, HHS found the consumer freedom amendment expands it by 2.2 million people.

But what does it do to premiums? This is powerful. HHS found that it will reduce premiums by over $7,000 a year. If you are a single mom, if you are a school teacher, if you are a truck-driver, $7,000 a year is a lot of money. It is the difference between making ends meet and not, perhaps. HHS found specifically that for those choosing freedom plans—the less expensive options—premiums would drop $7,260 a year.

But what about those on the exchanges? What about those purchasing plans subject to all of the mandates? HHS found those plans would also drop, they projected by $5,580 a year. So consumers benefit across the board with lower premiums.

This has been a process. At the end of this process, it is not clear what the Senate is going to pass, what is going to bring together and unite the Republican conference because, sadly, the Democrats are not willing to help us provide more consumer freedom, to help us lower premiums, to help us provide relief to the 49ers and 29ers who have been hammered by this bill. But I believe the key to getting this done—and I believe we can and will get to yes. We are not likely to get to yes tonight, but we can and will get to yes. I think the key to it is the consumer freedom amendment, if we are lowering premiums. If Texans, if Montanans, if people across this country are going home and seeing premiums $5,000 a year cheaper with protections for preexisting conditions or $7,000 cheaper if you want a catastrophic plan on a freedom plan, that is a win for everyone. It is a win for conservatives. It is a win for moderates. It should be a win for Democrats. If Democrats were not engaged in this partisan fight, Democrats ought to be saying that lowering premiums $5,000 or $7,000 is a win for our citizens. That, I believe, will be the key to getting this done.

Let me finally say that there is rhetoric about insurance companies. Do you know who loves ObamaCare? It is insurance companies. Under ObamaCare, the profits of the top 10 insurance companies have doubled. When you have the IRS fining people to force them to purchase their product and driving up premiums so they are unaffordable, ObamaCare effectively sets up a cartel for the large insurance companies.

Consumer freedom puts you, the consumer, in charge of your choices. Instead of the giant insurance companies, instead of the Federal Government, it puts you in charge. Freedom is the key to unifying our conference, and lowering premiums is the key, and I believe we can and will get this done.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, we are now considering the Cruz amendment, which he titles consumer freedom, but there could not be a more misnamed amendment to come to the floor.

Americans know this as the fake insurance amendment. This is the amendment that says: Hey, insurance companies, we are going to do you a big favor and let you sell these policies that aren't worth the paper they are written on. And, Hey, isn't this wonderful, says my colleague from Texas, because, you know what, people will only have to pay a few dollars per month for those worthless policies, and that is freedom.

Well, I will tell you that if my colleague had been out talking to people in rural America, as I have been, if he had been out there talking to people in red America, as I have been, he would be hearing that people are terrified about this effort to annihilate health insurance.

One out of three people in Oregon have been able to be on the Oregon Health Plan because of ObamaCare. It has had an incredible impact on our rural healthcare centers. Many of them have doubled their number of employees. About 20,000 employees across the State have been added. Oh, we just heard a speech about it being a job killer, but, in fact, it has employed thousands and thousands more people in the healthcare industry across America. Little communities that didn't have folks being able to take on mental health can now take on mental health issues. Rural communities that didn't have a drug treatment program now have a drug treatment program. Rural hospitals that were going out of business now have a strong financial foundation. And that is just the beginning.

Entrepreneurs across this Nation were tied up in their companies, afraid to leave and pursue their vision because they couldn't get healthcare by themselves. Now, they can, so they are starting one business after another after another after another, and what we have seen is month after month after month of growth in employment in this Nation.

Oh, we can tell you about the amendment that my colleague from Texas is putting forward and what it does in terms of offering these fake policies, but that is only the beginning of it because what it is designed to do is carve off those who are young, carve off those who are healthy, and put them into one pool, and then those with preexisting conditions, those who are sick, those who are older, have to go to another pool in which the rates go way up and create a death spiral. So whether we call this fake insurance for the young and healthy or a death spiral insurance for the old and those with health problems or preexisting conditions, it is really blowing up the insurance market at both ends.

Don't take my word for it; take the experts' word for it. We have a Republican Senator who said that there is a real feeling that there is subterfuge to get around the preexisting conditions, referring to this amendment. And then we have a staffer for a Republican who says: ''And outside health policy folks have said this would set up a death spiral for the markets.''

OK, but let's turn to the American Enterprise Institute, an extremely conservative organization. What does their scholar say? He says, ''This means that people with those kinds of illnesses will end up paying more.'' And then he goes on to say, ''The people who don't know something will happen and come down with something, those are the ones at issue.''

Or let's turn to the American Action Forum Deputy Director Tara O'Neill Hayes, who says: ''I think that really would be the definition of a death spiral.''

Or we can turn to the former CBO Director, Douglas Holtz-Eakin, who says ''What that will do is allow insurers to offer cheap policies to young invincibles. And on the exchange you're going to get all the sick people.''

He continues and says: ''That's a recipe for meltdown. You've split the risk pool into two exchanges.''

And he says: ''I think it would end up being bad politics.''

I am not concerned about bad politics, but I am concerned about those folks whom I have been meeting out in rural America, out in red America, because they are coming to my townhalls and they are saying: Stop this diabolical plan. The Cruz amendment only makes it a lot worse by creating the fake policies for the young and healthy—the young invincibles—and the death spiral insurance for everyone else.

So someone can stand up here and speak glibly about how this is going to fix job creation in America, but what it really says is healthcare for the wealthy—not healthcare, but wealth care.

It is so interesting to see this whole coalition of individuals who want to pass a bill that not only demolishes healthcare for 22 million, but gives hundreds of billions of dollars to the very richest in America. My colleague mentioned a moment ago that the richest 400 families would get $33 billion. No, not $33,000 apiece or $33 million—$33 billion. They feel it is so important to rip healthcare from ordinary working families to deliver benefits to the wealthiest Americans. That is the opposite—opposite—of what we should be doing in America.

Franklin Roosevelt said that the test of our progress is not whether we add more abundance to those who have much; it is whether we do enough for those who have too little. What that translates to is whether we provide a foundation of affordable healthcare so that every family in America has a foundation to thrive. That is what we are fighting for.

This amendment is absolutely a bomb going off in healthcare on both ends of the spectrum, with the young and with the old, with the healthy and

with the sick, and with those with preexisting conditions.

So let's defeat this amendment and make sure we don't make a really terrible bill a lot worse.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, unfortunately, there is far too much scaremongering that occurs in the political world. But as John Adams famously said: ''Facts are stubborn things.''

My friend from Oregon just described the consumer freedom amendment as ''a bomb going off in healthcare.'' That is interesting rhetoric, but it is disconnected from the actual facts.

Let's talk about what my friend from Oregon neglected to mention or respond to in any way, shape, or form. He said not a single word about HHS finding that the consumer freedom amendment would expand insurance coverage by 2.2 million people. He had not a word to say in response to that. What he did say is that those who might choose freedom plans would be choosing what he called junk insurance.

Well, it is very nice that ObamaCare mandates that every person must buy a full-fledged Cadillac plan with all the coverage in the world. The problem is, there are millions of people who can't afford it. Not only can they not afford it, they get fined by the IRS because they can't afford it. My friend from Oregon said not a word about the 6.5 million people being fined by the IRS, roughly 50 percent of whom make $25,000 a year or less.

It is interesting that Democrats are advocating fining people who make $25,000 a year or less because they can't afford insurance. And what they say is: Look, we are going to fine you until you can afford to buy the full Cadillac plan. Well, you know what, if you are a young woman, you are 28 years old, you are just starting your career, you are making $30,000 a year, you may not be able to afford the full Cadillac plan, but you might like some coverage. You might like catastrophic coverage. So if you get a cold, you break your arm, you cover that out of your health savings account perhaps. But if, God forbid, you get some terrible disease or hit by a truck, you would like to have an insurance policy.

Sadly, our friends the Democrats say that you are out of luck. If you can't pay for the full-fledged Cadillac, you get nothing. They think your choices are junk insurance.

Remember when Barack Obama said that if you like your insurance plan, you can keep it? Well, listen to how the Democrats have moved today. If they don't like your insurance plan, you can't keep it. If they think your plan is junk, you can't keep it, and they are going to fine you through the IRS. I think you know better what your family wants.

The consumer freedom amendment doesn't take away a single choice. If you like the ObamaCare plans, they are still on the market with all of those mandates. But the Democrats are terrified of freedom. They are terrified that if people actually had the choice, they might not choose the full Cadillac; they might make a different choice.

But then in the world of scaremongering, my friend from Oregon also said: Well, those on the ObamaCare exchanges would go into a death spiral, would see their premiums spike.

Remember that John Adams quote about facts being stubborn things? Here is something else my friend from Oregon ignored, said nothing about. HHS found that for those on the exchanges, with all the title I mandates, including preexisting conditions, their premiums would drop by over $5,500 a year.

So the question is, Who is more trustworthy, the experts at HHS analyzing what would occur with competition and choices in the marketplace or the rhetoric and scaremongering that sadly is being offered from the other side?

It would be one thing if they were confronting facts, if they were actually addressing real facts; instead, it is nothing but angry rhetoric.

My friend from Oregon described repealing ObamaCare and empowering consumers and lowering premiums as ''wealth care.'' Well, there is an irony in that; in that, No. 1, roughly half of the people paying the IRS fines are making less than $25,000 a year. It is the Democrats who are fining low-income people.

No. 2, do you know who agrees with the Democrats on this? The insurance companies. Indeed, my friend from Oregon was reading from the insurance companies. Why have the top 10 insurance companies had their profits double? Because of the Democrats' mandate you have to buy their products. Do you know where the Democrats and the insurance companies agree? None of them want premiums to lower.

Of course, the insurance companies don't want more competition, more options, and your premiums going down. They want to stick it to you as much as they can. Sadly, I don't understand why, but the Democrats are standing arm in arm with the insurance companies, saying their profits need to increase even more. I don't know, maybe they cynically believe eventually it will push it to single-payer socialized medicine. I don't know why they do it, but what is wealth care is ObamaCare fattening the insurance companies at the expense of working men and women.

Facts matter, and if our friends on the Democratic side of the aisle want to raise accusations, they need to stay in the realm of reality and deal with actual facts: You want lower premiums, you want more choices, more options, more competition. You want higher premiums, you want fewer choices, less options, less competition. That is what ObamaCare does, and it is why millions of people are hurting and frustrated. It is why today is an important day.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, of course my colleague from Texas made this big rant a little while ago about how ObamaCare is a job killer. When I pointed out it has created jobs all over our country in healthcare, no response. When I pointed out it has created the opportunity for entrepreneurs to create jobs and healthcare jobs, no response. When I pointed out it creates fake insurance that doesn't cover anything when you get sick, no response. All he has to say is that it makes insurance a little cheaper.

Yes, it is worth the paper it is printed on. Well, not even that, actually, because you pay $40 or $50 a month, you go to the hospital, not covered. If you get in an accident and you need an MRI, not covered. You and your spouse have the opportunity and have a child, not covered. Not covered, not covered, not covered. Fake insurance.

It is the experts who say it throws it into a death spiral. It is the experts who say it in conservative think tanks and in liberal think tanks. So what does he have to say? We have something from the Trump team that says it is OK—not a CBO score because he is afraid it will show it makes it worse than the existing bill.

So let's talk about real facts. Next time, don't bring in a political statistic from the Trump team. Let's get a CBO score on this. Then let's have that debate. You had plenty of time to get it and you didn't get it.

This is a terrible amendment. We must defeat it.

Mr. CRUZ. Will the Senator from Oregon yield for a question?

Mr. MERKLEY. I believe my colleague has the remainder of the time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, despite all Senate Republican leaders' efforts to keep this mean bill hidden from public view, patients and families know the truth.

This legislation would cause families' healthcare costs to spike. It will gut Medicaid, and it will deny tens of millions of people their healthcare coverage. It will defund Planned Parenthood and take away critical healthcare services that women and men rely on, especially in our rural areas where it is already hard enough to get the care you need. TrumpCare would also completely pull the rug out from under patients with preexisting conditions. I could go on.

I hope every one of my colleagues joins me in voting against this awful legislation, but this vote is far from the last time Senate Republicans need to reject TrumpCare, if they are really serious about protecting patients and families from the damage it would do, because if any version of this awful bill leaves the Senate, extreme Republicans in the House are going to do everything they can to make it even

more damaging—and anyone who believes differently is refusing to see the writing on the wall.

I urge my Democratic and Republican colleagues to vote against this bill and every other version of it that we are going to see in the coming hours and days.

Mr. President, I yield back all of our time.

The PRESIDING OFFICER. Is all time yielded back?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I raise a point of order that the pending amendment violates section 311(a)(2)(B) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 270 and, if adopted, for the provisions of the adopted amendment included in any subsequent amendment to H.R. 1628 and any amendment between Houses or conference report thereon, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 43, nays 57, as follows:

[Rollcall Vote No. 168 Leg.]

YEAS—43

Alexander	Flake	Roberts
Barrasso	Gardner	Rounds
Blunt	Grassley	Rubio
Boozman	Hatch	Sasse
Burr	Hoeven	Scott
Capito	Inhofe	Shelby
Cassidy	Isakson	Strange
Cochran	Johnson	Sullivan
Cornyn	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Perdue	Young
Ernst	Portman	
Fischer	Risch	

NAYS—57

Baldwin	Gillibrand	Murkowski
Bennet	Graham	Murphy
Blumenthal	Harris	Murray
Booker	Hassan	Nelson
Brown	Heinrich	Paul
Cantwell	Heitkamp	Peters
Cardin	Heller	Reed
Carper	Hirono	Sanders
Casey	Kaine	Schatz
Collins	King	Schumer
Coons	Klobuchar	Shaheen
Corker	Leahy	Stabenow
Cortez Masto	Lee	Tester
Cotton	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Moran	Wyden

The PRESIDING OFFICER (Mr. YOUNG). On this vote, the yeas are 43, the nays are 57.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 271 TO AMENDMENT NO. 267

(Purpose: Of a perfecting nature.)

Mr. ENZI. Mr. President, I call up the Paul amendment No. 271.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. PAUL, proposes an amendment numbered 271 to amendment No. 267.

Mr. ENZI. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The Senator from Indiana.

MOTION TO COMMIT

Mr. DONNELLY. Mr. President, I have a motion to commit at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

The Senator from Indiana [Mr. Donnelly] moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike provisions that will—

(A) reduce or eliminate benefits or coverage for individuals who are currently eligible for Medicaid;

(B) prevent or discourage a State from expanding its Medicaid program to include groups of individuals or types of services that are optional under current law; or

(C) shift costs to States to cover this care.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the text of my motions to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide a tax credit to individuals who do not qualify for the credit under section 36B of the Internal Revenue Code of 1986 equal to 25 percent of the premiums for health insurance paid by such individuals during the taxable year.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide a tax credit to small businesses for each employee enrolled in their health plan who is 50 years of age or older.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would help rural hospitals stay open, maintain emergency room care, and provide access to outpatient services.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) repeal the noninterference clause under the Medicare part D prescription drug program in order to allow the Secretary of Health and Human Services to negotiate for the best possible price for prescription drugs.

Mr. PETERS. Mr. President, I intend to move to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that,

No. 1, are within the jurisdiction of such committee; and, No. 2, would ensure that the bill does not increase costs, reduce benefits, or eliminate health coverage for any veteran or dependent of a veteran enrolled in traditional Medicaid, expanded Medicaid, or a qualified health plan offered through an exchange.

I am offering this motion because the legislation as written could harm millions of veterans and their dependents currently enrolled in traditional Medicaid, expanded Medicaid, and ACA exchange plans. The following Senators support my motion to commit: DUCKWORTH, STABENOW, CARPER, WHITEHOUSE, SHAHEEN, BLUMENTHAL, HIRONO, REED, DURBIN and BALDWIN. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. Peters moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) would ensure that the bill does not increase costs, reduce benefits, or eliminate health coverage for any veteran or dependent of a veteran enrolled in traditional Medicaid, expanded Medicaid, or a qualified health plan offered through an Exchange.

The PRESIDING OFFICER. The Senator from Wyoming.

MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate be in 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 SABRA FIELD

Mr. LEAHY. Mr. President, Vermont is a place of natural, exquisite beauty. From the expansive, rolling Green Mountains, to the crystal shores of Lake Champlain, Vermont is home to some of the most iconic geographic scenery our country has to offer. I am so proud to call Vermont my home.

Vermont is also continually ranked as having the most artists per capita than any other State. Our many artists—writers, photographers, painters, sculptors, potters, and more—help capture the iconic beauty that has long made Vermont a destination for visitors from across the country and around the world. One such artist, Sabra Field, is among the most gifted and extraordinary of them.

Sabra first came to Vermont in 1953 to attend Middlebury College. An Oklahoma native, she has since been lauded as a ''Vermont Living Treasure.'' Perhaps most well-known for her vivid landscapes, Ms. Field's impressive and iconic paintings are now of signature familiarity across our State and beyond. Any Vermonter who sees a painting of purple mountain majesties against a starry, blue night sky knows they are looking at one of her paintings. In 1991, Sabra was commissioned by the U.S. Postal Service to create a postage stamp of a red barn, blue sky, and green hills, a stamp which sold more than 60 million copies. She has also designed images for IBM, the Rockefeller Center, and UNICEF.

Yet what most suspect only to be Ms. Field's effort to capture Vermont's impressive geography may be surprised to discover that the meaning behind her artwork spans much further. In a new exhibit of Sabra's six-decade long career, showcased by the Middlebury College Museum of Art, her artistry takes on a deeper meaning, as told by the artist herself.

The Middlebury exhibit showcases some of Ms. Field's most iconic pieces, with each painting accompanied by a description of the memory or inspiration behind it. For instance, in a caption situated under an illustration of a family of hippopotamuses, Sabra writes of her first child who was hit by a car just short of his 10th birthday and died tragically 2 days later. In a 2011 panorama painted of Hawaii, she captions the story of the passing of her late husband, Spencer, who passed away on his favorite island of Kauai from complications related to cancer. The exhibit also depicts her work beyond that of a pastoralist, with self-portraits and paintings inspired by her personal exploration of spirituality, mythology, the cosmos, world history, and life after death.

These images and others reveal the often somber trials of Ms. Field's life. They also expose the ways in which her artistry has helped her heal and grow over time. Ms. Field is hoping this new exhibit will help avoid her being known as purely a pastoralist, as she feels her art is both an expression of beauty and a representation of the obstacles and rebounds of her life.

Marcelle and I would like to congratulate Sabra on her new exhibit at Middlebury College and on her career of record accomplishments. Her treasured paintings have long been a gift to Vermont and the world, and we know her work's timeless beauty will tell stories for generations to come. Our home proudly displays many of her works of art. We are so proud to call Sabra our dear friend.

I ask unanimous consent that a copy of the article ''Sabra Field Show Reveals Personal Peaks and Valleys,'' published in the Vermont Digger on July 16, 2017, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Vermont Digger, July 16, 2017]

SABRA FIELD SHOW REVEALS PERSONAL PEAKS AND VALLEYS

(By Kevin O'Connor)

MIDDLEBURY.—The first words of a new exhibit celebrating one of Vermont's most recognized artists sum up the seeming dilemma: ''What can one say about Sabra Field's work that has not already been said?''

Plenty, the 82-year-old printmaker soon proves. Take her 1962 illustration of a family of sunny, smiling hippos.

''Here is the birth announcement for my first child, Barclay Giddings Johnson III, 'Clay' for short,'' she writes in an accompanying caption. ''He was a handsome boy, a fearless skier, full of the joy of life, loved and admired by adults and kids alike. Hit by a car just short of his 10th birthday, he died two days later.''

Next comes a 1965 self-portrait featuring more shadows than light.

''This is me the year I grew up, age 30,'' she writes, ''when my parents died within a week of each other.''

Then there's the 2011 panorama ''Sea, Sand, Stones'' that Field composed while visiting Hawaii with her husband.

''Spen died suddenly on our favorite island, Kauai, from complications dating back to cancer seven years earlier,'' she writes. ''A set of these prints now hangs in Wilcox Memorial Hospital in Lihue in Spen's memory. The ER doctor who tried so hard to save him has become a good friend.''

Most Vermonters think of Field for works as colorful and carefree as the red barn, blue sky and green hills she created for a 1991 U.S. postage stamp that sold more than 60 million copies.

''Over the course of her career she has received any number of accolades, and has been variously described as 'the Grant Wood of Vermont,' 'the artist laureate of Vermont,' and as someone who 'has touched more lives than any Vermont artist in history,'" says Richard Saunders, a Middlebury College professor and director of its Museum of Art.

But the surprisingly personal ''Sabra Field, Then and Now: A Retrospective'' on campus through Aug. 13 reveals as much about her private struggles as her professional success.

''THE DIRECTION OF ONE'S WISHES''

Field, born in Oklahoma and raised in New York, first came to Vermont in 1953 to attend Middlebury, where she graduated 60 years ago /(''I went to Middlebury because there was no math requirement,'' she confides in the show's catalog). She has given the college an archive copy of every print she has ever created.

Writing her own captions, the artist uses the 100-work exhibit to chronicle her career, starting with a 1971 image of swaying green stripes titled ''Grass.''

''My first 'home run,'" she notes. ''I inadvertently hit a universal theme that got copied and got me to begin registering work with the Library of Congress.''

On another wall, Field's 2001 ''Eastern Mountains'' features a more detailed landscape of emerald, turquoise and gold.

''The trip from coastal Maine to Vermont crosses the White Mountains in New Hampshire and gives a view of the Upper Valley perhaps not as broad and agricultural as in my dreams,'' she writes. ''Memory alters in the direction of one's wishes.''

''Eastern Mountains'' proves the point. Field began the first proofs on Sept. 11, 2001, just before seeing television coverage of that day's terrorist attacks.

Every peak in this artist's world is framed by valleys, the exhibit shows. Consider the 1960 work ''Daisies.''

''This was published as a print and also as a hand-printed greeting card,'' she explains, ''an enterprise found to be hugely unprofitable.''

Next comes a 1969 self-portrait Field produced after leaving her first marriage.

''I divorced and moved from a Connecticut prep school,'' she notes, ''to an old tavern in rural Vermont.''

Then again, every valley in this artist's world is followed by peaks. That two-century-old structure, in the Windsor County settlement of East Barnard, is where Field began to design, draw and cut the woodblock prints that have sustained her for the past 50 years.

''I became part of a different culture where I could live and work at home in a quiet hamlet that was good for kids and without pretense,'' she continues in the caption. ''Here I am sitting in front of my window overlooking a dirt road with alfalfa on the other side and a quote from George Weld on the window frame that reads 'Therefore Choose Life.'"

''LIKE ARTISTS ALWAYS HAVE BEEN''

Field's subsequent 1972 suite of prints depicting the words of the 23rd Psalm allowed her to mark the death of her firstborn son through images ranging from a wintry day (''Yea, though I walk through the valley of the shadow of death, I will fear no evil'') to a starry summer night (''Surely goodness and mercy will follow me all the days of my life'').

As writer Nancy Price Graff notes in an essay that anchors the exhibit's catalog: ''For the first time, she turned to Vermont's landscape to illustrate humankind's spiritual connection to nature and nature's capacity to heal those who give themselves to it.''

Adds Saunders: ''While on the one hand she has been accused by some of sanitizing the world and removing the nitty-gritty details that surround us, others would say this is a natural part of a desire to see beyond the

mundane and urge us to sense the spiritualism that surrounds us.''

And Field: ''I know I see Vermont through rose-colored glasses. I know what dire poverty we suffer here. But I guess I am like artists always have been. They want to see things at their best.''

As an example, the artist pictures herself in a 1988 self-portrait working in front of a seemingly limitless horizon.

''Reagan started a recession, sales started to slump,'' she confides in the caption. ''An amazing start up, The Mountain School of Milton Academy, hired me to teach gifted high school juniors a few days a week and the commute to Vershire, Vermont, was so beautiful it resulted in many new prints.''

(The self-portrait, its subject adds, features a ''fabulous Ralph Lauren red suede skirt I remembered trying on in New York City'' but ultimately never buying.)

The exhibit includes several landscapes that viewers may recognize from cards, calendars and Vermont PBS pledge drives.

''I believe prints are a popular art form, meant for collectors of modest incomes, as well as those who can spend a lot,'' the artist explains. ''It's been that way since the first woodblock prints were sold to pilgrims as souvenirs at the shrines of Europe in Medieval times.''

But Field's art wasn't always seen as marketable. Take the story behind her 1977 ''Mountain Suite.''

''Vermont Life magazine requested a seasonal suite to sell,'' she writes. ''Then they declined to buy them from me.''

The artist went on to distribute the four images herself. (On her website they now sell for $250 each.) Vermont Life, for its part, profiled her in 1979 and put one of her prints on its cover in 1986.

''LIFE AFTER LIFE? YOU TELL ME''

Success has allowed Field to travel the world and take creative chances. Her 12-panel ''Pandora Suite,'' depicting the Greek myth of the first goddess to appear in human form, came in response to the United States' 2003 invasion of Iraq.

''Her work has changed so much over time,'' the artist's brother, Tony Harwood, says in an hour long documentary, ''Sabra: The Life & Work of Printmaker Sabra Field,'' that plays as part of the show. ''Sabra felt economically comfortable enough to focus on possibly nonmarketable subjects.''

But however far she strays, Field always returns to her roots. Consider the recently completed ''Cloud Way,'' which she deems the retrospective's signature image.

''Believe me when I tell you I did the (preparation) to begin this print while on holiday in Sicily,'' she writes. ''I was homesick for the stretch of the White River along which I travel to reach the coop in South Royalton.''

The show also includes illustrations from her new children's book ''Where Do They Go?''—which the artist, joined by writer Julia Alvarez, will discuss July 29 at Woodstock's Bookstock literary festival.

The latter work ''gently addresses the emotional side of death,'' its publisher states. But Field is aggressive in not letting age stop her creativity. The exhibit features a recent work titled ''Floating Woman.''

''One morning I woke with a dream of floating up to the heavens,'' she writes. ''I walked into the studio and made a little drawing.''

Another self-portrait, she realized.

''Mortality? Resurrection? Life after life? You tell me.''

Field caps her show with a 50-year-old print that quotes the late scribe James Baldwin.

''My future was doubtful that summer of 1967,'' she writes in the caption. ''These words by a black American writer living in Paris described this white American printmaker in New England, and they still do: 'It seems to me that one ought to rejoice in the fact of death, ought to decide indeed to earn one's death by confronting with passion the conundrum of life.' ''

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation related to healthcare reform. The authority to adjust is contingent on the legislation not increasing the deficit over the period of the total of fiscal years 2017–2026.

I find that S. Amdt. 267 fulfills the conditions of deficit neutrality found in section 3001 of S. Con. Res. 3. Accordingly, I am revising the allocations to the Committee on Finance, the Committee on Health, Education, Labor, and Pensions, HELP, and the budgetary aggregates to account for the budget effects of the amendment. I am also adjusting the unassigned to committee savings levels in the budget resolution to reflect that, while there are savings in the amendment attributable to both the HELP and Finance committees, the Congressional Budget Office and Joint Committee on Taxation are unable to produce unique estimates for each provision due to interactions and other effects that are estimated simultaneously.

I ask unanimous consent that the tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET AGGREGATES
BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

$s in millions	2017
Current Aggregates:	
Spending:	
Budget Authority	3,329,289
Outlays	3,268,171
Adjustments:	
Spending:	
Budget Authority	−4,100
Outlays	−4,500
Revised Aggregates:	
Spending:	
Budget Authority	3,325,189
Outlays	3,263,671

BUDGET AGGREGATE
REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

$s in millions	2017	2017–2021	2017–2026
Current Aggregates:			
Revenue	2,682,088	14,498,573	32,351,660
Adjustments:			
Revenue	−6,200	−305,300	−891,500
Revised Aggregates:			
Revenue	2,675,888	14,193,273	31,460,160

REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

$s in millions	2017	2017–2021	2017–2026
Current Allocation:			
Budget Authority	2,277,203	13,101,022	31,274,627
Outlays	2,262,047	13,073,093	31,233,186
Adjustments:			
Budget Authority	−200	−1,000	13,600
Outlays	−200	−1,000	13,600
Revised Allocation:			
Budget Authority	2,277,003	13,100,022	31,288,227
Outlays	2,261,847	13,072,093	31,246,786

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

$s in millions	2017	2017–2021	2017–2026
Current Allocation:			
Budget Authority	17,204	90,282	176,893
Outlays	15,841	89,820	183,421
Adjustments:			
Budget Authority	400	−1,000	−9,200

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS—Continued

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

$s in millions	2017	2017–2021	2017–2026
Outlays	0	500	−6,000
Revised Allocation:			
Budget Authority	17,604	89,282	167,693
Outlays	15,841	90,320	177,421

REVISION TO ALLOCATION TO THE UNASSIGNED COMMITTEE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

$s in millions	2017	2017–2021	2017–2026
Current Allocation:			
Budget Authority	−844,671	−4,649,869	−10,724,965
Outlays	−835,437	−4,608,689	−10,648,885
Adjustments:			
Budget Authority	−4,300	−364,900	−1,432,100
Outlays	−4,300	−364,900	−1,432,100
Revised Allocation:			
Budget Authority	−848,971	−5,014,769	−12,157,065
Outlays	−839,737	−4,973,589	−12,080,985

TRIBUTE TO SCOTT ALVAREZ

Mr. CRAPO. Mr. President, today the Senator from Ohio and I wish to speak about Scott Alvarez, general counsel of the Board of Governors of the Federal Reserve System.

Mr. Alvarez is retiring after a 36–year career with the Board of Governors, including the last 12 as general counsel.

He joined the board's legal division in 1981, immediately after graduating from Georgetown Law School, and worked as a staff attorney on bank regulatory issues for many years, until he was named general counsel in 2004.

In that role, he served as a key adviser to Chairmen Greenspan and Bernanke and Chair Yellen.

He was also general counsel of the Federal Open Market Committee, and he was the chief lawyer in carrying out some of the Fed's other roles, including overseeing the payments system and issuing currency.

I have enjoyed working with Mr. Alvarez over the years and have appreciated the insights and feedback he has provided to me and the Banking Committee.

On a personal note, his help was particularly valuable in 2006, when the Senate passed the Financial Services Regulatory Relief Act of 2006, which was then signed into law by President Bush.

I want to thank Mr. Alvarez for his assistance on that bill and others and for his service to the Federal Reserve and to the country.

Mr. BROWN. Mr. President, I want to echo the comments of the senior Senator from Idaho, the chairman of the Banking Committee, and thank Mr. Alvarez for his service at the Federal Reserve.

I specifically want to thank him for his service during the financial crisis of 2008. Our country faced daunting challenges during that period, and the Federal Reserve and the government's response to the financial crisis was not an easy undertaking.

The crisis demanded great effort and ingenuity from many people. It required close coordination across the executive branch, the regulatory agencies, Congress, and the private sector. Working with key decisionmakers at the board and throughout the government, Mr. Alvarez played an important role in developing and articulating the legal dimensions to virtually every initiative taken by the Federal Reserve to address the crisis.

Mr. Alvarez also worked closely with Congress during consideration of the Dodd-Frank Wall Street Reform and Consumer Protection Act and played a crucial role in implementing rulemakings required of the Federal Reserve by Dodd-Frank. I am particularly grateful for the work he did to implement strong rules to increase the capital and leverage requirements for the Nation's largest banks—a necessary and critical step after the crisis—and the work that he did with my office in making one of the first substantive amendments to Dodd-Frank related to capital standards for insurance companies.

Scott Alvarez has served the Federal Reserve and the American people with great distinction and deserves thanks for a job well done.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. TEMPLE GRANDIN

• Mr. GARDNER. Mr. President, today I wish to honor Dr. Temple Grandin's induction into the National Women's Hall of Fame. Dr. Grandin is an internationally recognized leader for her work in animal sciences and autism awareness. I would also like to wish Dr. Grandin a happy 70th birthday.

Dr. Grandin has contributed immensely to the study of animal sciences and the agriculture industry. She has been an esteemed college professor at Colorado State University for more than 20 years, and much of her research and inventions have become standard industry procedure, like humane cattle slaughter. She began her career in the early 1970s and was one of only a handful of women working in animal sciences. She paved the way for other women to thrive in this industry.

In addition to her professorship, Dr. Grandin has become a well-known advocate and spokeswoman for autism awareness. She has published countless books about living with autism and has been recognized on the Time Magazine's Top 100 Most Influential People under the ''Heroes'' category. She has received honorary doctorate degrees from 13 universities across the country and around the world. Dr. Grandin has also received numerous industry awards for her significant contributions to agriculture, as well as her advocacy for autism awareness.

Dr. Grandin has undoubtedly left a lasting impression on the animal sciences and autism advocacy. I congratulate her induction into the prestigious National Women's Hall of Fame and again wish Dr. Grandin a very happy birthday.•

TRIBUTE TO JAKOB HELLER

• Mr. HELLER. Mr. President, today I wish to recognize my nephew, Jakob Heller, on his upcoming achievement of becoming an Eagle Scout, one of the highest honors in the Boy Scouts. On August 2, 2017, Jakob officially becomes an Eagle Scout, which serves as a symbol of his dedication to the Scouts' mission of creating responsible, participating citizens and leaders.

In order to become an Eagle Scout, Jakob completed tests and earned merit badges that required mastering specific outdoor skills and providing services to his community. He also demonstrated a commitment to his team and the Boy Scout mission and oath.

Jakob comes from a military family, and like many military families, they are constantly on the move. Jakob's father served in the U.S. Navy, and after retirement, he moved his family to southern West Virginia where they have been living for the last 5 years. I am happy to note that, following his Eagle Scout ceremony, Jakob and his family will be moving to Carson City, NV, where his grandparents and extended family anxiously await his arrival.

Jakob is a talented young man who excels academically and participates in a number of extracurricular activities. In addition to his academic accomplishments, he is a gifted musician who

plays the trumpet in the marching band and the French horn in the school's concert band. He is also a member of the cross-country team and participates in track and field, where he shines in sprint relays, hurdle events, and the long jump. His ability to balance school, athletics, and Boy Scouts is truly remarkable.

Furthermore, Jakob is preparing for a future in computer programming. Like many kids his age, he loves playing video games and is interested in becoming a video game programmer. Additionally, he is part of his school's robotics club and programs robots to compete in challenging competitions. With such extensive experience at a young age, I am confident Jakob will have a bright future as a computer programmer.

Jakob is responsible and dependable and understands the importance of his family, friends, and community. Boy Scouts has had a positive impact on his life, and I know that he will serve as an excellent role model for other members of his family and friends.

In closing, I ask my colleagues and all Nevadans to join me in congratulating this new Nevada resident, my nephew Jakob Heller. I cannot be more proud of this young man, and I look forward to witnessing his many contributions to our community in the years ahead.●

TRIBUTE TO PAUL KASTER

● Mr. ROBERTS. Mr. President, today I wish to recognize the distinguished accomplishment of Kansan Paul Kaster on the occasion of his 2017 National Federation of Independent Business, NFIB, Young Entrepreneur Award.

Mr. Kaster, of Leawood, KS, is the founder and owner of Crooked Branch Studio, which specializes in woodworking. I ask that my colleagues join me in recognizing Paul on his outstanding achievements. I wish him nothing but the best for his future entrepreneurial and educational endeavors.●

MONROE COUNTY BICENTENNIAL

● Ms. STABENOW. Mr. President, today I wish to pay special tribute to Monroe County, MI, which is celebrating its bicentennial this year.

Located on the shores of Lake Erie, Monroe County was founded on July 14, 1817. It is named in honor of President James Monroe, who visited the Michigan Territory in August 1817, shortly after the county's founding. The county has the proud distinction of being the second county founded in Michigan.

The people of Monroe are proud of their history. This history has inspired generations of hard-working and fiercely independent people who are committed to preserving their history, protecting their natural resources, and innovating for their future.

Monroe County is home to the River Raisin National Battlefield Park, which commemorates the January 1813 battles of the War of 1812. The battles marked one of the greatest defeats for the United States during the war, and the rally cry, ''Remember the Raisin'' inspired support for the rest of the war. I was honored to help lead the effort in Congress with Congressman Dingell and Senator Levin to pass the legislation that made the park part of the National Park System. The park has now become an economic driver, attracting economic development to the surrounding area.

Monroe County is also home to La-Z-Boy Furniture, the inventers of the world's first reclining chair. The company was founded in 1927 and employs more than 6,300 people nationwide. The corporate headquarters is still based in Monroe.

One of the most famous Monroe County residents is General George Armstrong Custer, who spent much of his life in Monroe. One of the youngest Americans to ever be promoted to brigadier general, Custer is known for his successes during the Civil War and his death at the Battle of the Little Bighorn, also known as Custer's Last Stand.

As a leader of the Senate Agriculture Committee, I am especially proud of Monroe County's agricultural heritage. The county has over 270 historic farms—the most of any county in Michigan.

Numerous events and celebrations have been planned in the county throughout the year to mark this special milestone. Congratulations to Monroe County on 200 years of impressive history, growth, and success.●

TRIBUTE TO DEVIN MARTIN

● Mr. THUNE. Mr. President, today I recognize Devin Martin, one of my Washington, DC, interns, for all of the hard work he has done for me and my staff at the Senate Republican Conference.

Devin is a graduate of Huntley High School in Huntley, IL. Currently, he is attending the University of South Dakota in Vermillion, SD, where he is majoring in journalism and political science. Devin is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Devin Martin for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:29 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 282. An act to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect the same residences as the servicemembers.

H.R. 1058. An act to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

H.R. 1690. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs.

H.R. 1848. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, and for other purposes.

H.R. 2006. An act to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes.

H.R. 2056. An act to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies.

H.R. 2364. An act to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes.

H.R. 2749. An act to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes.

H.R. 2781. An act to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes.

H.R. 3218. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

The message further announced that the Clerk of the House of Representatives request the Senate to return to the House the joint resolution (H.J. Res. 76) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to a enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

At 5:34 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 111. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Arbitration Agreements''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 282. An act to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers; to the Committee on Veterans' Affairs.

H.R. 1058. An act to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1690. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 1848. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2006. An act to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2056. An act to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies; to the Committee on Small Business and Entrepreneurship.

H.R. 2364. An act to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2749. An act to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2781. An act to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes; to the Committee on Veterans' Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2289. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Fiscal Year 2016 Operational Energy Annual Report''; to the Committees on Appropriations; and Armed Services.

EC–2290. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2018''; to the Committee on Armed Services.

EC–2291. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalty Inflation Adjustment'' (RIN3133–AE67) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–2292. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the activities of the U.S. Economic Development Administration (EDA) for fiscal year 2016; to the Committee on Environment and Public Works.

EC–2293. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2017'' ((RIN3150–AJ73) (NRC–2016–0081)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Environment and Public Works.

EC–2294. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on Ways to Improve Upon the Part D Appeal Process''; to the Committee on Finance.

EC–2295. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Australia to support the P–8 Production, Sustainment, and Follow-on Development Memorandum of Understanding in the amount of $100,000,000 or more (Transmittal No. DDTC 17–042); to the Committee on Foreign Relations.

EC–2296. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the United States Munitions List of pistols to El Salvador in the amount of $1,000,000 or more (Transmittal No. DDTC 16–134); to the Committee on Foreign Relations.

EC–2297. A communication from the Deputy Assistant Secretary of Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report to Congress from the Chairman of the National Advisory Council on International Monetary and Financial Policies; to the Committee on Foreign Relations.

EC–2298. A communication from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting, pursuant to law, the Commission's annual report for 2016; to the Committee on Foreign Relations.

EC–2299. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act—Accountability and State Plans'' ((RIN1810–AB27) (Docket No. ED–2016–OESE–0032)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–2300. A communication from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting, pursuant to law, a report that includes recommendations for improving federally and privately funded Alzheimer's programs; to the Committee on Health, Education, Labor, and Pensions.

EC–2301. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Teacher Preparations Issues'' (RIN1840–AD07) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC–2302. A communication from the Chief of the Border Security Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments: Electronic Information for Cargo Exported from the United States'' (CBP Dec. 17–06) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2303. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–2304. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Veteran-Owned Small Business Verification Guidelines'' (RIN2900–AP93) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Veterans' Affairs.

EC–2305. A joint communication from the Interim Deputy Secretary of Veterans Affairs and the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled ''Veterans Affairs and Department of Defense Joint Executive Committee Fiscal Year 2016 Annual Report''; to the Committee on Veterans' Affairs.

EC–2306. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (4); Amdt. No. 3750'' (RIN2120–AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2307. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (76); Amdt. No. 3747'' (RIN2120–AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2308. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (114); Amdt. No. 3749'' (RIN2120–AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2309. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (129); Amdt. No. 3748'' (RIN2120–AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2310. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–3984)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2311. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9573)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2312. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–8185)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2313. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–0461)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2314. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9071)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2315. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9574)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2316. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3148)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2317. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9391)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2318. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0126)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2319. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9188)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2320. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9502)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2321. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9566)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2322. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9384)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2323. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0125)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2324. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–7529)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2325. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0558)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2326. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9254)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2327. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9504)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2328. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9437)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2329. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–0078)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2330. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–0061)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2331. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2016–6693)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2332. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–0060)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2333. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2017–0187)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2334. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2017–0343)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2335. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of VOR Federal Airways V–55, V–63, V–177, V–228, and V–246 in the Vicinity of Stevens Point, WI'' ((RIN2120–AA66) (Docket No. FAA–2016–9374)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2336. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of and Establishment of Air Traffic Service (ATS) Routes; Northcentral United States'' ((RIN2120–AA66) (Docket No. FAA–2016–8944)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2337. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Tucson, AZ'' ((RIN2120–AA66) (Docket No. FAA–2017–0218)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2338. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace for the following North Dakota Towns; Wahpeton, ND; Hettinger, ND; Fargo, ND; Grand Fork, ND; Carrington, ND; Cooperstown , ND; Pembina, ND; Rugby, ND; Devils Lake, ND; Bottineau, ND; Valley City, ND; and Gwinner, ND'' ((RIN2120–AA66) (Docket No. FAA–2016–9118)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2339. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Hilo, HI'' ((RIN2120–AA66) (Docket No. FAA–2017–0222)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2340. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Arcata, CA; Fortuna, CA; and Establishment of Class E Airspace; Arcata, CA, and Eureka, CA'' ((RIN2120–AA66) (Docket No. FAA–2015–6751)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2341. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Finleyville, PA'' ((RIN2120–AA66) (Docket No. FAA–2016–9496)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2342. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Grayling, AK'' ((RIN2120–AA66) (Docket No. FAA–2016–9333)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2343. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Sacramento, CA'' ((RIN2120–AA66) (Docket No. FAA–2016–9476)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2344. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Eugene, OR'' ((RIN2120–AA66) (Docket No. FAA–2017–0224)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2345. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Multiple Restricted Areas; Townsend, GA'' ((RIN2120–AA66) (FAA–2017–0585)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2346. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Temporary Restricted Areas R–2509E, R–2509W, and R–2509N; Twentynine Palms, CA'' ((RIN2120–AA66) (Docket No. FAA–2016–9536)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2347. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; St. Louis River (Duluth-Superior Harbor), between the towns of Duluth, MN and Superior, WI'' ((RIN1625–AA09) (Docket No. USCG–2017–0212)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2348. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Safety Zones; Recurring Marine Events in Sector Columbia River'' ((RIN1625–AA08 and RIN1625–AA00) (Docket No. USCG–2017–0224)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2349. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Oswego Harborfest 2017 Breakwall and Barge Fireworks Display, Oswego Harbor, Oswego, NY'' ((RIN1625–AA00) (Docket No. USCG–2017–0359)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2350. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lake Michigan, Whiting, Indiana'' ((RIN1625–AA00) (Docket No. USCG–2017–0195)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2351. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Port Huron Blue Water Fest Fireworks, St. Clair River, Port Huron, MI'' ((RIN1625–AA00) (Docket No. USCG–2017–0500)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2352. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Potomac River, Montgomery County, MD'' ((RIN1625–AA00) (Docket No. USCG–2017–0448)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2353. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lakewood Independence Day Fireworks Display; Lake Erie, Lakewood, OH'' ((RIN1625–AA00) (Docket No. USCG–2017–0533)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2354. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Bay Village Independence Day Celebration Fireworks Display; Lake Erie, Bay Village, OH'' ((RIN1625–AA00) (Docket No. USCG–2017–0568)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2355. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Marine Events held in the Captain of the Port Long Island Sound Zone'' ((RIN1625–AA00) (Docket No. USCG–2017–0440)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2356. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Marine Events held in the Captain of the Port Long Island Sound Zone'' ((RIN1625–AA00) (Docket No. USCG–2017–0243)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2357. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; St. Ignace Fireworks Displays, St. Ignace, MI'' ((RIN1625–AA00) (Docket No. USCG–2017–0472)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2358. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Cleveland Triathlon Swim Event; Lake Erie, Cleveland, OH'' ((RIN1625–AA00) (Docket No. USCG–2017–0580)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2359. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Thunder on the Outer Harbor; Buffalo Outer Harbor, Buffalo, NY'' ((RIN1625–AA00) (Docket No. USCG–2017–0331)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2360. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, Amtrak's audited Consolidated Financial Statements for the years ended September 30, 2016 and September 30, 2015 with report of independent auditors; to the Committee on Commerce, Science, and Transportation.

EC–2361. A communication from the Deputy Assistant Chief Counsel, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Competitive Passenger Rail Service Pilot Program'' (RIN2130–AC60) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2362. A communication from the Acting Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Offers of Financial Assistance'' (RIN2140–AB27) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–76. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress to continue full funding for the Facility for Rare Isotope Beams on the campus of Michigan State University; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 113

Whereas, The President's proposed 2018 budget includes a $17 million cut in federal funding for the Facility for Rare Isotope Beams (FRIB) at Michigan State University. This could delay the project's anticipated completion date, increasing costs by an estimated $20 million; and

Whereas, Currently, the state-of-the-art project is on budget and ahead of schedule and is about three quarters completed. The FRIB will be the world's most powerful rare isotope beam facility upon completion; at least 1,000 times more powerful than Michigan State University's existing cyclotrons; and

Whereas, The FRIB will more than double the research opportunities available in the field of nuclear physics. Its cutting-edge discoveries will provide applications for society in such areas as cancer research, homeland security, and commercial innovation. A world class scientific facility such as the FRIB will address the U.S. innovation deficit and provide opportunities to train the next generation of scientific and business leaders; and

Whereas, The FRIB will have a huge impact on Michigan. It will contribute an estimated $4.4 billion in statewide economic activity over the course of its lifespan. It is expected to create over 1,000 jobs, generate wages of $1.7 billion, and strengthen and diversify the state's economy through investments in research and innovation; and

Whereas, It is critically important that federal funding continue to provide a solid foundation for cutting-edge scientific research at the FRIB. A funding shortfall and delay could mean canceled contracts and missed opportunities in the region's burgeoning particle science industry. Continuation of full funding is essential to keeping FRIB construction on time and on budget; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress to continue full funding for the Facility for Rare Isotope Beams on the campus of Michigan State University; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–77. A joint resolution adopted by the Legislature of the State of Alaska making application to the United States Congress to call a convention of the state to propose a countermand amendment to the United States Constitution as provided under Article V; and urging the legislatures of the other 49 states to make the same application; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 14

Whereas the state's sovereignty has been infringed upon by the federal government, including by the federal government's recent denial of and refusal to work with state officials on the construction of a lifesaving road from King Cove to Cold Bay; and

Whereas the state's access to a fair permitting process for projects that will develop the state's natural resources and provide revenue streams to the state, including oil exploration in the Arctic National Wildlife Refuge and large-scale mining projects throughout the state, has been continually denied by the United States Environmental Protection Agency and other agencies of the federal government; and

Whereas the United States Congress has, at times, exceeded its delegated powers, the President of the United States has, at times, exceeded the constitutional authority of the office of the President of the United States, and the federal courts have, at times, exceeded their authority by issuing decisions on public policy matters reserved to the states in violation of the principles of federalism and separation of powers, all of which have adversely affected the state and its people; and

Whereas, under the authority of art. V, Constitution of the United States, the several states should apply to the United States Congress to call a convention of the states to amend the United States Constitution and adopt a countermand amendment to authorize the states, upon a vote of three-fifths of the state legislatures, to nullify and repeal a federal statute, executive order, judicial decision, regulatory decision by a federal government agency, or government mandate imposed on the states by law that adversely affects the interests of the states, in order to properly exercise the states' constitutional authority to check federal power, preserve state sovereignty, and protect the rights of the states and the people; and

Whereas the states have the authority to define and limit the agenda of a convention to a single-issue ''countermand amendment convention'' called for by the states as provided under art. V, Constitution of the United States; and

Whereas the delegates sent by the states to a countermand amendment convention shall have the limited authority to deliberate on and decide whether the countermand amendment, as preapproved by state legislatures, should be sent back to the state legislatures for ratification; Be it

Resolved, That, under art. V, Constitution of the United States, the Alaska State Legislature directs the United States Congress to call. a single-issue convention of the states, called a ''countermand amendment convention,'' for the sole purpose of deciding whether the proposed countermand amendment should be sent back to the state legislatures for ratification; and be it further

Resolved, That the Alaska State Legislature directs the United States Congress to convene the countermand amendment convention within 60 days after the date it receives the 34th call for that convention from state legislatures; and be it further

Resolved, That this application constitutes a continuing application in accordance with art. V, Constitution of the United States, until at least two-thirds of the legislatures of the several states have applied for a similar convention of the states; and be it further

Resolved, That the Alaska State Legislature urges the legislatures of the other 49 states to apply to the United States Congress to call a single-issue countermand convention of the states under art. V, Constitution of the United States.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the other 49 states.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. BURR for the Select Committee on Intelligence.

Robert P. Storch, of the District of Columbia, to be Inspector General of the National Security Agency.

*Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

*Susan M. Gordon, of Virginia, to be Principal Deputy Director of National Intelligence.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. MARKEY, Ms. HARRIS, Mr. CARDIN, and Mr. MERKLEY):

S. 1624. A bill to prohibit the use of chlorpyrifos on food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL:

S. 1625. A bill for the relief of Nury Chavarria; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mrs. FEINSTEIN, and Mr. MARKEY):

S. 1626. A bill to improve the safety of the air supply on commercial aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. MURPHY, and Mr. CASEY):

S. 1627. A bill to extend the authorization of the Highlands Conservation Act; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mrs. ERNST, and Mr. FRANKEN):

S. 1628. A bill to revise counseling requirements for certain borrowers of student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 1629. A bill to reauthorize the Department of Defense Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Armed Services.

By Mr. CASEY (for himself, Ms. BALDWIN, and Mr. BROWN):

S. 1630. A bill to establish in the Administration for Children and Families of the Department of Health and Human Services the Federal Interagency Working Group on Reducing Child Poverty to develop a national strategy to eliminate child poverty in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORKER:

S. 1631. A bill to authorize the Department of State for Fiscal Year 2018, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. JOHNSON, Ms. BALDWIN, Mr. CARPER, Mr. WYDEN, Mr. MARKEY, Mr. BOOZMAN, Mrs. MCCASKILL, Mr. TILLIS, Mrs. ERNST, Mrs. FISCHER, Mr. PETERS, and Mrs. FEINSTEIN):

S. Res. 231. A resolution designating July 30, 2017, as ''National Whistleblower Appreciation Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 259

At the request of Mr. NELSON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 259, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 266

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 445

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 448

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 474

At the request of Mr. GRAHAM, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 602

At the request of Ms. COLLINS, the names of the Senator from Michigan (Mr. PETERS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 602, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 654

At the request of Mr. TOOMEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 720

At the request of Mr. PORTMAN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 822

At the request of Mr. INHOFE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 822, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1018

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1018, a bill to provide humanitarian assistance for the Venezuelan people, to defend democratic governance and combat widespread public corruption in Venezuela, and for other purposes.

S. 1146

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 1146, a bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

S. 1182

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1199

At the request of Mrs. MCCASKILL, the names of the Senator from Montana (Mr. TESTER) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1199, a bill to amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, and for other purposes.

S. 1251

At the request of Mr. WARNER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1251, a bill to require the Secretary of Labor to establish a pilot program for providing portable benefits to eligible workers, and for other purposes.

S. 1286

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1286, a bill to lift the trade embargo on Cuba.

S. 1290

At the request of Mr. LEE, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1290, a bill to help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes.

S. 1331

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1331, a bill to establish the Great Lakes Mass Marking Program, and for other purposes.

S. 1332

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1332, a bill to establish the Great Lakes Aquatic Connectivity and Infrastructure Program, and for other purposes.

S. 1398

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1398, a bill to direct the Secretary of the Army, acting through the Chief of Engineers, to release an interim report related to aquatic nuisance species control, and for other purposes.

S. 1462

At the request of Mrs. SHAHEEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1480

At the request of Mr. KING, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1480, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1575

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1575, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for taxpayers who remove lead-based hazards.

S. 1585

At the request of Mr. WHITEHOUSE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1585, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 1598

At the request of Mr. TESTER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

At the request of Mr. ISAKSON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1598, supra.

S. 1600

At the request of Ms. HIRONO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1600, a bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service.

S. 1620

At the request of Mr. COTTON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1620, a bill to enhance the security of Taiwan and bolster its participation in the international community, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. MARKEY, Ms. HARRIS, Mr. CARDIN, and Mr. MERKLEY):

S. 1624. A bill to prohibit the use of chlorpyrifos on food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. UDALL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1624

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 ''Protect Children, Farmers, and Farmworkers from Nerve Agent Pesticides Act of 2017''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) In 1996, Congress unanimously passed the Food Quality Protection Act of 1996 (Public Law 104–170; 110 Stat. 1489) (referred to in this section as ''FQPA''), a comprehensive overhaul of Federal pesticide and food safety policy. That Act amended the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) (referred to in this section as ''FIFRA'') and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the laws that govern how the Environmental Protection Agency (referred to in this section as the ''EPA'') registers pesticides and pesticide labels for use in the United States and establishes tolerances or acceptable levels for pesticide residues on food.

(2) The FQPA directs the EPA to ensure with ''reasonable certainty'' that ''no harm'' will result from food, drinking water, and other exposures to a pesticide. If EPA cannot make this safety finding, it must prohibit residues and use of the pesticide on food. The FQPA mandates that EPA must consider children's special sensitivity and exposure to pesticide chemicals and must make an explicit determination that the pesticide can be used with a ''reasonable certainty of no harm'' to children. In determining acceptable levels of pesticide residue, EPA must account for the potential health harm from pre-and postnatal exposures. The economic benefits of pesticides cannot be used to override this health-based standard for children from food and other exposures.

(3) Chlorpyrifos is a widely used pesticide first registered by EPA in 1965. Chlorpyrifos is an organophosphate pesticide, a class of pesticides developed as nerve agents in World War II and adapted for use as insecticides after the war. Chlorpyrifos and other organophosphate pesticides affect the nervous system through inhibition of cholinesterase, an enzyme required for proper nerve functioning. Acute poisonings occur when nerve impulses pulsate through the

body, causing symptoms like nausea, vomiting, convulsions, respiratory paralysis, and, in extreme cases, death. Based on dozens of peer-reviewed scientific articles, EPA determined that exposure during pregnancy to even low levels of chlorpyrifos that caused only minimal cholinesterase inhibition (10 percent or less) in the mothers could lead to measurable long-lasting and possibly permanent neurobehavioral and functional deficits in prenatally exposed children.

(4) People, including pregnant women, are exposed to chlorpyrifos through residues on food, contaminated drinking water, and toxic spray drift from nearby pesticide applications. Chlorpyrifos is used on an extensive variety of crops, including fruit and nut trees, vegetables, wheat, alfalfa, and corn. Between 2006 and 2012, chlorpyrifos was applied to more than 50 percent of the Nation's apple and broccoli crops, 45 percent of onion crops, 46 percent of walnut crops, and 41 percent of cauliflower crops.

(5) Chlorpyrifos is acutely toxic and associated with neurodevelopmental harms in children. Prenatal exposure to chlorpyrifos is associated with elevated risks of reduced IQ, loss of working memory, delays in motor development, attention-deficit disorders, and structural changes in the brain.

(6) There is no nationwide chlorpyrifos use reporting. The United States Geological Survey estimates annual pesticide use on agricultural land in the United States, and estimates that chlorpyrifos use on crops in 2014 ranged from 5,000,000 to 7,000,000 pounds of chlorpyrifos.

(7) In its 2016 report, the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel recognized ''the growing body of literature with laboratory animals (rats and mice) indicating that gestational and/or early postnatal exposure to chlorpyrifos may cause persistent effects into adulthood along with epidemiology studies which have evaluated prenatal chlorpyrifos exposure in mother-infant pairs and reported associations with neurodevelopment outcomes in infants and children.''.

(8) Chlorpyrifos has long been of concern to EPA. Residential uses of chlorpyrifos ended in 2000 after EPA found unsafe exposures to children. EPA also discontinued use of chlorpyrifos on tomatoes and restricted its use on apples and grapes in 2000, and obtained no-spray buffers around schools, homes, playfields, day cares, hospitals, and other public places, ranging from 10 to 100 feet. In 2015, EPA proposed to ban all chlorpyrifos food tolerances, based on unsafe drinking water contamination, which would end use of chlorpyrifos on food in the United States. After updating the risk assessment for chlorpyrifos in November 2016 to protect against prenatal exposures associated with brain impacts, EPA found that expected residues from use on food crops exceeded the safety standard, and additionally the majority of estimated drinking water exposures from currently allowed uses of chlorpyrifos also exceeded acceptable levels, reinforcing the need to revoke all food tolerances for the pesticide.

(9) Chlorpyrifos threatens the healthy development of children. Children experience greater exposure to chlorpyrifos and other pesticides because, relative to adults, they eat and drink more proportional to their body weight. A growing body of evidence shows that prenatal exposure to very low levels of chlorpyrifos can lead to lasting and possibly permanent neurological impairments. In November 2016, EPA released a revised human health risk assessment for chlorpyrifos that confirmed that there are no acceptable uses for the pesticide, all food uses exceed acceptable levels, with children ages 1 to 2 exposed to levels of chlorpyrifos that are 140 times what the EPA considers acceptable.

(10) Chlorpyrifos threatens agricultural workers. Farm workers are exposed to chlorpyrifos from mixing, handling, and applying the pesticide, as well as from entering fields where chlorpyrifos was recently sprayed. Chlorpyrifos is one of the pesticides most often linked to acute pesticide poisonings, and in many States, it is regularly identified among the 5 pesticides linked to the highest number of pesticide poisoning incidents. This is significant given widespread under-reporting of pesticide poisonings due to such factors as inadequate reporting systems, fear of retaliation from employers, and reluctance to seek medical treatment. According to the EPA, all workers who mix and apply chlorpyrifos are exposed to unsafe levels of the pesticide even with maximum personal protective equipment and engineering controls. Field workers are currently allowed to re-enter fields within 1 to 5 days after chlorpyrifos is sprayed based on current restricted entry intervals on the registered chlorpyrifos labels but unsafe exposures continue on average 18 days after applications.

(11) Chlorpyrifos threatens families in agricultural communities. Rural families are exposed to unsafe levels of chlorpyrifos on their food and in their drinking water. They are also exposed to toxic levels of chlorpyrifos when it drifts from the fields to homes, schools, and other places people gather. EPA's 2016 revised human health risk assessment found that chlorpyrifos drift reaches unsafe levels at 300 feet away from the edge of the treated field, and the chemical chlorpyrifos is found at unsafe levels in the air at schools, homes, and communities in agricultural areas. The small buffers put in place in 2012 leave children unprotected from this toxic pesticide drift.

(12) Chlorpyrifos threatens drinking water. EPA's 2014 and 2016 risk assessments have found that chlorpyrifos levels in drinking water are unsafe. People living and working in agricultural communities are likely to be exposed to higher levels of chlorpyrifos and other organophosphate pesticides in their drinking water.

(13) In 2015, leading scientific and medical experts, along with children's health advocates, came together, under ''Project TENDR: Targeting Environmental Neuro-Developmental Risks'' (referred to in this section as ''TENDR''), to issue a call to action to reduce widespread exposures to chemicals that interfere with fetal and children's brain development. Based on the available and peer-reviewed scientific evidence, the TENDR authors identified prime examples of neurodevelopmentally toxic chemicals ''that can contribute to learning, behavioral, or intellectual impairment, as well as specific neurodevelopmental disorders such as ADHD or autism spectrum disorder,'' and listed organophosphate pesticides, among them. In the United States, based on reporting from parents, 1 in 6 children have a developmental disability or other developmental delay. The TENDR Consensus Statement concludes that ''to help reduce the unacceptably high prevalence of neurodevelopmental disorders in our children, we must eliminate or significantly reduce exposures to chemicals that contribute to these conditions.''.

SEC. 3. PROHIBITIONS RELATING TO CHLORPYRIFOS.

Section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342) is amended by adding at the end the following:

''(j) Notwithstanding any other provision of law, if it bears or contains chlorpyrifos, including any residue of chlorpyrifos, or any other added substance that is present on or in the food primarily as a result of the metabolism or other degradation of chlorpyrifos.''.

SEC. 4. REVIEW OF ORGANOPHOSPHATE PESTICIDES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall offer to enter into a contract with the National Research Council to conduct a cumulative and aggregate risk assessment that addresses all populations, and the most vulnerable subpopulations, including infants, children, and fetuses, of exposure to organophosphate pesticides.

(b) CONTENTS OF REVIEW.—The review under subsection (a) shall—

(1) assess the neurodevelopmental effects and other low-dose effects of exposure to organophosphate pesticides, including in the most vulnerable subpopulations, including—

(A) during the prenatal, childhood, adolescent, and early life stages; and

(B) agricultural workers;

(2) assess the cumulative and aggregate risks from exposure described in paragraph (1), which shall aggregate all routes of exposure, including diet, pesticide drift, volatilization, occupational, and take-home exposures; and

(3) be completed and submitted to the Administrator not later than October 1, 2019.

(c) REGULATORY ACTION.—

(1) APPLICABILITY.—This subsection shall apply if the Administrator becomes aware of any exposure to any organophosphate pesticide, including exposures described in paragraphs (1) and (2) of subsection (b), that does not meet, as applicable—

(A) the standard under section 408(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(b)(2)); or

(B) any standard under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(2) ACTION.—Not later than 90 days after the date on which the Administrator becomes aware of any exposure under paragraph (1), the Administrator shall take any appropriate regulatory action, regardless of whether the review under subsection (a) is completed, including—

(A) revocation or modification of a tolerance under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a); or

(B) modification, cancellation, or suspension of a registration under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(d) EFFECT.—Nothing in this section authorizes or requires the Administrator to delay in carrying out or completing, with respect to an organophosphate pesticide, any registration review under section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(g)), any tolerance review under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), or any registration or modification, cancellation, or suspension of a registration under section 3 or 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a, 136d), if—

(1) the organophosphate pesticide does not meet applicable requirements established under those provisions of law; or

(2) the review, registration, modification, cancellation, or suspension is required—

(A) by statute;

(B) by judicial order; or

(C) to respond to a petition.

By Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS,

Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 1629. A bill to reauthorize the Department of Defense Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Armed Services.

Mr. REED. Mr. President, today I am introducing the DEPSCoR Reauthorization Act of 2017 along with Senators ROUNDS, BROWN, COLLINS, CARPER, COONS, WHITEHOUSE, SHAHEEN, CORTEZ MASTO, and HIRONO.

The purpose of this bill is to ensure that we have universities in all 50 States capable of working with the Department of Defense on advanced research topics. A truly National network of university researchers who understand the needs of the Department of Defense puts us in the best possible position to respond to the ever-changing threats our armed forces face. This network will also meet the workforce needs of our defense laboratories by training graduate students in defense-relevant research. This bill reauthorizes the DEPSCoR program, which is modeled on the NSF's successful EPSCoR program for States that receive relatively low amounts of Federal science funding. The bill will focus the DEPSCoR program on defense research, while allowing the scientists and engineers of our defense laboratories to work directly with university researchers from DEPSCoR-eligible States.

Seven years ago, Congress asked the National Academy of Sciences to study the EPSCoR programs. The study concluded that it was in the National interest to engage scientific talent in all 50 States, and that EPSCoR programs were a valuable part of a National strategy to maintain global scientific leadership. The report emphasized that successfully engaging all 50 States required the involvement of technology-driven agencies, including the Department of Defense, to complement the basic science focus of the NSF.

Until 2009, the Department of Defense managed an EPSCoR-like program, known as DEPSCoR. An independent evaluation of DEPSCoR, conducted by the Institute for Defense Analyses, showed that DEPSCoR research contributed to the DoD mission, producing high-quality research and new technologies that were operationally deployed in areas such as missile guidance and communications.

DEPSCoR also successfully developed defense research capabilities in States historically underserved by Federal research and development (R&D) funding. Since DEPSCoR stopped receiving Congressional support, defense research in DEPSCoR-eligible States has plummeted, with the decreases far larger than the relatively modest amounts going to DEPSCoR awards. This shows that DEPSCoR was doing what Congress intended the program to do: develop competitive defense researchers in all 50 States.

The impact of cancelling DEPSCoR went far beyond research grants. Developing university research capabilities in all 50 States is critical to meeting DoD workforce needs. The Defense Laboratory Enterprise is more national in scope than NASA or the Department of Energy's National Laboratory system, with facilities in 24 States, including DEPSCoR-eligible States. The 2016 review of DoD laboratories by the Defense Science Board reported that these laboratories depend on locally trained scientists and engineers. Without relevant training provided through DoD-supported research projects at nearby universities, these facilities may struggle to find highly qualified scientists and engineers.

Because of these concerns, I have been working with my colleague on the Armed Services Committee, Senator ROUNDS of South Dakota, to revive this program. This reauthorization uses the lessons learned from the previous iteration of DEPSCoR to improve the program, making it more responsive to Department of Defense needs.

I invite our colleagues to join us in supporting this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 231—DESIGNATING JULY 30, 2017, AS ''NATIONAL WHISTLEBLOWER APPRECIATION DAY''

Mr. GRASSLEY (for himself, Mr. JOHNSON, Ms. BALDWIN, Mr. CARPER, Mr. WYDEN, Mr. MARKEY, Mr. BOOZMAN, Mrs. MCCASKILL, Mr. TILLIS, Mrs. ERNST, Mrs. FISCHER, Mr. PETERS, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 231

Whereas, in 1777, before the passage of the Bill of Rights, 10 sailors and marines blew the whistle on fraud and misconduct that was harmful to the United States;

Whereas the Founding Fathers unanimously supported the whistleblowers in words and deeds, including by releasing government records and providing monetary assistance for the reasonable legal expenses necessary to prevent retaliation against the whistleblowers;

Whereas, on July 30, 1778, in demonstration of their full support for whistleblowers, the members of the Continental Congress unanimously enacted the first whistleblower legislation in the United States that read: ''*Resolved,* That it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge'' (legislation of July 30, 1778, reprinted in *Journals of the Continental Congress, 1774–1789*, ed. Worthington C. Ford et al. (Washington, D.C., 1904–37), 11:732);

Whereas whistleblowers risk their careers, jobs, and reputations by reporting waste, fraud, and abuse to the proper authorities;

Whereas, in providing the proper authorities with lawful disclosures, whistleblowers save the taxpayers of the United States billions of dollars each year and serve the public interest by ensuring that the United States remains an ethical and safe place; and

Whereas it is the public policy of the United States to encourage, in accordance with Federal law (including the Constitution of the United States, rules, and regulations) and consistent with the protection of classified information (including sources and methods of detection of classified information), honest and good faith reporting of misconduct, fraud, misdemeanors, and other crimes to the appropriate authority at the earliest time possible: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 30, 2017, as ''National Whistleblower Appreciation Day''; and

(2) ensures that the Federal Government implements the intent of the Founding Fathers, as reflected in the legislation enacted on July 30, 1778, by encouraging each executive agency to recognize National Whistleblower Appreciation Day by—

(A) informing employees, contractors working on behalf of United States taxpayers, and members of the public about the legal right of a United States citizen to ''blow the whistle'' to the appropriate authority by honest and good faith reporting of misconduct, fraud, misdemeanors, or other crimes; and

(B) acknowledging the contributions of whistleblowers to combating waste, fraud, abuse, and violations of laws and regulations of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 262. Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 263. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1519, supra; which was ordered to lie on the table.

SA 264. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 265. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 266. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 267. Mr. McCONNELL proposed an amendment to the bill H.R. 1628, supra.

SA 268. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 269. Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 270. Mr. McCONNELL proposed an amendment to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

SA 271. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra.

SA 272. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 273. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 274. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 275. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 276. Mr. KAINE (for himself, Mr. CARPER, Mr. COONS, Mrs. SHAHEEN, Mr. CARDIN, Ms. HASSAN, Ms . KLOBUCHAR, Ms. STABENOW, Mr. WARNER, Ms. HEITKAMP, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 277. Mr. KAINE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 278. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 279. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 280. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 262. Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1235. SYRIA STUDY GROUP.

(a) ESTABLISHMENT.—There is hereby established a working group to be known as the ''Syria Study Group'' (in this section referred to as the ''Group'').

(b) PURPOSE.—The purpose of the Group is to examine and make recommendations with respect to the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Group shall be composed of 8 members appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(2) CO-CHAIRS.—

(A) The chair of the Committee on Armed Services of the Senate, the chair of the Committee on Armed Services of the House of Representatives, the chair of the Committee on Foreign Relations of the Senate, and the chair of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(B) The ranking minority member of the Committee on Armed Services of the Senate, the ranking minority member of the Committee on Armed Services of the House of Representatives, the ranking minority member of the Committee on Foreign Relations of the Senate, and the ranking minority member of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Group. Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall review the current situation with respect to the United States military and diplomatic strategy in Syria, including a review of current United States objectives in Syria and the desired end state in Syria.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, its impact on neighboring countries, resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on a military and diplomatic strategy for the United States with respect to the conflict in Syria.

(e) COOPERATION FROM UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group.

(2) LIAISON.—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of their respective organizations to serve as a liaison officer to the Group.

(f) REPORT.—

(1) FINAL REPORT.—Not later than September 30, 2018, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the findings, conclusions, and recommendations of the Group under this section. The report shall do each of the following:

(A) Assess the current security, political, humanitarian, and economic situation in Syria.

(B) Assess the current participation and objectives of various external actors in Syria.

(C) Assess the consequences of continued conflict in Syria.

(D) Provide recommendations for a diplomatic resolution of the conflict in Syria, including options for a gradual political transition to a post-Assad Syria and actions necessary for reconciliation.

(E) Provide a roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(F) Address any other matters with respect to the conflict in Syria that the Group considers appropriate.

(2) INTERIM BRIEFING.—Not later than June 30, 2018, the Group shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of its review and assessment under subsection (d), together with a discussion of any interim recommendations developed by the Group as of the date of the briefing.

(3) FORM OF REPORT.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) FACILITATION.—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of its duties under this section.

(h) TERMINATION.—The Group shall terminate six months after the date on which it submits the report required by subsection (f)(1).

(i) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2018 for the Department of Defense by this Act, $1,500,000 is available to fund the activities of the Group.

SA 263. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X of division A, insert the following:

SEC. 1088. FOREIGN AGENTS REGISTRATION.

(a) SHORT TITLE.—This section may be cited as the ''Foreign Agents Registration Modernization and Enforcement Act''.

(b) CIVIL INVESTIGATIVE DEMAND AUTHORITY.—The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) by redesignating sections 8, 9, 10, 11, 12, 13, and 14 as sections 9, 10, 11, 12, 13, 14, and 16, respectively; and

(2) by inserting after section 7 (22 U.S.C. 617) the following:

''CIVIL INVESTIGATIVE DEMAND AUTHORITY

''SEC. 8. (a) Whenever the Attorney General has reason to believe that any person or enterprise may be in possession, custody, or control of any documentary material relevant to an investigation under this Act, the Attorney General, before initiating a civil or criminal proceeding with respect to the production of such material, may serve a written demand upon such person to produce such material for examination.

''(b) Each such demand under subsection (a) shall—

''(1) state the nature of the conduct constituting the alleged violation which is under investigation and the provision of law applicable to such violation;

''(2) describe the class or classes of documentary material required to be produced under such demand with such definiteness and certainty as to permit such material to be fairly identified;

''(3) state that the demand is immediately returnable or prescribe a return date which will provide a reasonable period within which the material may be assembled and made available for inspection and copying or reproduction; and

''(4) identify the custodian to whom such material shall be made available.

''(c) A demand under subsection (a) may not—

''(1) contain any requirement that would be considered unreasonable if contained in a subpoena duces tecum issued by a court of the United States in aid of grand jury investigation of such alleged violation; or

''(2) require the production of any documentary evidence that would be privileged from disclosure if demanded by a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged violation.''.

(c) INFORMATIONAL MATERIALS.—

(1) DEFINITIONS.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended—

(A) in subsection (c), by striking ''Expect as provided in subsection (d) hereof,'' and inserting ''Except as provided in subsection (d),''; and

(B) by inserting after subsection (i) the following:

''(j) The term 'informational materials' means any oral, visual, graphic, written, or pictorial information or matter of any kind, including matter published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise.''.

(2) INFORMATIONAL MATERIALS.—Section 4 of the such Act (22 U.S.C. 614) is amended—

(A) in subsection (a)—

(i) by inserting '', including electronic mail and social media,'' after ''United States mails''; and

(ii) by striking '', not later than forty-eight hours after the beginning of the transmittal thereof, file with the Attorney General two copies thereof'' and inserting ''file such materials with the Attorney General in conjunction with, and at the same intervals as, disclosures required under section 2(b).''; and

(B) in subsection (b)—

(i) by striking ''It shall'' and inserting ''(1) Except as provided in paragraph (2), it shall''; and

(ii) by inserting at the end the following:

''(2) Foreign agents described in paragraph (1) may omit disclosure required under that paragraph in individual messages, posts, or transmissions on social media on behalf of a foreign principal if the social media account or profile from which the information is sent includes a conspicuous statement that—

''(A) the account is operated by, and distributes information on behalf of, the foreign agent; and

''(B) additional information about the account is on file with the Department of Justice in Washington, District of Columbia.

''(3) Informational materials disseminated by an agent of a foreign principal as part of an activity that is exempt from registration, or an activity which by itself would not require registration, need not be filed under this subsection.''.

(d) FEES.—

(1) REPEAL.—The Department of Justice and Related Agencies Appropriations Act, 1993 (title I of Public Law 102–395) is amended, under the heading ''SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES'', by striking ''In addition, notwithstanding 31 U.S.C. 3302, for fiscal year 1993 and thereafter, the Attorney General shall establish and collect fees to recover necessary expenses of the Registration Unit (to include salaries, supplies, equipment and training) pursuant to the Foreign Agents Registration Act, and shall credit such fees to this appropriation, to remain available until expended.''.

(2) REGISTRATION FEE.—The Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.), as amended by this Act, is further amended by adding after section 14, as redesignated by subsection (b)(1), the following:

''FEES

''SEC. 15. The Attorney General shall—

''(1) establish and collect a registration fee, as part of the initial filing requirement, to help defray the expenses of the FARA Registration Unit; and

''(2) credit such fees to the amount appropriated to carry out the activities of the National Security Division, which shall remain available until expended.''.

(e) REPORTS TO CONGRESS.—Section 12 of the Foreign Agents Registration Act of 1938, as amended, as redesignated by subsection (b)(1), is amended to read as follows:

''REPORTS TO CONGRESS

''SEC. 12. The Assistant Attorney General for National Security, through the FARA Registration Unit of the National Security Division, shall submit a semiannual report to Congress regarding the administration of this Act. Each report under this section shall include, for the applicable reporting period, the identification of—

''(1) registrations filed pursuant to this Act;

''(2) the nature, sources, and content of political propaganda disseminated and distributed by agents of foreign principal;

''(3) the number of investigations initiated based upon a perceived violation of section 8; and

''(4) the number of such investigations that were referred to the Attorney General for prosecution.''.

SA 264. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 41, strike lines 9 through 16 and insert the following:

(ii) in subparagraph (B)(ii)—

(I) in subclause (IV), by striking the semicolon and inserting ''; and'';

(II) in subclause (V), by striking ''2018 is 90 percent; and'' and inserting ''2018 and each subsequent year through 2023 is 90 percent.''; and

(III) by striking subclause (VI).

SA 265. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 61, strike line 15 and all that follows through page 62, line 13, and insert the following:

''(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term 'applicable annual inflation factor' means, for a fiscal year—

''(A) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved, plus 1 percentage point; and

''(B) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved, plus 2 percentage points.

SA 266. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 40, strike lines 1 through 19 and insert the following:

''(E) 90 percent for calendar quarters in 2020;

''(F) 88 percent for calendar quarters in 2021;

''(G) 86 percent for calendar quarters in 2022;

''(H) 84 percent for calendar quarters in 2023;

''(I) 82 percent for calendar quarters in 2024;

''(J) 80 percent for calendar quarters in 2025;

''(K) 78 percent for calendar quarters in 2026;

''(L) 76 percent for calendar quarters in 2027;

''(M) 74 percent for calendar quarters in 2028; and

''(N) 72 percent for calendar quarters in 2029.''; and

(iv) by adding after and below subparagraph (H) (as added by clause (iii)), the following flush sentence:

''The Federal medical assistance percentage determined for a State and year under subsection (b) shall apply to expenditures for medical assistance to newly eligible individuals (as so described) and expansion enrollees (as so defined), in the case of a State that has elected to cover newly eligible individuals before March 1, 2017, for calendar quarters after 2029, and, in the case of any other State, for calendar quarters (or portions of calendar quarters) after February 28, 2017.''; and

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SA 267. Mr. MCCONNELL proposed an amendment to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Obamacare Repeal Reconciliation Act of 2017''.

TITLE I

SEC. 101. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017, and before January 1, 2020.''.

SEC. 102. PREMIUM TAX CREDIT.

(a) PREMIUM TAX CREDIT.—

(1) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

SEC. 103. SMALL BUSINESS TAX CREDIT.

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking ''2.5 percent'' and inserting ''Zero percent'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'', and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 105. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$2,000''.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$3,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 106. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $1,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 107. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting ''and ending December 31, 2019,'' after ''January 1, 2014,''; and

(B) in subsection (a)(47)(B), by inserting ''and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date'' before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting ''(50 percent on or after January 1, 2020)'' after ''55 percent'';

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through ''thereafter''; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting ''through 2019'' after ''each year thereafter''; and

(ii) in subparagraph (B)(ii)(VI), by striking ''and each subsequent year'';

(3) in section 1915(k)(2), by striking ''during the period described in paragraph (1)'' and inserting ''on or after the date referred to in paragraph (1) and before January 1, 2020'';

(4) in section 1920(e), by adding at the end the following: ''This subsection shall not apply after December 31, 2019.'';

(5) in section 1937(b)(5), by adding at the end the following: ''This paragraph shall not apply after December 31, 2019.''; and

(6) in section 1943(a), by inserting ''and before January 1, 2020,'' after ''January 1, 2014,''.

SEC. 108. REPEAL OF DSH ALLOTMENT REDUCTIONS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended by striking paragraphs (7) and (8).

SEC. 109. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 110. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

SEC. 111. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''10 percent''.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''15 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

SEC. 112. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

SEC. 113. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.''.

SEC. 114. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.''.

SEC. 115. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking '', and'' at the end of paragraph (1) and all that follows through ''2017''.

SEC. 116. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 117. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''7.5 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 118. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b).''.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2017.

SEC. 119. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

SEC. 120. REPEAL OF NET INVESTMENT TAX.

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 121. REMUNERATION.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2016.''.

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking ''each of fiscal years 2018 and 2019'' and inserting ''fiscal year 2018''; and

(2) by striking paragraphs (4) through (8).

SEC. 202. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, $750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting '', and an additional $422,000,000 for fiscal year 2017'' after ''2017''.

SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

SA 268. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MEDICAL BANKRUPTCY FAIRNESS.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 101 of title 11, United States Code, is amended—

(A) by inserting after paragraph (39A) the following:

''(39B) The term 'medical debt' means any debt incurred voluntarily or involuntarily—

''(A) as a result of the diagnosis, cure, mitigation, or treatment of injury, deformity, or disease of an individual; or

''(B) for services performed by a medical professional in the prevention of disease or illness of an individual.

''(39C) The term 'medically distressed debtor' means—

''(A) a debtor who, during the 3 years before the date of the filing of the petition—

''(i) incurred or paid aggregate medical debts for the debtor, a dependent of the debtor, or a nondependent parent, grandparent, sibling, child, grandchild, or spouse of the debtor that were not paid by any third-party payor and were greater than the lesser of—

''(I) 10 percent of the debtor's adjusted gross income (as such term is defined in section 62 of the Internal Revenue Code of 1986); or

''(II) $10,000;

''(ii) did not receive domestic support obligations, or had a spouse or dependent who did not receive domestic support obligations, of at least $10,000 due to a medical issue of the person obligated to pay that would cause the obligor to meet the requirements under clause (i) or (iii), if the obligor was a debtor in a case under this title; or

''(iii) experienced a change in employment status that resulted in a reduction in wages, salaries, commissions, or work hours or resulted in unemployment due to—

''(I) an injury, deformity, or disease of the debtor; or

''(II) care for an injured, deformed, or ill dependent or nondependent parent, grandparent, sibling, child, grandchild, or spouse of the debtor; or

''(B) a debtor who is the spouse of a debtor described in subparagraph (A).''.

(2) CONFORMING AMENDMENTS.—Section 104 of title 11, United States Code, is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting ''101(39C)(A),'' after ''101(19)(A),''; and

(B) in subsection (b), by inserting ''101(39C)(A),'' after ''101(19)(A),''.

(b) EXEMPTIONS.—

(1) EXEMPT PROPERTY.—Section 522 of title 11, United States Code, is amended by adding at the end the following:

''(r)(1) If a medically distressed debtor exempts property listed in subsection (b)(2), the debtor may, in lieu of the exemption provided under subsection (d)(1), elect to exempt

the debtor's aggregate interest, not to exceed $250,000 in value, in property described in paragraph (3) of this subsection.

''(2) If a medically distressed debtor exempts property listed in subsection (b)(3) and the exemption provided under applicable law specifically for the kind of property described in paragraph (3) is for less than $250,000 in value, the debtor may elect to exempt the debtor's aggregate interest, not to exceed $250,000 in value, in any such property.

''(3) The property described in this paragraph is—

''(A) real property or personal property that the debtor or a dependent of the debtor uses as a residence;

''(B) a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence; or

''(C) a burial plot for the debtor or a dependent of the debtor.''.

(2) CONFORMING AMENDMENTS.—Section 104 of title 11, United States Code, is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting ''522(r),'' after ''522(q),''; and

(B) in subsection (b), by inserting ''522(r),'' after ''522(q),''.

(c) WAIVER OF ADMINISTRATIVE REQUIREMENTS.—

(1) CASE UNDER CHAPTER 7.—Section 707(b) of title 11, United States Code, is amended by adding at the end the following:

''(8) Paragraph (2) does not apply in any case in which the debtor is a medically distressed debtor.''.

(2) CASE UNDER CHAPTER 13.—Section 1325(b)(1) of title 11, United States Code, is amended—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) the debtor is a medically distressed debtor.''.

(d) CREDIT COUNSELING.—Section 109(h)(4) of title 11, United States Code, is amended by inserting ''a medically distressed debtor or'' after ''apply with respect to''.

(e) STUDENT LOAN UNDUE HARDSHIP.—Section 523(a)(8) of title 11, United States Code, is amended by inserting ''the debtor is a medically distressed debtor or'' before ''excepting''.

(f) ATTESTATION BY DEBTOR.—Section 521 of title 11, United States Code, is amended by adding at the end the following:

''(k) If the debtor seeks relief as a medically distressed debtor, the debtor shall file a statement of medical expenses relevant to the determination of whether the debtor is a medically distressed debtor, which statement shall declare under penalty of perjury that such medical expenses were not incurred for the purpose of bringing the debtor within the meaning of the term medically distressed debtor.''.

(g) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on the date of enactment of this Act.

(2) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply only with respect to cases commenced under title 11, United States Code, on or after the date of enactment of this Act.

SA 269. Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Subtitle B of title II, insert the following:

SEC. _____. REAUTHORIZATION OF DEPARTMENT OF DEFENSE ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

(a) MODIFICATION OF PROGRAM OBJECTIVES.—Subsection (b) of section 257 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2358 note) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following new paragraph (1):

''(1) To increase the number of university researchers in eligible States capable of performing science and engineering research responsive to the needs of the Department of Defense.''; and

(3) in paragraph (2), as redesignated by paragraph (1), by inserting ''relevant to the mission of the Department of Defense and'' after ''that is''.

(b) MODIFICATION OF PROGRAM ACTIVITIES.—Subsection (c) of such section is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) To provide assistance to science and engineering researchers at institutions of higher education in eligible States through collaboration between Department of Defense laboratories and such researchers.''.

(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR STATE PARTICIPATION.—Subsection (d) of such section is amended—

(1) in paragraph (2)(B), by inserting ''in areas relevant to the mission of the Department of Defense'' after ''programs''; and

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

''(3) The Under Secretary shall not remove a designation of a State under paragraph (2) because the State exceeds the funding levels specified under subparagraph (A) of such paragraph unless the State has exceeded such funding levels for at least two consecutive years.''.

(d) MODIFICATION OF NAME.—

(1) IN GENERAL.—Such section is amended—

(A) in subsections (a) and (e) by striking ''Experimental'' each place it appears and inserting ''Established''; and

(B) in the section heading, by striking ''experimental'' and inserting ''established''.

(2) CLERICAL AMENDMENT.—Such Act is amended, in the table of contents in section 2(b), by striking the item relating to section 257 and inserting the following new item:

''Sec. 257. Defense established program to stimulate competitive research.''.

(3) CONFORMING AMENDMENT.—Section 307 of the 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18) is amended by striking ''Experimental'' and inserting ''Established''.

SA 270. Mr. MCCONNELL proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after line one and insert the following:

This Act may be cited as the ''Better Care Reconciliation Act of 2017''.

TITLE I

SEC. 101. ELIMINATION OF LIMITATION ON RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017.''.

SEC. 102. RESTRICTIONS FOR THE PREMIUM TAX CREDIT.

(a) ELIGIBILITY FOR CREDIT.—

(1) IN GENERAL.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''equals or exceeds 100 percent but does not exceed 400 percent'' in subparagraph (A) and inserting ''does not exceed 350 percent'', and

(B) by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(2) TREATMENT OF CERTAIN ALIENS.—

(A) IN GENERAL.—Paragraph (2) of section 36B(e) of the Internal Revenue Code of 1986 is amended by striking ''an alien lawfully present in the United States'' and inserting ''a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)''.

(B) AMENDMENTS TO PATIENT PROTECTION AND AFFORDABLE CARE ACT.—

(i) Section 1411(a)(1) of the Patient Protection and Affordable Care Act is amended by striking ''or an alien lawfully present in the United States'' and inserting ''or a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)''.

(ii) Section 1411(c)(2)(B) of such Act is amended by striking ''an alien lawfully present in the United States'' each place it appears in clauses (i)(I) and (ii)(II) and inserting ''a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)''.

(iii) Section 1412(d) of such Act is amended—

(I) by striking ''not lawfully present in the United States'' and inserting ''not citizens or nationals of the United States or qualified aliens (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)'', and

(II) by striking ''INDIVIDUALS NOT LAWFULLY PRESENT'' in the heading and inserting ''CERTAIN ALIENS''.

(b) MODIFICATION OF LIMITATION ON PREMIUM ASSISTANCE AMOUNT.—

(1) USE OF BENCHMARK PLAN.—

(A) IN GENERAL.—Section 36B(b) of the Internal Revenue Code of 1986 is amended—

(i) by striking ''applicable second lowest cost silver plan'' each place it appears in paragraph (2)(B)(i) and (3)(C) and inserting ''applicable median cost benchmark plan'',

(ii) by striking ''such silver plan'' in paragraph (3)(C) and inserting ''such benchmark plan'', and

(iii) in paragraph (3)(B)—

(I) by redesignating clauses (i) and (ii) as clauses (iii) and (iv), respectively, and by striking all that precedes clause (iii) (as so redesignated) and inserting the following:

''(B) APPLICABLE MEDIAN COST BENCHMARK PLAN.—The applicable median cost benchmark plan with respect to any applicable taxpayer is the qualified health plan offered

in the individual market in the rating area in which the taxpayer resides which—

''(i) provides a level of coverage that is designed to provide benefits that are actuarially equivalent to 58 percent of the full actuarial value of the benefits (as determined under rules similar to the rules of paragraphs (2) and (3) of section 1302(d) of the Patient Protection and Affordable Care Act) provided under the plan,

''(ii) has a premium which is the median premium of all qualified health plans described in clause (i) which are offered in the individual market in such rating area (or, in any case in which no such plan has such median premium, has a premium nearest (but not in excess of) such median premium),'', and

(II) by striking ''clause (ii)(I)'' in the flush text at the end and inserting ''clause (iv)(I)''.

(B) WAIVER OF ACTUARIAL VALUE STANDARD FOR BENCHMARK PLANS.—Section 36B(b)(3)(B) of the Internal Revenue Code of 1986, as amended by subparagraph (A), is amended by adding at the end the following new sentence: ''If, for any plan year before 2027, the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services, determines that there will be no plan offered in a rating area in the individual market that meets the level of coverage described in clause (i), the Secretary of the Treasury may increase the 58 percent amount in such clause.''.

(2) MODIFICATION OF APPLICABLE PERCENTAGE.—Section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking ''from the initial premium percentage'' and all that follows and inserting ''from the initial percentage to the final percentage specified in such table for such income tier with respect to a taxpayer of the age involved:

''In the case of household income (expressed as a percent of the poverty line) within the following income tier:	Up to Age 29		Age 30-39		Age 40-49		Age 50-59		Over Age 59	
	Initial %	Final %	Initial %	Final %	Initial %	Final %	Initial %	Final %	Initial %	Final %
Up to 100%	2	2	2	2	2	2	2	2	2	2
100%-133%	2	2.5	2	2.5	2	2.5	2	2.5	2	2.5
133%-150%	2.5	4	2.5	4	2.5	4	2.5	4	2.5	4
150%-200%	4	4.3	4	5.3	4	6.3	4	7.3	4	8.3
200%-250%	4.3	4.3	5.3	5.9	6.3	8.05	7.3	9	8.3	10
250%-300%	4.3	4.3	5.9	5.9	8.05	8.35	9	10.5	10	11.5
300%-350%	4.3	6.4	5.9	8.9	8.35	12.5	10.5	15.8	11.5	16.2'',

(B) by striking ''0.504'' in clause (ii)(III) and inserting ''0.4'', and

(C) by adding at the end the following new clause:

''(iii) AGE DETERMINATIONS.—For purposes of clause (i), the age of the taxpayer taken into account under clause (i) with respect to any taxable year is the age attained before the close of the taxable year by the oldest individual taken into account on such taxpayer's return who is covered by a qualified health plan taken into account under paragraph (2)(A).''.

(c) ELIMINATION OF ELIGIBILITY EXCEPTIONS FOR EMPLOYER-SPONSORED COVERAGE.—

(1) IN GENERAL.—Section 36B(c)(2) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).

(2) AMENDMENTS RELATED TO QUALIFIED SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 36B(c)(4) of such Code is amended—

(A) by striking ''which constitutes affordable coverage'' in subparagraph (A), and

(B) by striking subparagraphs (B), (C), (E), and (F) and redesignating subparagraph (D) as subparagraph (B).

(d) MODIFICATIONS TO DEFINITION OF QUALIFIED HEALTH PLAN.—

(1) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting at the end the following new sentence: ''Such term shall not include a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2017.

(e) ALLOWANCE OF CREDIT FOR CATASTROPHIC PLANS.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986, as amended by this Act, is amended by striking '', except that such term shall not include a qualified health plan that is a catastrophic plan described in section 1302(e) of such Act''.

(f) INCREASED PENALTY ON ERRONEOUS CLAIMS OF CREDIT.—Section 6676(a) of the Internal Revenue Code of 1986 is amended by inserting ''(25 percent in the case of a claim for refund or credit relating to the health insurance coverage credit under section 36B)'' after ''20 percent''.

(g) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 103. MODIFICATIONS TO SMALL BUSINESS TAX CREDIT.

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH DOES NOT INCLUDE PROTECTIONS FOR LIFE.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking ''Any term'' and inserting the following:

''(1) IN GENERAL.—Any term'', and

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

''(2) EXCLUSION OF CERTAIN HEALTH PLANS.—The term 'qualified health plan' does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking ''2.5 percent'' and inserting ''Zero percent'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'', and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 105. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$2,000''.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$3,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 106. STATE STABILITY AND INNOVATION PROGRAM.

(a) IN GENERAL.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee) is amended by adding at the end the following new subsections:

''(h) SHORT-TERM ASSISTANCE TO ADDRESS COVERAGE AND ACCESS DISRUPTION AND PROVIDE SUPPORT FOR STATES.—

''(1) APPROPRIATION.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, $15,000,000,000 for each of calendar years 2018 and 2019, and $10,000,000,000 for each of calendar years 2020 and 2021, to the Administrator of the Centers for Medicare & Medicaid Services (in this subsection and subsection (i) referred to as the 'Administrator') to fund arrangements with health insurance issuers to assist in the purchase of health benefits coverage by addressing coverage and access disruption and responding to urgent health care needs within States. Funds appropriated under this paragraph shall remain available until expended.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) GUIDANCE.—Not later than 30 days after the date of enactment of this subsection, the Administrator shall issue guidance to health insurance issuers regarding how to submit a notice of intent to participate in the program established under this subsection.

''(B) NOTICE OF INTENT TO PARTICIPATE.—To be eligible for funding under this subsection, a health insurance issuer shall submit to the Administrator a notice of intent to participate at such time (but, in the case of funding for calendar year 2018, not later than 35 days after the date of enactment of this subsection and, in the case of funding for calendar year 2019, 2020, 2021, 2022, 2023, 2024, 2025, or 2026, not later than March 31 of the previous year) and in such form and manner as specified by the Administrator and containing—

''(i) a certification that the health insurance issuer will use the funds in accordance with the requirements of paragraph (5); and

''(ii) such information as the Administrator may require to carry out this subsection.

''(3) PROCEDURE FOR DISTRIBUTION OF FUNDS.—The Administrator shall determine an appropriate procedure for providing and distributing funds under this subsection that includes reserving an amount equal to 1 percent of the amounts appropriated under paragraph (1) for a calendar year for providing and distributing funds to health insurance issuers in States where the cost of insurance premiums are at least 75 percent higher than the national average.

''(4) NO MATCH.—Neither the State percentage applicable to payments to States under subsection (i)(5)(B) nor any other matching requirement shall apply to funds provided to health insurance issuers under this subsection.

''(5) USE OF FUNDS.—Funds provided to a health insurance issuer under paragraph (1) or (6) shall be subject to the requirements of paragraphs (1)(D) and (7) of subsection (i) in the same manner as such requirements apply to States receiving payments under subsection (i) and shall be used only for the activities specified in paragraph (1)(A)(ii) of subsection (i).

''(6) ADDITIONAL SUPPORT FOR STABILIZING PREMIUMS AND PROMOTING CHOICE IN PLANS OFFERED IN THE INDIVIDUAL MARKET.—

''(A) APPROPRIATION.—In addition to the amounts appropriated under paragraph (1), there is appropriated, out of any money in the Treasury not otherwise obligated, $10,000,000,000 for each of calendar years 2020 through 2026, for the purpose of funding arrangements with health insurance issuers to support the offering of qualified health plans in States in which such issuers also offer coverage in accordance with section 212(a) of the Better Care Reconciliation Act.

''(B) USE OF FUNDS.—

''(i) IN GENERAL.—The Administrator shall use amounts appropriated under subparagraph (A) to establish a Federal fund for the purpose of providing health insurance coverage by making payments to health insurance issuers that offer a plan in accordance with section 212(a) of the Better Care Reconciliation Act, to assist such health insurance issuers in covering high risk individuals enrolled in qualified health plans through an Exchange in rating areas in which coverage is offered in accordance with section 212(a) of such Act. The Administrator shall determine an appropriate procedure for making such payments.

''(ii) PRIORITY USES.—In making payments from the amounts appropriated under subparagraph (A), the Administrator shall prioritize payments—

''(I) based on the percentage of rating areas in the State that meet the conditions in section212(b) of such Act; and

''(II) to health plans certified under section 212(b)(2) of such Act in States for which paragraphs (1) through (6) of section 212(c) of such Act are not applicable.

''(i) LONG-TERM STATE STABILITY AND INNOVATION PROGRAM.—

''(1) APPLICATION AND CERTIFICATION REQUIREMENTS.—To be eligible for an allotment of funds under this subsection, a State shall submit to the Administrator an application, not later than March 31, 2018, in the case of allotments for calendar year 2019, and not later than March 31 of the previous year, in the case of allotments for any subsequent calendar year) and in such form and manner as specified by the Administrator, that contains the following:

''(A) A description of how the funds will be used to do 1 or more of the following:

''(i) To establish or maintain a program or mechanism to help high-risk individuals in the purchase of health benefits coverage, including by reducing premium costs for such individuals, who have or are projected to have a high rate of utilization of health services, as measured by cost, and who do not have access to health insurance coverage offered through an employer, enroll in health insurance coverage under a plan offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

''(ii) To establish or maintain a program to enter into arrangements with health insurance issuers to assist in the purchase of health benefits coverage by stabilizing premiums and promoting State health insurance market participation and choice in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

''(iii) To provide payments for health care providers for the provision of health care services, as specified by the Administrator.

''(iv) To provide health insurance coverage by funding assistance to reduce out-of-pocket costs, such as copayments, coinsurance, and deductibles, of individuals enrolled in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

''(B) A certification that the State shall make, from non-Federal funds, expenditures for 1 or more of the activities specified in subparagraph (A) in an amount that is not less than the State percentage required for the year under paragraph (5)(B)(ii).

''(C) A certification that the funds provided under this subsection shall only be used for the activities specified in subparagraph (A).

''(D) A certification that none of the funds provided under this subsection shall be used by the State for an expenditure that is attributable to an intergovernmental transfer, certified public expenditure, or any other expenditure to finance the non-Federal share of expenditures required under any provision of law, including under the State plans established under this title and title XIX or under a waiver of such plans.

''(E) Such other information as necessary for the Administrator to carry out this subsection.

''(2) ELIGIBILITY.—Only the 50 States and the District of Columbia shall be eligible for an allotment and payments under this subsection and all references in this subsection to a State shall be treated as only referring to the 50 States and the District of Columbia.

''(3) ONE-TIME APPLICATION.—If an application of a State submitted under this subsection is approved by the Administrator for a year, the application shall be deemed to be approved by the Administrator for that year and each subsequent year through December 31, 2026.

''(4) LONG-TERM STATE STABILITY AND INNOVATION ALLOTMENTS.—

''(A) APPROPRIATION; TOTAL ALLOTMENT.—For the purpose of providing allotments to States under this subsection, there is appropriated, out of any money in the Treasury not otherwise appropriated—

''(i) for calendar year 2019, $8,000,000,000;

''(ii) for calendar year 2020, $29,000,000,000;

''(iii) for calendar year 2021, $29,000,000,000;

''(iv) for calendar year 2022, $33,200,000,000;

''(v) for calendar year 2023, $33,200,000,000;

''(vi) for calendar year 2024, $33,200,000,000;

''(vii) for calendar year 2025, $33,200,000,000; and

''(viii) for calendar year 2026, $33,200,000,000.

''(B) ALLOTMENTS.—

''(i) IN GENERAL.—In the case of a State with an application approved under this subsection with respect to a year, the Administrator shall allot to the State, in accordance with an allotment methodology specified by the Administrator that ensures that the spending requirements in paragraphs (6) are met for the year and that reserves an amount that is at least 1 percent of the amount appropriated under subparagraph (A) for a calendar year for allotments to each State where the cost of insurance premiums are at least 75 percent higher than the national average, from amounts appropriated for such year under subparagraph (A), such amount as specified by the Administrator with respect to the State and application and year.

''(ii) ANNUAL REDISTRIBUTION OF PREVIOUS YEAR'S UNUSED FUNDS.—

''(I) IN GENERAL.— In carrying out clause (i), with respect to a year (beginning with 2021), the Administrator shall, not later than March 31 of such year—

''(aa) determine the amount of funds, if any, remaining unused under subparagraph (A) from the previous year; and

''(bb) if the Administrator determines that any funds so remain from the previous year, redistribute such remaining funds in accordance with an allotment methodology specified by the Administrator to States that have submitted an application approved under this subsection for the year.

''(II) APPLICABLE STATE PERCENTAGE.—The State percentage specified for a year in paragraph (5)(B)(ii) shall apply to funds redistributed under subclause (I) in that year.

''(C) AVAILABILITY OF ALLOTTED STATE FUNDS.—

''(i) IN GENERAL.—Amounts allotted to a State pursuant to subparagraph (B)(i) for a year shall remain available for expenditure by the State through the end of the second succeeding year.

''(ii) AVAILABILITY OF AMOUNTS REDISTRIBUTED.—Amounts redistributed to a State under subparagraph (B)(ii) in a year shall be available for expenditure by the State through the end of the second succeeding year.

''(5) PAYMENTS.—

''(A) ANNUAL PAYMENT OF ALLOTMENTS.—Subject to subparagraph (B), the Administrator shall pay to each State that has an application approved under this subsection for a year, from the allotment determined under paragraph (4)(B) for the State for the year, an amount equal to the Federal percentage of the State's expenditures for the year.

''(B) STATE EXPENDITURES REQUIRED BEGINNING 2022.—For purposes of subparagraph (A), the Federal percentage is equal to 100 percent reduced by the State percentage for that year, and the State percentage is equal to—

''(i) in the case of calendar year 2019, 0 percent;

''(ii) in the case of calendar year 2020, 0 percent;

''(iii) in the case of calendar year 2021, 0 percent;

''(iv) in the case of calendar year 2022, 7 percent;

''(v) in the case of calendar year 2023, 14 percent;

''(vi) in the case of calendar year 2024, 21 percent;

''(vii) in the case of calendar year 2025, 28 percent; and

''(viii) in the case of calendar year 2026, 35 percent.

''(C) ADVANCE PAYMENT; RETROSPECTIVE ADJUSTMENT.—

''(i) IN GENERAL.—If the Administrator deems it appropriate, the Administrator shall make payments under this subsection for each year on the basis of advance estimates of expenditures submitted by the

State and such other investigation as the Administrator shall find necessary, and shall reduce or increase the payments as necessary to adjust for any overpayment or underpayment for prior years.

''(ii) MISUSE OF FUNDS.—If the Administrator determines that a State is not using funds paid to the State under this subsection in a manner consistent with the description provided by the State in its application approved under paragraph (1), the Administrator may withhold payments, reduce payments, or recover previous payments to the State under this subsection as the Administrator deems appropriate.

''(D) FLEXIBILITY IN SUBMITTAL OF CLAIMS.—Nothing in this subsection shall be construed as preventing a State from claiming as expenditures in the year expenditures that were incurred in a previous year.

''(6) REQUIRED USES.—

''(A) PREMIUM STABILIZATION AND INCENTIVES FOR INDIVIDUAL MARKET PARTICIPATION.—In determining allotments for States under this subsection for each of calendar years 2019, 2020, and 2021, the Administrator shall ensure that at least $5,000,000,000 of the amounts appropriated for each such year under paragraph (4)(A) are used by States for the purposes described in paragraph (1)(A)(ii) and in accordance with guidance issued by the Administrator not later than 30 days after the date of enactment of this subsection that specifies the parameters for the use of funds for such purposes.

''(B) ASSISTANCE WITH OUT-OF-POCKET COSTS.—In determining allotments for States under this subsection for each of calendar years 2020 through 2026, the Administrator shall ensure that at least $15,000,000,000 of the amounts appropriated for each of calendar years 2020 and 2021 under paragraph (4)(A), and at least $14,000,000,000 of the amounts appropriated for each of calendar years 2022 through 2026 under such paragraph, are used by States for the purposes described in paragraph (1)(A)(iv) and in accordance with guidance issued by the Administrator not later than September 1, 2019, that specifies the parameters for the use of funds for such purposes.

''(7) EXEMPTIONS.—Paragraphs (2), (3), (5), (6), (8), (10), and (11) of subsection (c) do not apply to payments under this subsection.''.

(b) OTHER TITLE XXI AMENDMENTS.—

(1) Section 2101 of such Act (42 U.S.C. 1397aa) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''The purpose'' and inserting ''Except with respect to short-term assistance activities under section 2105(h) and the Long-Term State Stability and Innovation Program established in section 2105(i), the purpose''; and

(B) in subsection (b), in the matter preceding paragraph (1), by inserting ''subsection (a) or (g) of'' before ''section 2105''.

(2) Section 2105(c)(1) of such Act (42 U.S.C. 1397ee(c)(1)) is amended by striking ''and may not include'' and inserting ''or to carry out short-term assistance activities under subsection (h) or the Long-Term State Stability and Innovation Program established in subsection (i) and, except in the case of funds made available under subsection (h) or (i), may not include''.

(3) Section 2106(a)(1) of such Act (42 U.S.C. 1397ff(a)(1)) is amended by inserting ''subsection (a) or (g) of'' before ''section 2105''.

SEC. 107. BETTER CARE RECONCILIATION IMPLEMENTATION FUND.

(a) IN GENERAL.—There is hereby established a Better Care Reconciliation Implementation Fund (referred to in this section as the ''Fund'') within the Department of Health and Human Services to provide for Federal administrative expenses in carrying out this Act.

(b) FUNDING.—There is appropriated to the Fund, out of any funds in the Treasury not otherwise appropriated, $500,000,000.

SEC. 108. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 109. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

SEC. 110. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''10 percent''.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''15 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

SEC. 111. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

SEC. 112. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.''.

SEC. 113. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.''.

SEC. 114. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking '', and'' at the end of paragraph (1) and all that follows through ''2017''.

SEC. 115. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 116. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''7.5 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 117. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

SEC. 118. PURCHASE OF INSURANCE FROM HEALTH SAVINGS ACCOUNT.

(a) PURCHASE OF HIGH DEDUCTIBLE HEALTH PLANS.—

(1) IN GENERAL.—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986, as amended by section 109(a), is amended—

(A) by striking ''and any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual'' in subparagraph (A) and inserting ''any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual, and any child (as defined in section 152(f)(1)) of such individual who has not attained the age of 27 before the end of such individual's taxable year'',

(B) by striking subparagraph (B) and inserting the following:

''(B) HEALTH INSURANCE MAY NOT BE PURCHASED FROM ACCOUNT.—Except as provided in subparagraph (C), subparagraph (A) shall not apply to any payment for insurance.'', and

(C) by striking ''or'' at the end of subparagraph (C)(iii), by striking the period at the end of subparagraph (C)(iv) and inserting '', or'', and by adding at the end the following:

''(v) a high deductible health plan but only to the extent of the portion of such expense in excess of—

''(I) any amount allowable as a credit under section 36B for the taxable year with respect to such coverage,

''(II) any amount allowable as a deduction under section 162(l) with respect to such coverage, or

''(III) any amount excludable from gross income with respect to such coverage under section 106 (including by reason of section 125) or 402(l).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to amounts paid for expenses incurred for, and distributions made for, coverage under a high deductible health plan beginning after December 31, 2017.

(b) CONSUMER FREEDOM PLANS.—

(1) IN GENERAL.—Section 223(d)(2)(C) of the Internal Revenue Code of 1986, as amended by subsection (a) and section 122, is amended—

(A) by striking ''or'' at the end of clause (iv), by striking the period at the end of clause (v), and by adding at the end the following:

''(vi) any plan which—

''(I) is offered by a health insurance issuer which meets the conditions described in section 212(b) of the Better Care Reconciliation Act of 2017 for the plan year, and

''(II) would not be permitted to be offered in the market but for such section.'', and

(B) by inserting ''or (vi)'' after ''clause (v)'' in the last sentence thereof.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall to taxable years beginning after December 31, 2019.

SEC. 119. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''$2,250'' and inserting ''the amount in effect under subsection (c)(2)(A)(ii)(I)''.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking ''$4,500'' and inserting ''the amount in effect under subsection (c)(2)(A)(ii)(II)''.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking ''subsections (b)(2) and'' both places it appears and inserting ''subsection'', and

(2) in subparagraph (B), by striking ''determined by'' and all that follows through ''calendar year 2003''.'' and inserting ''determined by substituting 'calendar year 2003' for 'calendar year 1992' in subparagraph (B) thereof.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 120. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CONTRIBUTIONS TO THE SAME HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(b)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

''(5) SPECIAL RULE FOR MARRIED INDIVIDUALS WITH FAMILY COVERAGE.—

''(A) IN GENERAL.—In the case of individuals who are married to each other, if both spouses are eligible individuals and either spouse has family coverage under a high deductible health plan as of the first day of any month—

''(i) the limitation under paragraph (1) shall be applied by not taking into account any other high deductible health plan coverage of either spouse (and if such spouses both have family coverage under separate high deductible health plans, only one such coverage shall be taken into account),

''(ii) such limitation (after application of clause (i)) shall be reduced by the aggregate amount paid to Archer MSAs of such spouses for the taxable year, and

''(iii) such limitation (after application of clauses (i) and (ii)) shall be divided equally between such spouses unless they agree on a different division.

''(B) TREATMENT OF ADDITIONAL CONTRIBUTION AMOUNTS.—If both spouses referred to in subparagraph (A) have attained age 55 before the close of the taxable year, the limitation referred to in subparagraph (A)(iii) which is subject to division between the spouses shall include the additional contribution amounts determined under paragraph (3) for both spouses. In any other case, any additional contribution amount determined under paragraph (3) shall not be taken into account under subparagraph (A)(iii) and shall not be subject to division between the spouses.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 121. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.''.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 122. EXCLUSION FROM HSAS OF HIGH DEDUCTIBLE HEALTH PLANS WHICH DO NOT INCLUDE PROTECTIONS FOR LIFE.

(a) IN GENERAL.—Subparagraph (C) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following flush sentence:

''A high deductible health plan shall not be treated as described in clause (v) if such plan includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 123. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $350,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 124. MEDICAID PROVISIONS.

The Social Security Act is amended—

(1) in section 1902(a)(47)(B) (42 U.S.C. 1396a(a)(47)(B)), by inserting ''and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date'' before the semicolon at the end;

(2) in section 1915(k)(2) (42 U.S.C. 1396n(k)(2)), by striking ''during the period described in paragraph (1)'' and inserting ''on or after the date referred to in paragraph (1) and before January 1, 2020''; and

(3) in section 1920(e) (42 U.S.C. 1396r–1(e)), by striking ''under clause (i)(VIII), clause (i)(IX), or clause (ii)(XX) of subsection (a)(10)(A)'' and inserting ''under clause (i)(VIII) or clause (ii)(XX) of section 1902(a)(10)(A) before January 1, 2020, section 1902(a)(10)(A)(i)(IX),''.

SEC. 125. MEDICAID EXPANSION.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting ''and ending December 31, 2019,'' after ''2014,''; and

(ii) in clause (ii), in subclause (XX), by inserting ''and ending December 31, 2017,'' after ''2014,'', and by adding at the end the following new subclause:

''(XXIII) beginning January 1, 2020, who are expansion enrollees (as defined in subsection (nn)(1));''; and

(B) by adding at the end the following new subsection:

''(nn) EXPANSION ENROLLEES.—

''(1) IN GENERAL.—In this title, the term 'expansion enrollee' means an individual—

''(A) who is under 65 years of age;

''(B) who is not pregnant;

''(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

''(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

''(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

''(2) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees.''; and

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1)—

(i) in the matter preceding subparagraph (A), by striking '', with respect to'' and all that follows through ''shall be equal to'' and inserting ''and that has elected to cover newly eligible individuals before March 1, 2017, with respect to amounts expended by such State before January 1, 2020, for medical assistance for newly eligible individuals

described in subclause (VIII) of section 1902(a)(10)(A)(i), and, with respect to amounts expended by such State after December 31, 2019, and before January 1, 2024, for medical assistance for expansion enrollees (as defined in section 1902(nn)(1)), shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and'';

(ii) in subparagraph (D), by striking ''and'' after the semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

''(E) 90 percent for calendar quarters in 2020;

''(F) 85 percent for calendar quarters in 2021;

''(G) 80 percent for calendar quarters in 2022; and

''(H) 75 percent for calendar quarters in 2023.''; and

(iv) by adding after and below subparagraph (H) (as added by clause (iii)), the following flush sentence:

''The Federal medical assistance percentage determined for a State and year under subsection (b) shall apply to expenditures for medical assistance to newly eligible individuals (as so described) and expansion enrollees (as so defined), in the case of a State that has elected to cover newly eligible individuals before March 1, 2017, for calendar quarters after 2023, and, in the case of any other State, for calendar quarters (or portions of calendar quarters) after February 28, 2017.''; and

(B) in subsection (z)(2)—

(i) in subparagraph (A)—

(I) by inserting ''through 2023'' after ''each year thereafter''; and

(II) by striking ''shall be equal to'' and inserting ''and, for periods after December 31, 2019 and before January 1, 2024, who are expansion enrollees (as defined in section 1902(nn)(1)) shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and''; and

(ii) in subparagraph (B)(ii)—

(I) in subclause (III), by adding ''and'' at the end; and

(II) by striking subclauses (IV), (V), and (VI) and inserting the following new subclause:

''(IV) 2017 and each subsequent year through 2023 is 80 percent.''.

(b) SUNSET OF MEDICAID ESSENTIAL HEALTH BENEFITS REQUIREMENT.—Section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u–7(b)(5)) is amended by adding at the end the following: ''This paragraph shall not apply after December 31, 2019.''.

SEC. 126. RESTORING FAIRNESS IN DSH ALLOTMENTS.

Section 1923(f)(7) of the Social Security Act (42 U.S.C. 1396r–4(f)(7)) is amended by adding at the end the following new subparagraph:

''(C) NON-EXPANSION STATES.—

''(i) IN GENERAL.—In the case of a State that is a non-expansion State for a fiscal year—

''(I) subparagraph (A) shall not apply to the DSH allotment for such State and fiscal year; and

''(II) the DSH allotment for the State for fiscal year 2020 (including for a non-expansion State that has a DSH allotment determined under paragraph (6)) shall be increased by the amount calculated according to clause (iii).

''(ii) NO CHANGE IN REDUCTION FOR EXPANSION STATES.—In the case of a State that is an expansion State for a fiscal year, the DSH allotment for such State and fiscal year shall be determined as if clause (i) did not apply.

''(iii) AMOUNT CALCULATED.—For purposes of clause (i)(II), the amount calculated according to this clause for a non-expansion State is the following:

''(I) For each State, the Secretary shall calculate a ratio equal to the State's fiscal year 2016 DSH allotment divided by the number of uninsured individuals in the State for such fiscal year (determined on the basis of the most recent information available from the Bureau of the Census).

''(II) The Secretary shall identify the States whose ratio as so determined is below the national average of such ratio for all States.

''(III) The amount calculated pursuant to this clause is an amount that, if added to the State's fiscal year 2016 DSH allotment, would increase the ratio calculated pursuant to subclause (I) up to the national average for all States.

''(iv) DISREGARD OF INCREASE.—The DSH allotment for a non-expansion State for the second, third, and fourth quarters of fiscal year 2024 and fiscal years thereafter shall be determined as if there had been no increase in the State's DSH allotment for fiscal year 2020 under clause (i)(II).

''(v) NON-EXPANSION AND EXPANSION STATE DEFINED.—In this subparagraph:

''(I) The term 'expansion State' means with respect to a fiscal year, a State that, on or after January 1, 2021, provides eligibility under subclause (XXIII) of section 1902(a)(10)(A)(ii) for medical assistance under this title (or provides eligibility for individuals described in such subclause under a waiver of the State plan approved under section 1115).

''(II) The term 'non-expansion State' means, with respect to a fiscal year, a State that is not an expansion State, except that—

''(aa) in the case of a State that provides eligibility under clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A) for medical assistance under this title (or provides eligibility for individuals described in any of such clauses under a waiver of the State plan approved under section 1115) for any quarter occurring during the period that begins on October 1, 2017, and ends on December 31, 2020 the State shall be treated as a non-expansion State for purposes of clause (i) only for quarters beginning on or after the first day of the first month for which the State no longer provides such eligibility; and

''(bb) in the case of a State identified by the Secretary under clause (iii)(II) that is a non-expansion State on January 1, 2021, but which provided such eligibility on January 1, 2020, the DSH allotment for such State for each of fiscal years 2021 through 2023 and the first fiscal quarter of 2024 shall be determined as if the State's DSH allotment for fiscal year 2020 had been increased under clause (i)(II).''.

SEC. 127. REDUCING STATE MEDICAID COSTS.

(a) IN GENERAL.—

(1) STATE PLAN REQUIREMENTS.—Section 1902(a)(34) of the Social Security Act (42 U.S.C. 1396a(a)(34)) is amended by striking ''in or after the third month'' and all that follows through ''individual)'' and inserting ''in or after the month in which the individual (or, in the case of a deceased individual, another individual acting on the individual's behalf) made application (or, in the case of an individual who is 65 years of age or older or who is eligible for medical assistance under the plan on the basis of being blind or disabled, in or after the third month before such month)''.

(2) DEFINITION OF MEDICAL ASSISTANCE.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended by striking ''in or after the third month before the month in which the recipient makes application for assistance'' and inserting ''in or after the month in which the recipient makes application for assistance, or, in the case of a recipient who is 65 years of age or older or who is eligible for medical assistance on the basis of being blind or disabled at the time application is made, in or after the third month before the month in which the recipient makes application for assistance,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to medical assistance with respect to individuals whose eligibility for such assistance is based on an application for such assistance made (or deemed to be made) on or after October 1, 2017.

SEC. 128. PROVIDING SAFETY NET FUNDING FOR NON-EXPANSION STATES.

Title XIX of the Social Security Act is amended by inserting after section 1923 (42 U.S.C. 1396r–4) the following new section:

''ADJUSTMENT IN PAYMENT FOR SERVICES OF SAFETY NET PROVIDERS IN NON-EXPANSION STATES

''SEC. 1923A. (a) IN GENERAL.—Subject to the limitations of this section, for each year during the period beginning with fiscal year 2018 and ending with fiscal year 2022, each State that is one of the 50 States or the District of Columbia and that, as of July 1 of the preceding fiscal year, did not provide for eligibility under clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A) for medical assistance under this title (or a waiver of the State plan approved under section 1115) (each such State or District referred to in this section for the fiscal year as a 'non-expansion State') may adjust the payment amounts otherwise provided under the State plan under this title (or a waiver of such plan) to health care providers that provide health care services to individuals enrolled under this title (in this section referred to as 'eligible providers') so long as the payment adjustment to such an eligible provider does not exceed the provider's costs in furnishing health care services (as determined by the Secretary and net of payments under this title, other than under this section, and by uninsured patients) to individuals who either are eligible for medical assistance under the State plan (or under a waiver of such plan) or have no health insurance or health plan coverage for such services.

''(b) INCREASE IN APPLICABLE FMAP.—Notwithstanding section 1905(b), the Federal medical assistance percentage applicable with respect to expenditures attributable to a payment adjustment under subsection (a) for which payment is permitted under subsection (c) shall be equal to—

''(1) 100 percent for calendar quarters in fiscal years 2018, 2019, 2020, and 2021; and

''(2) 95 percent for calendar quarters in fiscal year 2022.

''(c) ANNUAL ALLOTMENT LIMITATION.—Payment under section 1903(a) shall not be made to a State with respect to any payment adjustment made under this section for all calendar quarters in a fiscal year in excess of the product of $2,000,000,000 multiplied by the ratio of—

''(1) the population of the State with income below 138 percent of the poverty line in 2015 (as determined based the table entitled 'Health Insurance Coverage Status and Type by Ratio of Income to Poverty Level in the Past 12 Months by Age' for the universe of the civilian noninstitutionalized population for whom poverty status is determined based on the 2015 American Community Survey 1–Year Estimates, as published by the Bureau of the Census), to

''(2) the sum of the populations under paragraph (1) for all non-expansion States.

''(d) DISQUALIFICATION IN CASE OF STATE COVERAGE EXPANSION.—If a State is a non-expansion for a fiscal year and provides eligibility for medical assistance described in

subsection (a) during the fiscal year, the State shall no longer be treated as a non-expansion State under this section for any subsequent fiscal years.''.

SEC. 129. ELIGIBILITY REDETERMINATIONS.

(a) IN GENERAL.—Section 1902(e)(14) of the Social Security Act (42 U.S.C. 1396a(e)(14)) (relating to modified adjusted gross income) is amended by adding at the end the following:

''(J) FREQUENCY OF ELIGIBILITY REDETERMINATIONS.—Beginning on October 1, 2017, and notwithstanding subparagraph (H), in the case of an individual whose eligibility for medical assistance under the State plan under this title (or a waiver of such plan) is determined based on the application of modified adjusted gross income under subparagraph (A) and who is so eligible on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of subsection (a)(10)(A), at the option of the State, the State plan may provide that the individual's eligibility shall be redetermined every 6 months (or such shorter number of months as the State may elect).''.

(b) INCREASED ADMINISTRATIVE MATCHING PERCENTAGE.—For each calendar quarter during the period beginning on October 1, 2017, and ending on December 31, 2019, the Federal matching percentage otherwise applicable under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) with respect to State expenditures during such quarter that are attributable to meeting the requirement of section 1902(e)(14) (relating to determinations of eligibility using modified adjusted gross income) of such Act shall be increased by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to exercise the option described in subparagraph (J) of such section (relating to eligibility redeterminations made on a 6-month or shorter basis) (as added by subsection (a)) to increase the frequency of eligibility redeterminations.

SEC. 130. OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

''(oo) OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.—

''(1) IN GENERAL.—Beginning October 1, 2017, subject to paragraph (3), a State may elect to condition medical assistance to a nondisabled, nonelderly, nonpregnant individual under this title upon such an individual's satisfaction of a work requirement (as defined in paragraph (2)).

''(2) WORK REQUIREMENT DEFINED.—In this section, the term 'work requirement' means, with respect to an individual, the individual's participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.

''(3) REQUIRED EXCEPTIONS.—States administering a work requirement under this subsection may not apply such requirement to—

''(A) a woman during pregnancy through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

''(B) an individual who is under 19 years of age;

''(C) an individual who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age or who is the only parent or caretaker of a child with disabilities; or

''(D) an individual who is married or a head of household and has not attained 20 years of age and who—

''(i) maintains satisfactory attendance at secondary school or the equivalent; or

''(ii) participates in education directly related to employment.''.

(b) INCREASE IN MATCHING RATE FOR IMPLEMENTATION.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following:

''(aa) The Federal matching percentage otherwise applicable under subsection (a) with respect to State administrative expenditures during a calendar quarter for which the State receives payment under such subsection shall, in addition to any other increase to such Federal matching percentage, be increased for such calendar quarter by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to implement subsection (oo) of section 1902.''.

SEC. 131. PROVIDER TAXES.

Section 1903(w)(4)(C) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)) is amended by adding at the end the following new clause:

''(iii) For purposes of clause (i), a determination of the existence of an indirect guarantee shall be made under paragraph (3)(i) of section 433.68(f) of title 42, Code of Federal Regulations, as in effect on June 1, 2017, except that—

''(I) for fiscal year 2021, '5.8 percent' shall be substituted for '6 percent' each place it appears;

''(II) for fiscal year 2022, '5.6 percent' shall be substituted for '6 percent' each place it appears;

''(III) for fiscal year 2023, '5.4 percent' shall be substituted for '6 percent' each place it appears;

''(IV) for fiscal year 2024, '5.2 percent' shall be substituted for '6 percent' each place it appears; and

''(V) for fiscal year 2025 and each subsequent fiscal year, '5 percent' shall be substituted for '6 percent' each place it appears.''.

SEC. 132. PER CAPITA ALLOTMENT FOR MEDICAL ASSISTANCE.

(a) IN GENERAL.—Title XIX of the Social Security Act is amended—

(1) in section 1903 (42 U.S.C. 1396b)—

(A) in subsection (a), in the matter before paragraph (1), by inserting ''and section 1903A(a)'' after ''except as otherwise provided in this section''; and

(B) in subsection (d)(1), by striking ''to which'' and inserting ''to which, subject to section 1903A(a),''; and

(2) by inserting after such section 1903 the following new section:

''SEC. 1903A. PER CAPITA-BASED CAP ON PAYMENTS FOR MEDICAL ASSISTANCE.

''(a) APPLICATION OF PER CAPITA CAP ON PAYMENTS FOR MEDICAL ASSISTANCE EXPENDITURES.—

''(1) IN GENERAL.—If a State which is one of the 50 States or the District of Columbia has excess aggregate medical assistance expenditures (as defined in paragraph (2)) for a fiscal year (beginning with fiscal year 2020), the amount of payment to the State under section 1903(a)(1) for each quarter in the following fiscal year shall be reduced by ¼ of the excess aggregate medical assistance payments (as defined in paragraph (3)) for that previous fiscal year. In this section, the term 'State' means only the 50 States and the District of Columbia.

''(2) EXCESS AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term 'excess aggregate medical assistance expenditures' means, for a State for a fiscal year, the amount (if any) by which—

''(A) the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State and fiscal year; exceeds

''(B) the amount of the target total medical assistance expenditures (as defined in subsection (c)) for the State and fiscal year.

''(3) EXCESS AGGREGATE MEDICAL ASSISTANCE PAYMENTS.—In this subsection, the term 'excess aggregate medical assistance payments' means, for a State for a fiscal year, the product of—

''(A) the excess aggregate medical assistance expenditures (as defined in paragraph (2)) for the State for the fiscal year; and

''(B) the Federal average medical assistance matching percentage (as defined in paragraph (4)) for the State for the fiscal year.

''(4) FEDERAL AVERAGE MEDICAL ASSISTANCE MATCHING PERCENTAGE.—In this subsection, the term 'Federal average medical assistance matching percentage' means, for a State for a fiscal year, the ratio (expressed as a percentage) of—

''(A) the amount of the Federal payments that would be made to the State under section 1903(a)(1) for medical assistance expenditures for calendar quarters in the fiscal year if paragraph (1) did not apply; to

''(B) the amount of the medical assistance expenditures for the State and fiscal year.

''(5) PER CAPITA BASE PERIOD.—

''(A) IN GENERAL.—In this section, the term 'per capita base period' means, with respect to a State, a period of 8 (or, in the case of a State selecting a period under subparagraph (D), not less than 4) consecutive fiscal quarters selected by the State.

''(B) TIMELINE.—Each State shall submit its selection of a per capita base period to the Secretary not later than January 1, 2018.

''(C) PARAMETERS.—In selecting a per capita base period under this paragraph, a State shall—

''(i) only select a period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters for which all the data necessary to make determinations required under this section is available, as determined by the Secretary; and

''(ii) shall not select any period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters that begins with a fiscal quarter earlier than the first quarter of fiscal year 2014 or ends with a fiscal quarter later than the third fiscal quarter of 2017.

''(D) BASE PERIOD FOR LATE-EXPANDING STATES.—

''(i) IN GENERAL.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of the first day of the fourth fiscal quarter of fiscal year 2015 but which provided for such assistance for such category in a subsequent fiscal quarter that is not later than the fourth quarter of fiscal year 2016, the State may select a per capita base period that is less than 8 consecutive fiscal quarters, but in no case shall the period selected be less than 4 consecutive fiscal quarters.

''(ii) APPLICATION OF OTHER REQUIREMENTS.—Except for the requirement that a per capita base period be a period of 8 consecutive fiscal quarters, all other requirements of this paragraph shall apply to a per capita base period selected under this subparagraph.

''(iii) APPLICATION OF BASE PERIOD ADJUSTMENTS.—The adjustments to amounts for per capita base periods required under subsections (b)(5) and (d)(4)(E) shall be applied to amounts for per capita base periods selected under this subparagraph by substituting 'divided by the ratio that the number of quarters in the base period bears to 4' for 'divided by 2'.

''(E) ADJUSTMENT BY THE SECRETARY.—If the Secretary determines that a State took

actions after the date of enactment of this section (including making retroactive adjustments to supplemental payment data in a manner that affects a fiscal quarter in the per capita base period) to diminish the quality of the data from the per capita base period used to make determinations under this section, the Secretary may adjust the data as the Secretary deems appropriate.

''(b) ADJUSTED TOTAL MEDICAL ASSISTANCE EXPENDITURES.—Subject to subsection (g), the following shall apply:

''(1) IN GENERAL.—In this section, the term 'adjusted total medical assistance expenditures' means, for a State—

''(A) for the State's per capita base period (as defined in subsection (a)(5)), the product of—

''(i) the amount of the medical assistance expenditures (as defined in paragraph (2) and adjusted under paragraph (5)) for the State and period, reduced by the amount of any excluded expenditures (as defined in paragraph (3) and adjusted under paragraph (5)) for the State and period otherwise included in such medical assistance expenditures; and

''(ii) the 1903A base period population percentage (as defined in paragraph (4)) for the State; or

''(B) for fiscal year 2019 or a subsequent fiscal year, the amount of the medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that is attributable to 1903A enrollees, reduced by the amount of any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year otherwise included in such medical assistance expenditures and includes non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) but shall not be construed as including any expenditures attributable to the program under section 1928 (relating to State pediatric vaccine distribution programs). In applying subparagraph (B), non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) shall be treated as fully attributable to 1903A enrollees.

''(2) MEDICAL ASSISTANCE EXPENDITURES.—In this section, the term 'medical assistance expenditures' means, for a State and fiscal year or per capita base period, the medical assistance payments as reported by medical service category on the Form CMS-64 quarterly expense report (or successor to such a report form, and including enrollment data and subsequent adjustments to any such report, in this section referred to collectively as a 'CMS-64 report') for quarters in the year or base period for which payment is (or may otherwise be) made pursuant to section 1903(a)(1), adjusted, in the case of a per capita base period, under paragraph (5).

''(3) EXCLUDED EXPENDITURES.—In this section, the term 'excluded expenditures' means, for a State and fiscal year or per capita base period, expenditures under the State plan (or under a waiver of such plan) that are attributable to any of the following:

''(A) DSH.—Payment adjustments made for disproportionate share hospitals under section 1923.

''(B) MEDICARE COST-SHARING.—Payments made for medicare cost-sharing (as defined in section 1905(p)(3)).

''(C) SAFETY NET PROVIDER PAYMENT ADJUSTMENTS IN NON-EXPANSION STATES.—Payment adjustments under subsection (a) of section 1923A for which payment is permitted under subsection (c) of such section.

''(D) EXPENDITURES FOR PUBLIC HEALTH EMERGENCIES.—Any expenditures that are subject to a public health emergency exclusion under paragraph (6).

''(4) 1903A BASE PERIOD POPULATION PERCENTAGE.—In this subsection, the term '1903A base period population percentage' means, for a State, the Secretary's calculation of the percentage of the actual medical assistance expenditures, as reported by the State on the CMS–64 reports for calendar quarters in the State's per capita base period, that are attributable to 1903A enrollees (as defined in subsection (e)(1)).

''(5) ADJUSTMENTS FOR PER CAPITA BASE PERIOD.—In calculating medical assistance expenditures under paragraph (2) and excluded expenditures under paragraph (3) for a State for the State's per capita base period, the total amount of each type of expenditure for the State and base period shall be divided by 2.

''(6) AUTHORITY TO EXCLUDE STATE EXPENDITURES FROM CAPS DURING PUBLIC HEALTH EMERGENCY.—

''(A) IN GENERAL.—During the period that begins on January 1, 2020, and ends on December 31, 2024, the Secretary may exclude, from a State's medical assistance expenditures for a fiscal year or portion of a fiscal year that occurs during such period, an amount that shall not exceed the amount determined under subparagraph (B) for the State and year or portion of a year if—

''(i) a public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act existed within the State during such year or portion of a year; and

''(ii) the Secretary determines that such an exemption would be appropriate.

''(B) MAXIMUM AMOUNT OF ADJUSTMENT.—The amount excluded for a State and fiscal year or portion of a fiscal year under this paragraph shall not exceed the amount by which—

''(i) the amount of State expenditures for medical assistance for 1903A enrollees in areas of the State which are subject to a declaration described in subparagraph (A)(i) for the fiscal year or portion of a fiscal year; exceeds

''(ii) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year or portion of a fiscal year of equal length to the portion of a fiscal year involved during which no such declaration was in effect.

''(C) AGGREGATE LIMITATION ON EXCLUSIONS AND ADDITIONAL BLOCK GRANT PAYMENTS.—The aggregate amount of expenditures excluded under this paragraph and additional payments made under section 1903B(c)(3)(E) for the period described in subparagraph (A) shall not exceed $5,000,000,000.

''(D) REVIEW.—If the Secretary exercises the authority under this paragraph with respect to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in subparagraph (A)(i) ceases to be in effect, conduct an audit of the State's medical assistance expenditures for 1903A enrollees during the year or portion of a year to ensure that all of the expenditures so excluded were made for the purpose of ensuring that the health care needs of 1903A enrollees in areas affected by a public health emergency are met.

''(c) TARGET TOTAL MEDICAL ASSISTANCE EXPENDITURES.—

''(1) CALCULATION.—In this section, the term 'target total medical assistance expenditures' means, for a State for a fiscal year and subject to paragraph (4), the sum of the products, for each of the 1903A enrollee categories (as defined in subsection (e)(2)), of—

''(A) the target per capita medical assistance expenditures (as defined in paragraph (2)) for the enrollee category, State, and fiscal year; and

''(B) the number of 1903A enrollees for such enrollee category, State, and fiscal year, as determined under subsection (e)(4).

''(2) TARGET PER CAPITA MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term 'target per capita medical assistance expenditures' means, for a 1903A enrollee category and State—

''(A) for fiscal year 2020, an amount equal to—

''(i) the provisional FY19 target per capita amount for such enrollee category (as calculated under subsection (d)(5)) for the State; increased by

''(ii) the applicable annual inflation factor (as defined in paragraph (3)) for fiscal year 2020; and

''(B) for each succeeding fiscal year, an amount equal to—

''(i) the target per capita medical assistance expenditures (under subparagraph (A) or this subparagraph) for the 1903A enrollee category and State for the preceding fiscal year; increased by

''(ii) the applicable annual inflation factor for that succeeding fiscal year.

''(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term 'applicable annual inflation factor' means—

''(A) for fiscal years before 2025—

''(i) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved; and

''(ii) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage increase described in clause (i) plus 1 percentage point; and

''(B) for fiscal years after 2024, for all 1903A enrollee categories, the percentage increase in the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved.

''(4) DECREASE IN TARGET EXPENDITURES FOR REQUIRED EXPENDITURES BY CERTAIN POLITICAL SUBDIVISIONS.—

''(A) IN GENERAL.—In the case of a State that had a DSH allotment under section 1923(f) for fiscal year 2016 that was more than 6 times the national average of such allotments for all the States for such fiscal year and that requires political subdivisions within the State to contribute funds towards medical assistance or other expenditures under the State plan under this title (or under a waiver of such plan) for a fiscal year (beginning with fiscal year 2020), the target total medical assistance expenditures for such State and fiscal year shall be decreased by the amount that political subdivisions in the State are required to contribute under the plan (or waiver) without reimbursement from the State for such fiscal year, other than contributions described in subparagraph (B).

''(B) EXCEPTIONS.—The contributions described in this subparagraph are the following:

''(i) Contributions required by a State from a political subdivision that, as of the first day of the calendar year in which the fiscal year involved begins—

''(I) has a population of more than 5,000,000, as estimated by the Bureau of the Census; and

''(II) imposes a local income tax upon its residents.

''(ii) Contributions required by a State from a political subdivision for administrative expenses if the State required such contributions from such subdivision without reimbursement from the State as of January 1, 2017.

''(5) ADJUSTMENTS TO STATE EXPENDITURES TARGETS TO PROMOTE PROGRAM EQUITY ACROSS STATES.—

''(A) IN GENERAL.—Beginning with fiscal year 2020, the target per capita medical assistance expenditures for a 1903A enrollee category, State, and fiscal year, as determined under paragraph (2), shall be adjusted (subject to subparagraph (C)(i)) in accordance with this paragraph.

''(B) ADJUSTMENT BASED ON LEVEL OF PER CAPITA SPENDING FOR 1903A ENROLLEE CATEGORIES.—Subject to subparagraph (C), with respect to a State, fiscal year, and 1903A enrollee category, if the State's per capita categorical medical assistance expenditures (as defined in subparagraph (D)) for the State and category in the preceding fiscal year—

''(i) exceed the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State's target per capita medical assistance expenditures for such category for the fiscal year involved shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 3 percent; or

''(ii) are less than the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State's target per capita medical assistance expenditures for such category for the fiscal year involved shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 3 percent.

''(C) RULES OF APPLICATION.—

''(i) BUDGET NEUTRALITY REQUIREMENT.—In determining the appropriate percentages by which to adjust States' target per capita medical assistance expenditures for a category and fiscal year under this paragraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such fiscal year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such fiscal year.

''(ii) ASSUMPTION REGARDING STATE EXPENDITURES.—For purposes of clause (i), in the case of a State that has its target per capita medical assistance expenditures for a 1903A enrollee category and fiscal year increased under this paragraph, the Secretary shall assume that the categorical medical assistance expenditures (as defined in subparagraph (D)(ii)) for such State, category, and fiscal year will equal such increased target medical assistance expenditures.

''(iii) NONAPPLICATION TO LOW-DENSITY STATES.—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

''(iv) DISREGARD OF ADJUSTMENT.—Any adjustment under this paragraph to target medical assistance expenditures for a State, 1903A enrollee category, and fiscal year shall be disregarded when determining the target medical assistance expenditures for such State and category for a succeeding year under paragraph (2).

''(v) APPLICATION FOR FISCAL YEARS 2020 AND 2021.—In fiscal years 2020 and 2021, the Secretary shall apply this paragraph by deeming all categories of 1903A enrollees to be a single category.

''(D) PER CAPITA CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—

''(i) IN GENERAL.—In this paragraph, the term 'per capita categorical medical assistance expenditures' means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to—

''(I) the categorical medical expenditures (as defined in clause (ii)) for the State, category, and year; divided by

''(II) the number of 1903A enrollees for the State, category, and year.

''(ii) CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—The term 'categorical medical assistance expenditures' means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to the total medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that are attributable to 1903A enrollees in the category, excluding any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year that are attributable to 1903A enrollees in the category.

''(d) CALCULATION OF FY19 PROVISIONAL TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (g), the following shall apply:

''(1) CALCULATION OF BASE AMOUNTS FOR PER CAPITA BASE PERIOD.—For each State the Secretary shall calculate (and provide notice to the State not later than April 1, 2018, of) the following:

''(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for the State's per capita base period.

''(B) The number of 1903A enrollees for the State in the State's per capita base period (as determined under subsection (e)(4)).

''(C) The average per capita medical assistance expenditures for the State for the State's per capita base period equal to—

''(i) the amount calculated under subparagraph (A); divided by

''(ii) the number calculated under subparagraph (B).

''(2) FISCAL YEAR 2019 AVERAGE PER CAPITA AMOUNT BASED ON INFLATING THE PER CAPITA BASE PERIOD AMOUNT TO FISCAL YEAR 2019 BY CPI-MEDICAL.—The Secretary shall calculate a fiscal year 2019 average per capita amount for each State equal to—

''(A) the average per capita medical assistance expenditures for the State for the State's per capita base period (calculated under paragraph (1)(C)); increased by

''(B) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from the last month of the State's per capita base period to September of fiscal year 2019.

''(3) AGGREGATE AND AVERAGE EXPENDITURES PER CAPITA FOR FISCAL YEAR 2019.—The Secretary shall calculate for each State the following:

''(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019.

''(B) The number of 1903A enrollees for the State in fiscal year 2019 (as determined under subsection (e)(4)).

''(4) PER CAPITA EXPENDITURES FOR FISCAL YEAR 2019 FOR EACH 1903A ENROLLEE CATEGORY.—The Secretary shall calculate (and provide notice to each State not later than January 1, 2020, of) the following:

''(A)(i) For each 1903A enrollee category, the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019 for individuals in the enrollee category, calculated by excluding from medical assistance expenditures those expenditures attributable to expenditures described in clause (iii) or non-DSH supplemental expenditures (as defined in clause (ii)).

''(ii) In this paragraph, the term 'non-DSH supplemental expenditure' means a payment to a provider under the State plan (or under a waiver of the plan) that—

''(I) is not made under section 1923;

''(II) is not made with respect to a specific item or service for an individual;

''(III) is in addition to any payments made to the provider under the plan (or waiver) for any such item or service; and

''(IV) complies with the limits for additional payments to providers under the plan (or waiver) imposed pursuant to section 1902(a)(30)(A), including the regulations specifying upper payment limits under the State plan in part 447 of title 42, Code of Federal Regulations (or any successor regulations).

''(iii) An expenditure described in this clause is an expenditure that meets the criteria specified in subclauses (I), (II), and (III) of clause (ii) and is authorized under section 1115 for the purposes of funding a delivery system reform pool, uncompensated care pool, a designated State health program, or any other similar expenditure (as defined by the Secretary).

''(B) For each 1903A enrollee category, the number of 1903A enrollees for the State in fiscal year 2019 in the enrollee category (as determined under subsection (e)(4)).

''(C) For the State's per capita base period, the State's non-DSH supplemental and pool payment percentage is equal to the ratio (expressed as a percentage) of—

''(i) the total amount of non-DSH supplemental expenditures (as defined in subparagraph (A)(ii) and adjusted under subparagraph (E)) and payments described in subparagraph (A)(iii) (and adjusted under subparagraph (E)) for the State for the period; to

''(ii) the amount described in subsection (b)(1)(A) for the State for the State's per capita base period.

''(D) For each 1903A enrollee category an average medical assistance expenditures per capita for the State for fiscal year 2019 for the enrollee category equal to—

''(i) the amount calculated under subparagraph (A) for the State, increased by the non-DSH supplemental and pool payment percentage for the State (as calculated under subparagraph (C)); divided by

''(ii) the number calculated under subparagraph (B) for the State for the enrollee category.

''(E) For purposes of subparagraph (C)(i), in calculating the total amount of non-DSH supplemental expenditures and payments described in subparagraph (A)(iii) for a State for the per capita base period, the total amount of such expenditures and the total amount of such payments for the State and base period shall each be divided by 2.

''(5) PROVISIONAL FY19 PER CAPITA TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (f)(2), the Secretary shall calculate for each State a provisional FY19 per capita target amount for each 1903A enrollee category equal to the average medical assistance expenditures per capita for the State for fiscal year 2019 (as calculated under paragraph (4)(D)) for such enrollee category multiplied by the ratio of—

''(A) the product of—

''(i) the fiscal year 2019 average per capita amount for the State, as calculated under paragraph (2); and

''(ii) the number of 1903A enrollees for the State in fiscal year 2019, as calculated under paragraph (3)(B); to

''(B) the amount of the adjusted total medical assistance expenditures for the State for fiscal year 2019, as calculated under paragraph (3)(A).

''(e) 1903A ENROLLEE; 1903A ENROLLEE CATEGORY.—Subject to subsection (g), for purposes of this section, the following shall apply:

''(1) 1903A ENROLLEE.—The term '1903A enrollee' means, with respect to a State and a month and subject to subsection (i)(1)(B), any Medicaid enrollee (as defined in paragraph (3)) for the month, other than such an enrollee who for such month is in any of the following categories of excluded individuals:

''(A) CHIP.—An individual who is provided, under this title in the manner described in section 2101(a)(2), child health assistance under title XXI.

''(B) IHS.—An individual who receives any medical assistance under this title for services for which payment is made under the third sentence of section 1905(b).

''(C) BREAST AND CERVICAL CANCER SERVICES ELIGIBLE INDIVIDUAL.—An individual who is eligible for medical assistance under this title only on the basis of section 1902(a)(10)(A)(ii)(XVIII).

''(D) PARTIAL-BENEFIT ENROLLEES.—An individual who—

''(i) is an alien who is eligible for medical assistance under this title only on the basis of section 1903(v)(2);

''(ii) is eligible for medical assistance under this title only on the basis of subclause (XII) or (XXI) of section 1902(a)(10)(A)(ii) (or on the basis of a waiver that provides only comparable benefits);

''(iii) is a dual eligible individual (as defined in section 1915(h)(2)(B)) and is eligible for medical assistance under this title (or under a waiver) only for some or all of medicare cost-sharing (as defined in section 1905(p)(3)); or

''(iv) is eligible for medical assistance under this title and for whom the State is providing a payment or subsidy to an employer for coverage of the individual under a group health plan pursuant to section 1906 or section 1906A (or pursuant to a waiver that provides only comparable benefits).

''(E) BLIND AND DISABLED CHILDREN.—An individual who—

''(i) is a child under 19 years of age; and

''(ii) is eligible for medical assistance under this title on the basis of being blind or disabled.

''(2) 1903A ENROLLEE CATEGORY.—The term '1903A enrollee category' means each of the following:

''(A) ELDERLY.—A category of 1903A enrollees who are 65 years of age or older.

''(B) BLIND AND DISABLED.—A category of 1903A enrollees (not described in the previous subparagraph) who—

''(i) are 19 years of age or older; and

''(ii) are eligible for medical assistance under this title on the basis of being blind or disabled.

''(C) CHILDREN.—A category of 1903A enrollees (not described in a previous subparagraph) who are children under 19 years of age.

''(D) EXPANSION ENROLLEES.—A category of 1903A enrollees (not described in a previous subparagraph) who are eligible for medical assistance under this title only on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A).

''(E) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—A category of 1903A enrollees who are not described in any previous subparagraph.

''(3) MEDICAID ENROLLEE.—The term 'Medicaid enrollee' means, with respect to a State for a month, an individual who is eligible for medical assistance for items or services under this title and enrolled under the State plan (or a waiver of such plan) under this title for the month.

''(4) DETERMINATION OF NUMBER OF 1903A ENROLLEES.—The number of 1903A enrollees for a State and fiscal year or the State's per capita base period, and, if applicable, for a 1903A enrollee category, is the average monthly number of Medicaid enrollees for such State and fiscal year or base period (and, if applicable, in such category) that are reported through the CMS–64 report under (and subject to audit under) subsection (h).

''(f) SPECIAL PAYMENT RULES.—

''(1) APPLICATION IN CASE OF RESEARCH AND DEMONSTRATION PROJECTS AND OTHER WAIVERS.—In the case of a State with a waiver of the State plan approved under section 1115, section 1915, or another provision of this title, this section shall apply to medical assistance expenditures and medical assistance payments under the waiver, in the same manner as if such expenditures and payments had been made under a State plan under this title and the limitations on expenditures under this section shall supersede any other payment limitations or provisions (including limitations based on a per capita limitation) otherwise applicable under such a waiver.

''(2) TREATMENT OF STATES EXPANDING COVERAGE AFTER JULY 1, 2016.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of July 1, 2016, but which subsequently provides for such assistance for such category, the provisional FY19 per capita target amount for such enrollee category under subsection (d)(5) shall be equal to the provisional FY19 per capita target amount for the 1903A enrollee category described in subsection (e)(2)(E).

''(3) IN CASE OF STATE FAILURE TO REPORT NECESSARY DATA.—If a State for any quarter in a fiscal year (beginning with fiscal year 2019) fails to satisfactorily submit data on expenditures and enrollees in accordance with subsection (h)(1), for such fiscal year and any succeeding fiscal year for which such data are not satisfactorily submitted—

''(A) the Secretary shall calculate and apply subsections (a) through (e) with respect to the State as if all 1903A enrollee categories for which such expenditure and enrollee data were not satisfactorily submitted were a single 1903A enrollee category; and

''(B) the growth factor otherwise applied under subsection (c)(2)(B) shall be decreased by 1 percentage point.

''(g) RECALCULATION OF CERTAIN AMOUNTS FOR DATA ERRORS.—The amounts and percentage calculated under paragraphs (1) and (4)(C) of subsection (d) for a State for the State's per capita base period, and the amounts of the adjusted total medical assistance expenditures calculated under subsection (b) and the number of Medicaid enrollees and 1903A enrollees determined under subsection (e)(4) for a State for the State's per capita base period, fiscal year 2019, and any subsequent fiscal year, may be adjusted by the Secretary based upon an appeal (filed by the State in such a form, manner, and time, and containing such information relating to data errors that support such appeal, as the Secretary specifies) that the Secretary determines to be valid, except that any adjustment by the Secretary under this subsection for a State may not result in an increase of the target total medical assistance expenditures exceeding 2 percent.

''(h) REQUIRED REPORTING AND AUDITING; TRANSITIONAL INCREASE IN FEDERAL MATCHING PERCENTAGE FOR CERTAIN ADMINISTRATIVE EXPENSES.—

''(1) REPORTING OF CMS–64 DATA.—

''(A) IN GENERAL.—In addition to the data required on form Group VIII on the CMS–64 report form as of January 1, 2017, in each CMS-64 report required to be submitted (for each quarter beginning on or after October 1, 2018), the State shall include data on medical assistance expenditures within such categories of services and categories of enrollees (including each 1903A enrollee category and each category of excluded individuals under subsection (e)(1)) and the numbers of enrollees within each of such enrollee categories, as the Secretary determines are necessary (including timely guidance published as soon as possible after the date of the enactment of this section) in order to implement this section and to enable States to comply with the requirement of this paragraph on a timely basis.

''(B) REPORTING ON QUALIFIED INPATIENT PSYCHIATRIC HOSPITAL SERVICES.—Not later than 60 days after the date of the enactment of this section, the Secretary shall modify the CMS–64 report form to require that States submit data with respect to medical assistance expenditures for qualified inpatient psychiatric hospital services (as defined in section 1905(h)(3)).

''(C) REPORTING ON CHILDREN WITH COMPLEX MEDICAL CONDITIONS.—Not later than January 1, 2020, the Secretary shall modify the CMS–64 report form to require that States submit data with respect to individuals who—

''(i) are enrolled in a State plan under this title or title XXI or under a waiver of such plan;

''(ii) are under 21 years of age; and

''(iii) have a chronic medical condition or serious injury that—

''(I) affects two or more body systems;

''(II) affects cognitive or physical functioning (such as reducing the ability to perform the activities of daily living, including the ability to engage in movement or mobility, eat, drink, communicate, or breathe independently); and

''(III) either—

''(aa) requires intensive healthcare interventions (such as multiple medications, therapies, or durable medical equipment) and intensive care coordination to optimize health and avoid hospitalizations or emergency department visits; or

''(bb) meets the criteria for medical complexity under existing risk adjustment methodologies using a recognized, publicly available pediatric grouping system (such as the pediatric complex conditions classification system or the Pediatric Medical Complexity Algorithm) selected by the Secretary in close collaboration with the State agencies responsible for administering State plans under this title and a national panel of pediatric, pediatric specialty, and pediatric subspecialty experts.

''(2) AUDITING OF CMS–64 DATA.—The Secretary shall conduct for each State an audit of the number of individuals and expenditures reported through the CMS–64 report for the State's per capita base period, fiscal year 2019, and each subsequent fiscal year, which audit may be conducted on a representative sample (as determined by the Secretary).

''(3) AUDITING OF STATE SPENDING.—The Inspector General of the Department of Health and Human Services shall conduct an audit (which shall be conducted using random sampling, as determined by the Inspector General) of each State's spending under this section not less than once every 3 years.

''(4) TEMPORARY INCREASE IN FEDERAL MATCHING PERCENTAGE TO SUPPORT IMPROVED DATA REPORTING SYSTEMS FOR FISCAL YEARS 2018 AND 2019.—In the case of any State that selects as its per capita base period the most recent 8 consecutive quarter period for which the data necessary to make the determinations required under this section is available, for amounts expended during calendar quarters beginning on or after October 1, 2017, and before October 1, 2019—

''(A) the Federal matching percentage applied under section 1903(a)(3)(A)(i) shall be

increased by 10 percentage points to 100 percent;

''(B) the Federal matching percentage applied under section 1903(a)(3)(B) shall be increased by 25 percentage points to 100 percent; and

''(C) the Federal matching percentage applied under section 1903(a)(7) shall be increased by 10 percentage points to 60 percent but only with respect to amounts expended that are attributable to a State's additional administrative expenditures to implement the data requirements of paragraph (1).

''(5) HHS REPORT ON ADOPTION OF T–MSIS DATA.—Not later than January 1, 2025, the Secretary shall submit to Congress a report making recommendations as to whether data from the Transformed Medicaid Statistical Information System would be preferable to CMS–64 report data for purposes of making the determinations necessary under this section.''.

(b) ENSURING ACCESS TO HOME AND COMMUNITY BASED SERVICES.—Section 1915 of the Social Security Act (42 U.S.C. 1396n) is amended by adding at the end the following new subsection:

''(l) INCENTIVE PAYMENTS FOR HOME AND COMMUNITY-BASED SERVICES.—

''(1) IN GENERAL.—The Secretary shall establish a demonstration project (referred to in this subsection as the 'demonstration project') under which eligible States may make HCBS payment adjustments for the purpose of continuing to provide and improving the quality of home and community-based services provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i).

''(2) SELECTION OF ELIGIBLE STATES.—

''(A) APPLICATION.—A State seeking to participate in the demonstration project shall submit to the Secretary, at such time and in such manner as the Secretary shall require, an application that includes—

''(i) an assurance that any HCBS payment adjustment made by the State under this subsection will comply with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A); and

''(ii) such other information and assurances as the Secretary shall require.

''(B) SELECTION.—The Secretary shall select States to participate in the demonstration project on a competitive basis except that, in making selections under this paragraph, the Secretary shall give priority to any State that is one of the 15 States in the United States with the lowest population density, as determined by the Secretary based on data from the Bureau of the Census.

''(3) TERM OF DEMONSTRATION PROJECT.—The demonstration project shall be conducted for the 4-year period beginning on January 1, 2020, and ending on December 31, 2023.

''(4) STATE ALLOTMENTS AND INCREASED FMAP FOR PAYMENT ADJUSTMENTS.—

''(A) IN GENERAL.—

''(i) ANNUAL ALLOTMENT.—Subject to clause (ii), for each year of the demonstration project, the Secretary shall allot an amount to each State that is an eligible State for the year.

''(ii) LIMITATION ON FEDERAL SPENDING.—The aggregate amount that may be allotted to eligible States under clause (i) for all years of the demonstration project shall not exceed $8,000,000,000, and in no case may the aggregate amount of payments made by the Secretary to eligible States for payment adjustments under this subsection exceed such amount.

''(B) PAYMENTS TO ELIGIBLE STATES AND LIMITATIONS ON PAYMENTS.—

''(i) IN GENERAL.—Subject to clauses (ii) and (iii), for each year of the demonstration project, notwithstanding section 1905(b), the Federal medical assistance percentage applicable with respect to expenditures by an eligible State that are attributable to HCBS payment adjustments shall be equal to (and shall in no case exceed) 100 percent.

''(ii) LIMITATION ON HCBS PAYMENT ADJUSTMENTS FOR INDIVIDUAL PROVIDERS.—Payment under section 1903(a) shall not be made to an eligible State for expenditures for a year that are attributable to an HCBS payment adjustment that is paid to a single provider and exceeds a percentage which shall be established by the Secretary of the payment otherwise made to the provider.

''(iii) LIMITATION OF PAYMENT TO AMOUNT OF ALLOTMENT.—Payment under section 1903(a) shall not be made to an eligible State for expenditures for a year that are attributable to an HCBS payment adjustment to the extent that the aggregate amount of HCBS payment adjustments made by the State in the year exceeds the amount allotted to the State for the year under subparagraph (A)(i).

''(5) REPORTING AND EVALUATION.—

''(A) IN GENERAL.—As a condition of receiving the increased Federal medical assistance percentage described in paragraph (4)(B)(i), each eligible State shall collect and report information, as determined necessary by the Secretary, for the purposes of providing Federal oversight and evaluating the State's compliance with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A).

''(B) FORMS.—Expenditures by eligible States on HCBS payment adjustments shall be separately reported on the CMS-64 Form and in T-MSIS.

''(6) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE STATE.—The term 'eligible State' means a State that—

''(i) is one of the 50 States or the District of Columbia;

''(ii) has in effect—

''(I) a waiver under subsection (c) or (d); or

''(II) a State plan amendment under subsection (i);

''(iii) submits an application under paragraph (2)(A); and

''(iv) is selected by the Secretary to participate in the demonstration project.

''(B) HCBS PAYMENT ADJUSTMENT.—The term 'HCBS payment adjustment' means a payment adjustment made by an eligible State to the amount of payment otherwise provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i) for a home and community-based service which is provided to a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the enrollee category described in subparagraph (A) or (B) of section 1903A(e)(2).''.

SEC. 133. FLEXIBLE BLOCK GRANT OPTION FOR STATES.

Title XIX of the Social Security Act, as amended by section 132, is further amended by inserting after section 1903A the following new section:

''SEC. 1903B. MEDICAID FLEXIBILITY PROGRAM.

''(a) IN GENERAL.—Beginning with fiscal year 2020, any State (as defined in subsection (e)) that has an application approved by the Secretary under subsection (b) may conduct a Medicaid Flexibility Program to provide targeted health assistance to program enrollees.

''(b) STATE APPLICATION.—

''(1) IN GENERAL.—To be eligible to conduct a Medicaid Flexibility Program, a State shall submit an application to the Secretary that meets the requirements of this subsection.

''(2) CONTENTS OF APPLICATION.—An application under this subsection shall include the following:

''(A) A description of the proposed Medicaid Flexibility Program and how the State will satisfy the requirements described in subsection (d).

''(B) The proposed conditions for eligibility of program enrollees.

''(C) The applicable program enrollee category (as defined in subsection (e)(1)).

''(D) A description of the types, amount, duration, and scope of services which will be offered as targeted health assistance under the program, including a description of the proposed package of services which will be provided to program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

''(E) A description of how the State will notify individuals currently enrolled in the State plan for medical assistance under this title of the transition to such program.

''(F) Statements certifying that the State agrees to—

''(i) submit regular enrollment data with respect to the program to the Centers for Medicare & Medicaid Services at such time and in such manner as the Secretary may require;

''(ii) submit timely and accurate data to the Transformed Medicaid Statistical Information System (T–MSIS);

''(iii) report annually to the Secretary on adult health quality measures implemented under the program and information on the quality of health care furnished to program enrollees under the program as part of the annual report required under section 1139B(d)(1);

''(iv) submit such additional data and information not described in any of the preceding clauses of this subparagraph but which the Secretary determines is necessary for monitoring, evaluation, or program integrity purposes, including—

''(I) survey data, such as the data from Consumer Assessment of Healthcare Providers and Systems (CAHPS) surveys;

''(II) birth certificate data; and

''(III) clinical patient data for quality measurements which may not be present in a claim, such as laboratory data, body mass index, and blood pressure; and

''(v) on an annual basis, conduct a report evaluating the program and make such report available to the public.

''(G) An information technology systems plan demonstrating that the State has the capability to support the technological administration of the program and comply with reporting requirements under this section.

''(H) A statement of the goals of the proposed program, which shall include—

''(i) goals related to quality, access, rate of growth targets, consumer satisfaction, and outcomes;

''(ii) a plan for monitoring and evaluating the program to determine whether such goals are being met; and

''(iii) a proposed process for the State, in consultation with the Centers for Medicare & Medicaid Services, to take remedial action to make progress on unmet goals.

''(I) Such other information as the Secretary may require.

''(3) STATE NOTICE AND COMMENT PERIOD.—

''(A) IN GENERAL.—Before submitting an application under this subsection, a State shall make the application publicly available for a 30 day notice and comment period.

''(B) NOTICE AND COMMENT PROCESS.—During the notice and comment period described in subparagraph (A), the State shall provide opportunities for a meaningful level of public input, which shall include public hearings on the proposed Medicaid Flexibility Program.

''(4) FEDERAL NOTICE AND COMMENT PERIOD.—The Secretary shall not approve of

any application to conduct a Medicaid Flexibility Program without making such application publicly available for a 30 day notice and comment period.

''(5) TIMELINE FOR SUBMISSION.—

''(A) IN GENERAL.—A State may submit an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year at any time, subject to subparagraph (B).

''(B) DEADLINES.—Each year beginning with 2019, the Secretary shall specify a deadline for submitting an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year, but such deadline shall not be earlier than 60 days after the date that the Secretary publishes the amounts of State block grants as required under subsection (c)(4).

''(c) FINANCING.—

''(1) IN GENERAL.—For each fiscal year during which a State is conducting a Medicaid Flexibility Program, the State shall receive, instead of amounts otherwise payable to the State under this title for medical assistance for program enrollees, the amount specified in paragraph (3)(A).

''(2) AMOUNT OF BLOCK GRANT FUNDS.—

''(A) IN GENERAL.—The block grant amount under this paragraph for a State and year shall be equal to the sum of the amounts determined under subparagraph (B) for each 1903A enrollee category within the applicable program enrollee category for the State and year.

''(B) ENROLLEE CATEGORY AMOUNTS.—

''(i) FOR INITIAL YEAR.—Subject to subparagraph (C), for the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the amount determined under this subparagraph for the State, year, and category shall be equal to the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year multiplied by the product of—

''(I) the target per capita medical assistance expenditures (as defined in section 1903A(c)(2)) for the State, year, and category; and

''(II) the number of 1903A enrollees in such category for the State for the second fiscal year preceding such first fiscal year, increased by the percentage increase in State population from such second preceding fiscal year to such first fiscal year, based on the best available estimates of the Bureau of the Census.

''(ii) FOR ANY SUBSEQUENT YEAR.—For any fiscal year that is not the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the block grant amount under this paragraph for the State, year, and category shall be equal to the amount determined for the State and category for the most recent previous fiscal year in which the State conducted a Medicaid Flexibility Program that included such category, except that such amount shall be increased by the percentage increase in the consumer price index for all urban consumers (U.S. city average) from April of the second fiscal year preceding the fiscal year involved to April of the fiscal year preceding the fiscal year involved.

''(C) CAP ON TOTAL POPULATION OF 1903A ENROLLEES FOR PURPOSES OF BLOCK GRANT CALCULATION.—

''(i) IN GENERAL.—In calculating the amount of a block grant for the first year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State under subparagraph (B)(i), the total number of 1903A enrollees in such 1903A enrollee category for the State and year shall not exceed the adjusted number of base period enrollees for the State (as defined in clause (ii)).

''(ii) ADJUSTED NUMBER OF BASE PERIOD ENROLLEES.—The term 'adjusted number of base period enrollees' means, with respect to a State and 1903A enrollee category, the number of 1903A enrollees in the enrollee category for the State for the State's per capita base period (as determined under section 1903A(e)(4)), increased by the percentage increase, if any, in the total State population from the last April in the State's per capita base period to April of the fiscal year preceding the fiscal year involved (determined using the best available data from the Bureau of the Census) plus 3 percentage points.

''(D) AVAILABILITY OF ROLLOVER FUNDS.—

''(i) IN GENERAL.—To the extent that the block grant amount available to a State for a fiscal year under this paragraph exceeds the amount of Federal payments made to the State for such fiscal year under paragraph (3)(A), the Secretary shall make such funds available to the State for the succeeding fiscal year if the State—

''(I) satisfies the State maintenance of effort requirement under paragraph (3)(B); and

''(II) is conducting a Medicaid Flexibility Program in such succeeding fiscal year.

''(ii) USE OF FUNDS.—Funds made available to a State under this subparagraph shall only be used for expenditures related to the State plan under this title or to the State Medicaid Flexibility Program.

''(3) FEDERAL PAYMENT AND STATE MAINTENANCE OF EFFORT.—

''(A) FEDERAL PAYMENT.—Subject to subparagraphs (D) and (E), the Secretary shall pay to each State conducting a Medicaid Flexibility Program under this section for a fiscal year, from its block grant amount under paragraph (2) for such year, an amount for each quarter of such year equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) of the total amount expended under the program during such quarter as targeted health assistance, and the State is responsible for the balance of the funds to carry out such program.

''(B) STATE MAINTENANCE OF EFFORT EXPENDITURES.—For each year during which a State is conducting a Medicaid Flexibility Program, the State shall make expenditures for targeted health assistance under the program in an amount equal to the product of—

''(i) the block grant amount determined for the State and year under paragraph (2); and

''(ii) the enhanced FMAP described in the first sentence of section 2105(b) for the State and year.

''(C) REDUCTION IN BLOCK GRANT AMOUNT FOR STATES FAILING TO MEET MOE REQUIREMENT.—

''(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that makes expenditures for targeted health assistance under the program for a fiscal year in an amount that is less than the required amount for the fiscal year under subparagraph (B), the amount of the block grant determined for the State under paragraph (2) for the succeeding fiscal year shall be reduced by the amount by which such expenditures are less than such required amount.

''(ii) DISREGARD OF REDUCTION.—For purposes of determining the amount of a State block grant under paragraph (2), any reduction made under this subparagraph to a State's block grant amount in a previous fiscal year shall be disregarded.

''(iii) APPLICATION TO STATES THAT TERMINATE PROGRAM.—In the case of a State described in clause (i) that terminates the State Medicaid Flexibility Program under subsection (d)(2)(B) and such termination is effective with the end of the fiscal year in which the State fails to make the required amount of expenditures under subparagraph (B), the reduction amount determined for the State and succeeding fiscal year under clause (i) shall be treated as an overpayment under this title.

''(D) REDUCTION FOR NONCOMPLIANCE.—If the Secretary determines that a State conducting a Medicaid Flexibility Program is not complying with the requirements of this section, the Secretary may withhold payments, reduce payments, or recover previous payments to the State under this section as the Secretary deems appropriate.

''(E) ADDITIONAL FEDERAL PAYMENTS DURING PUBLIC HEALTH EMERGENCY.—

''(i) IN GENERAL.—In the case of a State and fiscal year or portion of a fiscal year for which the Secretary has excluded expenditures under section 1903A(b)(6), if the State has uncompensated targeted health assistance expenditures for the year or portion of a year, the Secretary may make an additional payment to such State equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for the year or portion of a year of the amount of such uncompensated targeted health assistance expenditures, except that the amount of such payment shall not exceed the amount determined for the State and year or portion of a year under clause (ii).

''(ii) MAXIMUM AMOUNT OF ADDITIONAL PAYMENT.—The amount determined for a State and fiscal year or portion of a fiscal year under this subparagraph shall not exceed the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for such year or portion of a year of the amount by which—

''(I) the amount of State expenditures for targeted health assistance for program enrollees in areas of the State which are subject to a declaration described in section 1903A(b)(6)(A)(i) for the year or portion of a year; exceeds

''(II) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year involved (or portion of a fiscal year of equal length to the portion of a fiscal year involved) during which no such declaration was in effect.

''(iii) UNCOMPENSATED TARGETED HEALTH ASSISTANCE.—In this subparagraph, the term 'uncompensated targeted health assistance expenditures' means, with respect to a State and fiscal year or portion of a fiscal year, an amount equal to the amount (if any) by which—

''(I) the total amount expended by the State under the program for targeted health assistance for the year or portion of a year; exceeds

''(II) the amount equal to the amount of the block grant (reduced, in the case of a portion of a year, to the same proportion of the full block grant amount that the portion of the year bears to the whole year) divided by the Federal average medical assistance percentage for the year or portion of a year.

''(iv) REVIEW.—If the Secretary makes a payment to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in section 1903A(b)(6)(A)(i) ceases to be in effect, conduct an audit of the State's targeted health assistance expenditures for program enrollees during the year or portion of a year to ensure that all of the expenditures for which the additional payment was made were made for the purpose of ensuring that the health care needs of program enrollees in areas affected by a public health emergency are met.

''(4) DETERMINATION AND PUBLICATION OF BLOCK GRANT AMOUNT.—Beginning in 2019 and

each year thereafter, the Secretary shall determine for each State, regardless of whether the State is conducting a Medicaid Flexibility Program or has submitted an application to conduct such a program, the amount of the block grant for the State under paragraph (2) which would apply for the upcoming fiscal year if the State were to conduct such a program in such fiscal year, and shall publish such determinations not later than June 1 of each year.

''(d) PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—No payment shall be made under this section to a State conducting a Medicaid Flexibility Program unless such program meets the requirements of this subsection.

''(2) TERM OF PROGRAM.—

''(A) IN GENERAL.—A State Medicaid Flexibility Program approved under subsection (b)—

''(i) shall be conducted for not less than 1 program period;

''(ii) at the option of the State, may be continued for succeeding program periods without resubmitting an application under subsection (b), provided that—

''(I) the State provides notice to the Secretary of its decision to continue the program; and

''(II) no significant changes are made to the program; and

''(iii) shall be subject to termination only by the State, which may terminate the program by making an election under subparagraph (B).

''(B) ELECTION TO TERMINATE PROGRAM.—

''(i) IN GENERAL.—Subject to clause (ii), a State conducting a Medicaid Flexibility Program may elect to terminate the program effective with the first day after the end of the program period in which the State makes the election.

''(ii) TRANSITION PLAN REQUIREMENT.—A State may not elect to terminate a Medicaid Flexibility Program unless the State has in place an appropriate transition plan approved by the Secretary.

''(iii) EFFECT OF TERMINATION.—If a State elects to terminate a Medicaid Flexibility Program, the per capita cap limitations under section 1903A shall apply effective with the day described in clause (i), and such limitations shall be applied as if the State had never conducted a Medicaid Flexibility Program.

''(3) PROVISION OF TARGETED HEALTH ASSISTANCE.—

''(A) IN GENERAL.—A State Medicaid Flexibility Program shall provide targeted health assistance to program enrollees and such assistance shall be instead of medical assistance which would otherwise be provided to the enrollees under this title.

''(B) CONDITIONS FOR ELIGIBILITY.—

''(i) IN GENERAL.—A State conducting a Medicaid Flexibility Program shall establish conditions for eligibility of program enrollees, which shall be instead of other conditions for eligibility under this title, except that the program must provide for eligibility for program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

''(ii) MAGI.—Any determination of income necessary to establish the eligibility of a program enrollee for purposes of a State Medicaid Flexibility Program shall be made using modified adjusted gross income in accordance with section 1902(e)(14).

''(4) BENEFITS AND SERVICES.—

''(A) REQUIRED SERVICES.—In the case of program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i), a State conducting a Medicaid Flexibility Program shall provide as targeted health assistance the following types of services:

''(i) Inpatient and outpatient hospital services.

''(ii) Laboratory and X-ray services.

''(iii) Nursing facility services for individuals aged 21 and older.

''(iv) Physician services.

''(v) Home health care services (including home nursing services, medical supplies, equipment, and appliances).

''(vi) Rural health clinic services (as defined in section 1905(l)(1)).

''(vii) Federally-qualified health center services (as defined in section 1905(l)(2)).

''(viii) Family planning services and supplies.

''(ix) Nurse midwife services.

''(x) Certified pediatric and family nurse practitioner services.

''(xi) Freestanding birth center services (as defined in section 1905(l)(3)).

''(xii) Emergency medical transportation.

''(xiii) Non-cosmetic dental services.

''(xiv) Pregnancy-related services, including postpartum services for the 12-week period beginning on the last day of a pregnancy.

''(B) OPTIONAL BENEFITS.—A State may, at its option, provide services in addition to the services described in subparagraph (A) as targeted health assistance under a Medicaid Flexibility Program.

''(C) BENEFIT PACKAGES.—

''(i) IN GENERAL.—The targeted health assistance provided by a State to any group of program enrollees under a Medicaid Flexibility Program shall have an aggregate actuarial value that is equal to at least 95 percent of the aggregate actuarial value of the benchmark coverage described in subsection (b)(1) of section 1937 or benchmark-equivalent coverage described in subsection (b)(2) of such section, as such subsections were in effect prior to the enactment of the Patient Protection and Affordable Care Act.

''(ii) AMOUNT, DURATION, AND SCOPE OF BENEFITS.—Subject to clause (i), the State shall determine the amount, duration, and scope with respect to services provided as targeted health assistance under a Medicaid Flexibility Program, including with respect to services that are required to be provided to certain program enrollees under subparagraph (A) except as otherwise provided under such subparagraph.

''(iii) MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE AND PARITY.—The targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program shall include mental health services and substance use disorder services and the financial requirements and treatment limitations applicable to such services under the program shall comply with the requirements of section 2726 of the Public Health Service Act in the same manner as such requirements apply to a group health plan.

''(iv) PRESCRIPTION DRUGS.—If the targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program includes assistance for covered outpatient drugs, such drugs shall be subject to a rebate agreement that complies with the requirements of section 1927, and any requirements applicable to medical assistance for covered outpatient drugs under a State plan (including the requirement that the State provide information to a manufacturer) shall apply in the same manner to targeted health assistance for covered outpatient drugs under a Medicaid Flexibility Program.

''(D) COST SHARING.—A State conducting a Medicaid Flexibility Program may impose premiums, deductibles, cost-sharing, or other similar charges, except that the total annual aggregate amount of all such charges imposed with respect to all program enrollees in a family shall not exceed 5 percent of the family's income for the year involved.

''(5) ADMINISTRATION OF PROGRAM.—Each State conducting a Medicaid Flexibility Program shall do the following:

''(A) SINGLE AGENCY.—Designate a single State agency responsible for administering the program.

''(B) ENROLLMENT SIMPLIFICATION AND COORDINATION WITH STATE HEALTH INSURANCE EXCHANGES.—Provide for simplified enrollment processes (such as online enrollment and reenrollment and electronic verification) and coordination with State health insurance exchanges.

''(C) BENEFICIARY PROTECTIONS.—Establish a fair process (which the State shall describe in the application required under subsection (b)) for individuals to appeal adverse eligibility determinations with respect to the program.

''(6) APPLICATION OF REST OF TITLE XIX.—

''(A) IN GENERAL.—To the extent that a provision of this section is inconsistent with another provision of this title, the provision of this section shall apply.

''(B) APPLICATION OF SECTION 1903A.—With respect to a State that is conducting a Medicaid Flexibility Program, section 1903A shall be applied as if program enrollees were not 1903A enrollees for each program period during which the State conducts the program.

''(C) WAIVERS AND STATE PLAN AMENDMENTS.—

''(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that has in effect a waiver or State plan amendment, such waiver or amendment shall not apply with respect to the program, targeted health assistance provided under the program, or program enrollees.

''(ii) REPLICATION OF WAIVER OR AMENDMENT.—In designing a Medicaid Flexibility Program, a State may mirror provisions of a waiver or State plan amendment described in clause (i) in the program to the extent that such provisions are otherwise consistent with the requirements of this section.

''(iii) EFFECT OF TERMINATION.—In the case of a State described in clause (i) that terminates its program under subsection (d)(2)(B), any waiver or amendment which was limited pursuant to subparagraph (A) shall cease to be so limited effective with the effective date of such termination.

''(D) NONAPPLICATION OF PROVISIONS.—With respect to the design and implementation of Medicaid Flexibility Programs conducted under this section, paragraphs (1), (10)(B), (17), and (23) of section 1902(a), as well as any other provision of this title (except for this section and as otherwise provided by this section) that the Secretary deems appropriate, shall not apply.

''(e) DEFINITIONS.—For purposes of this section:

''(1) APPLICABLE PROGRAM ENROLLEE CATEGORY.—The term 'applicable program enrollee category' means, with respect to a State Medicaid Flexibility Program for a program period, any of the following as specified by the State for the period in its application under subsection (b):

''(A) 2 ENROLLEE CATEGORIES.—Both of the 1903A enrollee categories described in subparagraphs (D) and (E) of section 1903A(e)(2).

''(B) EXPANSION ENROLLEES.—The 1903A enrollee category described in subparagraph (D) of section 1903A(e)(2).

''(C) NONELDERLY, NONDISABLED, NONEXPANSION ADULTS.—The 1903A enrollee category described in subparagraph (E) of section 1903A(e)(2).

''(2) MEDICAID FLEXIBILITY PROGRAM.—The term 'Medicaid Flexibility Program' means a

State program for providing targeted health assistance to program enrollees funded by a block grant under this section.

''(3) PROGRAM ENROLLEE.—

''(A) IN GENERAL.—The term 'program enrollee' means, with respect to a State that is conducting a Medicaid Flexibility Program for a program period, an individual who is a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the applicable program enrollee category specified by the State for the period.

''(B) RULE OF CONSTRUCTION.—For purposes of section 1903A(e)(3), eligibility and enrollment of an individual under a Medicaid Flexibility Program shall be deemed to be eligibility and enrollment under a State plan (or waiver of such plan) under this title.

''(4) PROGRAM PERIOD.—The term 'program period' means, with respect to a State Medicaid Flexibility Program, a period of 5 consecutive fiscal years that begins with either—

''(A) the first fiscal year in which the State conducts the program; or

''(B) the next fiscal year in which the State conducts such a program that begins after the end of a previous program period.

''(5) STATE.—The term 'State' means one of the 50 States or the District of Columbia.

''(6) TARGETED HEALTH ASSISTANCE.—The term 'targeted health assistance' means assistance for health-care-related items and medical services for program enrollees.''.

SEC. 134. MEDICAID AND CHIP QUALITY PERFORMANCE BONUS PAYMENTS.

Section 1903 of the Social Security Act (42 U.S.C. 1396b), as amended by section 130, is further amended by adding at the end the following new subsection:

''(bb) QUALITY PERFORMANCE BONUS PAYMENTS.—

''(1) INCREASED FEDERAL SHARE.—With respect to each of fiscal years 2023 through 2026, in the case of one of the 50 States or the District of Columbia (each referred to in this subsection as a 'State') that—

''(A) equals or exceeds the qualifying amount (as established by the Secretary) of lower than expected aggregate medical assistance expenditures (as defined in paragraph (4)) for that fiscal year; and

''(B) submits to the Secretary, in accordance with such manner and format as specified by the Secretary and for the performance period (as defined by the Secretary) for such fiscal year—

''(i) information on the applicable quality measures identified under paragraph (3) with respect to each category of Medicaid eligible individuals under the State plan or a waiver of such plan; and

''(ii) a plan for spending a portion of additional funds resulting from application of this subsection on quality improvement within the State plan under this title or under a waiver of such plan,

the Federal matching percentage otherwise applied under subsection (a)(7) for such fiscal year shall be increased by such percentage (as determined by the Secretary) so that the aggregate amount of the resulting increase pursuant to this subsection for the State and fiscal year does not exceed the State allotment established under paragraph (2) for the State and fiscal year.

''(2) ALLOTMENT DETERMINATION.—The Secretary shall establish a formula for computing State allotments under this paragraph for each fiscal year described in paragraph (1) such that—

''(A) such an allotment to a State is determined based on the performance, including improvement, of such State under this title and title XXI with respect to the quality measures submitted under paragraph (3) by such State for the performance period (as defined by the Secretary) for such fiscal year; and

''(B) the total of the allotments under this paragraph for all States for the period of the fiscal years described in paragraph (1) is equal to $8,000,000,000.

''(3) QUALITY MEASURES REQUIRED FOR BONUS PAYMENTS.—For purposes of this subsection, the Secretary shall, pursuant to rulemaking and after consultation with State agencies administering State plans under this title, identify and publish (and update as necessary) peer-reviewed quality measures (which shall include health care and long-term care outcome measures and may include the quality measures that are overseen or developed by the National Committee for Quality Assurance or the Agency for Healthcare Research and Quality or that are identified under section 1139A or 1139B) that are quantifiable, objective measures that take into account the clinically appropriate measures of quality for different types of patient populations receiving benefits or services under this title or title XXI.

''(4) LOWER THAN EXPECTED AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term 'lower than expected aggregate medical assistance expenditures' means, with respect to a State the amount (if any) by which—

''(A) the amount of the adjusted total medical assistance expenditures for the State and fiscal year determined in section 1903A(b)(1) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E); is less than

''(B) the amount of the target total medical assistance expenditures for the State and fiscal year determined in section 1903A(c) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E).''.

SEC. 135. GRANDFATHERING CERTAIN MEDICAID WAIVERS; PRIORITIZATION OF HCBS WAIVERS.

(a) MANAGED CARE WAIVERS.—

(1) IN GENERAL.—In the case of a State with a grandfathered managed care waiver, the State may, at its option through a State plan amendment, continue to implement the managed care delivery system that is the subject of such waiver in perpetuity under the State plan under title XIX of the Social Security Act (or a waiver of such plan) without submitting an application to the Secretary for a new waiver to implement such managed care delivery system, so long as the terms and conditions of the waiver involved (other than such terms and conditions that relate to budget neutrality as modified pursuant to section 1903A(f)(1) of the Social Security Act) are not modified.

(2) MODIFICATIONS.—

(A) IN GENERAL.—If a State with a grandfathered managed care waiver seeks to modify the terms or conditions of such a waiver, the State shall submit to the Secretary an application for approval of a new waiver under such modified terms and conditions.

(B) APPROVAL OF MODIFICATION.—

(i) IN GENERAL.—An application described in subparagraph (A) is deemed approved unless the Secretary, not later than 90 days after the date on which the application is submitted, submits to the State—

(I) a denial; or

(II) a request for more information regarding the application.

(ii) ADDITIONAL INFORMATION.—If the Secretary requests additional information, the Secretary has 30 days after a State submission in response to the Secretary's request to deny the application or request more information.

(3) GRANDFATHERED MANAGED CARE WAIVER DEFINED.—In this subsection, the term ''grandfathered managed care waiver'' means the provisions of a waiver or an experimental, pilot, or demonstration project that relate to the authority of a State to implement a managed care delivery system under the State plan under title XIX of such Act (or under a waiver of such plan under section 1115 of such Act) that—

(A) is approved by the Secretary of Health and Human Services under section 1915(b), 1932, or 1115(a)(1) of the Social Security Act (42 U.S.C. 1396n(b), 1396u–2, 1315(a)(1)) as of January 1, 2017; and

(B) has been renewed by the Secretary not less than 1 time.

(b) HCBS WAIVERS.—The Secretary of Health and Human Services shall implement procedures encouraging States to adopt or extend waivers related to the authority of a State to make medical assistance available for home and community-based services under the State plan under title XIX of the Social Security Act if the State determines that such waivers would improve patient access to services.

SEC. 136. COORDINATION WITH STATES.

Title XIX of the Social Security Act is amended by inserting after section 1904 (42 U.S.C. 1396d) the following:

''COORDINATION WITH STATES

''SEC. 1904A. No proposed rule (as defined in section 551(4) of title 5, United States Code) implementing or interpreting any provision of this title shall be finalized on or after January 1, 2018, unless the Secretary—

''(1) provides for a process under which the Secretary or the Secretary's designee solicits advice from each State's State agency responsible for administering the State plan under this title (or a waiver of such plan) and State Medicaid Director—

''(A) on a regular, ongoing basis on matters relating to the application of this title that are likely to have a direct effect on the operation or financing of State plans under this title (or waivers of such plans); and

''(B) prior to submission of any final proposed rule, plan amendment, waiver request, or proposal for a project that is likely to have a direct effect on the operation or financing of State plans under this title (or waivers of such plans);

''(2) accepts and considers written and oral comments from a bipartisan, nonprofit, professional organization that represents State Medicaid Directors, and from any State agency administering the plan under this title, regarding such proposed rule; and

''(3) incorporates in the preamble to the proposed rule a summary of comments referred to in paragraph (2) and the Secretary's response to such comments.''.

SEC. 137. OPTIONAL ASSISTANCE FOR CERTAIN INPATIENT PSYCHIATRIC SERVICES.

(a) STATE OPTION.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)—

(A) in paragraph (16)—

(i) by striking ''and, (B)'' and inserting ''(B)''; and

(ii) by inserting before the semicolon at the end the following: '', and (C) subject to subsection (h)(4), qualified inpatient psychiatric hospital services (as defined in subsection (h)(3)) for individuals who are over 21 years of age and under 65 years of age''; and

(B) in the subdivision (B) that follows paragraph (29), by inserting ''(other than services described in subparagraph (C) of paragraph (16) for individuals described in such subparagraph)'' after ''patient in an institution for mental diseases''; and

(2) in subsection (h), by adding at the end the following new paragraphs:

''(3) For purposes of subsection (a)(16)(C), the term 'qualified inpatient psychiatric

hospital services' means, with respect to individuals described in such subsection, services described in subparagraph (B) of paragraph (1) that are not otherwise covered under subsection (a)(16)(A) and are furnished—

''(A) in an institution (or distinct part thereof) which is a psychiatric hospital (as defined in section 1861(f)); and

''(B) with respect to such an individual, for a period not to exceed 30 consecutive days in any month and not to exceed 90 days in any calendar year.

''(4) As a condition for a State including qualified inpatient psychiatric hospital services as medical assistance under subsection (a)(16)(C), the State must (during the period in which it furnishes medical assistance under this title for services and individuals described in such subsection)—

''(A) maintain at least the number of licensed beds at psychiatric hospitals owned, operated, or contracted for by the State that were being maintained as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection; and

''(B) maintain on an annual basis a level of funding expended by the State (and political subdivisions thereof) other than under this title from non-Federal funds for inpatient services in an institution described in paragraph (3)(A), and for active psychiatric care and treatment provided on an outpatient basis, that is not less than the level of such funding for such services and care as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection.''.

(b) SPECIAL MATCHING RATE.—Section 1905(b) of the Social Security Act (42 U.S.C. 1395d(b)) is amended by adding at the end the following: ''Notwithstanding the previous provisions of this subsection, the Federal medical assistance percentage shall be 50 percent with respect to medical assistance for services and individuals described in subsection (a)(16)(C).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified inpatient psychiatric hospital services furnished on or after October 1, 2018.

SEC. 138. ENHANCED FMAP FOR MEDICAL ASSISTANCE TO ELIGIBLE INDIANS.

Section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended, in the third sentence, by inserting ''and with respect to amounts expended by a State as medical assistance for services provided by any other provider under the State plan to an individual who is a member of an Indian tribe who is eligible for assistance under the State plan'' before the period.

SEC. 139. MEDICAID OPTION TO PROVIDE CONSUMER-FOCUSED COST-SHARING ASSISTANCE FOR LOW-INCOME INDIVIDUALS ENROLLING IN QUALIFIED HEALTH PLANS.

Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), is amended by inserting after section 1906A the following new section:

''CONSUMER-FOCUSED COST-SHARING ASSISTANCE FOR LOW-INCOME INDIVIDUALS ENROLLING IN QUALIFIED HEALTH PLANS

''SEC. 1906B. (a) IN GENERAL.—A State may elect to provide cost-sharing assistance (as defined in subsection (c)) for an eligible low-income individual (as defined in subsection (b)) who is enrolled in a qualified health plan offered on an Exchange if the State meets the requirements of this section and the offering of such assistance is cost-effective (as defined in subsection (d)).

''(b) ELIGIBLE LOW-INCOME INDIVIDUAL DEFINED.—For purposes of this section, the term 'eligible low-income individual' means an individual—

''(1) whose income (as determined under section 1902(e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved;

''(2) who is eligible for premium assistance for the purchase of a qualified health plan under section 36B of the Internal Revenue Code of 1986 and is enrolled in such a plan;

''(3) who would be described in subparagraph (D) or (E) of section 1903A(e)(2) if the individual were eligible for medical assistance under the State plan; and

''(4) who satisfies such additional criteria for the provision of cost-sharing assistance under this section as the State may establish.

''(c) COST-SHARING ASSISTANCE DEFINED.—

''(1) IN GENERAL.—For purposes of this section, the term 'cost-sharing assistance' includes amounts expended for all or part of the costs of premiums, deductibles, coinsurance, copayments, or similar charges, and all or part of any amounts paid for medical care (within the meaning of section 213(d) of the Internal Revenue Code of 1986).

''(2) OPTION OF ADDITIONAL BENEFITS.—Such term may include, at the option of a State, such additional benefits as the State may specify.

''(d) COST-EFFECTIVE DEFINED.—

''(1) IN GENERAL.—For purposes of this section, with respect to a State and year, cost-sharing assistance shall be considered to be 'cost-effective' with respect to a State if the aggregate amount of Federal cost-sharing and premium assistance (as defined in paragraph (2)) for the State and year do not exceed the Federal cost-sharing assistance limit (as defined in paragraph (3)) for the State and year.

''(2) AGGREGATE AMOUNT OF FEDERAL COST-SHARING AND PREMIUM ASSISTANCE.—The term 'aggregate amount of Federal cost-sharing and premium assistance' means, for a State and year, the sum of—

''(A) the product of—

''(i) the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year; and

''(ii) the amount of cost-sharing assistance provided to eligible low-income individuals by the State for the year; and

''(B) the amount of Federal expenditures attributable to advance payments for premium tax credits under section 1412(c)(2) of the Patient Protection and Affordable Care Act made on behalf of eligible low-income individuals in the State for the year.

''(3) FEDERAL COST-SHARING ASSISTANCE LIMIT.—The term 'Federal cost-sharing assistance limit' means, for a State and year, the product of—

''(A) the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year; and

''(B) the sum of the products, for each of the 1903A enrollee categories described in subparagraph (D) and (E) of section 1903A(e)(2), of—

''(i) the target per capita medical assistance expenditures for the State, year, and category; and

''(ii) the number of eligible low-income individuals in the State for the year who, if they were eligible for medical assistance, would be described in the category.

''(e) OTHER PROVISIONS.—

''(1) TREATMENT AS MEDICAL ASSISTANCE.—Expenditures for cost-sharing assistance provided by a State for a year in accordance with this section shall be considered, for purposes of section 1903, to be expenditures for medical assistance, except that—

''(A) notwithstanding section 1905(b), the Federal medical assistance percentage applicable to the total amount expended for such assistance shall be equal to the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for such State and year; and

''(B) in no case shall the amount of Federal payments made to a State for a year with respect to amounts expended for such assistance exceed the amount of the Federal cost-sharing assistance limit for the State and year applicable under subsection (d)(3).

''(2) SCALING OF ASSISTANCE.—A State may provide cost-sharing assistance under this section on a sliding scale based on income and percentage of full actuarial value that the State may determine.

''(3) NOT CONSIDERED MINIMUM ESSENTIAL COVERAGE.—Cost-sharing assistance provided under this section shall not be considered to be minimum essential coverage (as defined in section 5000A(f) of the Internal Revenue Code of 1986).

''(4) NONAPPLICATION OF OTHER REQUIREMENTS.—Sections 1902(a)(1) (relating to statewideness), 1902(a)(10)(B) (relating to comparability), 1916, and 1916A (relating to cost-sharing for medical assistance), and any other provision of this title which would be directly contrary to the authority under this section shall not apply to the provision of cost-sharing assistance under this section.''.

SEC. 140. SMALL BUSINESS HEALTH PLANS.

(a) TAX TREATMENT OF SMALL BUSINESS HEALTH PLANS.—A small business health plan (as defined in section 801(a) of the Employee Retirement Income Security Act of 1974) shall be treated—

(1) as a group health plan (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91)) for purposes of applying title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) and title XXII of such Act (42 U.S.C. 300bb-1);

(2) as a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for purposes of applying sections 4980B and 5000 and chapter 100 of the Internal Revenue Code of 1986; and

(3) as a group health plan (as defined in section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1))) for purposes of applying parts 6 and 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1161 et seq.).

(b) RULES.—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021 et seq.) is amended by adding at the end the following new part:

''PART 8—RULES GOVERNING SMALL BUSINESS RISK SHARING POOLS

''SEC. 801. SMALL BUSINESS HEALTH PLANS.

''(a) IN GENERAL.—For purposes of this part, the term 'small business health plan' means a fully insured group health plan, offered by a health insurance issuer in the large group market, whose sponsor is described in subsection (b).

''(b) SPONSOR.—The sponsor of a group health plan is described in this subsection if such sponsor—

''(1) is a qualified sponsor and receives certification by the Secretary;

''(2) is organized and maintained in good faith, with a constitution or bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis;

''(3) is established as a permanent entity;

''(4) is established for a purpose other than providing health benefits to its members, such as an organization established as a bona fide trade association, franchise, or section 7705 organization; and

''(5) does not condition membership on the basis of a minimum group size.

"SEC. 802. FILING FEE AND CERTIFICATION OF SMALL BUSINESS HEALTH PLANS.

''(a) FILING FEE.—A small business health plan shall pay to the Secretary at the time of filing an application for certification under subsection (b) a filing fee in the amount of $5,000, which shall be available to the Secretary for the sole purpose of administering the certification procedures applicable with respect to small business health plans.

''(b) CERTIFICATION.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule a procedure under which the Secretary—

''(A) will certify a qualified sponsor of a small business health plan, upon receipt of an application that includes the information described in paragraph (2);

''(B) may provide for continued certification of small business health plans under this part;

''(C) shall provide for the revocation of a certification if the applicable authority finds that the small business health plan involved fails to comply with the requirements of this part;

''(D) shall conduct oversight of certified plan sponsors, including periodic review, and consistent with section 504, applying the requirements of sections 518, 519, and 520; and

''(E) will consult with a State with respect to a small business health plan domiciled in such State regarding the Secretary's authority under this part and other enforcement authority under sections 502 and 504.

''(2) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

''(A) Identifying information.

''(B) States in which the plan intends to do business.

''(C) Bonding requirements.

''(D) Plan documents.

''(E) Agreements with service providers.

''(3) REQUIREMENTS FOR CERTIFIED PLAN SPONSORS.—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule requirements for certified plan sponsors that include requirements regarding—

''(A) structure and requirements for boards of trustees or plan administrators;

''(B) notification of material changes; and

''(C) notification for voluntary termination.

''(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to a small business health plan shall not be effective unless written notice of such certification is filed by the plan sponsor with the applicable State authority of each State in which the small business health plan operates.

''(d) EXPEDITED AND DEEMED CERTIFICATION.—

''(1) IN GENERAL.—If the Secretary fails to act on a complete application for certification under this section within 90 days of receipt of such complete application, the applying small business health plan sponsor shall be deemed certified until such time as the Secretary may deny for cause the application for certification.

''(2) PENALTY.—The Secretary may assess a penalty against the board of trustees, plan administrator, and plan sponsor (jointly and severally) of a small business health plan sponsor that is deemed certified under paragraph (1) of up to $500,000 in the event the Secretary determines that the application for certification of such small business health plan sponsor was willfully or with gross negligence incomplete or inaccurate.

"SEC. 803. PARTICIPATION AND COVERAGE REQUIREMENTS.

''(a) COVERED EMPLOYERS AND INDIVIDUALS.—The requirements of this subsection are met with respect to a small business health plan if, under the terms of the plan—

''(1) each participating employer must be—

''(A) a member of the sponsor;

''(B) the sponsor; or

''(C) an affiliated member of the sponsor, except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

''(2) all individuals commencing coverage under the plan after certification under this part must be—

''(A) active or retired owners (including self-employed individuals with or without employees), officers, directors, or employees of, or partners in, participating employers; or

''(B) the dependents of individuals described in subparagraph (A).

''(b) PARTICIPATING EMPLOYERS.—In applying requirements relating to coverage renewal, a participating employer shall not be deemed to be a plan sponsor.

''(c) PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.—The requirements of this subsection are met with respect to a small business health plan if—

''(1) under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan; and

''(2) information regarding all coverage options available under the plan is made readily available to any employer eligible to participate.

"SEC. 804. DEFINITIONS; RENEWAL.

''For purposes of this part:

''(1) AFFILIATED MEMBER.—The term 'affiliated member' means, in connection with a sponsor—

''(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor, or

''(B) in the case of a sponsor with members which consist of associations, a person who is a member or employee of any such association and elects an affiliated status with the sponsor.

''(2) APPLICABLE STATE AUTHORITY.—The term 'applicable State authority' means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

''(3) FRANCHISOR; FRANCHISEE.—The terms 'franchisor' and 'franchisee' have the meanings given such terms for purposes of sections 436.2(a) through 436.2(c) of title 16, Code of Federal Regulations (including any such amendments to such regulation after the date of enactment of this part) and, for purposes of this part, franchisor or franchisee employers participating in such a group health plan shall not be treated as the employer, co-employer, or joint employer of the employees of another participating franchisor or franchisee employer for any purpose.

''(4) HEALTH PLAN TERMS.—The terms 'group health plan', 'health insurance coverage', and 'health insurance issuer' have the meanings given such terms in section 733.

''(5) INDIVIDUAL MARKET.—

''(A) IN GENERAL.—The term 'individual market' means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

''(B) TREATMENT OF VERY SMALL GROUPS.—

''(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

''(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

''(6) PARTICIPATING EMPLOYER.—The term 'participating employer' means, in connection with a small business health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer with or without employees (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

''(7) SECTION 7705 ORGANIZATION.—The term 'section 7705 organization' means an organization providing services for a customer pursuant to a contract meeting the conditions of subparagraphs (A), (B), (C), (D), and (E) (but not (F)) of section 7705(e)(2) of the Internal Revenue Code of 1986, including an entity that is part of a section 7705 organization control group . For purposes of this part, any reference to 'member' shall include a customer of a section 7705 organization except with respect to references to a 'member' or 'members' in paragraph (1).''.

(c) PREEMPTION RULES.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended by adding at the end the following:

''(f) The provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude a health insurance issuer from offering health insurance coverage in connection with a small business health plan which is certified under part 8.''.

(d) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: ''Such term also includes a person serving as the sponsor of a small business health plan under part 8.''.

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting ''or part 8'' after ''this part''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this section within 6 months after the date of the enactment of this Act.

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking ''each of fiscal years 2018 and 2019'' and inserting ''fiscal year 2018''; and

(2) by striking paragraphs (4) through (8).

SEC. 202. SUPPORT FOR STATE RESPONSE TO OPIOID AND SUBSTANCE ABUSE CRISIS.

There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated—

(1) $4,972,000,000 for each of fiscal years 2018 through 2026, to provide grants to States to support substance use disorder treatment and recovery support services for individuals who have or may have mental or substance use disorders, including counseling, medication assisted treatment, and other substance abuse treatment and recovery services as such Secretary determines appropriate; and

(2) $50,400,000 for each of fiscal years 2018 through 2022, for research on addiction and pain related to the substance abuse crisis.

Funds appropriated under this section shall remain available until expended.

SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting '', and an additional $422,000,000 for fiscal year 2017'' after ''2017''.

SEC. 204. CHANGE IN PERMISSIBLE AGE VARIATION IN HEALTH INSURANCE PREMIUM RATES.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)) is amended by inserting after ''(consistent with section 2707(c))'' the following: ''or, for plan years beginning on or after January 1, 2019, 5 to 1 for adults (consistent with section 2707(c)) or such other ratio for adults (consistent with section 2707(c)) as the State may determine''.

SEC. 205. MEDICAL LOSS RATIO DETERMINED BY THE STATE.

Section 2718(b) of the Public Health Service Act (42 U.S.C. 300gg–18(b)) is amended by adding at the end the following:

''(4) SUNSET.—Paragraphs (1) through (3) and subsection (d) shall not apply for plan years beginning on or after January 1, 2019, and after such date any reference in law to such paragraphs and subsection shall have no force or effect.

''(5) MEDICAL LOSS RATIO DETERMINED BY THE STATE.—For plan years beginning on or after January 1, 2019, each State shall—

''(A) set the ratio of the amount of premium revenue a health insurance issuer offering group or individual health insurance coverage may expend on non-claims costs to the total amount of premium revenue; and

''(B) determine the amount of any annual rebate required to be paid to enrollees under such coverage if the ratio of the amount of premium revenue expended by the issuer on non-claims costs to the total amount of premium revenue exceeds the ratio set by the State under subparagraph (A).''.

SEC. 206. STABILIZING THE INDIVIDUAL INSURANCE MARKETS.

(a) ENROLLMENT WAITING PERIODS.—Section 2702(b)(1) of the Public Health Services Act (42 U.S.C. 300gg–1(b)(1)) is amended by inserting '', and as described in paragraph (3)'' before the period.

(b) CREDITABLE COVERAGE REQUIREMENT.—Section 2702(b)(2) of the Public Health Services Act (42 U.S.C. 300gg–1(b)(2)) is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

(c) APPLICATION OF WAITING PERIODS.—Section 2702(b) of the Public Health Services Act (42 U.S.C. 300gg-1(b)) is amended—

(1) in paragraph (3)—

(A) by striking ''with respect to enrollment periods under paragraphs (1) and (2)'', inserting ''in accordance with this subsection''; and

(B) by redesignating such paragraph as paragraph (4); and

(2) by inserting after paragraph (2), the following:

''(3) WAITING PERIODS.—

''(A) IN GENERAL.—With respect to health insurance coverage that is effective on or after January 1, 2019, a health insurance issuer described in subsection (a) that offers such coverage in the individual market shall impose a 6 month waiting period (as defined in the same manner as such term is defined in section 2704(b)(4) for group health plans) on any individual who enrolls in such coverage and who cannot demonstrate—

''(i) in the case of an individual submitting an application during an open enrollment period, 12 months of continuous creditable coverage without experiencing a significant break in such coverage as described in subparagraphs (A) and (B) of section 2704(c)(2); or

''(ii) in the case of an individual submitting an application during a special enrollment period—

''(I) 12 months of continuous creditable coverage as described in clause (i); or

''(II) at least 1 day of creditable coverage during the 60-day period immediately preceding the date of submission of such application.

''(B) INDIVIDUALS ENROLLED IN OTHER COVERAGE.—Such a waiting period shall not apply to an individual who is enrolled in health insurance coverage in the individual market on the day before the effective date of the coverage in which the individual is newly enrolling.

''(C) WAITING PERIOD DESCRIBED.—For purposes of subparagraph (A)—

''(i) in the case of an individual that submits an application during an open enrollment period or under a special enrollment period for which the individual qualifies, coverage under the plan begins on the first day of the first month that begins 6 months after the date on which the individual submits an application for health insurance coverage; and

''(ii) in the case of an individual that submits an application outside of an open enrollment period and does not qualify for enrollment under a special enrollment period, coverage under the plan begins on the later of—

''(I) the first day of the first month that begins 6 months after the day on which the individual submits an application for health insurance coverage; or

''(II) the first day of the next plan year.

''(D) CERTIFICATES OF CREDITABLE COVERAGE.—The Secretary shall require health insurance issuers and health care sharing ministries (as defined in section 5000A(d)(2)(B) of the Internal Revenue Code of 1986) to provide certification of periods of creditable coverage and waiting periods, in a manner prescribed by the Secretary, for purposes of verifying that the continuous coverage requirements of subparagraph (A) are met.

''(E) CONTINUOUS CREDITABLE COVERAGE DEFINED.—For purposes of this paragraph, the term 'creditable coverage'—

''(i) has the meaning given such term in section 2704(c)(1); and

''(ii) includes membership in a health care sharing ministry (as defined in section 5000A(d)(2)(B) of the Internal Revenue Code of 1986).

''(F) EXCEPTIONS.—Notwithstanding subparagraph (A), a health insurance issuer may not impose a waiting period with respect to the following individuals:

''(i) A newborn who is enrolled in such coverage within 30 days of the date of birth.

''(ii) A child who is adopted or placed for adoption before attaining 18 years of age and who is enrolled in such coverage within 30 days of the date of the adoption.

''(iii) Other individuals, as the Secretary determines appropriate.''.

SEC. 207. WAIVERS FOR STATE INNOVATION.

(a) IN GENERAL.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

''(i) a description of how the State plan meeting the requirements of a waiver under this section would, with respect to health insurance coverage within the State—

''(I) take the place of the requirements described in paragraph (2) that are waived; and

''(II) provide for alternative means of, and requirements for, increasing access to comprehensive coverage, reducing average premiums, providing consumers the freedom to purchase the health insurance of their choice, and increasing enrollment in private health insurance; and''; and

(II) in clause (ii), by striking ''that is budget neutral for the Federal Government'' and inserting '', demonstrating that the State plan does not increase the Federal deficit''; and

(ii) in subparagraph (C), by striking ''the law'' and inserting ''a law or has in effect a certification'';

(B) in paragraph (3)—

(i) in the first sentence, by inserting ''or would qualify for a reduction in'' after ''would not qualify for'';

(ii) by adding after the second sentence the following: ''A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.'';

(iii) in the paragraph heading, by striking ''PASS THROUGH OF FUNDING'' and inserting ''FUNDING'';

(iv) by striking ''With respect'' and inserting the following:

''(A) PASS THROUGH OF FUNDING.—With respect''; and

(v) by adding at the end the following:

''(B) ADDITIONAL FUNDING.—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, $2,000,000,000 for fiscal year 2017, to remain available until the end of fiscal year 2019, to provide grants to States for purposes of submitting an application for a waiver granted under this section and implementing the State plan under such waiver.

''(C) AUTHORITY TO USE LONG-TERM STATE INNOVATION AND STABILITY ALLOTMENT.—If the State has an application for an allotment under section 2105(i) of the Social Security Act for the plan year, the State may use the funds available under the State's allotment for the plan year to carry out the State plan under this section, so long as such use is consistent with the requirements of paragraphs (1) and (7) of section 2105(i) of such Act (other than paragraph (1)(B) of such section). Any funds used to carry out a State plan under this subparagraph shall not be

considered in determining whether the State plan increases the Federal deficit.''; and

(C) in paragraph (4), by adding at the end the following:

''(D) EXPEDITED PROCESS.—The Secretary shall establish an expedited application and approval process that may be used if the Secretary determines that such expedited process is necessary to respond to an urgent or emergency situation with respect to health insurance coverage within a State.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''may'' and inserting ''shall''; and

(II) by striking ''only if'' and inserting ''unless''; and

(ii) by striking ''plan—'' and all that follows through the period at the end of subparagraph (D) and inserting ''application is missing a required element under subsection (a)(1) or that the State plan will increase the Federal deficit, not taking into account any amounts received through a grant under subsection (a)(3)(B).'';

(B) in paragraph (2)—

(i) in the paragraph heading, by inserting ''OR CERTIFY'' after ''LAW'';

(ii) in subparagraph (A), by inserting before the period '', and a certification described in this paragraph is a document, signed by the Governor, and the State insurance commissioner, of the State, that provides authority for State actions under a waiver under this section, including the implementation of the State plan under subsection (a)(1)(B)''; and

(iii) in subparagraph (B)—

(I) in the subparagraph heading, by striking ''OF OPT OUT''; and

(II) by striking '' may repeal a law'' and all that follows through the period at the end and inserting the following: ''may terminate the authority provided under the waiver with respect to the State by—

''(i) repealing a law described in subparagraph (A); or

''(ii) terminating a certification described in subparagraph (A), through a certification for such termination signed by the Governor, and the State insurance commissioner, of the State.'';

(3) in subsection (d)(2)(B), by striking ''and the reasons therefore'' and inserting ''and the reasons therefore, and provide the data on which such determination was made''; and

(4) in subsection (e), by striking ''No waiver'' and all that follows through the period at the end and inserting the following: ''A waiver under this section—

''(1) shall be in effect for a period of 8 years unless the State requests a shorter duration;

''(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

''(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).''.

(b) APPLICABILITY.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall apply as follows:

(1) In the case of a State for which a waiver under such section was granted prior to the date of enactment of this Act, such section 1332, as in effect on the day before the date of enactment of this Act shall apply to the waiver and State plan.

(2) In the case of a State that submitted an application for a waiver under such section prior to the date of enactment of this Act, and which application the Secretary of Health and Human Services has not approved prior to such date, the State may elect to have such section 1332, as in effect on the day before the date of enactment of this Act, or such section 1332, as amended by subsection (a), apply to such application and State plan.

(3) In the case of a State that submits an application for a waiver under such section on or after the date of enactment of this Act, such section 1332, as amended by subsection (a), shall apply to such application and State plan.

SEC. 208. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

''(4) CONSUMER FREEDOM.—For plan years beginning on or after January 1, 2019, paragraph (1)(A) shall not apply with respect to any plan offered in the State.''.

(b) RISK POOLS.—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting ''and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)'' after ''Exchange''; and

(2) in paragraph (2), by inserting ''and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)'' after ''Exchange''.

SEC. 209. APPLICATION OF ENFORCEMENT PENALTIES.

(a) IN GENERAL.—Section 2723 of the Public Health Service Act (42 U.S.C. 300gg–22) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''and of section 1303 of the Patient Protection and Affordable Care Act'' after ''this part''; and

(B) in paragraph (2), by inserting ''or in such section 1303'' after ''this part''; and

(2) in subsection (b)—

(A) in paragraphs (1) and (2)(A), by inserting ''or section 1303 of the Patient Protection and Affordable Care Act'' after ''this part'' each place such term appears;

(B) in paragraph (2)(C)(ii), by inserting ''and section 1303 of the Patient Protection and Affordable Care Act'' after ''this part''.

(b) EFFECT OF WAIVER.—A State waiver pursuant to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall not affect the authority of the Secretary to impose penalties under section 2723 of the Public Health Service Act (42 U.S.C. 300gg–22).

SEC. 210. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

SEC. 211. REPEAL OF COST-SHARING SUBSIDY PROGRAM.

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

SEC. 212. CONDITIONS FOR RECEIVING ADDITIONAL SUPPORT FOR STABILIZING PREMIUMS AND PROMOTING CHOICE IN PLANS OFFERED IN THE INDIVIDUAL MARKET.

(a) FEDERAL FUNDING FOR PLANS.—If, for any of plan years 2020 through 2026 for which funds are available under subsection (h)(6) of section 2105 of the Social Security Act (42 U.S.C. 1397ee), a health insurance issuer (as defined in section 2791(b)(2) of the Public Health Service Act (42 U.S.C. 300gg–91(b)(2)) meets the conditions of subsection (b) with respect to an entire rating area within a State (as defined in section 2701(a)(2) of the Public Health Service Act (42 U.S.C. § 300gg(a)(2)), the provisions described in subsection (c) shall be treated as not applying (directly or through reference) for those plan years to health insurance coverage offered off the Exchange by such issuer in the individual market in the rating area in the State for such plan year (other than with respect to health insurance coverage certified under subsection (b)(2)), provided that such coverage offered off the Exchange complies with the applicable State health insurance requirements.

(b) CONDITIONS FOR FEDERAL FUNDING FOR PLANS.—The conditions of this subsection for a health insurance issuer for a plan year are that the health insurance issuer, on or before May 3 of the calendar year preceding the plan year involved—

(1) certifies to the Secretary and the applicable State insurance commissioner that such issuer will apply subsection (a) with respect to health insurance coverage in a rating area within a State for such plan year; and

(2) certifies to the Secretary that such issuer will make available through the Exchange in the rating area in the State in such plan year at least one gold level and one silver level qualified health plan (as described in section 1302(d)(1) of the Patient Protection and Affordable Care Act, 42 U.S.C. 18022(d)(1)) and one health plan that provides the level of coverage described in section 36B(b)(3)(B)(i) of the Internal Revenue Code of 1986.

(c) NON-APPLICABLE PROVISIONS DESCRIBED.—The provisions described in this subsection are the following:

(1) Subsections (b), (c)(1)(B), and (d) of section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022).

(2) Section 2701(a)(1) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)).

(3) Subsections (a) and (b)(2) of section 2702 of the Public Health Service Act (42 U.S.C. §§ 300gg–1).

(4) Section 2704 of the Public Health Service Act (42 U.S.C. §§ 300gg–3).

(5) Subsections (a) through (j) of section 2705 of the Public Health Service Act (42 U.S.C. §§ 300gg–4).

(6) Section 2707 of the Public Health Service Act (42 U.S.C. 300gg–6).

(7) Section 2708 of the Public Health Service Act (42 U.S.C. 300gg–7).

(8) Section 2713(a) of the Public Health Service Act (42 U.S.C. 300gg–13(a)).

(9) Section 2718(b)(1) of the Public Health Service Act (42 U.S.C. §§ 300gg–18(b)(1)).

(d) CONTINUOUS COVERAGE.—For purposes of section 2702(b) of the Public Health Service Act (42 U.S.C. 300gg–1), health insurance coverage offered off the Exchange in accordance with subsection (a) shall not be deemed creditable coverage, as defined in section 2704(c) of the Public Health Service Act (42 U.S.C. 300gg–3(c)).

(e) NONAPPLICATION OF RISK ADJUSTMENT PROGRAM.—Section 1343 of the Patient Protection and Affordable Care Act (42 U.S.C. 18063) shall not apply to health insurance

coverage offered off the Exchange in accordance with subsection (a) or to the issuer of such coverage with respect to that coverage.

(f) EFFECT OF WAIVER.—A State that receives a waiver under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall not be permitted to use pass through funding under subsection (a)(3)(C) of such section either to provide assistance to individuals who enroll in health insurance coverage offered in accordance with subsection (a) or to make payments to issuers for any health insurance coverage offered in accordance with subsection (a).

(g) FUNDING FOR STATES.—

(1) APPROPRIATION.—There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, $2,000,000,000 for the period beginning on January 1, 2020, and ending on December 31, 2026, for the purpose of providing allotments for States in which a health insurance issuer offers coverage in accordance with subsection (a). Amounts paid to any such State from such an allotment shall be used to offset costs attributable to the State's regulation and oversight of such coverage. Funds appropriated under this paragraph shall remain available until expended.

(2) PROCEDURE FOR DISTRIBUTION OF FUNDS.—The Secretary of Health and Human Services shall determine an appropriate procedure for providing and distributing funds under this subsection.

(h) TAX CREDIT NOT AVAILABLE.—Health insurance coverage offered off the Exchange in accordance with subsection (a) shall not be taken into account as a qualified health plan for purposes of calculating the amount of the premium tax credit under section 36B of the Internal Revenue Code of 1986.

SA 271. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after the first line and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Obamacare Repeal Reconciliation Act of 2017''.

TITLE I

SEC. 101. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017, and before January 1, 2020.''.

SEC. 102. PREMIUM TAX CREDIT.

(a) PREMIUM TAX CREDIT.—

(1) MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.—

(A) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: ''or a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)''.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(2) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

SEC. 103. SMALL BUSINESS TAX CREDIT.

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking ''Any term'' and inserting the following:

''(1) IN GENERAL.—Any term'', and

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

''(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—The term 'qualified health plan' does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking ''2.5 percent'' and inserting ''Zero percent'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'', and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 105. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$2,000''.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$3,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 106. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $1,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 107. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting ''and ending December 31, 2019,'' after ''January 1, 2014,''; and

(B) in subsection (a)(47)(B), by inserting ''and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date'' before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting ''(50 percent on or after January 1, 2020)'' after ''55 percent'';

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through ''thereafter''; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting ''through 2019'' after ''each year thereafter''; and

(ii) in subparagraph (B)(ii)(VI), by striking ''and each subsequent year'';

(3) in section 1915(k)(2), by striking ''during the period described in paragraph (1)'' and inserting ''on or after the date referred to in paragraph (1) and before January 1, 2020'';

(4) in section 1920(e), by adding at the end the following: ''This subsection shall not apply after December 31, 2019.'';

(5) in section 1937(b)(5), by adding at the end the following: ''This paragraph shall not apply after December 31, 2019.''; and

(6) in section 1943(a), by inserting ''and before January 1, 2020,'' after ''January 1, 2014,''.

SEC. 108. REPEAL OF DSH ALLOTMENT REDUCTIONS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended by striking paragraphs (7) and (8).

SEC. 109. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 110. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

SEC. 111. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''10 percent''.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''15 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

SEC. 112. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

SEC. 113. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.''.

SEC. 114. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.''.

SEC. 115. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking '', and'' at the end of paragraph (1) and all that follows through ''2017''.

SEC. 116. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 117. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''7.5 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 118. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b).''.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2017.

SEC. 119. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

SEC. 120. REPEAL OF NET INVESTMENT TAX.

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 121. REMUNERATION.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2016.''.

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking ''each of fiscal years 2018 and 2019'' and inserting ''fiscal year 2018''; and

(2) by striking paragraphs (4) through (8).

SEC. 202. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, $750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting '', and an additional $422,000,000 for fiscal year 2017'' after ''2017''.

SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for

plan years 2018 and 2019 may be made through December 31, 2020.

SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

SA 272. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HEALTH INSURANCE COVERAGE FOR MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF.

(a) TREATMENT OF CONGRESSIONAL STAFF.—

(1) IN GENERAL.—Section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is amended—

(A) in clause (i)—

(i) in the matter preceding subclause (I)—

(I) by striking ''and congressional staff''; and

(II) by striking ''or congressional staff''; and

(ii) in subclause (II), by inserting ''to individuals'' before ''offered''; and

(B) by adding at the end the following:

''(iii) NO GOVERNMENT CONTRIBUTION.—For a Member of Congress enrolled in a health plan through an Exchange, there shall be no Government contribution under section 8906 of title 5, United States Code, or any other provision of law.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect with respect to plan years beginning on or after January 1, 2018.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall update the regulations entitled, ''Federal Employees Health Benefits Program: Members of Congress and Congressional Staff'' (78 Fed. Reg. 60653), published on October 2, 2013, in accordance with the amendments made by subsection (a). The updated regulations shall provide that the Office of Personnel Management shall not offer a Small Business Health Options Program for Members of Congress;

SA 273. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SUNSET OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective with respect to plan years beginning on or after January 1, 2020, the Patient Protection and Affordable Care Act (Public Law 111–148), including the amendments made by such Act, shall have no force or effect.

(b) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective with respect to plan years beginning on or after January 1, 2020, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Act, shall have no force or effect.

SA 274. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''$2,250'' and inserting ''the amount in effect under subsection (c)(2)(A)(ii)(I)''.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking ''$4,500'' and inserting ''the amount in effect under subsection (c)(2)(A)(ii)(II)''.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking ''subsections (b)(2) and'' both places it appears and inserting ''subsection'', and

(2) in subparagraph (B), by striking ''determined by'' and all that follows through '' 'calendar year 2003'.'' and inserting ''determined by substituting 'calendar year 2003' for 'calendar year 1992' in subparagraph (B) thereof.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SA 275. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

''(4) CONSUMER FREEDOM.—For plan years beginning on or after January 1, 2019, paragraph (1)(A) shall not apply with respect to any plan offered in the State.''.

(b) RISK POOLS.—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting ''and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)'' after ''Exchange''; and

(2) in paragraph (2), by inserting ''and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)'' after ''Exchange''.

SA 276. Mr. KAINE (for himself, Mr. CARPER, Mr. COONS, Mrs. SHAHEEN, Mr. CARDIN, Ms. HASSAN, Ms. KLOBUCHAR, Ms. STABENOW, Mr. WARNER, Ms. HEITKAMP, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Individual Health Insurance Marketplace Improvement Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Before the passage of the Patient Protection and Affordable Care Act (Public Law 114–148) in 2010, Americans with pre-existing conditions faced unfair barriers to accessing health insurance coverage and health care costs had risen rapidly for decades.

(2) Since 2010, the rate of uninsured Americans has declined to a historic low, with more than 20,000,000 Americans gaining access to health insurance coverage.

(3) Since 2010, America has experienced the slowest growth in the price of health care in over five decades.

(4) Thanks to the Patient Protection and Affordable Care Act (Public Law 114–148), Americans can no longer be denied insurance or charged more on the basis of their health status, more Americans than ever have insurance, and the health care they receive is continually improving.

(5) Starting in 2016, independent, non-partisan organizations, including the Congressional Budget Office, have determined that the individual health insurance markets have stabilized and improved.

(6) The cost-sharing reduction payments in the Patient Protection and Affordable Care Act provide stability in the individual health insurance market, lower insurance premiums by nearly 20 percent, and encourage competition among health insurers. The payments reduce costs for approximately 6,000,000 people with incomes below 250 percent of the poverty line by an average of about $1,100 per person and should be increased to help more Americans.

(7) Risk mitigation programs, such as the reinsurance program for the Medicare Part D prescription drug benefit program, have provided additional stability to the health insurance markets, restrained premium growth, and lowered taxpayer costs by helping health insurers predict and bear risk associated with managing health care costs for a population.

(8) From 2014 to 2016, the temporary reinsurance program established under the Affordable Care Act helped to stabilize the new insurance marketplaces and reduced insurance premiums in the individual health insurance market by as much as 10 percent.

(9) Throughout his Presidential campaign, the President of the United States repeatedly promised the American people that his health care plan will result in reduced rates of uninsured, lower costs, and higher quality care, stating on January 14, 2017, that ''We're going to have insurance for everybody. There was a philosophy in some circles that if you can't pay for it, you don't get it. That's not going to happen with us''; and on January 25, 2017, that ''I can assure you, we are going to have a better plan, much better health care, much better service treatment, a plan where you can have access to the doctor that you want and the plan that you want. We're

gonna have a much better health care plan at much less money''.

(10) The goal of any health care legislation should be to build on the Affordable Care Act to continue expanding coverage and make health care more affordable for Americans. Improving affordability and expanding coverage will also broaden the individual market risk pool, contributing to lower premiums and strengthening market stability.

SEC. 3. SENSE OF THE SENATE.

It is the sense of the Senate that, with the reinsurance program under section 4 bringing additional stability to the individual marketplace for the 2018 plan year, the Senate should work in a bipartisan manner to find solutions to improve the health care system.

SEC. 4. INDIVIDUAL MARKET REINSURANCE FUND.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established the ''Individual Market Reinsurance Fund'' to be administered by the Secretary to provide funding for an individual market stabilization reinsurance program in each State that complies with the requirements of this section.

(2) FUNDING.—There is appropriated to the Fund, out of any moneys in the Treasury not otherwise appropriated, such sums as are necessary to carry out this section (other than subsection (c)) for each calendar year beginning with 2018. Amounts appropriated to the Fund shall remain available without fiscal or calendar year limitation to carry out this section.

(b) INDIVIDUAL MARKET REINSURANCE PROGRAM.—

(1) USE OF FUNDS.—The Secretary shall use amounts in the Fund to establish a reinsurance program under which the Secretary shall make reinsurance payments to health insurance issuers with respect to high-cost individuals enrolled in qualified health plans offered by such issuers that are not grandfathered health plans or transitional health plans for any plan year beginning with the 2018 plan year. This subsection constitutes budget authority in advance of appropriations Acts and represents the obligation of the Secretary to provide payments from the Fund in accordance with this subsection.

(2) AMOUNT OF PAYMENT.—The payment made to a health insurance issuer under subsection (a) with respect to each high-cost individual enrolled in a qualified health plan issued by the issuer that is not a grandfathered health plan or a transitional health plan shall equal 80 percent of the lesser of—

(A) the amount (if any) by which the individual's claims incurred during the plan year exceeds—

(i) in the case of the 2018, 2019, or 2020 plan year, $50,000; and

(ii) in the case of any other plan year, $100,000; or

(B) for plan years described in—

(i) subparagraph (A)(i), $450,000; and

(ii) subparagraph (A)(ii), $400,000.

(3) INDEXING.—In the case of plan years beginning after 2018, the dollar amounts that appear in subparagraphs (A) and (B) of paragraph (2) shall each be increased by an amount equal to—

(A) such amount; multiplied by

(B) the premium adjustment percentage specified under section 1302(c)(4) of the Affordable Care Act, but determined by substituting ''2018'' for ''2013''.

(4) PAYMENT METHODS.—

(A) IN GENERAL.—Payments under this subsection shall be based on such a method as the Secretary determines. The Secretary may establish a payment method by which interim payments of amounts under this subsection are made during a plan year based on the Secretary's best estimate of amounts that will be payable after obtaining all of the information.

(B) REQUIREMENT FOR PROVISION OF INFORMATION.—

(i) REQUIREMENT.—Payments under this subsection to a health insurance issuer are conditioned upon the furnishing to the Secretary, in a form and manner specified by the Secretary, of such information as may be required to carry out this subsection.

(ii) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to clause (i) is subject to the HIPAA privacy and security law, as defined in section 3009(a) of the Public Health Service Act (42 U.S.C. 300jj–19(a)).

(5) SECRETARY FLEXIBILITY FOR BUDGET NEUTRAL REVISIONS TO REINSURANCE PAYMENT SPECIFICATIONS.—If the Secretary determines appropriate, the Secretary may substitute higher dollar amounts for the dollar amounts specified under subparagraphs (A) and (B) of paragraph (2) (and adjusted under paragraph (3), if applicable) if the Secretary certifies that such substitutions, considered together, neither increase nor decease the total projected payments under this subsection.

(c) OUTREACH AND ENROLLMENT.—

(1) IN GENERAL.—During the period that begins on January 1, 2018, and ends on December 31, 2020, the Secretary shall award grants to eligible entities for the following purposes:

(A) OUTREACH AND ENROLLMENT.—To carry out outreach, public education activities, and enrollment activities to raise awareness of the availability of, and encourage enrollment in, qualified health plans.

(B) ASSISTING INDIVIDUALS TRANSITION TO QUALIFIED HEALTH PLANS.—To provide assistance to individuals who are enrolled in health insurance coverage that is not a qualified health plan enroll in a qualified health plan.

(C) ASSISTING ENROLLMENT IN PUBLIC HEALTH PROGRAMS.—To facilitate the enrollment of eligible individuals in the Medicare program or in a State Medicaid program, as appropriate.

(D) RAISING AWARENESS OF PREMIUM ASSISTANCE AND COST-SHARING REDUCTIONS.—To distribute fair and impartial information concerning enrollment in qualified health plans and the availability of premium assistance tax credits under section 36B of the Internal Revenue Code of 1986 and cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act, and to assist eligible individuals in applying for such tax credits and cost-sharing reductions.

(2) ELIGIBLE ENTITIES DEFINED.—

(A) IN GENERAL.—In this subsection, the term ''eligible entity'' means—

(i) a State; or

(ii) a nonprofit community-based organization.

(B) ENROLLMENT AGENTS.—Such term includes a licensed independent insurance agent or broker that has an arrangement with a State or nonprofit community-based organization to enroll eligible individuals in qualified health plans.

(C) EXCLUSIONS.—Such term does not include an entity that—

(i) is a health insurance issuer; or

(ii) receives any consideration, either directly or indirectly, from any health insurance issuer in connection with the enrollment of any qualified individuals or employees of a qualified employer in a qualified health plan.

(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to awarding grants to States or eligible entities in States that have geographic rating areas at risk of having no qualified health plans in the individual market.

(4) FUNDING.—Out of any moneys in the Treasury not otherwise appropriated, $500,000,000 is appropriated to the Secretary for each of calendar years 2018 through 2020, to carry out this subsection.

(d) REPORTS TO CONGRESS.—

(1) ANNUAL REPORT.—The Secretary shall submit a report to Congress, not later than January 21, 2019, and each year thereafter, that contains the following information for the most recently ended year:

(A) The number and types of plans in each State's individual market, specifying the number that are qualified health plans, grandfathered health plans, or health insurance coverage that is not a qualified health plan.

(B) The impact of the reinsurance payments provided under this section on the availability of coverage, cost of coverage, and coverage options in each State.

(C) The amount of premiums paid by individuals in each State by age, family size, geographic area in the State's individual market, and category of health plan (as described in subparagraph (A)).

(D) The process used to award funds for outreach and enrollment activities awarded to eligible entities under subsection (c), the amount of such funds awarded, and the activities carried out with such funds.

(E) Such other information as the Secretary deems relevant.

(2) EVALUATION REPORT.—Not later than January 31, 2022, the Secretary shall submit to Congress a report that—

(A) analyzes the impact of the funds provided under this section on premiums and enrollment in the individual market in all States; and

(B) contains a State-by-State comparison of the design of the programs carried out by States with funds provided under this section.

(e) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of Health and Human Services.

(2) FUND.—The term ''Fund'' means the Individual Market Reinsurance Fund established under subsection (a).

(3) GRANDFATHERED HEALTH PLAN.—The term ''grandfathered health plan'' has the meaning given that term in section 1251(e) of the Patient Protection and Affordable Care Act.

(4) HIGH-COST INDIVIDUAL.—The term ''high-cost individual'' means an individual enrolled in a qualified health plan (other than a grandfathered health plan or a transitional health plan) who incurs claims in excess of $50,000 during a plan year.

(5) STATE.—The term ''State'' means each of the 50 States and the District of Columbia.

(6) TRANSITIONAL HEALTH PLAN.—The term ''transitional health plan'' means a plan continued under the letter issued by the Centers for Medicare & Medicaid Services on November 14, 2013, to the State Insurance Commissioners outlining a transitional policy for coverage in the individual and small group markets to which section 1251 of the Patient Protection and Affordable Care Act does not apply, and under the extension of the transitional policy for such coverage set forth in the Insurance Standards Bulletin Series guidance issued by the Centers for Medicare & Medicaid Services on March 5, 2014, February 29, 2016, and February 13, 2017.

SA 277. Mr. KAINE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2850. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.

(a) ARLINGTON RIDGE TRACT DEFINED.—In this section, the term ''Arlington Ridge tract'' means the parcel of Federal land located in Arlington County, Virginia, known as the ''Nevius Tract'' and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) ESTABLISHMENT OF VISITOR SERVICES FACILITY.—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services, including a public restroom facility, on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

SA 278. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle J of title VIII, add the following:

SEC. 899D. INCLUSION OF SBIR AND STTR PROGRAMS IN TECHNICAL ASSISTANCE.

Section 2418(c) of title 10, United States Code, is amended—

(1) by striking ''issued under'' and inserting the following: ''issued—

''(1) under'';

(2) by striking ''and on'' and inserting '', and on'';

(3) by striking ''requirements.'' and inserting ''requirements; and''; and

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

''(2) under section 9 of the Small Business Act (15 U.S.C. 638), and on compliance with those requirements.''.

SA 279. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROTECTION OF SECOND AMENDMENT RIGHTS.

(a) ENSURING THE QUALITY OF CARE.—Section 2717(c) of the Public Health Service Act (42 U.S.C. 300gg–17(c)) is amended by inserting '', or the Better Care Reconciliation Act of 2017 or an amendment made by that Act,'' after ''the Patient Protection and Affordable Care Act or an amendment made by that Act'' each place that term appears.

(b) FEDERAL HEALTH DATABASES; NICS.—No funds made available to the Department of Health and Human Services or any other agency under this Act may be used to examine a Federal health database for the name of an individual to be submitted to the National Instant Criminal Background Check System (commonly known as ''NICS'') established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).

SA 280. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Obamacare Repeal Reconciliation Act of 2017''.

TITLE I

SEC. 101. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017, and before January 1, 2020.''.

SEC. 102. PREMIUM TAX CREDIT.

(a) PREMIUM TAX CREDIT.—

(1) MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.—

(A) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: ''or a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)''.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(2) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

SEC. 103. SMALL BUSINESS TAX CREDIT.

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking ''Any term'' and inserting the following:

''(1) IN GENERAL.—Any term'', and

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

''(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—The term 'qualified health plan' does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking ''2.5 percent'' and inserting ''Zero percent'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'', and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 105. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$2,000''.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2015)'' after ''$3,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 106. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $1,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 107. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting ''and ending December 31, 2019,'' after ''January 1, 2014,''; and

(B) in subsection (a)(47)(B), by inserting ''and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date'' before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting ''(50 percent on or after January 1, 2020)'' after ''55 percent'';

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through ''thereafter''; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting ''through 2019'' after ''each year thereafter''; and

(ii) in subparagraph (B)(ii)(VI), by striking ''and each subsequent year'';

(3) in section 1915(k)(2), by striking ''during the period described in paragraph (1)'' and inserting ''on or after the date referred to in paragraph (1) and before January 1, 2020'';

(4) in section 1920(e), by adding at the end the following: ''This subsection shall not apply after December 31, 2019.'';

(5) in section 1937(b)(5), by adding at the end the following: ''This paragraph shall not apply after December 31, 2019.''; and

(6) in section 1943(a), by inserting ''and before January 1, 2020,'' after ''January 1, 2014,''.

SEC. 108. REPEAL OF DSH ALLOTMENT REDUCTIONS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended by striking paragraphs (7) and (8).

SEC. 109. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 110. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

SEC. 111. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''10 percent''.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''15 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

SEC. 112. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

SEC. 113. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.''.

SEC. 114. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.''.

SEC. 115. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking '', and'' at the end of paragraph (1) and all that follows through ''2017''.

SEC. 116. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 117. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''7.5 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 118. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b).''.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2017.

SEC. 119. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

SEC. 120. REPEAL OF NET INVESTMENT TAX.

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 121. REMUNERATION.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2016.''.

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking ''each of fiscal years 2018 and 2019'' and inserting ''fiscal year 2018''; and

(2) by striking paragraphs (4) through (8).

SEC. 202. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, $750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds

appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting ‘‘, and an additional $422,000,000 for fiscal year 2017’’ after ‘‘2017’’.

SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ENZI. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, July 25, 2017 at 8:30 am, in 106 Dirksen Senate Office Building, in order to conduct a hearing entitled ‘‘Commodities, Credit, and Crop Insurance: Perspectives on Risk Management Tools and Trends for the 2018 Farm Bill.’’

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on July 25, 2017, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ‘‘Nominations.’’

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, July 25, 2017 from 2:30 pm, in room SH–219 of the Senate Hart Office Building to hold a Closed Business Meeting followed by a Closed Member Briefing.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 25, 2017, at 2:30 p.m., in open session, to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

SUBCOMMITTEE ON OCEAN, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, July 25, 2017, at 10 AM in room 253 of the Russell Senate Office Building. The Committee will hold Subcommittee Hearing on ‘‘Efforts on Marine Debris in the Oceans and Great Lakes.’’

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, July 25, 2017, at 10 AM, in Room 406 of the Dirksen Senate office building, to conduct a hearing entitled, ‘‘Developing and Deploying Advanced Clean Energy Technologies.’’

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY POLICY

The Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cyber Security Policy is authorized to meet during the session of the Senate on Tuesday, July 25, 2017 at 2:30 p.m., to hold a hearing entitled ‘‘Assessing the Maximum Pressure and Engagement Policy toward North Korea.’’

PRIVILEGES OF THE FLOOR

Mr. ENZI. Mr. President, I ask unanimous consent that Paul Vinovich and Greg D'Angelo, from my staff, be given all-access floor passes to the Senate floor and that Robert Creager, Tiffany Mortimore, Sean Ross, and Sam Safari, interns for the Budget Committee, be granted floor privileges during the consideration of H.R. 1628.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JULY 26, 2017

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.R. 1628, with the time until 11:30 a.m. equally divided between the two leaders or their designees; finally, that the previous order with respect to the vote time in relation to amendment No. 271 be modified to occur at 11:30 a.m. tomorrow, and the vote on the pending motion to commit occur at 3:30 p.m. tomorrow, with all other provisions remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ENZI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:58 p.m., adjourned until Wednesday, July 26, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

SAMUEL H. CLOVIS, JR., OF IOWA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS, VICE CATHERINE E. WOTEKI.

DEPARTMENT OF DEFENSE

MARK T. ESPER, OF VIRGINIA, TO BE SECRETARY OF THE ARMY, VICE ERIC K. FANNING.

ANTHONY KURTA, OF MONTANA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE LAURA JUNOR, RESIGNED.

ROBERT L. WILKIE, OF NORTH CAROLINA, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE JESSICA GARFOLA WRIGHT, RESIGNED.

DEPARTMENT OF THE INTERIOR

JOSEPH BALASH, OF ALASKA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE JANICE MARION SCHNEIDER.

DEPARTMENT OF STATE

KATHLEEN M. FITZPATRICK, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR–LESTE.

A. WESS MITCHELL, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AND EURASIAN AFFAIRS), VICE VICTORIA NULAND.

DEPARTMENT OF HOMELAND SECURITY

DANIEL ALAN CRAIG, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE JOSEPH L. NIMMICH.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT P. ASHLEY, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DARRELL J. GUTHRIE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRIAN E. MILLER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CLAIR E. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MORGAN E. MCCLELLAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

ANDREW B. BRIDGFORTH
RONALD J. MITCHELL

EXTENSIONS OF REMARKS

CONGRATS DAVID MORGAN

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to recognize David Morgan of Naples, Florida. David is a rising senior at Seacrest Country Day School and has committed to play golf at the University of Virginia.

This past week, David advanced to the match play round at the 70th U.S. Junior Amateur Championship at Flint Hills National Golf Club in Andover, Kansas. For 70 years, the USGA has organized the U.S. Junior Amateur Championship for players under the age of 19. It is designed to determine the best junior golfer in the United States. He was one of just 64 golfers in the entire country to advance to this stage, achieving a dream held by every young golfer. This was truly an extraordinary accomplishment.

I congratulate David and wish him the best of luck during his senior-year season as well as in his future at Virginia as a student-athlete.

CONGRATULATING THE CHURCH OF OUR LORD JESUS CHRIST ON 98 SUCCESSFUL YEARS OF WORSHIP

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to celebrate the 98th anniversary of the founding of The Church of Our Lord Jesus Christ, and welcome them to Birmingham, Alabama for their 98th International Holy Convocation. Since its founding in 1919, the church has strengthened communities across America, and diligently worked towards uniting all of God's Children.

Beginning in 1914, the late Bishop Lawson was drawn to the ministry, and began to tenaciously spread the word of God. A few short years later in 1919, Bishop Lawson moved to New York City and founded the Refuge Church of Christ, which ultimately transformed into the Church of Our Lord Jesus Christ. The congregation grew rapidly and is still welcoming new members from across the world into its family with open hearts.

Faith based communities were central in advancing civil rights and voting rights in our country 50 years ago, and continue the fight for social justice. I have the honor of representing Alabama's 7th Congressional District, which is also known as the Civil Rights District—including historic cities such as Birmingham, Montgomery, and my hometown of Selma. While in Congress, I continue to derive inspiration from the faith leaders and foot soldiers of the Civil Rights and Voting Rights Movements, many of whom are my constituents.

Again, I want to extend my congratulations to The Church of Our Lord Jesus Christ for 98 years of faith based service, and I hope that during their visit to Birmingham, they are inspired by the great civil rights history of the Magic City.

HONORING THE WENTZVILLE CIVIL AIR PATROL ON THEIR NUMEROUS ACCOMPLISHMENTS DURING THE PAST YEAR

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor the Wentzville Civil Air Patrol on their numerous accomplishments during the past year.

In 2016, the Wentzville Civil Air Patrol served as an outstanding organization from Missouri's Third Congressional District. In October, the group attended the 2016 Wing Conference where it received numerous awards including the Quality Unit Award, the Squadron Commander of the Year award, the Cadet Program of the Year award, and the Squadron of the Year award. In addition to these awards, it was named Squadron of Distinction for the North Central Region. This distinguished title requires competing against 25 other squadrons in Missouri then against the winners of seven other states at the national level. Recently, the Wentzville Civil Air Patrol competed at the National Cadet Competition against 15 teams from across the United States. The group performed admirably and achieved 2nd Place in Robotics, the 2nd Place Team Leadership Award, and the Overall Team Spirit Award.

The Wentzville Civil Air Patrol comes from an outstanding tradition of service and protection. The Civil Air Patrol was founded on December 1, 1941 and the Cadet Program started October 1, 1942. On February 1, 1982, the Wentzville Composite Squadron was chartered under Commander Frank Lancaster. The membership roster includes 48 active members, 30 cadets, and 18 senior members who meet every Monday.

The members of Wentzville Civil Patrol are dedicated to the local community. Historically, the organization has assisted the St. Charles County Fair Board with parking cars during the fair, volunteered during Living Lord Lutheran Church's "Back to School" event, presented the colors for the Veterans Day event at Heritage Elementary School in Wentzville, and worked alongside Wreaths Across America during their ceremonies at the Wentzville and Wright City Cemeteries.

Mr. Speaker, I ask you to join me in congratulating Wentzville Civil Air Patrol on their accomplishments. The commitment of this organization to each other and their community deserves our utmost appreciation and gratitude.

HONORING THE LIFE OF MR. VICTOR G. MCNETT

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to honor the life of Syracuse native Mr. Victor G. McNett.

Mr. McNett served with his brother in the U.S. Army's 27th Infantry Division during World War II in Pearl Harbor, Saipan, and Okinawa. Mr. McNett then returned home and joined the Syracuse Police Department, where he served in the department's crime laboratory as a photographer, search technician, and fingerprint analyst. Mr. McNett later became the Director of the Crime Laboratory before retiring as a Lieutenant in the Syracuse Police Department in 1973. Mr. McNett served Central New York diligently as a member of the Syracuse Police Department, and was honored with numerous awards throughout his 27 years of service.

Mr. McNett was predeceased in death by his wife of 43 years, Virginia McNett, and daughter, Susan McNett. He is survived by three children: Linda, Eric, and Douglas McNett; six grandchildren; two great-grandsons; his brother, Duane; and sister, Phyllis.

Mr. McNett's love for country and family never faltered over the course of his life. He decided to share that love with the world in his memoir, "Victor G. McNett, A Life of Service to Country, City, and Family." May Mr. Victor G. McNett's name and legacy forever be remembered, and may he rest peacefully.

IN RECOGNITION OF ALEXANDER POZIN, WORLD WAR II VETERAN

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing Mr. Alexander Pozin, a World War II veteran, who recently celebrated his 100th birthday.

Alexander Pozin was born on May 1st, 1917, in Odessa, Ukraine. That same year in Russia, the Communist Revolution took place, leaving the Pozin family in a state of poverty. After working many different jobs to provide for his family, Pozin graduated from law school in 1939, and went on to become a successful lawyer. However, in June of 1944, Pozin was called to serve in the Russian Army as a fighter and bomber pilot in the 210th Division of the Soviet Air Force. By the end of the war, Pozin had reached the rank of Lieutenant Colonel, and had earned 18 medals from the Soviet government.

Following his career in the military, Mr. Pozin moved to the United States. He became

a professor at Stenson University, where he specialized in Slavic languages.

Today, Mr. Pozin is a resident of St. Augustine, Florida. Here, his philanthropic endeavors have had a valuable and visible impact on the St. Augustine community. He has volunteered with Learn to Read St. Johns County, and the Council on Aging's Senior Center in St. Augustine. It is within these organizations that Mr. Pozin has connected with other individuals who weathered the storm of World War II, and shared his heroic and inspiring story.

Mr. Speaker, I applaud Mr. Alexander Pozin for his service in World War II, and for his commitment to philanthropy and his community.

PERSONAL EXPLANATION

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. THOMAS J. ROONEY of Florida. I was not present for these Roll Call votes.

Had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

CELEBRATING THE LIFE OF MICHAEL BECKER, FOUNDER OF HELLO GORGEOUS!

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Michael Becker and to celebrate the positive impact he had on our community.

In 2006, Michael and his wife Kim founded the non-profit Hello Gorgeous!, which brings joy to women fighting cancer by giving them a red-carpet experience complete with a makeover and spa.

Reaching 15 states with mobile day-spas and affiliate salons, Hello Gorgeous! has provided unforgettable experiences to thousands of women all over the country.

The organization Michael and Kim built together and the mission they devoted themselves to brings happiness and hope where it is needed most.

Their passion, drive, and faith inspire us all, and their selfless generosity is an example we should strive to follow.

Mr. Speaker, it is an honor and a privilege to represent such kind and giving people. Michael lived a life full of love, laughter, and spirit.

My thoughts are with Kim and everyone at Hello Gorgeous!, in whose work I have no doubt Michael's memory will live on.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for Roll Call votes 407, 408, and 409 on Monday, July 24, 2017. Had I been present, I would have voted Nay on Roll Call votes 407 and 408. I would have also voted Yea on Roll Call vote 409.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE SCHUYLKILL AREA COMMUNITY FOUNDATION

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Schuylkill Area Community Foundation, which celebrated its 50th anniversary on July 19. For 50 years, the Schuylkill Area Community Foundation has worked with individuals, businesses, and professional advisors to help nonprofit organizations and residents in Schuylkill County.

On January 16, 1967, the Schuylkill Community Foundation was established as Ashland Trust by founding members Frederick T. Kull, Wesley T. Fetterolf, Harry Strouse, and Emil R. Ermert. In 1997, Ashland Trusts was renamed the Schuylkill Area Community Foundation as it expanded its operations to include all of Schuylkill County. Its mission is to serve the interests of its philanthropic donors and to be stewards of the financial gifts that support the community in a wide variety of ways.

The Schuylkill Area Community Foundation envisions a county that embraces philanthropy to sustain generations today and tomorrow. Today, the Schuylkill Community Foundation develops, manages, and distributes aid to meet the present and coming needs of the county's residents. It currently manages 162 charitable endowment funds that vary in interests and causes. Supporters of all kinds find that working with the Foundation is an ideal way for them to give back to their community.

It is an honor to recognize the Schuylkill Community Foundation as it celebrates its 50th year of service to the people of Schuylkill County. May the Foundation continue to assist in the cultivation of a better life in the county for many years to come.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. GRAVES of Missouri. Mr. Speaker, on July 24, 2017, I missed a series of Roll Call votes. Had I been present, I would have voted YEA on No. 407, 408, and 409.

LT. SCOTT WILSON

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise in recognition of Lt. Scott Wilson of the Greater Naples Fire and Rescue District. On Sunday, July 23, Lt. Wilson took part in the 10th Annual Brotherhood Ride to honor the 20 first-responders who fell in the line of duty in 2016. This weeklong ride started in North Naples and will finish in South Miami.

The purpose of this 600-mile ride is to bring awareness and support for the first-responders' fallen colleagues. Over the last decade, the group has raised over $379,000 for the families of our fallen heroes. Lt. Wilson has participated in every ride this group has completed.

We are fortunate to have leaders like Lt. Wilson serve our community. I thank him and all our first-responders for making Collier and Lee counties the perfect place to live.

RECOGNIZING JONATHAN FELD

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Jonathan Feld for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Jonathan plans to continue pursuing his degree at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Jonathan Feld for his service the last several months to the people of Colorado's 4th district.

PERSONAL EXPLANATION

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. WILLIAMS. Mr. Speaker, I was unable to vote on Roll Call No. 407, 408 and 409. Had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

RECOGNITION OF MR. YA THAO MOUA

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today to honor the life and legacy of Mr. Ya Thao Moua. Mr. Moua was a constituent who passed away on July 2, 2017, at the age of 72.

In 1960, at age 15, Mr. Moua joined the Auto Defense de Choc (ADC), a militia training program for the Royal Lao Armed Forces, backed by the Central Intelligence Agency. He rose in the ranks to serve as a Captain and eventually as an Assistant Chief Commander.

On November 11, 1969, he sustained grave injuries when he was struck by an ammunition crate dropped by a United States aircraft on a routine ammunition drop.

Mr. Moua's military service in the Royal Kingdom of Laos in support of the U.S. efforts to counter the communist offensive throughout the war is commendable.

Between 1971 and 1974, Mr. Moua served as a police officer in the city of Long Cheng. In 1974, he was elected as a Tasseng, the equivalent of a county supervisor, where he led efforts to improve education, build new infrastructure, and conserve the environment.

Facing mounting political persecution, Mr. Moua fled to Thailand in 1975. Living with his family in United Nations refugee camps, he worked for many years advocating for peace and freedom in Laos.

Upon resettlement to the United States in 1994, Mr. Moua became an outstanding civic leader. He served the Hmong American community in Minnesota in a variety of important capacities.

Born on August 4, 1945 in the village of Thum Xouan Phou Kam Npob, Mouang Xieng Hong, Xiengkhouang Province, Mr. Moua was the second child of eight siblings born to Mr. Cher Lue Moua and Yer Yang.

Mr. Moua was a loving husband and father. He is survived by his wife, Sia Xiong, 15 children, and 48 grandchildren and great-grandchildren. Mr. Moua was also a devoted brother and a caring uncle, including to my dear friend and former Minnesota State Senator Mee Moua.

Please join me in honoring the life and legacy of Mr. Ya Thao Moua.

IN RECOGNITION OF CRAIG WRIGHT, RECIPIENT OF THE EMERGENCY MEDICAL SERVICE PROVIDER OF THE YEAR AWARD

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing the 2016 Emergency Medical Services Provider of the Year, Craig Wright.

Mr. Wright currently works at the Naval Submarine Base Kings Bay Fire Department, where he exhibits his heroism and humility on a daily basis. His individual actions have had positive and substantial impacts on the residents of Kings Bay.

Mr. Wright attributes his success to the unity experienced among him and his co-workers in the fire department, stating that nothing he ''did individually can't be contributed to the whole team.'' The resulting feeling of family between the Kings Bay fire fighters yielded a Fire Department of the Year award, for the fifth year in a row. Again, Mr. Wright and all of the fire fighters emphasized their camaraderie and loyalty as the keys to their success.

Mr. Speaker, I applaud Craig Wright for his service to the Kings Bay Fire Department and to his fellow fire fighters. His commitment has strengthened the community and all of its members.

CONGRATULATING JENNIFER LOWE, PAUL PARK, HENA RAFIQ, CHRISTA SCHMIDT, AND NOELLE SMITH ON RECEIVING FULBRIGHT AWARDS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to recognize Jennifer Lowe and Christa Schmidt of Farmers Branch, TX, Paul Park and Hena Rafiq of Irving, TX, and Noelle Smith of Dallas, TX, for their exemplary academic work which earned these scholars Fulbright awards for 2016–2017. Jennifer attends Pitzer College, Christa attends Saint Olaf College, Paul attends Saint John's University in Minnesota, Hena attends the Southern Methodist University, and Noelle attends Davidson College.

Established by Congress in 1946, the Fulbright program selects U.S. citizens to further their knowledge in an educational exchange program, allowing those chosen to study, research, or teach abroad. With only 1,600 Fulbright awards going to U.S. students each year, it is a tremendous honor for five of the recipients to be residents of the 24th District of Texas. These recipients will be focusing on the conditions and challenges that face the regions to which they will be traveling, as well as establishing meaningful U.S. relationships with these communities. Jennifer, Paul, Hena, Christa, and Noelle will be traveling to India, Thailand, Kosovo, Malaysia, and Mexico, respectively. When these fine students return, they will share the wealth of knowledge and experiences they garnered while abroad and be better equipped to excel in their fields.

Mr. Speaker, on behalf of the 24th District of Texas, I would like to congratulate Jennifer, Paul, Hena, Christa, and Noelle again for receiving this incredibly prestigious award. I wish them the best of luck with their travels, and I know that they will achieve greatness in their future endeavors.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. WELCH. Mr. Speaker, due to travel delays, I was unable to vote on Roll Call 407, 408, and 409. Had I been present, I would have voted Nay on Roll Call 407, Nay on Roll Call 408, and Aye on Roll Call 409.

HONORING DAN MORGADO, TOWN MANAGER OF SHREWSBURY, MASSACHUSETTS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. McGOVERN. Mr. Speaker, I rise today in recognition of Dan Morgado, who has been Town Manager of Shrewsbury, Massachusetts for the past 20 years. Anyone who serves in this chamber will tell you, Mr. Speaker, that our local public servants are the unsung heroes that keep our democracy running. Public servants like Dan wake up every day in cities and towns across America asking how they can help their neighbors, strengthen their communities, and build better places for all of us to live and work.

However, Mr. Speaker, Dan was no ordinary public servant. Under his leadership, an incredible amount has been accomplished in Shrewsbury. A new senior center, high school and middle school were built. Two new fire stations went up—and a third was rebuilt. Millions of dollars in improvements to water and sewer infrastructure were completed, along with a renovation to the town library. Town center traffic and beautification projects were successfully finished. Mr. Speaker, Dan has left an indelible mark on the Town of Shrewsbury.

However, it isn't only what Dan accomplished in Shrewsbury that brings me here today, it's how he did it. From candid conversations that brought everyone to the table to stabilize health insurance costs—to making the hard decision to fully fund pension obligations and put Shrewsbury on track towards fiscal responsibility—Dan's impeccable character, calm demeanor, and selfless values serve as a model for others to follow.

Mr. Speaker, on behalf of the people of Shrewsbury, the residents of Massachusetts, and everyone who he has touched through years of dedicated service, thank you to Dan Morgado. We owe you a heartfelt debt of gratitude for all you have done and wish you great satisfaction in your endeavors to come.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

NORM ALPERT

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in recognition of Norm Alpert in his 30th year as owner and founder of WAVV 101.1 FM in Naples. 30 years ago, Norm moved to the area and started his radio station to provide the people of our area quality jazz music to bring timeless entertainment to our community.

Norm fulfilled the American dream by starting his business from the ground up. He has proven to have found his calling, as his station consistently ranks among the top stations in the region. Further, he has helped our economy by providing jobs and advertising for businesses that reach across the state.

I congratulate Norm on his successes and look forward to see what he will accomplish and bring to the community in the years to come.

RECOGNIZING TYLER WESLEY

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Tyler Wesley for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Tyler plans to continue working as a public servant at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Tyler Wesley for his service the last several months to the people of Colorado's 4th district.

RECOGNIZING CATHERINE LIPTAK

HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BRAT. Mr. Speaker, I rise today to congratulate a smart and ambitious young lady from my district, Catherine Liptak.

Catherine came into my office yesterday to discuss with me her participation in the Congress-Bundestag Youth Exchange for Young Professionals (CBYX). On Tuesday, Catherine left for a year to live with a host family as she studies and interns in Germany.

She told me, "Part of the mission of the CBYX program is cultural diplomacy, and I am eager for the opportunity to serve as a representative for the United States abroad, as well as learn about the German lifestyle, and discussing similarities and differences between the two nations. I hope that through my professional work, as well as through volunteering and other activities, I will foster connections with German peers and other members of the community where I will live, and gain a deeper appreciation for these cross-cultural connections."

Catherine is the very best of what Virginia and this country has to offer. As a recent graduate from the University of Virginia where she achieved a Bachelor of Arts in History and Russian and East European Studies, Catherine is taking with her a great education and firm foundation.

She will do a great job as she lives and works in Germany. I'm looking forward to her updates and look forward to her safe return to America.

HONORING THE SERVICE OF MAJOR JENNIFER CURTIS

HON. TED BUDD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BUDD. Mr. Speaker, I rise today to honor the service of Major Jennifer Curtis. Major Curtis has retired from the Air Force after 20 years of service in the military. She showed exceptional bravery when the base she was serving at was struck by a Taliban rocket attack, one of the 126 she would endure during her tour of duty in that country. For 20 minutes, she was the only medic on the scene, and fought to save the lives of six Special Forces members who had been wounded by shrapnel in the attack. Thanks to her heroism, and that of her comrades, all six men survived. For this, she was awarded the Bronze Star and the Air Force Combat Medal.

In the heat of battle, she served with distinction. But she also exhibited quiet heroism, the day to day efforts that separate the exceptional from the great. She travelled with the special forces to different parts of Afghanistan on 62 different occasions, providing women in rural areas with the tools they need to empower themselves and their communities.

I wish her well in her next chapter of life, and congratulate her on her service to our county and our Republic.

FINANCIAL NET WORTH

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. SENSENBRENNER. Mr. Speaker, I am making my financial net worth as of March 31, 2017, a matter of public record. I have filed similar statements for each of the thirty-eight preceding years I have served in the Congress.

ASSETS

REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at $1,441,186). Ratio of assessed to market value: 100 percent (Unencumbered): $1,441,186.00

Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered): $138,000.00

Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44ths of assessor's estimated market value of $1,528,600: $868,522.73

Total Real Property: $2,447,708.73

Common & preferred stock	# of shares	$ per share	Value
Abbott Laboratories, Inc.	12200	44.41	$541,802.00
AbbVie Inc.	8129	65.16	529,685.64
Allstate Corporation	370	81.49	30,151.30
AT & T	7275	41.55	302,276.25
JP Morgan Chase	4539	87.84	398,705.76
Benton County Mining Company	333	0.00	0.00
BP PLC	3604	34.52	124,410.08
Centerpoint Energy	300	27.57	8,271.00
Chemours Company	240	38.50	9,240.00
Chenequa Country Club Realty Co.	1	0.00	0.00
Comcast	634	37.59	23,832.06
Darden Restaurants, Inc.	2160	83.67	180,727.20
Discover Financial Services	156	68.39	10,668.84
Dun & Bradstreet, Inc.	1250	107.94	134,925.00
E.I. DuPont de Nemours Corp.	1200	80.33	96,396.00
Eastman Chemical Co.	540	80.80	43,632.00
Exxon Mobil Corp.	9728	82.01	797,793.28
Four Corners Property Trust Inc.	983	22.83	22,441.89
Frontier Comm.	591	2.14	1,264.74
Gartner Inc.	651	107.99	70,301.49
General Electric Co.	15600	29.80	464,880.00
General Mills, Inc.	5760	59.01	339,897.60
NRG Energy	28	18.70	523.60
GlassBridge Ent.	9	4.82	43.38
Kellogg Corp.	3200	72.61	232,352.00
3M Company	2000	191.33	382,660.00
Express Scripts	6656	65.91	438,696.96
Monsanto Company	2852.315	113.20	322,882.06
Moody's	5000	112.04	560,200.00
Morgan Stanley	312	42.84	13,366.08
NCR Corp.	68	45.68	3,106.24
Newell Rubbermaid	1676	47.17	79,056.92
Nokia	74	5.42	401.08
PG & E Corp.	175	66.36	11,613.00
Pfizer	30415	34.21	1,040,497.15
Century Link	95	23.57	2,239.15
Tenneco Inc.	182	62.42	11,360.44
Unisys Corp.	16	13.95	223.20
US Bancorp	3081	51.50	158,671.50
Verizon	1918	48.75	93,502.50
Vodafone Group PLC	323	26.43	8,536.89
WEC Energy Group	2044	60.63	123,927.72
Total common & preferred stocks & bonds			$7,615,162.00

Life insurance policies	Face $	Surrender $
Northwestern Mutual #00	12,000.00	131,374.18
Northwestern Mutual #61	30,000.00	316,129.88
Massachusetts Mutual #75	10,000.00	19,025.55
Massachusetts Mutual #44	100,000.00	516,414.11
American General Life Ins. #59L	175,000.00	39,842.02
Total life insurance policies		$1,022,785.74

Bank & IRA accounts	Balance
JP Morgan Chase Bank, checking account	$53,074.00
JP Morgan Chase Bank, savings account	25,567.97
BMO Harris Bank, checking account	8,711.42
Burke & Herbert Bank, Alexandria, VA, checking account	5,658.19
JP Morgan, IRA accounts	146,399.70
Total bank & IRA accounts	$239,411.28

Miscellaneous	Value
2009 Ford Taurus	$4,749.00
2013 Ford Taurus	14,001.00
Office furniture & equipment (estimated)	1,000.00
Furniture, clothing & personal property (estimated)	180,000.00
Stamp collection (estimated)	210,000.00
Deposits in Congressional Retirement Fund	248,843.59
Deposits in Federal Thrift Savings Plan	589,790.50
Traveler's checks	7,800.00
17 ft. Boston Whaler boat & 70 hp Johnson outboard motor (estimated)	4,500.00
20 ft. Pontoon boat & 40 hp Mercury outboard motor (estimated)	$7,500.00
Total Miscellaneous	$1,268,184.09
Total Assets	$12,593,251.84

Liabilities: None.

Total Liabilities: $0.00.

Net Worth: $12,593,251.84.

STATEMENT OF 2016 TAXES PAID

Federal Income Tax	$131,533.00
Wisconsin Income Tax	35,186.00
Menomonee Falls, WI Property Tax	2,303.00
Chenequa, WI Property Tax	20,328.00
Alexandria, VA Property Tax	15,464.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary of five trusts, but have no control over the assets of either trust. I am also trustee of separate trusts established for the benefit of each son.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

F. JAMES SENSENBRENNER, JR.

PERSONAL EXPLANATION

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. FRANKEL of Florida. Mr. Speaker, on Roll Call vote 410, I was not present because I was unavoidably detained. Had I been present, I would have voted NAY.

IN RECOGNITION OF ELDER ERVIN PETERSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor an outstanding Man of God, Elder Ervin Peterson, who will celebrate his 20th Anniversary as the distinguished pastor of New Hope Full Gospel Ministries, Inc. His anniversary celebration will take place Thursday, August 3rd through August 5th, 2017 at New Hope Full Gospel Ministries, Inc. in Albany, GA.

A native of Calhoun County, Elder Peterson was born to Mr. Willie J. and Truezella Peterson, as one of eleven children, in 1955. He is the loving husband of Minister Deborah Peterson, the father of (5) children, Mrs. Yolanda Bryant, Mrs. Shamika Washington (Clifford), Ms. Jasmine Peterson, Ms. Audriauna Peterson, and Kamron Peterson; and, (8) grandchildren, William Bryant, IV, Deja Bryant, Jela Bryant, Bayleigh Bryant, J'Naia Crapps, Mariah Lumpkin, Calvin Grant, and Xavier Williams.

Elder Peterson was called to preach the gospel in 1981 and was ordained in August 1982. Under the guidance of the Holy Spirit and the late Elder W.H. Norwood, Elder Peterson quickly learned the covenant, doctrine, and ordinances of the Primitive Baptist Association of which he served as Moderator from 1995–1996. While many of his churches were great distances away from his home, he served his members faithfully no matter the distance, nor the task.

Ephesians 4:11–12 says "And he gave some, apostles; and some, prophets; and some, evangelists; and some, pastors and teachers; For the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ". In June 1997, after receiving a vision from the Lord, New Hope Full Gospel Ministries, Inc. was born. Elder Peterson and a few devoted followers developed a small ministry with firm foundation and a dynamic vision. Elder Peterson's love for God and his people is evident in the many lives he touches. A man of great integrity, he not only continues to labor for Christ, but he continues to strive for excellence in his profession as a licensed plumber and HVAC technician.

Elder Peterson is a great and inspirational leader, but none of this would have been possible without the love and support of his wife, family, and the New Hope Full Gospel Ministries, Inc. church family.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 730,000 residents of Georgia's Second Congressional District in thanking Elder Ervin Peterson for 20 outstanding years of service to New Hope Full Gospel Ministries, Inc. and a lifetime of service in the ministry of Jesus Christ.

PERSONAL EXPLANATION

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, due to President Trump's visit to my Congressional District for an event with Secretaries Zinke, Price, and Perry and Boy Scouts from across the United States, I missed votes.

Had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

RECOGNIZING ETHAN BOND

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Ethan Bond for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Ethan plans to continue pursuing his degree at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Ethan Bond for his service the last several months to the people of Colorado's 4th district.

RECOGNITION OF MEGHAN RICE

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today to recognize the accomplishments of Ms. Meghan Rice of Woodbury, Minnesota. Ms. Rice was recently presented with the Girl Scout Gold Award from the Girl Scouts of the United States of America. Achieving this award requires extraordinary leadership, passion, and tenacity; all things that she has exhibited to the highest degree.

After visiting a partner-church in San Nicolas, Honduras in 2014, Ms. Rice decided she wanted to deepen a partnership with parishioners there. In conjunction with Crossroads Church and Milk & Honey Missions, she raised $2,000 to build a new playground for the San Nicolas community. She partnered with her high school Spanish class to translate English board games to Spanish and donated them as well. However, Ms. Rice was not finished; she made sure her project was sustainable by establishing an annual Honduras Awareness Month to raise funds for expenses going forward. Despite having completed her Gold Award project, Ms. Rice intends to return to Honduras this summer to construct a garden, kitchen, and library.

She creates a safe place for local children to play and promotes community engagement; Ms. Rice's Gold Award project is a tremendous example of American citizen diplomacy. It is wonderful to see a dedicated young leader succeed in the international sphere.

Mr. Speaker, I rise to honor Meghan Rice of Woodbury, Minnesota for the service she has done. She serves as a superb example of compassionate leadership, and her future is sure to be bright.

HONORING MAJOR GENERAL WILLIAM E. RAPP

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BARLETTA. Mr. Speaker, it is an honor to congratulate Major General William E. Rapp on his retirement from the U.S. Army and on his receipt of the Distinguished Service Medal for his 33 years of steadfast service. This exceptional achievement is proof of Major General Rapp's commitment to ensuring our nation's safety and his dedication to educating its military leaders.

Over the course of Major General Rapp's notable career, he has been sent on multiple command tours and combat deployments. He has also taken on numerous assignments in critical and joint operations, displaying a wide range of skill and expertise. From 2008 to 2009, he was appointed as the Commander of the Northwestern Division of the Army Corps of Engineers, taking on responsibility for a 5,000-person organization and overseeing vital projects. From there, Major General Rapp moved into the role of 72nd Commandant at the U.S. Military Academy, West Point, where he diligently supervised the leadership development and military training of 4,400 members of the U.S. Corps of Cadets.

From 2011 to 2012, Major General Rapp courageously served overseas as the Commanding General of the U.S. National Support Element Command in Afghanistan, providing logistical and administrative support to over 190,000 individuals. He continued his service during his next assignment as U.S. Army Chief of Legislative Liaison. In that role, he developed, coordinated, and executed the Army's strategic communication effort with Congress, fostering and strengthening ties between the two bodies.

Major General Rapp's dedication to serving his country proved motivational to others, and in June of 2014, he was named the 50th Commandant of the U.S. Army War College and the Commanding General of the Carlisle Barracks. He worked tirelessly to inspire professionalism in students and to instill in them a high level of strategic leadership and reflective thinking. He has become a role model for not only War College faculty and students, but also his own children, who have all pursued military educations and careers. Major General Rapp's career exemplifies the highest levels of service to the nation and reflects great credit upon himself and the United States Army.

Mr. Speaker, please join me in recognizing Major General Rapp for all he has sacrificed to serve our country and for all that he has contributed to the Armed Services community. I wish him the very best in his retirement and in all his future endeavors.

IN SUPPORT OF H.R. 3178, THE MEDICARE PART B IMPROVEMENT ACT

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. SEWELL of Alabama. Mr. Speaker, I rise to express my strong support for H.R. 3178, the Medicare Part B Improvement Act.

I am proud to be a cosponsor of the bill introduced by Reps. BLACK, DELBENE, and THOMPSON included in the underlying bill. This policy modernizes Medicare payment policies for the use of telehealth for ESRD related visits.

My home state of Alabama and the neighboring states of Mississippi and Tennessee are home to the highest rates of kidney disease in the country. Expanding opportunities for home dialysis and telehealth is very important to these patients and their families.

I've visited with kidney disease patients in dialysis facilities across my district, from small dialysis clinics to the ESRD unit at Children's Hospital in Birmingham. The treatment is taxing for patients and families, who have to go to their clinic to receive treatment 3 days a week for 4 hours at a time to simply sustain life.

For patients and their families, this bill will have a substantial impact on their quality of life, by expanding access to home dialysis therapy. Technology has allowed for the creation of home dialysis devices. Our Medicare dialysis patients deserve access to these advanced technologies. I strongly believe we must modernize our dialysis payment policies to keep pace with the rapid pace of innovation in so that Medicare patients are not left behind.

I support the underlying bill and urge my colleagues to vote yes on the Medicare Part B Improvement Act of 2017.

HONORING THE LIFE OF SERGEANT CHAD E. JENSON

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. TED LIEU of California. Mr. Speaker, I rise to celebrate the life of Sergeant Chad E. Jenson—beloved son, husband, stepfather, and United States Marine—who passed away on July 10, 2017 in the line of duty.

Chad grew up in Redondo Beach, where his family still resides. He attended Mira Costa High School and helped lead the Manhattan Beach school's football team to a championship in 2009. Chad was deeply admired for his selflessness and unwavering optimism by teammates, classmates, and teachers alike.

Chad had a deep desire to serve his country and he enlisted in the U.S. Marine Corps in September 2010 after graduation from high school. In 2013, Chad joined the U.S. Marine Corps Forces Special Operations Command and by 2014, he had attained the rank of Sergeant—a remarkable accomplishment for any enlisted member of the military to receive so rapidly. He proudly served with the elite 2nd Raider Battalion, Special Operations Command which was based at Camp Lejeune in North Carolina. Chad was a critical skills operator and was awaiting his first deployment.

Chad constantly strived to perfect his own skills and become a stronger leader. He maintained a high standard of integrity which he shared with those around him. His awards include a U.S. Marine Corps Good Conduct Medal, a Global War on Terrorism Service Medal, National Defense Service Medal, Navy Meritorious Unit commendation, two certificates of commendation, three letters of appreciation and two meritorious masts. Chad was the embodiment of the U.S. Marine Corps' values: honor, courage, and commitment.

Chad is survived by his wife, Jessica, and stepson, Jackson, whom I hope take comfort in the way Chad lived his life as a patriotic, selfless and caring young man who served his community and his nation. May his memory be a blessing to us all.

HONORING THE 100TH ANNIVERSARY OF ST. PAUL MISSIONARY BAPTIST CHURCH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. KAPTUR. Mr. Speaker, I rise today with great pleasure and enthusiasm to congratulate St. Paul Missionary Baptist Church in Toledo on the church's 100th anniversary. The history of this amazing congregation begins in the home of Mrs. Mamie Porter on Howard Street in Toledo, where, on July 12, 1917, the families of Westly Davis, Robert Christian and Sally McElya met for their first worship service.

During the course of the next year, the congregation grew which resulted in the formal organization of the church, which they named St. Paul. From the start, the church was a community anchor.

Over the years that followed, there were numerous challenges and difficulties that the small congregation overcame, including worshipping in several locations, until finding a home at 654 Hamilton for many years. The current location of St. Paul's, 1502 N. Detroit Avenue, was purchased in 1958 from the United Brethren Church and has been the congregation's home since that time.

There have been a number of shepherds of the St. Paul congregation. Rev. Joseph Smith served as a visionary and dedicated leader of the congregation from 1928 until his death in 1969. To date he is the longest serving Pastor.

On October 25, 1969, Rev. John H. McKissick assumed the leadership of St. Paul. Inspired by the guidance of Rev. and Mrs. McKissick, the church initiated a Watch Care Program, a Department of Evangelism and an Annual Week-End Youth Seminar. A Credit Union was also established as a benefit for the members.

After 16 years of dedicated service Rev. McKissick retired on December 31, 1985, however, he remained as Interim until the search for a new pastor was concluded.

From 1986 to 2003, the following Pastors served the congregation of St. Paul: Dr. Irece T. Bradley, Rev. Julius Minor (Interim), Rev. Floyd Smith and Rev. James R. Glover.

During this timeframe new programs and ministries were established, such as: Moments in Mission, Christian Education, The Sharing Place, Tiny Tot Worship and the Mass Choir.

Rev. James H. Willis, Sr. was elected as Pastor on October 19, 2003. He has exemplified enthusiasm and an unwavering commitment to the spiritual growth of the church. Some of the ministries established during his tenure include: Noon Day Prayer and Bible Study, Young Adult Ministry, Young Adult Monthly Faith Friday, Young Adult Praise Dance Ministry and Young Adult Usher Board. A Youth Minister was appointed in 2016.

St. Paul has modernized its ministry by providing a live stream of Sunday morning worship service, establishing a text alert notification system and installing a projector unit in the sanctuary.

The St. Paul Church Family is blessed to still have 28 ''Pioneers'' who have maintained membership for over 50 years, and most of them still remain actively engaged in church activities.

St. Paul Missionary Baptist Church is a magnificent example of all that a spiritual home should be, rendering indelible service to the Toledo community for the past 100 years. Living the Gospel, St. Paul's congregation looks back on a century of spreading the Word and sharing Christ's message of Love while looking forward to a future of spiritual service.

Romans 10:17 tells us, ''Consequently, faith comes from hearing the message, and the message is heard through the word about Christ.'' I am pleased to join our community in recognizing the milestone centennial celebration of St. Paul Missionary Baptist Church.

RECOGNIZING THE CONTRIBUTIONS OF DAVID A. FOGEL

HON. DIANA DEGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. DEGETTE. Mr. Speaker, today I wish to honor the contributions to Colorado of an extraordinary constituent and friend, David A. Fogel, who on July 27th will receive the Elaine Wolf 'Dor V'Dor Award for outstanding service to Kavod Senior Life.

''Kavod'' is the Hebrew word for ''honor'' or ''respect.'' Kavod Senior Life is an inclusive, Denver-based non-profit providing affordable and subsidized housing, community activities and services to more than 400 low-income people of all faiths age 62 and up who have qualifying mobility impairment disabilities.

David has served Kavod Senior Life as a member of the board since 2009 and was its president from 2013 to 2015.

A man of faith with a commitment to serving others, David has dedicated his time and his considerable energy to our community through leadership positions in Denver B'nai B'rith, the South Denver Optimist Club, the Anti-Defamation League, and more.

David's wide-ranging career in the law has also been imbued with the ideal of service and making life better for others. He has served as Assistant U.S. Attorney for Colorado and Assistant Public Defender, had two assignments as Special Assistant Attorney General for Colorado, and is now in private practice at his firm, Fogel & Bluestein.

David is also a part-time instructor at the Osher Lifelong Learning Institute. His commitment to education and his desire to share his experience extends for many years, 16 of which he spent as an instructor at the University of Denver College of Law.

David has been a mentor, not just to his former law students, but to many people across the community. I met David years ago when he was Chair of the Denver Democratic Party, and his wisdom and upbeat disposition inspire me to this day.

I'm among countless Coloradans who, through the years, have been lucky enough to get to know David and to work by his side. We appreciate his compassion, kindness and generosity in all his professional and community roles. His spirit and energy have helped make Denver a city with a welcoming spirit that embraces diversity and justice.

PERSONAL EXPLANATION

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. McCAUL. Mr. Speaker, on July 24, 2017, I missed the voting session due to family obligations. If present, I would have voted as follows:

YES—H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018

YES—S. 114—A bill to authorize appropriations for the Veterans Choice Program

YES—H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act

I intended to vote yes on all of these measures. After World War II, my father—who was a B–17 bombardier navigator in the Army Air Corps—became the first in our family to attend college thanks to the GI Bill. I am ecstatic that the House passed H.R. 3218 to expand this vital program for our Veterans and their families who sacrifice so much.

PERSONAL EXPLANATION

HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mrs. LAWRENCE. Mr. Speaker, on July 24, 2017, I was not able to cast my votes during the series. Had I been present, I would have voted: NO on H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018, as amended, NO on S. 114—A bill to authorize appropriations for the Veterans Choice Program, and for other purposes, as amended, and YES on H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act of 2017, as amended.

COMMEMORATING 10TH ANNIVERSARY OF TRAE DAY IN HOUSTON, TEXAS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate the 10th anniversary of "Trae Day."

Trae Tha Truth, is an American hip hop recording artist from Houston, Texas.

Apart from his solo career, Trae is also known as a member of the underground rap collective Screwed Up Click, as well as one-half of the Southern Hip Hop duo ABN, and one of the founding members of the group Guerilla Maab, alongside fellow rappers Z-Ro and Dougie D.

Trae Tha Truth currently hosts Banned Radio on XXL, on Dash Radio.

Trae Tha Truth's music is inspired by the experiences of the disenfranchised, which is rooted in the inner-cities of America, and is driven by loss, love and loyalty.

Trae Tha Truth's music is powerful and real, his voice is a tractor trailer shoveling gravel that booms, bangs, and thumps.

Trae Day is an annual festival commemorating the actual holiday the City of Houston gave Trae for his role as a civic leader, which made him the first rapper in Texas to be given an official holiday by the city.

Among his civic activities, Trae Tha Truth has founded a nonprofit organization, counseled incarcerated persons, and sponsored at-risk high school students.

Trae Tha Truth is very modest and rarely discusses his accomplishments but what is important to know about him is that he is a rapper who uses his gift to help people.

TRIBUTE TO DR. LEO TWIGGS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a great South Carolinian and personal friend, Dr. Leo Twiggs.

Dr. Twiggs hails from St. Stephen, South Carolina, and currently lives in Orangeburg. His artwork has won him fame and recognition across the state and around the world. Recently, he received the Order of the Palmetto, the state's highest civilian honor at a ceremony held at the Statehouse in Columbia. During that ceremony, he also received the highest honor the state presents in the arts—a Lifetime Achievement Award from the South Carolina Arts Commission at the 2017 Elizabeth O'Neill Verner Governor's Awards for the Arts. In 1980, Dr. Twiggs was the first visual artist ever to receive the Elizabeth O'Neill Verner Award.

Dr. Twiggs' powerful artwork employs batik, an ancient Indonesian technique of manual wax-resistant dyeing applied to whole cloth. He recently spent several weeks manually dyeing and dipping fabric pieces to achieve a texturally rich and deep-toned series titled, "Requiem for Mother Emanuel," to honor the victims of the Charleston massacre of June 17, 2015. His new series of paintings is titled, "The Nine," and focuses on the individual Charleston church. shooting victims themselves.

Mr. Speaker, Dr. Twiggs has spoken of the "powerful kind of catharsis" of his work, and his fondness for batik includes how the art form draws an individual into a piece. His unique paintings have received international acclaim. Several paintings have been displayed in U.S. embassies in Rome, Senegal, Sierra Leone and elsewhere; and his works have appeared in numerous textbooks, other publications and documentaries. He has designed official White House Christmas ornaments for former Presidents Barack Obama and George W. Bush. Dr. Twiggs is particularly proud that the new National Museum of African American History and Culture in Washington, D.C. has accepted two of his paintings for display.

Dr. Twiggs has served on many important boards and commissions, including the South Carolina State Museum, the South Carolina Governor's School for the Arts & Humanities, and the South Carolina Hall of Fame. His tenure in the latter capacity saw the induction of late Judge Matthew Perry, a personal hero of mine, former Governor Richard Riley, longtime former Charleston Mayor Joe Riley, and Ernest A. Finney, the first African American elected to the state Supreme Court since Reconstruction who later became the first African American Chief Justice of the state Supreme Court. Dr. Twiggs also influenced the induction of two pioneering African American women Septima Clark, another personal hero from my younger days and Marian Wright Edelman, a woman whose work I have long admired.

Dr. Twiggs was the first African American to earn a Doctorate of Art Education from the University of Georgia. He graduated Summa Cum Laude from Claflin University and received his Masters of Arts from New York University. He found the Art Department at South Carolina State University, my alma mater, and is credited with developing the I.P. Stanback Museum and Planetarium on campus. He was named Professor Emeritus in 2000. The Georgia Museum of Art organized a retrospective of his works that toured the southeast from 2004 to 2006: His lovely wife Rosa hails from my hometown of Sumter, South Carolina.

Mr. Speaker, it is with great pride that I call to your attention and to the attention of the Members of the 115th Congress, the accomplishments of this outstanding South Carolinian, Dr. Leo Twiggs.

SENATE VOTE ON ACA REPEAL

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. JACKSON LEE. Mr. Speaker, today, in a move that is a betrayal to the American people, the Senate voted 51 to 50 on a motion to advance debate on a piece of Republican legislation that would do away with most of the Affordable Care Act.

Reaching a 51–50 vote, where the tie was broken by Vice President MIKE PENCE, has been a struggle for Republican Members of the Senate because they realize that a repeal of Obamacare would result in tragedy for millions of Americans.

I want you to know that I oppose this and previous versions of Obamacare repeal for several compelling reasons:

1. Trumpcare forces families to pay higher premiums and deductibles, increasing out-of-pocket costs.

2. Trumpcare will take away health care from 24 million hardworking Americans.

3. Trumpcare would gut essential health benefits and protections for Americans with pre-existing conditions.

4. Trumpcare forces Americans aged 50–64 to pay premiums five times higher than what others pay for health coverage, no matter how healthy they are.

5. Trumpcare shortens the life of the Medicare Trust Fund and ransacks funds that seniors depend on to get the long-term care they need.

Eighty-five months ago, on March 23, 2010, President Barack Obama redeemed a promise that had been unfulfilled for nearly a 100 years, when he signed into law the landmark Affordable Care Act passed by the Democratic controlled 111th Congress.

Seven years later, the verdict is in on the Affordable Care Act: the American people have judged it a success.

As reflected in the most recent public opinion polls, 61% of Americans approve of Obamacare and oppose efforts to repeal it, the highest approval rates on record to date and continuing an inexorable upward trend over the past several years.

The reason Americans are adamantly opposed to Republican repeal efforts, including the third iteration of Trumpcare now before us, is that Obamacare is no longer a bogey cooked up in Republican talking points but a life-saving and life affirming measure that they have experienced in their own lives.

Americans think it is beyond crazy to repeal a law that has brought to more than 20 million Americans the peace of mind and security that comes with knowing they have access to affordable, high quality health care.

Mr. Speaker, before the passage of the Affordable Care Act, 17.1 percent of Americans lacked health insurance; today nearly nine of ten (89.1 percent) are insured, which is the highest rate since Gallup began tracking insurance coverage in 2008.

Because of the Affordable Healthcare Act:

1. Insurance companies are banned from discriminating against anyone, including 17 million children, with a preexisting condition, or charging higher rates based on gender or health status;

2. 6.6 million young adults up to age 26 can stay on their parents' health insurance plans;

3. 100 million Americans no longer have annual or lifetime limits on healthcare coverage;

4. 6.3 million seniors in the ''donut hole'' have saved $6.1 billion on their prescription drugs;

5. 3.2 million seniors now get free annual wellness visits under Medicare, and

6. 360,000 small businesses are using the Health Care Tax Credit to help them provide health insurance to their workers;

7. Pregnancy is no longer a pre-existing condition and women can no longer be charged a higher rate just because they are women.

We are becoming a nation of equals when it comes to access to affordable healthcare insurance.

Mr. Speaker, with all of this progress, and the prospect for more through further refinements, who in their right mind would want to go back to how it used to be?

The answer seems to be only the President and House Republicans who call the Affordable Care Act and its enviable record of success a ''disaster.''

Americans know a disaster when they see one and they see one in the making: it is called ''Trumpcare,'' masquerading as the ''American Health Care Act,'' which will force Americans to pay more, get less, decimate the Medicare and Medicaid programs, and give a massive tax cut for top 1 percent.

Americans are right to be alarmed and angered by what the Trump Republicans are trying to do by rushing to vote on a Trumpcare bill before it can be scored by highly respected and nonpartisan Congressional Budget Office.

What we do know for sure is that this Trumpcare bill is a massive $900 billion tax cut for the wealthy, paid for on the backs of America's seniors, the vulnerable, the poor, and working class households.

Trump gave the game away on March 20, 2017 in one of his trademark pep rallies:

''We want a very big tax cut, but cannot do that until we keep our promise to repeal and replace the disaster known as Obamacare.''

This ''Robin Hood in reverse'' bill is unprecedented and breathtaking in its audacity—no bill ever tried to give so much to the rich while taking so much from the poor and working class.

When they were forced to pull Trumpcare 1.0 from the floor because they lacked the votes to pass, House Republican leaders responded by adding an amendment (Trumpcare 2.0) that made the original bill even worse.

Trumpcare 2.0 would allow states to jettison existing essential health benefit requirements, thereby permitting health plans covering millions of people once again to exclude coverage for maternity and newborn care, pediatric dental and vision services, mental health and substance use services, and other crucial benefits.

All this accomplished was a hemorrhaging of support from the moderate wing of the Republican Conference who feared the repercussions of leaving millions of Americans with preexisting conditions without health insurance so the Trump Republicans invented Trumpcare 3.0 to provide $8 billion over five years to offset the cost of setting up separate pools or premium assistance programs for people with pre-existing conditions.

Mr. Speaker, this pittance is not designed or intended to help real people with real preexisting conditions, but to provide the cover for House Republicans to walk the plank.

According to the Kaiser Family Foundation, at least $25 billion per year would be required, not $8 billion spread out over five years as provided for in Trumpcare 3.0.

Trumpcare represents the largest transfer of wealth from the bottom 99 percent to the top 1 percent in American history.

This callous Republican scheme gives gigantic tax cuts to the rich, and pays for it by taking insurance away from 24 million people, leaving 52 million uninsured, and raising costs for the poor and middle class.

In addition, Republicans are giving the pharmaceutical industry a big tax repeal, worth nearly $25 billion over a decade without demanding in return any reduction in the cost of prescription and brand-name drugs.

To paraphrase Winston Churchill, of this bill, it can truly be said that ''never has so much been taken from so many to benefit so few.''

The Pay-More-For-Less plan destroys the Medicaid program under the cover of repealing the Affordable Care Act Medicaid expansion.

CBO estimates 14 million Americans will lose Medicaid coverage by 2026 under the Republican plan.

In addition to terminating the ACA Medicaid expansion, the bill converts Medicaid to a per-capita cap that is not guaranteed to keep pace with health costs starting in 2020.

The combined effect of these policies is to slash $880 billion in federal Medicaid funding over the next decade.

The cuts get deeper with each passing year, reaching 25 percent of Medicaid spending in 2026.

These steep cuts will force states to drop people from Medicaid entirely or ration care for those who most need access to comprehensive coverage.

The Pay-More-For-Less plan undermines the health care safety net for vulnerable populations.

Currently, Medicaid provides coverage to more than 70 million Americans, including children, pregnant women, seniors in Medicare, people who are too disabled to work, and parents struggling to get by on poverty-level wages.

In addition to doctor and hospital visits, Medicaid covers long-term services like nursing homes and home and community-based services that allow people with chronic health conditions and disabilities to live independently.

To date, 31 states and D.C. have expanded Medicaid eligibility to low-income adults, which, when combined with the ACA's other coverage provisions, has helped to reduce the nation's uninsured rate to the lowest in history.

Trumpcare throws 24 million Americans off their health insurance by 2026 according to the Congressional Budget Office.

Mr. Speaker, low-income people will be hit especially hard because 14 million people will lose access to Medicaid by 2026 according to CBO.

Trumpcare massively shifts who gets insured in the nongroup market.

According to CBO, ''fewer lower-income people would obtain coverage through the nongroup market under the legislation than current law,'' and, ''a larger share of enrollees in the nongroup market would be younger people and a smaller share would be older people.''

The projected 10 percent reduction in premiums is not the result of better care or efficiency—it is in large part the result of higher-cost and older people being pushed out of a market that is also selling plans that provide less financial protection.

People with low incomes suffer the greatest losses in coverage.

CBO projects the uninsured rate for people in their 30s and 40s with incomes below 200 percent of poverty will reach 38 percent in 2026 under this bill, nearly twice the rate projected under current law.

Among people aged 50–64, CBO projects 30 percent of those with incomes below 200 percent of poverty will be uninsured in 2026.

Under current law, CBO projects the uninsured rate would only be 12 percent.

Being uninsured is not about ''freedom.''

Speaker RYAN has argued that people will happily forgo insurance coverage because this bill gives them that ''freedom.''

The argument makes as much sense as the foolish claim that slaves came to America as ''immigrants'' seeking a better life.

The freedom to be uninsured is no freedom at all to people in their 50s and 60s with modest incomes who simply cannot afford to pay thousands of dollars toward premiums.

They do not really have a choice.

The claim of our Republican friends that Trumpcare provides more freedom to all Americans calls to mind the words of Anatole France:

''The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread from the market.''

Trumpcare raises costs for Americans nearing retirement, essentially imposing an ''Age Tax.''

The bill allows insurance companies to charge older enrollees higher premiums than allowed under current law, while reducing the size of premium tax credits provided.

Again, these changes hit low-income older persons the hardest.

A 64-year-old with an income of $26,500 buying coverage in the individual market will pay $12,900 more toward their premiums in 2026, on average.

Trumpcare raises costs for individuals and families with modest incomes, particularly older Americans.

Mr. Speaker, a recent analysis found that in 2020, individuals with incomes of about $31,000 would pay on average $4,000 more out of pocket for health care—which is like getting a 13 percent pay cut.

And the older you are, the worse it gets.

An analysis by the Urban Institute estimates that for Americans in their 50s and 60s, the tax credits alone would only be sufficient to buy plans with major holes in them, such as a $30,000 deductible for family coverage and no coverage at all of brand-name drugs or many therapy services.

Another reason I oppose the Trumpcare bill before us is because its draconian cuts in Medicaid funding and phase-out of Medicaid expansion put community health centers at risk.

Community health centers are consumer-driven and patient-centered organizations that serve as a comprehensive and cost effective primary health care option for America's most underserved communities.

Community health centers serve as the health care home for more than 25 million patients in nearly 10,000 communities across the country.

Across the country, 550 new clinics have opened to receive 5 million new patients since 2009.

Community health centers serve everyone regardless of ability to pay or insurance status:

1. 71 percent of health center patients have incomes at or below 100 percent of poverty and 92 percent have incomes less than 200 percent of poverty;

2. 49 percent of health center patients are on Medicaid; and

3. 24 percent are uninsured;

4. Community health centers annually serve on average 1.2 million homeless patients and more than 300,000 veterans.

Community health centers reduce health care costs and produce savings—on average, health centers save 24 percent per Medicaid patient when compared to other providers.

Community health centers integrate critical medical and social services such as oral health, mental health, substance abuse, case management, and translation, under one roof.

Community health centers employ nearly 190,000 people and generate over $45 billion in total economic activity in some of the nation's most distressed communities.

Community health centers are on the front lines of every major health crisis our country faces, from providing access to care (and employment) to veterans to addressing the opioid epidemic to responding to public health threats like the Zika virus.

We should be providing more support and funding to community health centers, not making it more difficult for them to serve the communities that desperately need them by slashing Medicaid funding.

The Trumpcare Republican plan leaves rural Americans worse off.

Health insurance has historically been more expensive in rural areas because services cost more and it is hard to have a stable individual market with a small population.

Mr. Speaker, under the Affordable Care Act, premium subsidies are tied to local costs, which helps keep premium costs down.

But they are not under the Republican plan.

So, under the Republican plan residents in rural areas, who tend to be older and poorer, will pay much more and get much less health insurance.

At the end of the day, the powerful and compelling reasons to reject Trumpcare lie in the real world experiences of the American people.

Mr. Speaker, let me briefly share with you the positive, life affirming difference made by the Affordable Care Act in the lives of just three of the millions of Americans it has helped.

JOAN FANWICK

''If Obamacare is repealed, I don't know if I'll live to see the next President.

''After nearly a decade of mysterious health scares, I was diagnosed with an autoimmune disorder called Sjogren's syndrome last year, when I was a junior at Temple University.

''It's a chronic illness with no known cause or cure, and without close medical surveillance and care, it can lead to life-threatening complications (like the blood infections I frequently experience).

''For me, having this disorder means waking up every morning and taking 10 different medications.

''It also means a nurse visiting my apartment every Saturday to insert a needle into the port in my chest, so I can give myself IV fluids throughout the week.

''Without insurance, my medical expenses would cost me about $1,000 per week—more than $50,000 per year. And that doesn't even include hospitalizations.

''My medical bills aren't cheap under Obamacare, but I can afford them.

''Under Obamacare, insurance companies aren't allowed to cut you off when your costs climb so right now, the most I personally have to pay out of pocket is $1,000 per year.''

BRIAN NORGAARD

''I am a small business owner and leadership trainer who Obamacare has helped tremendously.''

Brian Norgaard, a Dallas, Texas resident, called my office to express his opposition to Trumpcare and to share how the Affordable Care Act has helped small business owners like himself:

''I am a small business owner and leadership trainer who Obamacare has helped tremendously.

''My wife and I both own small businesses in the Dallas, Texas area and as a result of the huge savings we received after paying lower healthcare premiums under Obamacare, we were able to reinvest those savings into both of our businesses and the community.

''And the healthcare we received was quality, at that.''

ASHLEY WALTON

''For cancer survivors, we literally live and die by insurance.''

Ashley Walton was 25 when a mole on her back turned out to be melanoma.

She had it removed, but three years later she discovered a lump in her abdomen.

She was then unemployed and uninsured, and so she put off going to a doctor.

She tried to buy health insurance. Every company rejected her.

Ashley eventually became eligible for California's Medicaid program, which had been expanded under the Affordable Care Act.

The 32-year-old Oakland resident credits her survival to the ACA.

Without it, ''I would likely be dead, and my family would likely be bankrupt from trying to save me.''

Before any of our Republican colleagues supporting this bill cast their vote, I urge them to reflect on the testimony of Joan, Brian, and Ashley, and on this question posed by a constituent to Sen. COTTON of Arkansas at a recent town hall:

''I've got a husband dying and we can't afford—let me tell you something.

''If you can get us better coverage than this Obamacare, go for it.

''Let me tell you what we have, plus a lot of benefits that we need.

''We have $29 per month for my husband. Can you beat that? Can you?

''With all the congestive heart failures, and open heart surgeries, we're trying. $29 per month. And he's a hard worker. $39 for me.''

Like a horror film of yore with monsters and vampires, both the original Trumpcare and its sequels threaten to return this country to the days when annual and lifetime dollar-based limits on the use of essential health benefits shifted tremendous financial and health risks to working families.

Insurance companies could charge people with pre-existing conditions many times more than they charge healthy people—just as they did before the Affordable Care Act.

Millions of Americans with pre-existing conditions would be at risk of losing health coverage or face premiums so high only the very wealthy could afford them—the same people who benefit from the massive tax cuts in the original bill.

That is why we cannot rest until Trumpcare, one of the most monstrously cruel and morally bankrupt legislative proposals, is dead and buried.

To paraphrase a famous former reality television personality, ''believe me, Trumpcare is a disaster.''

We should reject it and keep instead ''something terrific'' and that is the Affordable Care

Act, regarded lovingly by millions of Americans as ''Obamacare.''

I commend my colleague, Congressman GARAMENDI, for holding this Special Order to denounce Trumpcare.

I urge our colleagues in the Senate to listen to their constituents and do what is right: vote no to repeal Obamacare.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4165–S4225

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 1624–1631, and S. Res. 231. **Page S4192**

Measures Considered:

National Defense Authorization Act: Senate continued consideration of the motion to proceed to consideration of H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S4165–66, S4167–68**

American Health Care Act—Agreement: Senate began consideration of H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017, taking action on the following amendments and motions proposed thereto: **Pages S4168–84**

Pending:

McConnell Amendment No. 267, of a perfecting nature. **Pages S4170–76**

Enzi (for Paul) Amendment No. 271 (to Amendment No. 267), of a perfecting nature. **Page S4183**

Donnelly motion to commit the bill to the Committee on Finance with instructions to report back with instructions. **Page S4183**

Prior to the consideration of this measure today, Senate took the following action:

By 51 yeas to 50 nays, Vice President voting yea (Vote No. 167), Senate agreed to the motion to proceed to the consideration of the bill. **Page S4168**

During consideration of this measure today, Senate also took the following action:

By 43 yeas to 57 nays (Vote No. 168), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions, with respect to McConnell Amendment No. 270 (to Amendment No. 267), of a perfecting nature. Subsequently, the point of order that the amendment was in violation of section 311(a)(2)(B) of the Congressional Budget Act of 1974, was sustained, and the amendment thus fell. **Page S4183**

A unanimous-consent agreement was reached providing that the time from 9:30 a.m. until 11:30 a.m., on Wednesday, July 26, 2017, be equally divided between the managers, or their designees, that at 11:30 a.m., Senator Murray, or designee, be recognized to make points of order, and that Senator Enzi, or designee, be recognized to make a motion to waive, and that following the motion to waive, Senate vote on or in relation to Enzi (for Paul) Amendment No. 271 (to Amendment No. 267) (listed above), and following disposition of the amendment, the time until 3:30 p.m. be equally divided on Donnelly motion to commit (listed above), with a vote on the motion at 3:30 p.m.; and that following disposition of Donnelly motion to commit, Senator Murray, or her designee, be recognized to offer an additional motion to commit. **Page S4177**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Wednesday, July 26, 2017, with the time until 11:30 a.m. equally divided between the two Leaders, or their designees. **Page S4224**

Nominations Received: Senate received the following nominations:

Samuel H. Clovis, Jr., of Iowa, to be Under Secretary of Agriculture for Research, Education, and Economics.

Mark T. Esper, of Virginia, to be Secretary of the Army.

Anthony Kurta, of Montana, to be a Principal Deputy Under Secretary of Defense.

Robert L. Wilkie, of North Carolina, to be Under Secretary of Defense for Personnel and Readiness.

Joseph Balash, of Alaska, to be an Assistant Secretary of the Interior.

Kathleen M. Fitzpatrick, of the District of Columbia, to be Ambassador to the Democratic Republic of Timor-Leste.

A. Wess Mitchell, of Virginia, to be an Assistant Secretary of State (European and Eurasian Affairs).

Daniel Alan Craig, of Maryland, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

3 Army nominations in the rank of general.

Routine lists in the Navy. **Pages S4224–25**

Messages from the House: **Pages S4187–88**

Measures Referred: **Page S4188**

Executive Communications: **Pages S4188–91**

Petitions and Memorials: **Page S4191**

Executive Reports of Committees: **Pages S4191–92**

Additional Cosponsors: **Pages S4192–93**

Statements on Introduced Bills/Resolutions: **Pages S4193–95**

Additional Statements: **Page S4186**

Amendments Submitted: **Pages S4195–S4224**

Authorities for Committees to Meet: **Page S4224**

Privileges of the Floor: **Page S4224**

Record Votes: Two record votes were taken today. (Total—168) **Pages S4168, S4183**

Adjournment: Senate convened at 12 p.m. and adjourned at 9:58 p.m., until 9:30 a.m. on Wednesday, July 26, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4224.)

Committee Meetings

(Committees not listed did not meet)

2018 FARM BILL

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine commodities, credit, and crop insurance, focusing on perspectives on risk management tools and trends for the 2018 Farm Bill, after receiving testimony from Bruce Rohwer, Rohwer Farms, Paullina, Iowa, on behalf of the National Corn Growers Association; Kevin Scott, Evergreen Stock Farm, Valley Springs, South Dakota, on behalf of the American Soybean Association; David Schemm, Arrow S Farms, Sharon Springs, Kansas, on behalf of the National Association of Wheat Growers; Nick McMichen, McMichen Farm, Centre, Alabama, on behalf of the National Cotton Council; Jennifer James, H and J Land Company, Newport, Arkansas, on behalf of the USA Rice Federation; Dan Atkisson, Atkisson Land and Cattle, Stockton, Kansas, on behalf of the National Sorghum Producers; Meredith McNair Rogers, Family Farm Partners, Camilla, Georgia, on behalf of the Southern Peanut Farmers Federation; Robert Rynning, Robert Rynning Farms, Kennedy, Minnesota, on behalf of the U.S. Canola Association; Ervin Schlemmer, Schlemmer Farms Inc., Joliet, Montana, on behalf of the American Sugar Alliance; Ken Nobis, Nobis Dairy Farm, Novi, Michigan, on behalf of the National Milk Producers Federation and Michigan Milk Producers Association; Mark Haney, Kentucky Farm Bureau Federation, Louisville, on behalf of the American Farm Bureau Federation; Roger Johnson, National Farmers Union, Washington, D.C.; Lindsey Lusher Shute, Hearty Roots Community Farm, Hudson, New York, on behalf of the National Young Farmers Coalition; William Cole, Stone Corner Farms, Batesville, Mississippi, on behalf of the Crop Insurance Professionals Association; Ron Rutledge, Farmers Mutual Hail Insurance Company of Iowa, West Des Moines; Mandy Minick, Northwest Farm Credit Services, Pasco, Washington; and Brenda Kluesner, Royal Bank, Cassville, Wisconsin, on behalf of the Independent Community Bankers of America.

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies approved for full committee consideration an original bill entitled, ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018''.

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies approved for full committee consideration an original bill entitled, ''Commerce, Justice, Science and Related Agencies Appropriations Act, 2018''.

ACHIEVING A 355-SHIP NAVY

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine options and considerations for achieving a 355-ship Navy from naval analysts, after receiving testimony from Eric J. Labs, Senior Analyst for Naval Forces and Weapons, Congressional Budget Office; Ronald O'Rourke, Specialist in Naval Affairs, Congressional Research Service, Library of Congress; Jerry Hendrix, Center for a New American Security; and Bryan Clark, Center for Strategic and Budgetary Assessments.

MARINE DEBRIS IN THE OCEANS AND GREAT LAKES

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine efforts on marine debris in the oceans and Great Lakes, after receiving testimony from Senator Whitehouse; David A. Balton, Deputy Assistant Secretary of State for Oceans and Fisheries; Nancy Wallace, Director of

the Marine Debris Program, Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce; and Melissa B. Duhaime, University of Michigan Department of Ecology and Evolutionary Biology, Ann Arbor.

ADVANCED CLEAN ENERGY TECHNOLOGIES

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine developing and deploying advanced clean energy technologies, after receiving testimony from Senator Alexander; Steven R. Bohlen, Global Security E–Program Manager, Lawrence Livermore National Laboratory, Mohammad A. Khaleel, Associate Laboratory Director, Oak Ridge National Laboratory, and Kemal Pasamehmetoglu, Associate Laboratory Director, Nuclear Science and Technology, Idaho National Laboratory, all of the Department of Energy; Brian J. Anderson, West Virginia University WVU Energy Institute, Morgantown; and Jason Begger, Wyoming Infrastructure Authority, Cheyenne.

NORTH KOREA

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy concluded a hearing to examine assessing the maximum pressure and engagement policy toward North Korea, after receiving testimony from Susan Thornton, Acting Assistant Secretary of State, Bureau of East Asian and Pacific Affairs; Bruce Klingner, The Heritage Foundation, Washington, D.C.; and Leon V. Sigal, Social Science Research Council, New York, New York.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Ralph R. Erickson, of North Dakota, to be United States Circuit Judge for the Eighth Circuit, who was introduced by Senators Hoeven and Heitkamp, Dabney Langhorne Friedrich, of California, to be United States District Judge for the District of Columbia, Stephen S. Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims, and Brian Allen Benczkowski, of Virginia, to be an Assistant Attorney General, Department of Justice.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 3377–3398; and 2 resolutions, H. Res. 474, were introduced. **Pages H6279–99**

Additional Cosponsors: **Pages H6299–H6300**

Reports Filed: Reports were filed today as follows:

H.R. 3178, to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes, with an amendment (H. Rept. 115–254, Part 1);

H.R. 2246, to repeal the mandatory flood insurance coverage requirement for commercial properties located in flood hazard areas and to provide for greater transfer of risk under the National Flood Insurance Program to private capital and reinsurance markets, and for other purposes, with an amendment (H. Rept. 115–255);

H.R. 2053, to amend the Surface Mining Control and Reclamation Act of 1977 to enhance and support mining and mineral engineering programs in the United States by funding activities at mining schools, and for other purposes, with an amendment (H. Rept. 115–256);

H.R. 2939, to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes, with an amendment (H. Rept. 115–257, Part 1);

H.R. 3210, to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes, with an amendment (H. Rept. 115–258); and

H. Res. 473, providing for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes (H. Rept. 115–259). **Page H6297**

Speaker: Read a letter from the Speaker wherein he appointed Representative Johnson (LA) to act as Speaker pro tempore for today. **Page H6217**

Recess: The House recessed at 10:41 a.m. and reconvened at 12 noon. **Page H6222**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Lonnie Mitchell, Sr., Bethel African Methodist Episcopal Church, Spokane, WA. **Page H6222**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Medicare Part B Improvement Act of 2017: H.R. 3178, amended, to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program; **Pages H6233–39**

Plum Island Preservation Act: H.R. 2182, to require the Comptroller General of the United States to submit a report to Congress on the alternatives for the final disposition of Plum Island, including preservation of the island for conservation, education, and research; and **Pages H6239–41**

Countering America's Adversaries Through Sanctions Act: H.R. 3364, to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, by a ⅔ yea-and-nay vote of 419 yeas to 3 nays, Roll No. 413. **Pages H6241–68, H6278–79**

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements": The House passed H.J. Res. 111, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements", by a recorded vote of 231 ayes to 190 noes, Roll No. 412. **Pages H6225–33, H6268–78**

H. Res. 468, the rule providing for consideration of the joint resolution (H.J. Res. 111) was agreed to by a recorded vote of 233 ayes to 188 noes, Roll No. 411, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 184 nays, Roll No. 410. **Pages H6232–33**

Health Information Technology Advisory Committee: The Chair announced the Speaker's appointment of the following individual on the part of the House to the Health Information Technology Advisory Committee: Ms. Cynthia A. Fisher of Newton, Massachusetts. **Page H6279**

Recess: The House recessed at 8 p.m. and reconvened at 9:39 p.m. **Page H6296**

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H6232, H6233, H6278, and H6278–79. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:40 p.m.

Committee Meetings

EVALUATING DOD EQUIPMENT AND UNIFORM PROCUREMENT IN IRAQ AND AFGHANISTAN

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing entitled "Evaluating DOD Equipment and Uniform Procurement in Iraq and Afghanistan". Testimony was heard from Jessica Farb, Director, International Affairs and Trade, Government Accountability Office; John Sopko, Special Inspector General for Afghanistan Reconstruction; and the following Department of Defense officials: Colonel David W. Navratil, Country Director, Iraq, Office of the Under Secretary of Defense, Policy; Michael Roark, Assistant Inspector General; and Peter Velz, Director, Afghanistan (Resources and Transition), Office of the Under Secretary of Defense, Policy.

OVERSIGHT AND REAUTHORIZATION OF THE FEDERAL COMMUNICATIONS COMMISSION

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled "Oversight and Reauthorization of the Federal Communications Commission". Testimony was heard from the following Federal Communications Commission officials: Mignon Clyburn, Commissioner; Michael O'Rielly, Commissioner; and Ajit Pai, Chairman.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee held a markup on H.R. 1624, the "Municipal Finance Support Act of 2017"; H.R. 2864, the "Improving Access to Capital Act"; H.R. 3110, the "Financial Stability Oversight Council Insurance Member Continuity Act"; H.R. 3326, the "World Bank Accountability Act of 2017"; and H. Res. 442, of inquiry directing the Secretary of the Treasury to provide certain documents in the Secretary's possession to the House of Representatives relating to President

Trump's financial connections to Russia, certain illegal financial schemes, and related information. H.R. 2864, H.R. 1624, and H.R. 3326 were ordered reported, as amended. H.R. 3110 and H. Res. 442 were ordered reported, without amendment.

AUTHORIZATION FOR THE USE OF MILITARY FORCE AND CURRENT TERRORIST THREATS

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Authorization for the Use of Military Force and Current Terrorist Threats''. Testimony was heard from public witnesses.

EXAMINING THE PRESIDENT'S FY 2018 BUDGET PROPOSAL FOR EUROPE AND EURASIA

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, and Emerging Threats held a hearing entitled ''Examining the President's FY 2018 Budget Proposal for Europe and Eurasia''. Testimony was heard from John A. Heffern, Principal Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; Daniel N. Rosenblum, Deputy Assistant Secretary for Central Asia, Bureau of South and Central Asian Affairs, Department of State; Margot Ellis, Acting Assistant to the Administrator, Bureau for Europe and Eurasia, U.S. Agency for International Development; and Ann Marie Yastishock, Acting Senior Deputy Assistant Administrator, Bureau for Asia, U.S. Agency for International Development.

HELD FOR RANSOM: THE FAMILIES OF IRAN'S HOSTAGES SPEAK OUT

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''Held for Ransom: The Families of Iran's Hostages Speak Out''. Testimony was heard from public witnesses.

DETER, DETECT AND INTERDICT: TECHNOLOGY'S ROLE IN SECURING THE BORDER

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''Deter, Detect and Interdict: Technology's Role in Securing the Border''. Testimony was heard from Rebecca Gambler, Director, Homeland Security and Justice, Government Accountability Office; and the following Department of Homeland Security officials: Dennis J. Michelini, Acting Executive Director of Operations, Air and Marine Operations, Customs and Border Protection; Todd C. Owens, Executive Assistant Commissioner, Office of Field Operations, Customs and Border Protection; and Scott A. Luck, Acting Deputy Chief, Border Patrol.

SECURING AIR CARGO: INDUSTRY PERSPECTIVES

Committee on Homeland Security: Subcommittee on Transportation and Protective Security held a hearing entitled ''Securing Air Cargo: Industry Perspectives''. Testimony was heard from Bart Elias, Specialist in Aviation Policy, Resources, Science and Industry Division, Congressional Research Service, Library of Congress; and public witnesses.

NO REGULATION WITHOUT REPRESENTATION: H.R. 2887 AND THE GROWING PROBLEM OF STATES REGULATING BEYOND THEIR BORDERS

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing entitled ''No Regulation Without Representation: H.R. 2887 and the Growing Problem of States Regulating Beyond Their Borders''. Testimony was heard from public witnesses.

ASSESSING CURRENT CONDITIONS AND CHALLENGES AT THE LYNDON B. JOHNSON TROPICAL MEDICAL CENTER IN AMERICAN SAMOA

Committee on Natural Resources: Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing entitled ''Assessing Current Conditions and Challenges at the Lyndon B. Johnson Tropical Medical Center in American Samoa''. Testimony was heard from Thomas Bussanich, Director of Budget, Office of Insular Affairs, Department of the Interior; Taufete'e John Faumuina, CEO, Director, Lyndon B. Johnson Tropical Medical Center; and Sandra King Young, Medicaid Director, American Samoa Medicaid Agency, Office of the Governor, American Samoa Government.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee began a markup on H.R. 825, the ''Public Land Renewable Energy Development Act''; H.R. 873, the ''Global War on Terrorism War Memorial Act''; H.R. 965, the ''Saint-Gaudens National Historical Park Redesignation Act''; H.R. 1074, to repeal the Act entitled ''An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation''; H.R. 1418, to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes; H.R. 1491, the ''Santa Ynez Band of Chumash Indians Land Affirmation Act of 2017''; H.R. 1547, the ''Udall Park Land Exchange Completion Act''; H.R. 2075, the ''Crooked River Ranch Fire Protection Act''; H.R. 2083, the

''Endangered Salmon and Fisheries Predation Prevention Act''; H.R. 2199, the ''Federal Land Asset Inventory Reform Act of 2017''; H.R. 2316, the ''Cooperative Management of Mineral Rights Act of 2017''; H.R. 2371, the ''Western Area Power Administration Transparency Act''; H.R. 2374, the ''Eastern Nevada Economic Development and Land Management Improvement Act''; H.R. 2423, the ''Washington County, Utah, Public Lands Management Implementation Act''; H.R. 2582, the ''Confirming State Land Grants for Education Act''; H.R. 2611, the ''Little Rock Central High School National Historic Site Boundary Modification Act''; H.R. 2615, the ''Gulf Islands National Seashore Land Exchange Act of 2017''; H.R. 2768, the ''Fowler and Boskoff Peaks Designation Act''; H.R. 3115, the ''Superior National Forest Land Exchange Act of 2017''; H.R. 3279, the ''Helium Extraction Act of 2017''; and H.R. 3281, the ''Reclamation Title Transfer and Non-Federal Infrastructure Incentivization Act''.

EXAMINING 'SUE AND SETTLE' AGREEMENTS: PART II

Committee on Oversight and Government Reform: Subcommittee on Intergovernmental Affairs; and Subcommittee on the Interior, Energy and Environment held a joint hearing entitled ''Examining 'Sue and Settle' Agreements: Part II''. Testimony was heard from Carl E. Geffken, City Administrator, Fort Smith, Arkansas; and public witnesses.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Committee on Rules: Full Committee began a hearing on H.R. 3219, the ''Department of Defense Appropriations Act, 2018'' [Make America Secure Appropriations Act, 2018] [Meeting II]. The Committee granted, by record vote of 9–3, a structured rule for H.R. 3219. The rule provides two hours of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. 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 115–30 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, for failure to comply with clause 2 of rule XXI. The rule makes in order only those further amendments printed in the Rules Committee report, amendments en bloc described in section 3 of the resolution, and pro forma amendments described in section 4 of the resolution. Each amendment printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the resolution. The rule provides that it shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule provides that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 20 pro forma amendments each at any point for the purpose of debate. The rule provides that no further consideration of the bill shall be in order except pursuant to a subsequent order of the House. In section 6, the rule provides that during consideration of H.R. 3219, it shall not be in order to use a decrease in Overseas Contingency Operations funds to offset an amendment that increases an appropriation not designated as Overseas Contingency Operations funds or vice versa, but does not apply to amendments between the Houses. Testimony was heard from Representatives Graves of Louisiana, Blumenauer, Courtney, and Jackson Lee.

EXAMINING ADVANCEMENTS IN BIOFUELS: BALANCING FEDERAL RESEARCH AND MARKET INNOVATION

Committee on Science, Space, and Technology: Subcommittee on Environment; and Subcommittee on Energy held a joint hearing entitled ''Examining Advancements in Biofuels: Balancing Federal Research and Market Innovation''. Testimony was heard from Paul Gilna, Director, BioEnergy Science Center and Deputy-Division Director of Biosciences, Oak Ridge National Laboratory; and public witnesses.

BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: COAST GUARD SEA, LAND, AND AIR CAPABILITIES, PART II

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Building a 21st Century Infrastructure for America: Coast Guard Sea,

Land, and Air Capabilities, Part II''. Testimony was heard from Admiral Paul F. Zukunft, Commandant, U.S. Coast Guard; Rear Admiral Michael J. Haycock, Assistant Commandant for Acquisition, Chief Acquisition Officer, U.S. Coast Guard; Marie A. Mak, Director, Acquisition and Sourcing Management, Government Accountability Office; Ronald O'Rourke, Specialist in Naval Affairs, Congressional Research Service, Library of Congress; and a public witness.

PTSD CLAIMS: ASSESSING WHETHER VBA IS EFFECTIVELY SERVING VETERANS

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled ''PTSD Claims: Assessing Whether VBA is Effectively Serving Veterans''. Testimony was heard from Ronald S. Burke, Assistant Deputy Under Secretary, Office for Field Operations, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

INTERNAL REVENUE SERVICE'S ELECTRONIC RECORD RETENTION POLICIES: IMPROVING COMPLIANCE

Committee on Ways and Means: Subcommittee on Oversight held a hearing entitled ''Internal Revenue Service's Electronic Record Retention Policies: Improving Compliance''. Testimony was heard from Gregory Kutz, Assistant Inspector General for Audit, Management Services and Exempt Organizations, Treasury Inspector General for Tax Administration; Jeffrey Tribiano, Deputy Commissioner for Operations Support, Internal Revenue Service; and Edward Killen, Director of Privacy, Governmental Liaison, and Disclosure, Internal Revenue Service.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 26, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates and justification for fiscal year 2018 for the Department of the Treasury, 10 a.m., SD–138.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Peter B. Davidson, of Virginia, to be General Counsel, both of the Department of Commerce, and Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, both of the Department of Transportation, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining, to hold hearings to examine S. 32, to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 357, to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, S. 436, to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, to substitute certain land selections of the Navajo Nation, to designate certain wilderness areas, S. 467, to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, S. 468, to establish a procedure for resolving claims to certain rights-of-way, S. 614, to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 837, to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act, S. 1230, to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, S. 1271, to designate certain mountain peaks in the State of Colorado as ''Fowler Peak'' and ''Boskoff Peak'', and S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, 9:45 a.m., SD–366.

Committee on Environment and Public Works: business meeting to consider S. 1514, to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy, to hold hearings to examine South Sudan's conflict and famine; to be immediately followed by a full committee hearing to examine the nominations of Michael Arthur Raynor, of Maryland, to be Ambassador to the Federal Democratic Republic of Ethiopia, Maria E. Brewer, of Indiana, to be Ambassador to the Republic of Sierra Leone, and John P. Desrocher, of New York, to be Ambassador to the People's Democratic Republic of Algeria, all of the Department of State, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 873, to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund, S. 288, to require notice and comment for certain interpretative rules, S. 886, to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, S. 906, to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, S. 1199, to amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, S. 938, to require notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns in procurement systems, S. 1208, to direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, S. Con. Res. 15, expressing support for the designation of October 28, 2017, as ''Honoring the Nation's First Responders Day'', H.R. 1293, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees, H.R. 1117, to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster, H.R. 1679, to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, H.R. 194, to ensure the effective processing of mail by Federal agencies, and an original bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to redact sensitive information contained in financial disclosure reports of judicial officers and employees, 10 a.m., SD–342.

Permanent Subcommittee on Investigations, to hold an oversight hearing to examine Federal infrastructure permitting and the Federal Permitting Improvement Steering Council, 2:30 p.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 1285, to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, and the Cow Creek Band of Umpqua Tribe of Indians to lease or transfer certain lands, and H.R. 984, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to be immediately followed by an oversight hearing to examine the Government Accountability Office reports on human trafficking of American Indian and Alaska Natives in the United States, 2:30 p.m., SD–628.

Committee on the Judiciary: to hold an oversight hearing to examine the Foreign Agents Registration Act and attempts to influence United States elections, focusing on lessons learned from current and prior Administrations, 10 a.m., SH–216.

Committee on Veterans' Affairs: business meeting to consider S. 1598, to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, 11 a.m., S–216, Capitol.

Special Committee on Aging: to hold hearings to examine progress toward a cure for Type I Diabetes, focusing on research and the artificial pancreas, 9:30 a.m., SD–106.

House

Committee on Agriculture, Full Committee, hearing entitled ''Renegotiating NAFTA: Opportunities for Agriculture'', 10 a.m., 1300 Longworth.

Committee on Education and the Workforce, Subcommittee on Higher Education and Workforce Development, hearing entitled ''Expanding Options for Employers and Workers Through Earn-and-Learn Opportunities'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy, hearing entitled ''Powering America: A Review of the Operation and Effectiveness of the Nation's Wholesale Electricity Markets'', 10 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled ''Examining the Extension of Special Needs Plans'', 10:15 a.m., 2322 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa, hearing entitled ''Assessing the U.S.-Qatar Relationship'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, markup on H.R. 2626, the ''Strong Visa Integrity Secures America Act''; H.R. 2805, to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program; H.R. 3202, the ''Cyber Vulnerability Disclosure Reporting Act''; H.R. 3284, the ''Joint Counterterrorism Awareness Workshop Series Act of 2017''; H.R. 3328, the ''Cuban Airport Security Act of 2017''; to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes; and

H. Res. 447, directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to Department of Homeland Security policies and activities relating to businesses owned or controlled by President Donald J. Trump, 11:30 a.m., HVC–210.

Committee on House Administration, Full Committee, hearing entitled ''Oversight of the Library of Congress' Strategic Plan'', 11 a.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, markup on H.R. 391, the ''Asylum Reform and Border Protection Act of 2017''; and H. Res. 446, resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to the removal of former Federal Bureau of Investigation Director James Comey, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, continue markup on H.R. 825, the ''Public Land Renewable Energy Development Act''; H.R. 873, the ''Global War on Terrorism War Memorial Act''; H.R. 965, the ''Saint-Gaudens National Historical Park Redesignation Act''; H.R. 1074, to repeal the Act entitled ''An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation''; H.R. 1418, to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes; H.R. 1491, the ''Santa Ynez Band of Chumash Indians Land Affirmation Act of 2017''; H.R. 1547, the ''Udall Park Land Exchange Completion Act''; H.R. 2075, the ''Crooked River Ranch Fire Protection Act''; H.R. 2083, the ''Endangered Salmon and Fisheries Predation Prevention Act''; H.R. 2199, the ''Federal Land Asset Inventory Reform Act of 2017''; H.R. 2316, the ''Cooperative Management of Mineral Rights Act of 2017''; H.R. 2371, the ''Western Area Power Administration Transparency Act''; H.R. 2374, the ''Eastern Nevada Economic Development and Land Management Improvement Act''; H.R. 2423, the ''Washington County, Utah, Public Lands Management Implementation Act''; H.R. 2582, the ''Confirming State Land Grants for Education Act''; H.R. 2611, the ''Little Rock Central High School National Historic Site Boundary Modification Act''; H.R. 2615, the ''Gulf Islands National Seashore Land Exchange Act of 2017''; H.R. 2768, the ''Fowler and Boskoff Peaks Designation Act''; H.R. 3115, the ''Superior National Forest Land Exchange Act of 2017''; H.R. 3279, the ''Helium Extraction Act of 2017''; and H.R. 3281, the ''Reclamation Title Transfer and Non-Federal Infrastructure Incentivization Act'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Office of National Drug Control Policy: Reauthorization in the 115th Congress'', 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Research and Technology, hearing entitled ''STEM and Computer Science Education: Preparing the 21st Century Workforce'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Protecting Small Businesses from Cyber Attacks: the Cybersecurity Insurance Option'', 11 a.m., 2360 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 26

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 1628, American Health Care Act, and vote on or in relation to Enzi (for Paul) Amendment No. 271 (to Amendment No. 267) at 11:30 a.m., and vote on the Donnelly motion to commit at 3:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 26

House Chamber

Program for Wednesday: Consideration of H.R. 3219—Make America Secure Appropriations Act, 2018 (Subject to a Rule). Consideration of measures under suspension of the Rules.

Extensions of Remarks, as inserted in this issue

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