The Senate met at 10 a.m. 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.

Eternal God, who has given us life, we praise You that Your tender mercies are over all Your work. Today, may we represent the glory of Your kingdom on Capitol Hill, living in a way that will glorify Your Name.

Thank you that the work you have given our lawmakers and those who labor with them is crucial for our Nation’s future. Lord, uphold our Senators with Your might, surrounding them with the shield of Your grace as You provide for their needs. Deliver them from impatience, irritability, and anger, as You keep them from the selfishness that can see only its point of view. Help them to reflect Your grace, purity, and love.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

HURRICANE MICHAEL

Mr. MCCONNELL. Madam President, Hurricane Michael made landfall along the Florida Panhandle. This storm has already claimed multiple lives and left the gulf coast communities wounded by surging waters and high winds. As Michael continues inland, those left in its wake can count on the Senate’s support for responsive recovery efforts and trust in our continued prayers. We remain grateful for the vigilance of first responders and emergency preparedness organizations as they work to keep residents of affected communities safe and for all of those who will help to rebuild after the storm has passed.

POLITICAL CLIMATE

Mr. MCCONNELL. Now, Madam President, on an entirely different matter, with the bipartisan progress the Senate has made this week, it is hard to believe what was happening just a few days ago right inside this Capitol and right outside the building. It is hard to believe it was less than a week ago that far-left protesters were literally shot at by a politically crazed gunman. Our colleagues were nearly killed just a few minutes from the Capitol. In just these past days, there have been graphic death threats,サービスとnumbers and right outside the building. It is hard to believe what was happening just a few days ago right inside this Capitol and right outside the building. It is hard to believe it was less than a week ago that far-left protesters were literally shot at by a politically crazed gunman. Our colleagues were nearly killed just a few minutes from the Capitol. In just these past days, there have been graphic death threats,サービスとnumbers and right outside the building. It is hard to believe what was happening just a few days ago right inside this Capitol and right outside the building. It is hard to believe it was less than a week ago that far-left protesters were literally shot at by a politically crazed gunman. Our colleagues were nearly killed just a few minutes from the Capitol. In just these past days, there have been graphic death threats,サービスとnumbers and right outside the building. It is hard to believe what was happening just a few days ago right inside this Capitol and right outside the building. It is hard to believe it was less than a week ago that far-left protesters were literally shot at by a politically crazed gunman. Our colleagues were nearly killed just a few minutes from the Capitol. In just these past days, there have been graphic death threats,
one side—was happy to play host to this toxic fringe behavior. Only one side’s leaders are now openly calling for more of it. They haven’t seen enough. They want more.

I am afraid this is only phase 1 of the meltdown. We are already seeing desperate voices on the far left explain that, well, because they lost this fight, even more drastic steps are in order.

There is crazy talk—crazy talk—about impeaching Justice Kavanaugh. There are left-wing writers demanding that Democrats pack the Court. A zombie idea from the 1930s they have dug up just in time for Halloween.

How about this: One columnist for a national newspaper called the result a coup—a coup—and implied that the Founders got it wrong and designed the Senate incorrectly. They want to rewrite the Constitution? The Founding Fathers got it wrong? Handling defeat badly is one thing, but regretting the Constitution itself because you don’t like the result? Really? This is something else. But I guess it is not entirely surprising given the outright embrace by many on the left, including elected officials, of radical concepts like open borders and socialism.

Anyone who thinks that intimidation and scare tactics might rule the day must have missed the Senate’s vote last Saturday. Maybe they weren’t tuned in. This body will not let unhinged tactics replace reasoned judgment. We will not let mob behavior drown out all the Americans who want to legitimately participate in the policymaking process on all sides. The Senate, I assure you, will not be intimidated.

**NOMINATIONS**

Mr. MCCONNELL. Madam President, on an entirely different matter, yesterday the Senate passed broad, bipartisan legislation to maintain our Nation’s waterways and drinking water systems. Now we are turning back to the personnel business and confirming more of the President’s qualified nominees to important executive branch positions.

We voted yesterday to advance the nomination of Jeffrey Clark to serve as Assistant Attorney General for the Environment and Natural Resources Division.

Mr. Clark’s qualifications include several years of prior service as Deputy Assistant Attorney General in that same position. He has also built a strong reputation in the private sector as a leading litigator with subject-matter expertise in administrative law. Mr. Clark’s legal colleagues describe him as “one of the most capable lawyers with whom [they] have ever worked.”

No fewer than seven former Assistant Attorneys General for the Environment and Natural Resources Division tell me of his well-rounded background and prior experience in the division make him an excellent choice for this position.

After we confirm Mr. Clark, we will consider another Assistant Attorney General nominee, Eric Dreiband, for the Civil Rights Division. Mr. Dreiband is also well prepared to serve. His resume includes several stints of public service, including as general counsel of the Interior Department; with a private sector experience. Others have praised his service at the EEOC as “widely respected,” “in the highest rung of the Agency’s general counsels,” and a “record of superlative performance.” Those who have worked with Mr. Dreiband emphasize his strong commitment to protecting all Americans’ civil rights.

In the words of one leader who is known and worked hard with the nominee for 15 years, “his commitment to fairly enforcing the law is without question.”

After Dreiband will come James Stewart, the President’s choice to serve as Secretary of Defense for Manpower and Reserve Affairs. Mr. Stewart’s experience managing military manpower runs deep through his distinguished career at the U.S. Air Force, from which he retired as a major general.

He has also recently served on the North Carolina Military Affairs Commission and on the Secretary of Defense’s Reserve Forces Policy Board.

Each of these nominees deserves confirmation, and I would urge our colleagues to approve all of them.

**TAX REFORM**

Mr. MCCONNELL. Madam President, it has been more than 9 months since Republicans passed the most sweeping tax reform in a generation. Here are just a few of the economic headlines we have seen since it took effect: consumer confidence at an 18-year high, faster year-on-year wage growth than at any time since 1978, and the lowest national unemployment since 1969—almost 50 years ago.

Behind all of these numbers are middle-class families whose lives are changing for the better, and the effects are reaching all kinds of communities—even the places most neglected for nearly a decade by the Obama administration’s so-called recovery.

After years of investment and job creation being disproportionately concentrated in the biggest metropolitan areas, 2018 has been a different story. So far this year, it has been smaller and rural communities—smaller and rural communities—that have led the Nation in relative job growth. Out across the heartland, empty storefronts and stagnant local economies are giving way to vibrant transformation and new opportunities.

So when we hear that States like Missouri are thriving again on the watch of the Republicans’ pro-growth, pro-opportunity agenda, it really shouldn’t come as a surprise. It shouldn’t surprise us that Missouri’s statewide unemployment rate has reached its lowest level since 2000—the lowest unemployment in 18 years.

News like this will not surprise any one who has been listening to the accounts of Missourians, like Mary Beth Hartman, who runs a small construction company in Springfield. She says the new tax law has given her the flexibility to expand vacations and bonuses for her employees and invest half a million dollars in new equipment.

Or Brandon Pister—he used his tax reform bonus to help his family cover medical expenses and put money into savings.

The junior Senator from Missouri can be proud that he voted for the historic policies that helped unleash all of this good news. It is a shame that his colleague, the senior Senator from Missouri, chose to vote in lockstep with Senate Democrats and try to block tax reform from taking effect.

Republicans will keep sharing success stories like these from Missouri and keep helping the American people who voted for us more.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk will call the roll.

The PRESIDING OFFICER. I suggest the absence of a quorum.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

**RECOGNITION OF THE MINORITY LEADER**

The PRESIDING OFFICER. The Democratic leader is recognized.

**HURRICANE RECOVERY**

Mr. SCHUMER. Madam President, let me say to the people of Florida, Georgia, and everyone else affected by hurricanes Michael that our thoughts and hearts are with you. Having worked and lived through the recovery of Hurricane Sandy in my home state of New York, I remember vividly the anguish of families who lost their homes and businesses the day or two after and then realizing it took years for areas of New York and Long Island to recover.

We are still in the process of recovering. I know, A, your pain and suffering and B, the challenges that await you.

So we hope everyone stays safe as the storm passes through the country. We know that Americans and the Senate will pull together, as they always do, to help one another build and recover.

**CLIMATE CHANGE**

Mr. SCHUMER. Madam President, this year has seen a huge number of powerful storms and hurricanes both on the Atlantic seaboard and in the gulf. Hurricanes Harvey, Irma, Maria, Florence, and now Michael have wrought severe damages. According to
NOAA. 2017 was the most expensive year on record for disasters in the United States. At some point, we have to acknowledge that the intensity of these storms is much greater than in past years and is a symptom of changing climate.

Climate change is real. It is being driven by human activity. It is happening right now. These are facts. They are not in dispute. Our scientists know it, our businesses know it, the world knows it, and the American people know it. But too many Senators on the other side of the aisle just put their heads in the sand. It costs us more and more and more. We are not going to leave these people high and dry, but if we would do more on climate change, we would have fewer of these hurricanes and other types of storms.

Everyone knows that, except a few. Why? Why don’t they admit the truth? Maybe there are two words that explain it: oil industry.

Just this week the U.N. released a report on climate change, saying that the world has only a short time—to get a handle on carbon emissions. So far, the current administration has done nothing but move the issue backward. It is amazing that we, the leading country that is supposed to be the moral force—the economic, political, and military leader—are the ones who pull out of the Paris climate accords, and obstruct the administration of the president who knows it.

So while we are thinking about the people of Florida, Georgia, South Carolina, and North Carolina and everyone in Hurricane Michael’s path, let’s remember we are running out of time to do something about climate change. The kinds of storms we are seeing now will only increase if this body continues to keep its head in the sand ostrichlike and ignore the scientific realities.

HEALTHCARE

Mr. SCHUMER. Now, on another matter—healthcare—yesterday, 50 of my Republican colleagues voted against ensuring protections for people with preexisting conditions—people with asthma and cancer, people with diabetes and all kinds of gynecological problems. So while Senator Corker sided with the Trump administration to expand the ability of insurance companies to sell cutrate, junk insurance to Americans—to dupe Americans. These plans will destabilize the healthcare market and raise the cost of insurance for people with preexisting conditions who may end up being priced out of insurance altogether.

Let me say that again. Republicans yesterday voted to let insurance companies offer junk insurance plans that don’t cover essential health benefits, allowing them to nickel-and-dime patients out of the medical care they deserve.

Our constituents—Democrats, Republicans, north, west, east, and south—say they want better healthcare at a lower cost, and what do Republicans do? They offer worse healthcare coverage at a higher cost, ultimately, to people, because the plans don’t cover anything when you have to pay out of your pocket.

What did they do it in the name of? Freedom. Freedom. This is like the 1890s. Who is going to have freedom? The insurance companies, the big business interest. Who is going to be protected from illness and disease? Average folks. It is terrible thinking, once again siding with big, powerful special interests, not the average person.

The only people who want these junk insurance plans are two groups—the insurance companies and the rightwing ideologues who believe the government shouldn’t be in healthcare at all. They want to cut Medicare. They want to cut Medicaid. They want to cut Social Security. That is who it is.

So let us remember that the junk insurance plans are hardly worth the paper they are printed on. They lure consumers in with low premiums, but the deductibles are so high, the copays are insurmountable, and the coverage so skimpy that the plans hardly offer any benefit to the consumer at all.

While every Republican save one voted to hand the keys to the insurance companies, every single Democrat—except one Democrat—stood up to the sabotage from the Trump administration and voted to not allow the expansion of junk insurance across America.

I warn my colleagues that these are the kinds of issues that voters remember come election time. Healthcare is the No. 1 issue in America to the broad majority of voters. The American people will head to the polls in November and ask themselves: Which party will defend the people’s right to quality healthcare? Which party will not?

The answer to that question could not be clearer. Democrats have spent the past 2 years offering several plans to reduce the cost of healthcare while maintaining or increasing the quality, while President Trump and Republicans in Congress have done nothing but drive costs up and quality down in obeisance to the big special interests—insurance industry.

They have tried to repeal the healthcare law. They have tried to gut Medicaid, eliminate healthcare for millions of Americans, and put the insurers back in charge. They have eliminated the program to help low- and middle-income Americans afford insurance and, worse, all of our current attorneys general—including two running for the Senate, one in Missouri and one in West Virginia—are suing, as we speak, to eliminate protections for Americans with preexisting conditions. These actions are undermined by a belief on the other side of the aisle that the American people just don’t deserve help affording adequate healthcare.

publicans have believed, continue to believe, and have acted on, unfortunately, that insurance companies should rule the roost, just as in the 1890s. The consequences are severe.

As a result of the Republican healthcare agenda, premiums are up by double digits in several States and quality is down. As a result of the Republican healthcare agenda, Americans are paying more and getting less.

I say to the American people that in a few short weeks you will have a choice. You can vote for 2 more years of healthcare sabotage from a Republican Congress, more attempts at repealing the healthcare law, more premium increases and uncertainty, more actions that undermine protections for patients with preexisting conditions or the American people can vote to flip the script and support Democratic candidates who will only protect the care that Americans have today but who will work every single day to make it better.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I think by any standard, as we conclude this Congress, the House and Senate, working together, have put more legislation on the President’s desk that has long-term impact than at any time in a long time, whether it was the opioid legislation or healthcare research funding.

I want to talk a little bit today about the FAA, the Federal Aviation Administration extension that, just last week, the Senate passed and the President signed. I believe the 5-year reauthorization is the longest reauthorization since the 1980s. So the traveling public, the FAA itself, the Department of Transportation, and the airlines, both of whom pay freight and have an understanding of what the next 5 years should look like.
One of the things that will happen during the time that begins right now—the Senate and the House listened and the President listened to the traveling public about their concerns about what happens on airplanes and in airports. This is a bill that I worked on in the Aviation Subcommittee with Senator CANTWELL, Senator THUNE, and Senator NELSON. We worked for almost 2 years to get this bill to where it was when the President signed it, to address the safety, security, and comfort of the traveling public.

In the wake of consumer complaints about the shrinking seat size on airplanes, the law directs the FAA to set minimum legroom standards and width and length requirements for airline seat size to ensure passenger comfort and safety. I think all of us have had some experience with seeing seats get smaller all the time. Like every other Member of the Senate, when I am flying back and forth on a private plane. Actually, only a few Members—maybe less than a handful—are able to do that. Most of us fly jetliner every week, usually in one of those coach seats, somebody says: I thought you came back and forth on a private plane. Actually, only a few Members—maybe less than a handful—are able to do that. Most of us fly jetliner every week, usually no particular benefit. But you can sense those seats getting a little smaller and the legroom getting a little tighter. We have given new responsibility for the FAA to set standards, so the traveling public knows somebody is paying attention to them and how long they are going to be in that seat and what it is going to be like when they are there.

We also have a provision that you can’t take somebody off an airplane once they have been allowed to board because you somehow oversold. If somebody is on that plane, they can’t be taken off that plane unless they agree to be taken off that plane or the passenger acts in a way that the safety and health of other passengers could be a problem. So there is no more involuntarily bumping of passengers who are on a plane.

The law prohibits placing live animals in overhead compartments. More and more people seem to travel with pets, and people have had bad experiences with that in the last few years. So overhead storage is not appropriate storage any longer for your pet if you are traveling with a pet.

If air carriers set minimum standards for service animals that are allowed on flights. We all see all the time, too—a pet not in a cage but important to the individual who has a service animal. Many veterans now have a service animal. There are a lot of standards on what that animal can be and how it has to be on a plane.

It bans in-flight cell calls. If you have ever sat by somebody before the plane takes off and learned a lot more about them than you want to know, you can imagine what it would be like if you had to learn way more about them based on every call they could make all the time you were flying. So that is not going to happen. The next time you are on the ground and somebody continues to talk until they are told they can’t do that any longer, just be grateful that can’t continue once the plane gets in the air for the whole flight because we couldn’t technically have been allowed with Wi-Fi or whatever allowed that phone to be connected. That is not going to be the case now.

Airline fees have changed. I don’t like airline fees. Most people don’t like airline fees. But if you pay a fee and you don’t get the service—if you pay for a seat assignment that doesn’t work out to be the kind of seat you paid for or early boarding, and that didn’t happen or baggage that somehow wasn’t handled the way your special fee was charged—the airlines now have to keep track of that and get you that money back as soon as they reasonably can or face a penalty.

The law directs the FAA to set standards on what that animal can be and how it has to behave on a plane. Many veterans now have a service animal. Many veterans now have a service animal. Many veterans now have a service animal. Many veterans now have a service animal. Many veterans now have a service animal. Many veterans now have a service animal. Many veterans now have a service animal. Many veterans now have a service animal. Some of those needs is more access to dogs. We have an agreement with the Transportation Security Administration. There are some real needs there in both TSA Precheck and TSA generally that are met with this. One of those needs is access to dogs. We all see dogs in airports, but every study since 9/11—and there have been a lot of them—indicates that nothing is more effective than a dog for finding most of the things you are looking for. Some of us have gone through security lines lately where the line moves very fast, but our dog is standing in that line. We will see what happens there, but dogs generally are doing the kind of things that need to be done.

So whether it is the FAA Reauthorization Act or America’s Water Infrastructure Act, which we passed yesterday—I think the vote on that was 99 to 1, but that doesn’t mean it was easy to get to the floor, and it doesn’t mean it normally gets done by a Congress. But that has happened as well.

The insurance which the Democrats voted to take away yesterday have been mentioned here this morning. Those short-term health policies were available until the very last days of the Obama administration. I don’t know the reason the administration had to suddenly decide that it didn’t want that ability that several hundred thousand—maybe a couple of million—people had to get short-term coverage in the insurance market. People could lose their health insurance in a job transition or something else, those were available that entire time.

The Urban Institute says that 1.5 million people who otherwise would have no insurance will be able to have insurance under these policies. The policies under the Affordable Care Act are still available; they are still subsidized; they still do everything that is the maximum of ObamaCare. If that is what you want to have, particularly if you are subsidized in that marketplace, that is probably where you should be. But a lot of people aren’t, and a lot of people don’t have immediate access, and a lot of people are in transition.

Urban Institute is not normally seen as a conservative watchdog, but they said that 1.5 million people will have insurance with these policies, which will continue to be available for people who wouldn’t have insurance if they didn’t have health insurance. There is nothing you can say anything you want to say. You are entitled to your own opinion, but you are not entitled to your own facts, and I think the facts on the vote we took this week on those short-term policies are pretty clear.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAACSON. Madam President, I want to acknowledge what Senator BLUMENTHAL just said just about the success of this Congress over the last 2 years. It has been remarkable. What they did on FAA is tremendous. I enjoyed working with them on that. But I want to rise and talk about our veterans and what we have done for our veterans and what we need to do for our veterans.

Before I do, my State of Georgia had a tough day and a tough night last night. The hurricane hit about 10 o’clock last night. Unfortunately, we lost one 11-year-old with a tree crashing through the roof. The Governor has declared a state of emergency for 108 of our 159 counties. We have 1,500 National Guard troops activated and ready to deploy if needed to help law enforcement, emergency medical, and hospitals to see to it that we meet the needs of the people in our State. There is a lot of search and rescue going on. We are blessed that a lot of things didn’t happen, but we were certainly hit by those that did.

For families who have lost property and families who need help, our sympathy is with them, and we are taking action. GEMA and FEMA are working hard. Governor Deal is working extremely hard. We have recovered from the hurricanes; the last 5 years from hurricanes, and we will do it again. But on behalf of myself, Senator PERDUE, and the United States Senate,
I send our best wishes to our people back in Georgia and also to our people in South Carolina, North Carolina, and Florida. Florida was hit worse last night. But now the storm has passed Atlanta and is going over South Carolina, and then North Carolina. They bunched just back from almost the worst storm in history, in which we had 48 inches of rainfall in one county. I couldn't believe that much water fell in one day, but it did. They are recovering very nicely. They have done a good job. But all of us know these acts of nature and acts of God we have gone through affect our citizens, and we need to keep them safe. I urge all of our citizens in Georgia and in every State in the Union to play close attention to what their Federal emergency management people say. If they tell them to evacuate, they should. If they tell them to hunker down, they should. They should do whatever they can to follow the rules they have been given. And I think that we have to have a law enforcement officer and a medical person out of play to help somebody else.

VETERANS

Madam President, as chairman of the Veterans Committee, I have the honor of representing the U.S. Senate to our veterans and responding, along with the House committee chaired by Chairman Roe of Tennessee, on veterans' issues. All of us are for veterans. There is one place you never have to worry about appropriate funding, and that is for veterans. We don't have partisan arguments about veterans either. On the battlefield, you don't see Democratic veterans or Republican veterans; you see American veterans. We are all for the veterans.

We have had some great successes with our veterans, but we have had some failures over the last decades. Sometimes they are on the front page of the newspaper, most recently last week when the hospital ratings came out. Two of the three hospitals servicing my State fell from three stars to one star, which meant they failed in their performance for our veterans, and we want to work to see that improve. But we also want everyone to understand how big the problem is, what we have done the last 2 years to address the problem, and what is coming soon for all of us, which I think is good news.

First of all, starting 2 years ago, Senator Tester, the ranking member on the committee, and I sat down and made a pledge that we were going to work together from the beginning to address the tough issues that had been put behind the backdoor for a long time and hadn't been dealt with. We have done that. In fact, we have tackled every single one of them, except one that we are going to tackle in a couple of weeks. In so doing, we have helped our veterans.

We had the help of the President as well. President Trump embraced our committee's work from the beginning. We had to find a new Secretary because the old Secretary resigned, and we worked hard to do that. We had a few bumps in the road. The President gave us his full support. Robert Wilkie, who is the new Secretary of the VA, is a terrific guy. He has a family history in the military. He loved the VA and worked for DOD, or the Department of Defense, which is the precursor in working for the VA if you are a veteran, because you have to be in DOD first to be a veteran, second. In fact, Robert Wilkie made the decision to leave the military and retire and go into veteran status, and we couldn't get his records transferred from Active Duty to veteran status because we didn't have interoperable software. He didn't have a way to do it.

This committee worked hard. We developed the largest contract in history with Cerner, a great software company. Cerner has a tremendous medical outreach product, and they are now installing that. Hopefully, over the next 15 years, we will have an interoperative system around the world that services our veterans who need medical service and have their records available instantaneously and immediately.

We have a 20th century soldier in the battlefield, but we have a 15th century VA when it comes to information technology. We have invested the money now with Cerner to put in the system, and we are going to get it done. I will stay on their back every day to see to it they do it.

I appreciate the cooperation of the employees of the VA. I tell them, as I make these remarks, that we are going to see to it they have every bit of backing they can get from us. We had too many vacant spaces in the VA. We had too many acting this" and "acting that." I hate it when we appoint acting directors and acting bankers and acting soldiers. We don't need them to act. We need them to act. We will hold the bucket, start to do that as soon as we fund the places that go vacant, where it hurts our veterans.

I thank President Trump and Secretary Wilkie for their work and their support. It has been complete and seamless. We signed the VA MISSION Act in the Rose Garden a couple of weeks ago. The President came out and talked about his pride in the VA and what the veterans did for all of us and what he was going to do as President, and I have to tell you it's a pride that he gave them at least the best of all of us like they have given us the best as veterans.

President Trump has been a great leader for our VA, and he understands the problems and has been supportive of our trying to make the changes we want to make.

Senator Tester has been a great ranking member and a great partner with me on those things, and we made sure everything we did was bipartisan. To be honest with you, we passed 22 pieces of legislation and made 14 appointments. We had one "no" vote on one bill. We had complete unanimity on the committee—Republicans and Democrats—all the way through because we worked together, we set our goals, and we decided to make this work as seamlessly as our military works for us.

Let me talk about a few of those things we have done because I think they are impressive when you look at them. We passed 22 pieces of legislation, which include the VA MISSION Act, most recently passed a month ago. We have put in place and have the actions of the VA to see that it does everything it needs to do to be a 21st century benefit program, like the new modern-day GI bill, which is a part of that.

We have a new GI bill says the old rule in the VA that you have to use your VA benefits within 15 years or you lose them on education is gone. We all know people's skills are changing about every 5 years or 6 years. If a person wants to keep their continuing education, they are going to lose their job. They would lose their benefits because they have been in the VA 15 years. That is ridiculous. We removed that cap. Now they can take new courses and new training with their GI benefits for 25 years if they want to, if they are still eligible. We are not putting any time limit on it. There is no time limit on education. Education is the necessary product we have to use to produce the military of the 21st century.

It used to be that we drafted our soldiers. We can't draft the soldiers anymore. The average draftee can't operate the type of equipment our men and women operate in the battlefield. You have to have people who understand technology, understand the STEM subjects, and are good with games. Video games is one of the biggest qualifications now for pilots because all of our airplanes are like video games. It looks like Pac-Man when you get in the cockpit. It is because of high technology, and they are training for that. We have to have an attractive job for them and attractive VA benefits for them. If they want to come to work for the United States of America and stay with us, or else we will never be able to keep the military we have today as strong and powerful as it is.

We also put a new law in on accountability. I served in the National Guard, and I understand accountability. In the military, you really understand accountability. You don't ask questions in the military. You give answers. If
your drill sergeant tells you to do 20, you drop and you do 20. If you can’t do 20, you practice until you can and you get it right. That is what we have to do in the military because you don’t fight wars for people who say: I am not interested today; I am not going to fight. You have to know what we are doing and do it right.

We have to do the same thing and provide services to those veterans once they leave. We don’t need to be casual about it. We have to be committed about it and make sure we are doing everything we can to see our veterans get the services they want, the services they need, and the information they need.

Veterans Day is coming up in about 4 weeks. Every Veterans Day we are usually here, but I don’t think we are going to be here on Veterans Day this year, if I understand the calendar right. I will be making speeches back home. Every year I have been here, I have talked on this floor, about our veterans and how important they are to us. I try to point out a few people I have known in my lifetime who are veterans of the U.S. military and made a difference in my life forever.

I talked about Jack Cox, of the U.S. Marine Corps. He was killed by a sniper in Vietnam in 1968. He was my best friend. He volunteered. He came to the fraternity house. He was 2 years older than me. So I was still in school when he got out and graduated. Agelater, he went from the University of Georgia into the Marine Corps recruiting office and signed up for OCS. He went to Parris Island. From there, he went to Vietnam. On the 12th month of his 13-month assignment, he was, unfortunately, killed by a sniper in Vietnam.

He went to Vietnam because he wanted to represent his country, fight for his country, pay his price, and do his due duty. Jack was a great man. I have a bracelet on—two, as a matter of fact. One is a bracelet for Matt Cooper, a law enforcement officer who was killed a couple of weeks ago. The other one is for John McCain—John McCain, a former Member of this body, who a few weeks ago was buried at the National Cathedral. He was a pilot in the Vietnam war and was captured. He was held captive by the North Vietnamese. When he got out, he was badly wounded, badly injured, badly hurt. He came back to the military, rehabilitated himself, and went into the VA healthcare, and they rehabilitated him from his broken arms, his broken back, and all the other problems he had. He ran for the U.S. Senate, came to the U.S. Senate, and was a star, as you know, in this Senate Chamber from the day he got in the Senate until the day he died. He had a pervasive commitment to his country. He wanted the country to know I want all of us in the Senate to be for this body—committed to the job, committed to the task, always ready, always prepared. Marines are that way. The Army is that way. The Air Force is that way, and the Senate ought to be that way. We are committed that way to our veterans in what we do today.

We also have to hold them accountable. Accountability is really important. Veterans and us to hold the VA accountable. That is why we put in the accountability bill, which, among other things, allows us to fire senior executives in the VA for not doing their job. You can’t do that in the VA. In many other arenas of life, in fact, people were surprised that we were able to pass it, and we passed it bipartisan. It passed bipartisan because everybody knew if your job wasn’t subject to your doing your job, you didn’t have accountability.

The first person taken to court for violating the law by not doing their job was in Georgia. I saw to it we prosecuted that case and used our lawyers to be able to do it. I wanted people at least to know we are not going to take bad behavior—break-the-law behavior—or bad attitudes in the VA. We are only going to give the best to our veterans.

We have a number of title 38 veteran leaders who have been suspended, moved, or otherwise fired because they weren’t accountable for their job. We have some openings now that need to be filled because we got rid of them. We got rid of people who weren’t doing the job and put in people who did the job. In the military, your accountability is doing the job, and there are no excuses if you don’t.

We have done a lot of other things to help our veterans and help our country. I commit that we will continue to do so and make sure this Congress is as helpful and beneficial as we can.

There are three quick things I want to talk about. I want to thank the private sector for its support of our veterans. Morehouse School of Medicine in Atlanta, GA, is helping the Atlanta VA now with our doctor shortage in the VA. Yes, we have a doctor shortage. We need the doctors to do the jobs. Some of these waiting times you have heard about from a lot of our veterans are not because we are making them wait because we are slow. We are making them wait because we don’t have enough doctors. We are working on joint ventures with medical schools to do so.

Seventy-two percent of the doctors in the United States did a residency or an internship at the Veterans Administration. It is the key training center of all our doctors, and we have to expand that and improve it.

On the appeals process for benefits, there are people who are having to wait 2 and 3 years. We have one veteran whose case has been on appeal for 25 years. You can keep it on appeal as long as you file new information every year. You have to find a way to file new information for every year. For 25 years, he has been putting something new in his file. He is blocking other veterans who need to get their attention to get their service because he is making the line longer than it should be.

We put an accountability on the Veterans’ Administration, as well, to see that our benefits are handled quickly and expeditiously and that the appeals process is improved. It is a matter of due diligence.

Jack was a great man. We have to do the same thing and bring the best to our veterans. We have a number of title 38 veteran leaders who have been suspended, moved, or otherwise fired because they weren’t accountable for their job. We have some openings now that need to be filled because we got rid of them. We got rid of people who weren’t doing the job and put in people who did the job. In the military, your accountability is doing the job, and there are no excuses if you don’t.

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So it turned out it was real. The administration was criminalizing a flight from persecution, a flight that our ancestors know all too well, fleeing from civil war, from religious persecution, from famine to come here to the United States of America and see that beau they call Lady Liberty—"Give me your tired, your poor, your huddled masses yearning to breathe free"—but instead of that welcoming embrace, prison for the parents and, quite frankly, prison for the children, separate and apart. I went from there up to Brownsville. I had been told by immigration advocates that many of these young men were being stuffed into a single building up in Brownsville, a former Walmart run by a nonprofit called Southwest Key. I had asked permission to visit this location, and I had been told: No, no, no. You have to give 2 weeks' advance notice.

They had a waiver system, so I asked for all the information I could get. I thought they were going on inside this former Walmart. The waiver was turned down. Clearly the administration did not want any Member of Congress to see what was going on inside that building.

Since I was there in Texas, I drove up the road to Brownsville and said: Well, I will just call them up when I get there and say, "Surely you have enough members on your staff that one of them could come out and talk to me, or maybe one of them could give me a tour of what is inside."

When I arrived and walked up to the door of this former Walmart, there was a phone number posted on the front of it. I proceeded to call that phone number and talk to the assistant to the supervisor of the facility. The assistant said: Yes, the supervisor would be happy to come out and talk to you.

I waited 10 minutes. No supervisor appeared. I called again, and they said: Oh, no, no. The supervisor is on his way.

Well, what the supervisor was really doing was waiting for the police to arrive. They called the police to come and arrest me. Very interesting—you are arrested for knocking on the door and asking to have a supervisor talk to you? Well, they didn't arrest me. They hadn't actually formally asked me to leave the property, but they certainly weren't going to let me inside to see what was going on or even talk to me about what they were doing.

The immigration advocates have said: We have heard a rumor that possibly up to 1,000 young boys have been stuffed into that Walmart. I thought, that is not possible. As I was standing there and talking to the press, I repeated that. I thought, I shouldn't say this. I shouldn't say this because that is so outlandish. Surely no administration would try to stuff 1,000 boys into one building.

So I went back 2 weeks later, on June 14, and I went back with reinforcements—other Members of Congress. We went to that facility, and this time they granted a waiver and said: Yes, you may see what is going on. We opened the press in as well. So we went in for a tour.

I asked "How many boys are here?" thinking, at most a couple hundred. They said: Well, we are now ready to put 1,500 boys in this facility, and we are one busload short of filling it.

I think they said there were 1,467 residents in this one building. They took me out to the outside area, where they had set up a soccer field. They said: Isn't this wonderful? We have a soccer field. Imagine how long it takes for nearly 1,500 young boys to circulate through a soccer field.

They took me to a game room, and there was a broken Foosball machine. I thought, how long does it take 1,500 boys to circulate through a single broken Foosball machine? Maybe there were a couple of them; I remember seeing one. They were very proud that they had this soccer field and this game room.

I said: You know, you expanded so fast. At the beginning of the year, how many boys did you have?

They said: Well, we planned for 300. We had 300 bedrooms and 300 boys.

They said that 2 months ago, they had increased to 500, and now they have 1,500 or almost 1,500.

I asked: This rapid expansion—did you plan carefully for this?

They said: Oh, yes.

I said: Was there anything that you needed that you felt short on?

The director of Southwest Key said: Yes. We don't have mental health counselors, or at least we are short.

I asked: How many are you short?

They said: Ninety mental health counselors.

Ninety? Wow. That is a big shortfall. Realize that these boys were fleeing persecution from overseas. So they had experienced trauma in their lives abroad, they probably experienced trauma en route, and now they are experiencing the trauma of being ripped away from their families and shuttled off to this warehouse. Yet there was no plan to have the mental health counselors needed for this population. This is one feature of the incompetence and callousness of this administration in implementing this policy.

Public outcry was significant. I think all Americans who participated in that public outcry, saying that this is not our America—criminalizing a flight from persecution, locking people up while they await asylum hearings—
that is not our America and you must stop. The courts said the same thing because it is actually illegal to lock up children for more than 20 days under the Flores consent agreement.

So President Trump sent a message. He sent an Executive order titled “Affording Congress an Opportunity to Address Family Separation.” Oh, how nice. The President is giving us an opportunity to address family separation. And then the President asked, ask us in that Executive order? He asked for us to pass a law to overrule the Flores consent agreement and allow the administration to establish family internment camps. Imagine—family internment camps here in the United States. That is what the President was asking for, that is exactly what the House of Representatives passed, and that is exactly what 35 Members of this body have signed on to cosponsor—family internment camps here in the United States of America. That is absolutely wrong, it is absolutely unacceptable, and it is absolutely unnecessary.

You may say: Wait. You are saying that there shouldn’t be a way to attend these family internment camps. There is no way to attend these family internment camps. You shouldn’t lock up families together, so what do you propose, Senator Merkley? What do you propose that we do?

Well, the answer is, we had a very good program. It was called the Family Case Management Program. This Family Case Management Program said that when a family comes and is seeking asylum, they will be placed into the court system and they will have intensive case management with somebody who speaks and writes their language, an individual who is in continuous contact with them, who makes sure they know exactly when their check-ins are and how to attend those check-ins and who knows exactly when the court hearing is and how to get to those court hearings.

So I wondered, did this work? How well did this work? It turned out that there is an inspector general report from Homeland Security that came out—I think the date was November 30, 2017. Here is what the inspector general found: “According to ICE, over-all program compliance for all five regions is an average of 99 percent for ICE check-ins and appointments, as well as 100 percent attendance at court hearings.” So 100 percent—you can’t get better than that. The Family Case Management Program—the inspector general under this administration said that there was 100 percent attendance at court hearings. So if you hear a Member of the Senate say “Well, we are concerned about this catch-and-release, these people don’t show up for their hearings,” that is a lie. That is inaccurate.

That is inaccurate. If you hear the President saying, well, we are going to lock families up if they don’t appear for their court hearings, that is inaccurate. That is a lie. The inspector general of this administration found 100 percent attendance at court hearings.

Fortunately, Members of this body have come to their senses and rejected the language from the House establishing internment camps, expanding them, authorizing them. Fortunately, Members of the Senate have come to their senses and abandoned their effort—for now, at least—to establish permission, authorization, and funding for internment camps, as well they should because it doesn’t fit the vision of America: a nation where most of us have ancestors who were not Americans if not immigrants ourselves; a nation where in our family tree we have individuals who fled persecution, religious persecution, who fled famine, who fled conflict to be welcomed by the vision of the Statue of Liberty.

The story, unfortunately, doesn’t end here. The President has now issued a draft regulation. That draft regulation says we in the executive branch are going to misuse the mechanism designed to establish internment camps without permission or direction from Congress.

Are you kidding me? A lengthy regulation designed to authorize them, to enable us to establish family internment camps is totally out of sync with the traditions of America, with the values of America, or the law as it exists under the Flores consent agreement.

Let me put this as simply as I can: Children belong in homes and playgrounds and schools. They don’t belong behind barbed wire. I will fight as fiercely as I possibly can any proposal to put children behind barbed wire as a violation of their asylum hearing. It is wrong. It is morally wrong. It is, from a policy perspective, totally unjustified, as was child separation.

That is why I am introducing the No Internment Camps Act. Let us not re-perpetrate the mistakes of World War II. This act ensures that no Federal dollars will be used for the operation and construction of family internment camps. It creates a 1-year phaseout of three family detention and boarding detention facilities in operation, and it saves money from the family detention centers and transfers it to the Alternatives to Detention Program in order to reestablish the Family Case Management Program—the program that had a 100-percent success rate in getting people to their hearings. Put money into programs that work, not into prisons that affect children.

There are many groups that have said it is important. This is and has endorsed the no internment camps legislation: Japanese American Citizens League, Human Rights Watch, Asian Americans Advancing Justice, Women’s Refugee Commission, the Anti-Defamation League, the American Immigration Lawyers Association of Oregon, the American Immigration Lawyers Association of Oregon, Human Rights First, the Leadership Conference on Civil and Human Rights, Karen Korematsu, the daughter of Fred Korematsu, the plaintiff in the Supreme Court case that challenged Japanese internment camps in World War II.

Let us put an end to the prospect of the administration expanding on its own, through Executive order, internment camps in the United States. Let’s do so by passing the No Internment Camps Act.

Mr. CORNYN. Mr. President, after the vote was called on the Kavanaugh nomination—I should say immediately before it—the minority leader, the Senator from New York, told America that the most important thing they could do in response to that vote is go to the polls in the midterm elections. It is true that on November 6th, you will head to the polls and select their Members of Congress, including the Senate, and as Ronald Reagan’s famous speech said, it will be “a time for choosing.”

People are wondering how they should choose, how they should exercise that most fundamental privilege of American citizenship, and that is the right to vote. Should they choose to vote for a rule or do they choose to vote for the rule of law? Do they choose to endorse threats, intimidation, and incitement or do they choose to treat everybody—never matter how much you disagree with them—with dignity and respect? I believe those are our choices.

I was very disappointed to hear the former Secretary of State Mrs. Clinton say that you cannot be civil with a political party that wants to destroy your family. Imagine—family internment camps here in the United States. That is what the President was asking for, that is exactly what 35 Members of this body proposed. Mr. President, after the vote was called on the Kavanaugh nomination, the minority leader, the Senator from New York, told America that they would vote for a rule of law and to not do so by passing the No Internment Camps Act. Fortunately, the Senate voted against that vote. Fortunately, the Senate voted against the President’s effort to establish family internment camps.

Mr. CORNYN. Let us put an end to the prospect of the administration expanding on its own, through Executive order, internment camps in the United States. Let’s do so by passing the No Internment Camps Act.
Then you have former Attorney General Eric Holder, who was captured on video saying things that I, frankly, am shocked about. You would think the former head law enforcement officer for the U.S. Government, the Attorney General, would understand the need to be careful with your words, not stoke the ambers of conflict and civil unrest, but apparently disregarding that, he intentionally poured gasoline on the fire. He said last week, it is time to ditch the old slogan “when they go low, we kick them.”

He attributed that to Michelle Obama, and good for her. He said instead: “When they go low, we kick them.”

That is what the new Democratic Party is all about. The Washington Post has said Holder is proposing “the party pursue a meaner, more combative approach,” and noted he was alluding to metaphorical violence. This is from the former Attorney General of the United States.

I believe former First Lady Michelle Obama rightfully condemned this ugly and shameful statement.

Meanwhile, one Democratic Member of the Senate has recommended activists to the FACE people. Another one has justified mob rule as entirely appropriate to our current political situation.

We had members of the Senate Judiciary Committee, during the Kavanaugh hearing. I say: I am violating the rules intentionally. I am releasing committee-confidential information in violation of the rules, and, apparently, they were proud of it.

I hope the voters are listening. I think they are. They are coming from some of the most powerful voices of the Democratic Party, voices that could represent you in the next Congress. That is the choice—between incitement, intimidation, mob rule, or civil unrest.

The choice is not merely to that. Judge Kavanaugh was far from the only Federal judge we have confirmed. Last year, we confirmed another superb Justice, Neil Gorsuch. On top of that, we have confirmed 99 judges under President Trump. Besides three Texas judges on the Fifth Circuit Court of Appeals and four that preside over Texas district courts.

Those numbers begin to show you that since President Trump took office in January of last year, we haven’t taken our foot off the gas when it comes to doing the people’s work. Under this Congress, we have confirmed the most appellate judges ever during a President’s first 2 years. Of course, these nominees, once confirmed, have a lifetime tenure, so they will be there long beyond this President’s term or maybe our term in the Congress.

Our work extends far beyond filling the courthouses of this country. What we have done, working together with the entrepreneurs and the investors and the small businesses of America, is helped reenergize the state of the American economy.

This started with tax reform, which has been the biggest game changer. This is the first major overhaul of the Tax Code in 31 years. It lowered rates, doubled the child tax credit to help working families, and made American people more competitive. I am sorry we had to do that by all of ourselves without a single Democratic vote, but we thought it was so important to do that we stepped up, and we did it. I think the benefits are pretty much manifest.

Mr. Prater likes to say the savings individual taxpayers got were merely “crumbs.” but I would like to tell her about some of my constituents and what they told me.

One of them, Kim Ewing from Mesquite, wrote me and talked about how tax reform was hugely helpful because she hadn’t had a raise in 7 years. Now she enjoys a boost in her paycheck each month. She called tax reform a no-brainer or what she referred to as merely “common sense.”

Then there is Claudia Smith, owner of the Aggieland Carpet One in College Station, who told me earlier this year that she had been able to rein in the healthcare costs she didn’t want or couldn’t afford, and if they were unable to even do that, they were forced to pay a tax or a penalty.

Yesterday, for example, we passed a major water infrastructure bill that will keep our communities safe by maintaining dams and levees and addressing drinking water and waste-water systems across the country. It will also expedite, in my part of the world, an important coastal study and authorize flood mitigation projects back home.

Then the President signed, just 2 days after I am aware most of this was lost in the furor over the Kavanaugh nomination—but just 2 days before that, the President signed another bipartisan bill I cosponsored called the Justice Served Act that will provide funds to prosecute cold cases solved by DNA evidence obtained from rape kits.

Then, of course, there was the Supreme Court confirmation last Saturday.

In the last 6 days, we have accomplished three major things: water infrastructure, funding cold case prosecutions, and filling Justice Kennedy’s seat on the U.S. Supreme Court.

I would say that is a pretty good week. We are reasserting a role that is much longer than that. I am not shocked about. You would think the voters also have a choice when it comes to looking at who is in control of the United States.

Republican vote, but we thought it was so important to do that through the Congressional Review Act.

These developments are just part of the reason this economy is growing again and why people have renewed confidence and optimism in their future.

As the majority leader reported yesterday, unemployment in this country has now fallen to 3.7 percent, which is the lowest rate since 1969. People are going back to work; they are earning more money; they are keeping more of what they earn; and they are investing. This is what it looks like when that sleeping giant of the American economy wakes up and is unshackled from the constraints of high taxation and overregulation.

It is not just the economy that deserves mention. One of our accomplishments has been repealing burdensome regulations— I have mentioned that overregulation—and we have done that through the Congressional Review Act.

Previously, it had only been used 1 time, but we have used this device 16 times to eliminate Agency rules which really had been the ropes that tied down that sleeping giant of the American economy. It allowed it to come roaring back.

We have repealed the Independent Payment Advisory Board under ObamaCare, which will allow seniors and their families to take greater control of their healthcare decisions without being subject to the whims of unelected bureaucrats. We have also eliminated the root of ObamaCare—the individual mandate. This was literally a coercion by the Federal Government, telling people to do something that, in many cases, they couldn’t afford, and they didn’t want.

We literally made ObamaCare voluntary now so people have choices, but this was essentially a tax on some of the most disadvantaged people in the country who were coerced into buying healthcare they didn’t want or couldn’t afford, and if they were unable to even do that, they were forced to pay a tax or a penalty.

Yesterday, for example, we have been accomplishing a lot more for our men and women in uniform, our intelligence officers, and our veterans. We have helped restore America’s defense with
the greatest investment in the military in decades, including the largest troop pay raise in nearly 10 years.

We have reauthorized important intelligence-gathering tools, like section 702 of the Foreign Intelligence Surveillance Act—a vital tool in tracking foreign terrorists abroad who try to hurt us at home.

For our veterans, we passed the VA MISSION Act, which will make significant reforms to the Department of Veterans Affairs by strengthening healthcare and community-based programs that are available to those who have served our Nation in uniform.

Last, but not least, is our series of accomplishments. We have taken other important steps, like passing the Federal Aviation Administration Reauthorization Act last week. It is legislation that modernizes our airports, improves service for travelers, enhances safety, and boosts industry innovation.

The almost without anybody paying any attention at all, we passed a huge bipartisan bill to address the opioid crisis. Senator ALEXANDER, the chairman of the Health, Education, Labor, and Pensions Committee, ushered through the House and the Senate, along with Senator MURPHY and others. It has contributions from 70 Members of the Senate and 5 standing committees. That takes a lot of hard bipartisan effort, but it is important because it combats the nation-wide epidemic that has led to the death of 49,000 Americans in just 2017 alone.

We have done important work in terms of improving public safety by enacting a bill I sponsored and that was supported by our colleagues here called Fix NICS; that is, the National Instant Criminal Background Check System. We also passed a bill sponsored by Senator HATCH called the STOP School Violence Act.

The NICS bill helped fix our broken background check system and ensures that criminals aren't able to purchase or possess firearms after they are convicted.

In the wake of the Texas shootings at Santa Fe and Sutherland Springs, we know there were a lot of people crying out for Congress to do something, and this was the one thing we could all agree to, on a bipartisan basis, across the ideological spectrum. These two bills—mine and Senator HATCH's—are a part of the way we have answered that call.

We have tried to protect our young people—especially women—in another important way as well. We enacted what is known as SESTA, the Stop Enabling Sex Traffickers Act. This legislation by the junior Senator from Ohio helps to stop online trafficking and adds to a bill I sponsored called the Abolish Human Trafficking Act. It strengthens programs and supports survivors of trafficking and provides resources to law enforcement officials on the frontlines of the fight against modern-day slavery.

I understand why most Americans have not heard of all or many of these accomplishments, but I think it is important to note what we have been able to do while we have fought mightily over some things, like judicial nominations.

We have also worked in a bipartisan way to get the people's work done. I believe we have done so mainly by treating each other respectfully and by demonstrating civility, not by yelling at each other, by making threats, or inciting people to violence. That is not the American way.

I am hopeful that after the scenes we saw here last week during the confirmation proceedings for the Supreme Court, that the American people will reject that sort of conduct and demand that their elected officials act in a way they can be proud of.

Yes, we put money back into America’s pockets. We have rolled back regulations to make their lives a little bit easier for our military, given our veterans access to better healthcare, and protected our communities from harm.

As the minority leader, the Senator from New York, said right before the confirmation of Judge Kavanaugh, the people need to vote. They will, I hope, exercise that franchise—that right of every American citizen to determine the direction of our country and who will represent them in the halls of Congress.

It is my sincere hope that they will remember some of these accomplishments we have made together during this administration and know we can continue to do more for them in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

FREEDOM OF SPEECH

Mr. DURBIN. Mr. President, this morning the front page of the Washington Post tells the story about our intelligence agencies intercepting some communications among the Saudi Government officials. It appeared they were exchanging information about how to lure a man named Khashoggi back into Saudi Arabia. Khashoggi is a person who has been openly critical of the Saudi Arabian leadership. He has published articles around the world, including in the Washington Post.

We have a video that shows Mr. Khashoggi, the Saudi consulate in Istanbul, Turkey. We have no video that shows him exiting that same building. He has disappeared.

This intelligence data, as well as other information, leads us to believe he has been assassinated—assassinated because he was critical of the leadership of the Saudi Arabian kingdom. That is what happens in a country of authoritarian rule that does not protect the right of dissent.

We see it over and over in history—strong authoritarian rulers can’t stand dissenters. Many of them are killed, imprisoned, tortured, or run out of the country. It still happens in China. It still happens in Russia. It happens, obviously, when it comes to Saudi Arabia, Turkey, and other countries.

We are different. I hope we are. The reason we are different is because of 49 words—49 words written over 200 years ago. They are worth repeating. These are 49 words that have guided our country and still should guide us today.

I am going to take a minute to read them. It is the First Amendment to the Constitution of the United States, the First Amendment to our Bill of Rights, credited to James Madison. Here is what it says: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." These are 49 words that distinguish us from virtually every other country in the world, where we expressly guarantee ourselves and our posterity freedoms that are fundamental to being an American.

I have heard my friend the senior Senator from Texas come to the floor repeatedly now to talk about what happened last week during the Kavanaugh nomination and in the weeks before, during the committee hearing, and there were people who came to this Capitol because of their intense personal and political feelings about that nomination and what it meant to them personally and who decided it meant to the country. They brought their emotions to this place, and they did it because they are guaranteed the right to do it in this Constitution.

Each of us is guaranteed the right to peacefully assemble and to petition the government for a redress of grievances. The Senator from Texas has referred to this as "mob rule." I will tell you, if you believe these 49 words and what the First Amendment in the Bill of Rights instructs us about democracy, then it gives these people— all people in this country—the right to speak, the right to express their opinion, and the right to petition their government for a redress of grievances.

Now, of course, that should never—never—condone violence nor the incitement to violence. That is where we must draw the line.

If you are going to stand and defend this article of the Constitution, which we have all taken an oath to defend, then you are going to defend the right of individuals to speak in this country and say things that are unpopular and maybe even unacceptable to you personally.

I have found myself in that position, gritting my teeth and thinking I wish to heck that person wasn’t saying what they were saying, but they have a constitutional right to do so. They don’t have a constitutional right to be violent or to incite to violence.

I might add, I think they cross the line when they go after politicians'
family members and others. That clearly crosses the line. I have seen it happen in my political life, and I am sure all my colleagues can tell a similar story.

To call this mob rule is to take the actions of a few and to really use those as a standard to judge everyone. That is fundamentally unfair. There were people on both sides of the Kavanaugh nomination who had intense, strong personal feelings and used their constitutional rights under the Bill of Rights to express that. They did it peaceably. They did it in a constructive way. As far as I am concerned, they have a constitutional right to do it.

For those who crossed the line, they need to accept whatever consequences come their way. For some, it means being arrested and maybe more, but for those who complied with this article in the Bill of Rights, I think we all ought to stand up and say, regardless of party, this is the Constitution both parties swore to uphold.

To say that what happened last week— even in this Chamber and even in this line—is really the whole story is ignoring the obvious.

When the Senator from Texas asks about mob rule, my response is to say three words: “Lock her up.”

This week in Iowa, the President held a rally. During the course of that rally, he was critical of the senior Senator from California. As he was critical of her, the people attending the rally started chanting “Lock her up. Lock her up.” referring to my colleague from California.

I am sure the Senator from Texas heard about this. I hope that when he heard about it, he realized that an incitement to hold someone criminally liable for using their office in a legal way really steps over the line.

Let’s be honest about this. In the last 2 years, we have seen a coarsening of the rhetoric in politics in America. Things said now that have never been said before. Oh, they were said in private or maybe on some website, but now they are being said openly on a regular basis.

If someone speaks up at a rally to have a Presidential candidate say: Let the crowd take care of that, and I will pay the legal fees of whoever does it—that happened. It suggests to me a coarsening of our rhetoric in this political world that I believe in that is not conducive to a civilized and constructive democracy. As the Senator from Texas suggested, we need to really reword civility, and we need to show it ourselves in the things we say and do as Members of the U.S. Senate.

No, I do not think it is evidence of mob rule in America. It wasn’t a mob that voted here on the floor of the Senate. One hundred Senators voted, as the Constitution requires us to do, and we did it in an orderly, democratic way. Regardless of whether you agree with the outcome. The mob didn’t rule; the Constitution ruled, and the Constitution needs to continue to rule.

There are limits to speech. The courts have talked about this for 200 years. But let us never forget that the first 45 words of the Bill of Rights guarantees to us the right of free speech, peaceful assembly, and the right to petition our government for redress of grievances.

CLIMATE CHANGE

Madam President, on Monday, two things were made clear. This last Monday, we came to realize that we need to take immediate action—immediate action—to reduce global warming. Secondly, American innovation has already given us many of the tools to do so.

I know there are those who think that climate change is an issue that will only affect us in the far-distant future or that the challenge is so big that we can’t really do much about it, but the truth is that we are already dealing with the effects of climate change, and we have it within our power to address them with technology that already exists.

Earlier this year, rainstorms and melting snow caused flooding across my State of Illinois. More than 20 counties throughout the State were placed under flood warnings. As water levels of rivers continued to rise, several communities in Illinois had to evacuate their homes for their own safety. Illinois farmers know all too well that changing weather is impacting the way they farm and the crops they produce.

As I speak, recovery efforts are already underway after Hurricane Michael left the Panhandle region of Florida in ruins. Our hearts go out to the families who are waking up this morning and don’t know whether their loved ones are safe or whether they have a home to return to.

Earlier this summer, in the western part of our country, we saw vast acreage destroyed with wildfires. It has been one of the worst years since Hurricane Harvey hit Texas and Hurricane Maria devastated the entire island of Puerto Rico.

It is obvious to anyone that natural disasters are becoming more powerful, more costly, and more deadly, and it is time we take climate change’s role in causing them seriously, or it will get worse.

On Monday the United Nations Intergovernmental Panel on Climate Change released a report stating that we have just over a decade—less than 10 years—to drastically reduce our carbon emissions if we want to maintain life on Earth as we know it today. It is an ominous warning but a serious one.

The U.N. report states that we must reduce global emissions by 45 percent by the year 2030 and reach net zero emissions by 2050 if we want to avoid a world where deadly storms, unbreathable air, widespread famine, war, and multiyear droughts become the norm.

According to the national security community that we count on to keep Americans safe, failing to address climate change will inundate our military bases and installations, and it will incite international conflicts and put our military—the men and women serving our country—at risk in terms of readiness, operations, and strategy.

The fact is, no one can be serious about our national security if we don’t face the reality of climate change. That isn’t a declaration by the Sierra Club or some liberal Democratic Senator; it is a declaration of our defense community.

We will continue to face weakened states and unprecedented refugee migration in the decades to come if we ignore this reality.

There is good news, though. We have the tools and the technology to prevent this dystopian future, and the United States can lead in this effort. America is already showing the world how to reduce emissions and grow our economy by increasing energy efficiency measures and renewable usage and switching to electric vehicles.

Think about the gains we have made, the progress that has been made when it comes to the fuel efficiency of the cars and trucks we drive today. There was a time in the Senate that long ago when Detroit automobile and truck manufacturers were in complete denial. They said that there is just no way to hit these targets in terms of miles per gallon. We are doing it, and we ought every single American innovation that can power us to make the far-reaching transitions in energy and infrastructure we need to limit our emissions to meet the recommendations of this United Nations panel.

On Monday, the Nobel Prize in economics was given to two Americans—William Nordhaus and Paul Romer—for their work on innovation, climate, and economic growth. Their work shows that addressing climate change can be an incredible opportunity for job growth and new investments in American competitiveness. New jobs can be created designing more efficient solar panels, wind turbines, and batteries, as well as manufacturing the components for export all over the world.

If you visit downstate Illinois—an area which is one of our most bountiful agricultural areas—you can’t help but be struck by the number of wind turbines that have been built in my State. The farmers love it because they are receiving monthly checks for their work on innovation, climate, and economic growth. Their work shows that addressing climate change can be an incredible opportunity for job growth and new investments in American competitiveness. New jobs can be created designing more efficient solar panels, wind turbines, and batteries, as well as manufacturing the components for export all over the world.

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to work together to develop a worldwide clean energy economy, and 195 countries—every country in the world—has agreed to this Paris Agreement and signed on, including the United States. However, last year President Trump decided that the United States would step away from the rest of the world, step away from our allies and trading partners, and leave this agreement.

When I think about the decisions being made by this Trump administration, it may be one of the most disastrous decisions he has made. To think that this great Nation, with its great economy, its great technology and innovation, would step away from an agreement that every country in the world has signed to deal with our climate challenges is unthinkable.

I hope that after this week’s announcement from the United Nations, at least someone at the White House will have second thoughts about this disastrous decision. We should not give up U.S. leadership and risk the world moving forward without us. If we step aside from this responsibility, others will step into our place—starting with China—leading the rest of the world outside of the United States into new technology innovations to deal with climate change.

It is clear that it is in America's best interest to take immediate action to limit our greenhouse gas emissions and face the realities of climate change head-on. Will it result in a change in our lifestyle? Perhaps, but only on the margins. Is it worth it? This weekend, I am going to get a treat: I get to visit my grandkids. They are 7 years old, twins, a little boy and a little girl, and I have a lot of fun with them. I think about what I do for a living and how it might impact the world they will live in for years to come. I would like to let them know that I am doing my part in the Senate and others are doing their part to leave them a world that they can live in—one that is not compromised by the selfishness and political agendas we see today.

The livelihood of people in my State, including the farmers in my home of Illinois, depend on us.

The PRESIDING OFFICER (Mrs. Fischer). All time has expired.

Mr. DURBIN. Madam President, I ask unanimous consent for 60 additional seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. The livelihoods of farmers in my home of Illinois depend on our acting and preventing an endless cycle of historic storms, floods, and droughts, causing millions of dollars in damage and crop loss. We have a moral obligation to our kids and grandkids to leave future generations with a planet that is not plagued by catastrophic drought, famine, wildfires, hurricanes, and sea level rise. We have the tools, and we know how to do it. It is time we rise to the challenge.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Madam President, I am here to speak and once again highlight the importance of aviation to my State, to the country, and to the world, but also to point out the significance of the 5-year FAA reauthorization bill the Senate recently came to the floor many times on this topic. I am pleased to be here today to tell about the many wins that are included in this legislation. They are beneficial to the country, and they are certainly beneficial to my home State.

I am most pleased to highlight the fact that this legislation does not include—excluded from this legislation are any efforts to privatize our Nation’s air traffic control system.

The Kansas airspace is one of the most important in the world and for good reason. Kansans have built three out of every four general aviation aircraft since the Wright brothers’ first flight at Kitty Hawk. Today, over 40,000 Kansans make a living manufacturing, operating, and servicing the world’s highest quality airplanes. I cannot overstated the importance of this reauthorization and the stability it provides to the aviation community.

We are doing something that we have been unable to do for years: a long-term FAA reauthorization. In the ongoing efforts to pass the long-term bill, Republicans and Democrats in both Chambers of Congress have found common ground and consensus among the entire aviation community on a wide range of important issues. The chairman of the Commerce Committee, Senator THUNE from South Dakota, as well as the ranking member, Senator NEELAMANI from Florida, have brought the bipartisan members in which they have worked through the FAA reauthorization process in recent years and their efforts to negotiate a final piece of legislation with the House that was strong enough to receive 93 votes in the Senate.

I am pleased that included in this legislation are numerous provisions that I have introduced and supported and advocated for since the reauthorization process began, and I look forward to manhã these accomplishments in short fashion. I thank the many aviation and aerospace leaders in my State for informing my work on this topic.

First, the FAA reauthorization bolsters FAA manufacturing by streamlining the aircraft certification process. With the short amount of time before a vote, I will highlight these for the Record.

In addition, it authorizes the FAA Center of Excellence for Advanced Materials at Wichita State University. This research has played a critical role in the evolution and integration of aircraft materials and technologies by providing valuable research to validate the safety and integrity of new aircraft to the general public.

This bill helps close the skills gap for the aviation workforce. The White House and I have worked with our colleagues to provide legislation to create a pilot program within the FAA through which grants would be authorized to support tech education and career development. The grants would encourage collaboration between universities, technical schools, and local governments, and provide grants to develop workforce programs to help close the skills gap in the aerospace industry.

The FAA Reauthorization Act reduces regulatory barriers for educational use of drones—unmanned aerial vehicles or systems. Last Congress, I was co-lead on this legislation with Senator Peters of Michigan to reduce barriers for the use of small UASs at institutions of higher education. This bill accelerates the safe integration of innovative UAS technology, another significant development.

This legislation strengthens the Federal Contract Tower Program. Kansas is home to eight air traffic control towers that participate in FAA’s FCT Program, which provides important safety services at small airports nationwide in a cost-effective manner that saves the taxpayers $200 million annually. This bill reauthorizes several reforms that strengthen the Contract Tower Program, and I am pleased to be able to report that.

It provides access and flexibility for additional airport construction funding. Again, this is something that is important in all of our communities that have an airport. How do we make certain that we have the latest infrastructure available for safe flights to and from our airports?

It improves child safety on commercial airlines, legislation that Senator Schatz from Hawaii and I introduced to advance the safety of children who fly with their parents.

This bill reauthorizes the FAA’s Essential Air Service Program, connecting rural airports to the national system. That is something which is important to many of us who represent rural States.

It safeguards small airports in the event of sudden loss of commercial service.

Last Congress, I sponsored the Small Airport Regulatory Relief Act that is included in this legislation. It is to make certain that certain airports, such as the Hays Regional Airport and the Liberal Mid-America Regional Airport, would not lose Federal Airport Improvement Program funding due to inconsistent commercial service through no fault of their own.

Unfortunately, regional airlines continue to struggle because of a lack of pilots. There is a pilot shortage, and our airports and the traveling public ought not be damaged as a result of the
inability of the airlines to hire a sufficient number of airline pilots.

It also increases the fairness and reduces regulation for general aviation projects and activities. This is legislation that was originally introduced, which is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 45, as follows:

[Role Call Vote No. 228 Ex.]

YEAS—52

Alexander Gardner Markowski Paul
Barrasso Graham Perdue Risch
Blunt Grassley Portman Roberts
Boozman Hagerty Roby Risch
Burr Heller Siddiqui Ron Wyden
Capito Hoeven Saxby Thune
Cassidy Hyde-Smith Scott Wicker
Collins Inhofe Smith Young
Corker Isakson Sullivan
Cornyn Johnson Tillis
Cotton Kennedy Thune
Crappo Kyle Titts
Cruz Lee
Daimes McSauler Wicker
Ezzi McCain
Ernst McCaskill
Fischer McConnell Young
Flake Moran

NAYs—45

Balduin Gilbride Peters
Bennet Harris Reed
Blumenthal Hasean Sanders
Booker Heinrich Schatz
Brown Hirono Schumberg
Cantwell Jones Shaheen
Cardin Kaine Smith
Carper King Stabenow
Casey Klobuchar Tester
Coons Leaky Udall
Cortez Masto Manley Van Hollen
Donnelly Menendez Warner
Duckworth Merkley Whitehouse
Durbin Murphy Wyden
Feinstein Murray

NOT VOTING—3

NOT VOTING—3

Heitkamp Nelson Rubio

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate’s action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Eric S. Dreiband, of Maryland, to be an Assistant Attorney General.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Eric S. Dreiband, of Maryland, to be an Assistant Attorney General shall be brought to a close?

The yeas and nay votes are mandatory under the rule.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nay votes resulted—yeas 50, nays 47, as follows:

[Role Call Vote No. 229 Ex.]

YEAS—50

Alexander Flake Markowski Paul
Barrasso Gardner Perdue Risch
Blunt Graham Portman Roberts
Boozman Hagerty Risch
Burr Hatch Siddiqui
Capito Hoeven Shelby
Cassidy Hyde-Smith Sullivan
Corker Inhofe Thune
Cornyn Johnson
Cotton Kennedy
Crappo Kyle
Cruz Lankford
Daimes Lee
Ernst McCaskill Tillis
Fischer McConnell TOomey
Flake Moran Wicker

NAYS—47

Balduin Harris Peters
Bennet Benner Reed
Blumenthal Blumenthal Sanders
Boomer Booker Schatz
Brown Brown Schumberg
Cantwell Cantwell Shaheen
Cardin Cardin Smith
Carper Carper Smith
Casey Casey Smith
Coons Coons Udall
Cortez Masto Cortez Masto Van Hollen
Donnelly Donnelly Warner
Duckworth Duckworth Whitehouse
Durbin Durbin Wyden
Feinstein Feinstein

NOT VOTING—3

Heitkamp Nelson Rubio

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate’s action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the
The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Eric S. Dreiband, of Maryland, to be an Assistant Attorney General.

The PRESIDING OFFICER. The Senator from North Carolina.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, I am here for what I hope will be the last time to talk about a subject I have come to the floor and discussed virtually every week we have been here since I went and visited a man who has been in a Turkish prison since October 7, 2016.

His name is Andrew Brunson. He is a Presbyterian minister from North Carolina who, in 2016, under emergency orders in Turkey, President Erdogan ended up ordering the arrest of a number of clergy and several dozen others who think were probably involved in the illegal coup attempt.

To the extent that evidence demonstrates they were, they should be held accountable for their actions, but, unfortunately, thousands of people—journalists, people of faith, and a number of other people who were in the wrong place at the wrong time, like a NASA scientist who already spent 2½ years in prison—were also arrested. They were also put in prison.

In the case of Pastor Brunson, he spent almost 17 months in a Turkish prison, in a cell designed for 8 people that had 21 people in it. None of the others were even English-speaking. When I walked into his prison, he had an indictment against him. It was about a 70-page document. It is a document I have read. Quite honestly, I don’t think a first-year law student or a magistrate anywhere would consider the allegations in this indictment as worthy of any prosecution—certainly not enough to keep somebody in our U.S. justice system in prison overnight, let alone now 734 days.

The 2-year anniversary was just on Sunday. I called Pastor Brunson Sunday morning to talk with him, to see how he is doing and how his wife Noreen is doing. Noreen has been in the country the whole time because she is afraid that if she leaves the country, she is most likely back to Western North Carolina.

I visited Pastor Brunson in a Turkish prison just 6 months ago, after I heard he was concerned that once the indictment was issued against him, the American people would read that indictment and just forget about it. It was important for me to go to Turkey, to go to that Turkish prison just outside of Izmir, Turkey—one of the major cities in Turkey—and look him eye to eye and say: I will never forget you.

Since that meeting, and after that meeting in which we had some 70 Members of the U.S. Senate from both sides of the aisle sign on to a letter to send a very clear message to Pastor Brunson that we are not going to forget him and also a very clear message to Turkey and to me, that if we have a miscarriage of justice in this case, I will come back to the Turkish courtroom almost 2 months after I met him in prison, and I saw firsthand how the Turkish judicial system works. It is not like ours, which is largely devoid of any political influence or what I view as completely devoid of political influence. The President cannot call a judge and tell them to put their thumb on the scale of justice here in the United States, but sometimes it looks that way in Turkey.

I am asking President Erdogan, the Turkish judiciary, the Foreign Ministers, and the others I have spoken to over the past several months: Please, let’s have justice for Pastor Brunson. Regardless of what the outcome is tomorrow in the courts, get him home. I hope that happens tomorrow or early next week.

If, on the other hand, his hearing is continued again or he is found guilty and is likely to be sentenced to 35 years, I will have to take a different tack—a tack very similar to what we took in putting a provision in the National Defense Authorization Act, real- ly questioning our long-term relationship with Turkey in terms of sharing technology with the Joint Strike Fighter. When we went through that process, we identified a number of other measures where I believe we can get strong support in the House and Senate that would take our relationship with Turkey in the wrong direction.

I want Turkey to be a strong NATO ally. I want Turkey past an era of regarding the Turkish people to have a vibrant economy, but at the end of the day, I will have to be motivated to convince the Members of Congress and the President, who has been very helpful to this point, and Secretary of State Pompeo that absent a just outcome for Pastor Brunson, we will have to take a look at how we can continue to fight for justice. I sincerely hope I will never have to go down that path.

Over the next 24 hours, Pastor Brunson is scheduled to be in a courtroom—within about the next 16 hours. I hope the American people will keep him in their prayers. I hope the Turkish people and the Turkish leadership will do the right thing—and the right thing is having Pastor Brunson and Noreen come home.

Thank you.

The PRESIDING OFFICER. The Senator from Arizona.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FLAKE. Mr. President, I ask unanimous consent that all postcloture time on the Dreiband nomination expire at 2 p.m. today and that the Senate vote on confirmation of the Dreiband nomination with no intervening action or debate; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and that the Senator be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

GUARDIANS OF DEMOCRACY

Mr. FLAKE. Mr. President, there are no more consequential words spoken than those spoken by the President of the United States.

The words of a President reverberate around the world like no other world leader’s, and as attentive as Americans are to what our President says, the rest of the world is probably paying even closer attention, as it is often their fate that hangs in the balance when our President speaks.

Americans can ignore certain utterances from the President. The rest of the world often has no such luxury.

Another audience for Presidential utterances is the despot, the strongman, the authoritarian, and the dictator. From this President, that horrible focus group has received a great deal of sustenance.

In fact, the oppressors of the world have taken to parroting some of their favorite lines from the White House, and this is especially critical of their regimes has become “fake news,” and the press is the “enemy of the people,” just to name two of our President’s greatest hits.

As I mentioned in this Chamber in January of this year, a State official in Myanmar recently said:

There is no such thing as Rohingya. It is fake news.

He was, of course, referring to the persecutedethnic group.

In February of last year, Syrian President Bashar al-Assad shrewdly struck off an Amnesty International report that some 13,000 people had been murdered in his military prisons by saying:
You can forgive anything these days. We are living in a fake news era.

In the Philippines, President Rodrigo Duterte has complained of being “demontized” by “fake news.” Last year, according to a news report, with our President “laughing by his side,” Duterte called reporters “suckers.”

In July 2017, Venezuelan President Nicolas Maduro complained to the Russian propaganda outlet that the world media had “spread lots of false versions” about his country, adding: “This is what we call ‘fake news’ today, isn’t it?” And on and on. This feedback loop is appalling.

We are in an era where the authoritarian impulse is reasserting itself to challenge free people and free societies everywhere. We cannot give convenient language to authoritarian, language that is used against their own people.

Now, with the apparent brutal murder of journalist Jamal Khashoggi, some of the real enemies of the people and their confederates seem to have taken license to eliminate a man their regime viewed as a threat.

We need to know exactly what happened in that Saudi consulate in Tur- key earlier this month. Put bluntly, we cannot do business with the Saudi Government if they directed or were complicit in the murder of Jamal Khashoggi. We in this body had best be very careful about who the enemies of the people are and who they are not.

The free press is the guardian of democracy and the enemy of tyrants, and the man or woman who speaks from behind the Presidential Seal needs to remind the country and the world of this truism again and again, as long as the world will listen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I rise today to recognize the Arkansas Black Hall of Fame Class of 2019 inductees and celebrate their contributions to our State, country, and literally the world.

Founded in 1992 by Charles Stewart and Patricia Goodwin to recognize the gifts of African Americans with Arkansas roots, the first induction ceremony in 1993 honored six individuals, including acclaimed composer, author, and activist Mary Louise Williams. Ms. Williams is a member of the Arkansas Black Hall of Fame, as are Daisy Bates, Democratic and civil rights activist, and Little Rock Nine mentor Daisy Bates.

We are probably all familiar with Arkansas’ role in the movement for public integration. The African-American students who were the Casinos and intimidated by fellow classmates and community members as they tried to enter Little Rock Central High School quickly became icons of the civil rights movement because of their courage in the face of overwhelming adversity.

These heroes, as the Little Rock Nine, were inducted into the Arkansas Black Hall of Fame in 2007. They, along with other individuals who are members of the Arkansas Black Hall of Fame, represent diverse areas of advocacy, interest, and expertise. More than 150 people are part of this select group because of their contributions to American culture and Arkansas history.

This year, six individuals will join this distinguished group when they are inducted on Saturday, October 27, 2018. I want to take a moment to recognize the inductees and their accomplishments.

Kevin Cole is a renowned mixed-media visual artist from Pine Bluff, AR. He graduated from the University of Arkansas at Pine Bluff with a degree in art education and continued his education, earning advanced degrees from the University of Illinois at Urbana-Champaign and Northern Illinois University.

His artwork often reflects the history of racial violence and social issues. When he was 18 years old, after Cole expressed his reluctance to vote, his grandfather told him the story of African Americans who were lynched by their neckties on their way to vote. That knowledge has inspired his artwork. He is well known for his abstract “necktie” pieces that reflect on the painful past while also, very importantly, looking toward a hopeful future.

Cole is an award-winning artist whose work has been displayed in galleries across the world, including the Smithsonian’s National Museum of African American History and Culture.

Brent Jennings is a native of Little Rock. He is an accomplished actor and educator. In the sixth grade, he was encouraged by a teacher who was directing his school’s annual vaudeville-style review to become an actor.

He took acting classes at the Arkansas Art Center, where he was the first African-American actor to lead a role in a children’s theater production. He pursued an acting career that took him to New York and Boston before moving to Los Angeles.

While a student at Emerson College, he was recognized for his acting and directing, earning the Carol Burnett Award and the New England Theater Award.

He has acted alongside Academy Award-winning actors and those who drive the Hollywood dream. You may have seen him most recently in AMC’s “Lodge 49.” In addition, he shared his passion for acting as an adjunct faculty member at the American Academy of Dramatics.

LTG Aundre Piggee is a native of Stamps, AR. He graduated from the University of Arkansas Pine Bluff. As a student, he served in ROTC and chose to pursue a career in the military. He says he mentors his soldiers as his UAPB instructors mentors him.

He has served a myriad of assignments for 37 years. His military career has taken him literally all over the world, where he has commanded thousands of soldiers, as well as worked to equip missions in Syria and Afghanistan.

Today he serves at the Pentagon as the Deputy Chief of Staff in the U.S. Army, overseeing logistics. He is an individual I have really enjoyed getting to know and working with, and he is certainly somebody we can be very, very proud of.

Darrell Walker’s name is synonymous with Arkansas basketball. He played at the University of Arkansas—Fort Smith before transferring to play for the Razorbacks for three seasons. He helped the team reach the Sweet 16 in 1981 and 1983. He ranks 18th all-time on the Razorback’s scoring list.

Following a successful collegiate career, he was drafted 12th overall by the New York Knicks and was named to the 1984 NBA All-Rookie Team. He played in the NBA for 10 years, including winning a championship with the Chicago Bulls in 1993.

Walker has continued his involvement in basketball as a coach for college teams and in the NBA. Earlier this year, he became head coach of the University of Arkansas at Little Rock men’s basketball team.

Mary Louise Williams is an educa- tor, advocate, and political activist. She spent 42 years as an educator, 30 of those years as an administrator and music teacher in the Little Rock School District. She has spent her life actively involved in the community as a teacher, mentor, and volunteer in commissions and as an elected official, sometimes as the only woman or only African American.

She was the first African-American chairperson of the Pulaski County Election Commission, the first African-American woman from Arkansas to serve on the National Association of County Officials Board. She has mentored Arkan- sans through her civic involvement and earned many awards for her commitment to the community. She was recently recognized by the Women’s Foundation of Arkansas as the recipient of the 2018 Brownie Ledbetter Civic Engagement Award for her service and her activism. At 98 years of age, she continues to be active in the community.

Florence Price will be posthumously inducted into the Arkansas Black Hall of Fame. She grew up in Little Rock, where she learned to love music at a young age. Her mother taught her piano, and she became an accomplished musician as a youth. By the time she graduated high school, Price was a published composer. She pursued her passion for music as a student at the New England Conservatory of Music.

In 1932, she won the Wannamaker Prize for her “Symphony in E minor.” The next year, the Chicago Symphony Orchestra performed that piece, making Price the first African-American woman to have a composition played by a major orchestra.
In 1940, Price was inducted into the American Society of Composers, Authors and Publishers. She had composed more than 300 works by the time of her death in 1933.

We can be very, very proud of these men and women. Their lives and legacies are important to the history of our country and the fight for equality.

With that, 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ERIC DREIBAND

Mr. DURBIN. Mr. President, I rise to oppose the nomination of Eric Dreiband to be the Assistant Attorney General for the Civil Rights Division of the Justice Department.

Mr. Dreiband has no experience working on many of the most important duties of the Civil Rights Division, such as protecting voting rights, combating hate crimes, and ensuring that police departments respect the Constitution and civil rights laws.

Instead, he has extensive experience representing corporations who have been accused of employment discrimination and advocating against legislation to protect civil rights.

In his personal capacity, he has testified against the Lilly Ledbetter Fair Pay Act, Pay Restoration Act, and against legislative efforts to protect workers from discrimination.

We need a head of the Civil Rights Division who will demonstrate independence and a willingness to preserve the right to vote and civil rights laws in the face of this administration’s regressive agenda.

I am not confident that Mr. Dreiband will be the independent leader that the Civil Rights Division needs. I cannot support his nomination.

Mr. VAN HOLLEN. Mr. President, I rise to oppose the nomination of Eric Dreiband to serve as Assistant Attorney General of the Civil Rights Division. His nomination is an affront to the mission of the Civil Rights Division, the career attorneys, and to everyone in our country dedicated to advancing civil rights.

Created in 1957, the mission of the Civil Rights Division is to “enforce federal statutes prohibiting discrimination on the basis of race, color, sex, disability, religion, familial status and national origin.” The Civil Rights Division has been indispensable in helping our country combat housing discrimination, voting rights abuses, and hate crimes. It has also intervened in cases of police misconduct in certain situations.

Mr. Dreiband is the wrong person to lead the Civil Rights Division. He has spent his entire career advocating for weaker antidiscrimination laws. He has testified in Congress against the Lilly Ledbetter Fair Pay Act, the Protecting Older Workers Against Discrimination Act, and the Pay Restoration Act.

Looking at this record, Mr. Dreiband will do more to undermine than to protect efforts to prevent discrimination. How can someone devoted to fighting against antidiscriminatory laws now be charged with leading an agency that enforces antidiscriminatory laws? It is almost as if the Trump administration is “trolling” the agency itself with Mr. Dreiband’s nomination.

Unfortunately, under Attorney General Sessions, the Department of Justice has already rolled back Obama-era guidance that terminated the Federal Government’s use of private prisons, helped protect vulnerable transgender students, and the Cole memo which allowed prosecutorial discretion in sentencing for drug cases. Mr. Dreiband’s record suggests he will continue these attacks on civil rights.

The Assistant Attorney General of Civil Rights Division should be someone that will vigorously protect minorites and women. Mr. Dreiband has shown that he is not that person.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Eric S. Dreiband, of Maryland, to be an Assistant Attorney General?

Mr. Dreiband would have voted “yea.”

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Florida (Mr. RUBIO) have not yet voted.

The PRESIDING OFFICER. The senior assistant legislative clerk will report the nomination.

Without objection, it is so ordered.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of James N. Stewart, of North Carolina, to be an Assistant Secretary of Defense.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is on agreeing to the Stewart nomination.

The nomination was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate’s action.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.
The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Pennsylvania.

REMEMBERING MATTHEW SHEPARD

Mr. CASEY. Thank you, Mr. President. I rise to speak to commemorate the horrific death of Matthew Shepard 20 years ago. On October 7, 1998, Matthew Shepard, then a 21-year-old student at the University of Wyoming, was kidnapped, brutally beaten, and left tied to a fence in a field outside of Laramie, WY. He passed away 5 days later in a hospital.

Matthew was attacked because of his sexual orientation. His murder was an act of pure evil, borne of hate. Since his passing, Matthew’s family has worked to share his story in the hope that no other family suffers a similar tragedy. His parents, Judy and Dennis Shepard, started the Matthew Shepard Foundation to honor the life and aspirations of their son. Judy has made speaking tours and personal appearances around the country and around the world, sharing Matthew’s story, to shine a light on the importance of supporting the LGBT community and eradicating hate. She has relived the horror of those moments and others that may not ever know such pain.

I had the opportunity in 2005 to meet Judy Shepard here in Washington, and I was impressed and inspired by her strength. The foundation that the Shepards founded has organized has worked to end hate in all forms around the country, starting dialogues at schools, corporations, and communities to promote human dignity for all individuals. They have also provided an online resource center for LGBT youth, helped to create a dialogue about hate crimes through support for The Laramie Project, and helped to advocate for legislation to end hate crimes.

Judith Shepard’s work has been successful, and I think that is an understatement. Matthew Shepard’s story has resonated with people across the country and inspired change, including the 2009 passage of the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act, which I was proud to cosponsor. This legislation added perceived gender, sexual orientation, gender identity, or disability as protected classes under existing Federal and State laws.

Though we made a great deal of progress over the last 20 years, there is still so much work to do. In 2016, 6,121 hate crime incidents were reported, and of these incidents, 1,076 were based on sexual orientation bias, and 124 were based on gender-identity bias.

In order to help to stop this violence, I am the author of the Disarm Hate Act. This legislation would prevent those convicted of a violent misdemeanor crime of a type or those who have received a hate crime sentence enhancement from buying or possessing a gun.

It is critical that we work not only to address hate crimes but to stop the culture of violence or prejudice that often begins as bullying and harassment in our schools. According to a Human Rights Campaign report, LGBT youth are more than twice as likely—as a group—to be physically attacked at school.

Similarly, a report by the Gay, Lesbian, and Straight Education Network found that four out of five LGBT students reported experiencing harassment in schools based on their appearance or perceived sexual orientation. That is why I have consistently introduced the Safe Schools Improvement Act, which would prohibit in K–12 schools bullying and harassment based on sexual orientation or gender identity.

I am also a proud cosponsor of the Equality Act, a landmark civil rights bill that would amend existing civil rights laws to prohibit discrimination on the basis of sexual orientation and gender identity in education, employment, housing, credit, and Federal jury service.

Matthew Shepard’s life and death has inspired great change across our Nation over the last two decades. His life continues to inspire me and so many others, so many Members of Congress, and, indeed, so many Americans to continue the fight against hate and violence in all its forms.

We just read today, just hours ago, a story in the Washington Post which told us that Matthew Shepard’s remains will be interred in the next couple of weeks inside the crypt at the National Cathedral here in Washington. May he rest in peace.

I yield the floor.

The PRESIDING OFFICER (Mr. Cassidy). The Senator from Louisiana.

HEALTHCARE INSURANCE PLANS

Mr. KENNEDY. Mr. President, I want to talk for just a few minutes about our efforts to get control of health insurance costs in America. With me today is one of the colleagues from my office, Ms. Katie Dwyer.

The Affordable Care Act has not worked for the American people. I wish it had. I am disappointed that it hasn’t. We were promised upon the passage of the Affordable Care Act that our lives would be better. Our lives are worse. We were promised upon passage of the Affordable Care Act that health insurance would be cheaper and more accessible. It has been neither.

As you know, the Senate has tried to come up with health insurance reform effort to replace the Affordable Care Act. We have not been able to do that, but we didn’t quit, as you well know. We have started, through a number of small but meaningful measures, along with the Trump administration, to lower health insurance costs for the American people, and we have made substantial progress. It has been lost in the noise, but it is real, nonetheless. I want to briefly talk about two such efforts.

First, association health plans. As you know, one option that has often been missing from our array of health insurance choices is the ability to get together as a group of people, sometimes across State lines, and buy health insurance. Let me explain what I mean by that. Let’s suppose you have a chamber of commerce, as many cities and towns do. Those chambers of commerce in my State would join with chambers of commerce in Mississippi, which would join with chambers of commerce in Arkansas, and they would pool all of their members and say to a health insurance provider: Here are all these people who want to buy health insurance. Give us the best deal you can.

Through the economy of scale, we could lower the cost of health insurance. It makes sense, but forever and a day, it hasn’t been legal in the United States of America. It now is. In 2017, President Trump issued an Executive order directing Federal agencies to draft regulations to allow the American people to enjoy the fruits of association health plans. In January of this year, the Department of Labor proposed a rule expanding the scope of groups and individuals eligible for banding together as associations and purchasing coverage through an association health plan. The rule was finalized on June 21 of this year, and it became effective on August 20, 2018.

I am not suggesting that association health plans are going to solve all the problems of access to insurance and cost of health insurance in America, but they will help, and they will help because the principle underlying association health plans is that they allow the free market to work.

If you are a member of a Rotary Club, and you want to join with Rotary Clubs in other States or other parts of your State, pool a large group of people together, and go to a health insurance provider and say “I have potential customers here, and I want to buy major medical insurance. What kind of deal will you give me?” that would be legal in our country.

The second thing we have done, Mr. President, as you are well aware—I consider you an expert in healthcare and in healthcare insurance—has to do with what we call short-term, limited-duration health plans.

What is a short-term, limited-duration health plan? Well, let’s suppose that I leave my job and I have employer-provided insurance and I am not sure what I am going to do next. I have some ideas and I have some prospects, but it will probably be 6 months before I will take a new job with a new company that will provide health insurance. There will be a 6-month gap where I and my family will not have health insurance. That is the purpose of short-term, limited-duration health plans.

There are plans offered throughout our country where, if I am in between
jobs, for example, and I don’t have insurance and I don’t want to pursue my prior health insurance through COBRA. I can go buy one of these short-term, limited-duration health plans. It is sort of gap coverage, if you will.

Short-term, limited-duration health plans have been around for a long time. The problem is, for all practical purposes, the Affordable Care Act made them illegal. That is a bit of an overstatement. You could still purchase a short-term, limited-duration health plan but for a very short period of time, so they were rendered ineffective.

Under changes made, these plans will allow families and individuals to purchase these short-term plans for up to 12 months and in some cases, for up to 36 months. That is the result of a new rule promulgated by the Trump administration which reverses the Obama-era policies that limited these short-term plans to only 3 months with no option to renew.

Why are short-term, limited-duration health plans important? Why are they helping to contribute to our efforts to lower the cost of health insurance? Here is the problem we are trying to solve, you will well know.

These are the increases in premiums—the cost you pay—to purchase health insurance through the Affordable Care Act.

In Texas, from 2017 to 2018, the price of the silver plan—to buy a silver plan through the Affordable Care Act—went up 41.3 percent; in my State of Louisiana, 12.9 percent; in Oregon, 31.9 percent; in Wisconsin, 43.5 percent; in Pennsylvania, 30.6 percent. I could go on and on. That is why the Affordable Care Act hasn’t worked. No one can afford it. I wish it had worked. It gives me no pleasure to say that. But we were told health insurance premiums would go down. They have gone up.

By making these short-term, limited-duration health plans available for a longer period of time, we are giving people the flexibility to extend them. The Trump administration, in my judgement, is making sure American families have access to a reliable, affordable health care option.

We had a vote yesterday. Some of my friends on the Democratic side of the aisle decided they wanted to end short-term, limited-duration health plans. They promulgated a proposal through the Congressional Review Act to end them. Fortunately, we defeated that effort.

What has been the effect in terms of price and availability? Well, short-term, limited-duration health plans, in many cities, are 50 to 80 percent cheaper than plans purchased under the Affordable Care Act.

You say: Why is that?

Well, there is no free lunch, and you are not going to get one now. If you purchase a short-term, limited-duration health plan, oftentimes does not have the same coverage a company is required to offer if it is a health insurance company offering health insurance under the Affordable Care Act. You don’t get the same coverage. That doesn’t mean you get no coverage. That doesn’t mean the short-term, limited-duration plan is junk insurance, because it is covered major medical insurance, and issues like lifetime limits, annual limits, coverage of preexisting conditions—there are a variety of plans out there offered. If you want to purchase a plan that is still cheaper, you can buy under ObamaCare that covers preexisting conditions, you can.

This idea that these short-term, limited-duration health plans are not intervention at all, or so-called junk insurance, is simply a bunch of nonsense. I will give an example. In the last quarter of 2016, a short-term, limited-duration health plan cost an individual about $124 a month. That is a lot of money for a lot of people, but it is much better when you compare it to an unsubsidized ObamaCare plan that costs $393 a month. You could save 70 percent by buying a short-term, limited-duration health plan.

Again, the idea that under ObamaCare, you could only buy one of these short-term plans for 3 months. Now you can buy them for much longer.

The self-styled betters of Washington, DC, the cultured, cosmopolitan crowd up here who think they know better than everybody else in America, who think they are smarter than all Americans, would do away with short-term, limited-duration health plans. They could because they think the American people are not smart enough to understand what they are buying. We are not going to give them the choice. We are smarter than they are. They need to do a lot of reading here in Washington, DC, to run their lives.

We saw that effort yesterday on the floor of the Senate. Fortunately, we defeated it. The American people are plenty smart. They may not have time and they may not have money, but they are too busy earning a living, but they get it. They watched their health insurance premiums rise through the roof as a result of the Affordable Care Act, and many of them have sought out this alternative, a short-term, limited-duration plan, and said: Hey, we know it doesn’t cover as much as some policies, but it is a heck of a lot cheaper, and we would like to buy it and try it for a while.

As Americans, they are entitled to do that. I am pleased that we could reserve the option for them. It was a win for American families, in my book.

We are not giving up on replacing the Affordable Care Act. It gives me no joy to say we have to replace it, but it just hasn’t worked. Any farsighted person who is at all objective would have to look at a plan that promised us cheaper policies and more accessibility and ended up with more expensive policies and less accessibility and say: It just didn’t work. We have to replace it, and we are going to keep working on it.

In the meantime, I wanted to point out to my colleagues that we continue to chip away at the rising cost of health insurance in America. I suggest the absence of a quorum. The PRESIDING OFFICER. The chair will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. PORTMAN. Mr. President, today I rise to talk about the economy; that is, what is going on out there in terms of jobs and wage growth. It is a positive story. I have seen it firsthand back home in Ohio. Every weekend I go back to Ohio, and I meet with small business owners and they tell me the same thing, which is that things are good. Their biggest concern is finding workers. They are growing and expanding. We see this in the national numbers as well.

These small businesses tell me it is primarily because of the tax reform and tax cuts legislation and, second, because of the regulatory environment that makes it easier for them to be able to create more jobs.

I want to start by talking about tax reform. We remember that before this legislation was passed, going back really for several years, our economy had been relatively weak. We had seen economic growth of between 1.5 and 2.5 percent, and a lot of people were saying that 2 percent growth is kind of the new normal.

In fact, the Congressional Budget Office, which is the nonpartisan group here that tells us what our growth numbers are likely to look like and then tells us what they actually are, said last year that they believed economic growth this year—the calendar year 2018—would be 2 percent. That is pretty discouraging, really. With 2 percent growth, we are not going to see the kind of growth in wages we all want to see, and we are not going to see the job expansion we all want. That 2 percent growth was before the tax legislation was passed.

They also predicted that employment would increase by only an average of 107,000 jobs per month; again, that is not bad, but not something to write home about.

Now our economy is up and going, and it is moving toward its full potential.

Shortly after tax reform passed, CBO changed its estimate. They said: OK, with tax reform, this is our new estimate. We are going to say that the growth is going to be, instead of 2 percent, 3.1 percent. That is more than a 50-percent increase in growth. That is incredible. They were pretty optimistic about what would happen. They said that it was attributable to tax reform,
which was a big part of this upward revision, as they called it. They also changed their projection on monthly unemployment. They said that instead of 107,000 jobs, we are likely to see 210,000 jobs per month.

Well, what has happened? It turns out the Congressional Budget Office, despite their optimistic projections, was wrong. We have seen numbers even better than their optimistic projections. Growth for the second quarter of 2018 was 4.2 percent, and a record 876,000 new businesses were created. The Federal Reserve now estimates that growth in this quarter we are in is likely to be 4.1 percent. Wow. We will see what the final numbers are, but if it is anywhere close to that, that is extraordinary.

So we have gone from 2 percent to 3 percent to 4 percent. And with 4.2 percent, 4.1 percent growth, what else is happening? Wages were flat. That was a lot of frustration around the country. You take-home pay is not going up, that is a squeeze. So we have gone from 2 percent to 3 percent was the wage growth last year. That is why a lot of people feel the middle-class squeeze: wages have been flat or even decreased since 1986, so it is a big deal.

The pro-growth policies that some of us have been promoting here on this side of the aisle, including tax reform and regulatory relief, have made a difference. Small business optimism is at an all-time high, according to the National Federation of Independent Businesses—NFIB. Most important to me, wages are finally going up. Over the last 10 years, it isn’t just that the economy has been relatively flat, it is that wages have not increased.

In fact, if you take inflation into account, wages have been flat or even declining, on average. That is why a lot of people feel the middle-class squeeze: higher expenses, particularly healthcare costs, but also everyday costs are driving it but also housing costs, the cost of food, the cost of education.

By the same token, we had wages that were flat. That is a squeeze. So your take-home pay is not going up, but your expenses are going up. There was a lot of frustration around the country over the last several years about that.

Now we see wages going up. So 2.8 percent was the wage growth last month. That is the highest wage growth since mid-2009. So since mid-2009, which is, remember, before the recession, we have not seen wage growth like this.

This is great news. I hope we continue to see that solid wage growth because that, ultimately, is what we ought to be looking for.

Since the first of last year, I have held over a dozen small business roundtables around Ohio, where you bring small businesses in to talk about the tax reform bill regulations and other issues they care about. Every single one of the small businesses that comes to these roundtables has a story to tell about how the tax reform helped them.

These companies are pass-throughs, meaning they pay taxes individually, which is the case for the vast majority of small businesses. So they are seeing lower rates, but they are also seeing an advantage to the new laws on investment. If you invest money in your company, you can deduct it from your taxes now. You had bonus depreciation before; therefore, you had to write things off immediately. That makes a huge difference, and it is exciting.

The President was talking today about the change in the law that allows you to have 100 percent depreciation, and you can write things off immediately. That makes a huge difference, and it is exciting.

The President was talking today about the change in the law that allows you to have 100 percent depreciation, and you can write things off immediately. That makes a huge difference, and it is exciting.

This is the first year I have also visited 22 businesses directly—not a roundtable discussion as I have done with small businesses. But I go to these businesses and talk to them about how they are using this tax bill. Again, everyone has good stories to tell. Some have added more jobs; some have increased wages and gone public about that. Fifth Third Bank would be an example or the Kroger Company in my hometown of Cincinnati—big businesses.

A lot of smaller businesses have done that as well, but they have done other things too. Some have delivered bonuses, some have expanded retirement benefits, and some have bought new equipment.

For a lot of small businesses, I will talk to them and say: What are you doing with this? They said they are actually taking these older pieces of equipment we have, these machines, and we are upgrading them, which, again, makes workers more productive, makes the company more successful, and allows wages to go up.

One small business I visited had a machine that was roughly 31 years old. They got the machine in 1986. I thought it was an amazing coincidence that this Tax Code, which hadn’t been updated since 1986, was updated, and they were able to get the savings they got from that to take a machine that was bought that same year and upgrading it, modernizing it. It was about a $1 million investment for them, which they never could have made in a small business without the tax reform and tax cuts legislation. So it is working.

Sometimes companies are doing a combination of these various things. They might be increasing the 401(k) match and also adding more to their entry-level pay. So it is doing what was intended.

In the first quarter, we have numbers already for the amount of money that came back to our country—over $300 billion. Over $300 billion came back to the United States from overseas. That is what they call repatriation, money earned overseas that companies were keeping overseas before because they had no incentive to bring it back. Now they have created this better economy we are talking about.

By the way, that $300 billion, when compared to last year in the first quarter, is about 10 times more. This is because of the tax bill. The lower tax rates for individuals mean that 90 percent of the people in America got a statement from their employer saying: Guess what. Uncle Sam is going to take less out of your paycheck. Their withholding changes. So you have less of your earnings in America, you have gotten something saying: You are going to have more of your hard-earned money staying in your pocket. You are going to be able to take it home, rather than have Uncle Sam take it out as part of your taxes.

As I said during the tax reform debate, when we had very spirited debates, some on the other side were saying that there was no middle-class tax relief in this legislation. I said that the $2,000 a year is in the paycheck. Lower rates, doubling the standard deduction, doubling the child tax credit—those are tax cuts. They are real. Sure enough, 90 percent of Americans saw that in their paychecks. The proof is in their paycheck.

It is not really a political debate; it is a real life situation for people who are living paycheck to paycheck—most of the people I represent. So it is a big deal. For the median-income family in Ohio, that is $2,000 a year on average. That $2,000 a year means a vacation they otherwise couldn’t take. It means investing more in their healthcare, investing more in their retirement, investing more in their kids. So it is working.

I noted earlier that wages are rising at the fastest year-over-year rate since mid-2009 and that wage growth is accelerating. Along with these lower tax rates—along with the changes we talked about in terms of doubling the standard deduction and doubling the child tax credit—people are feeling more hope and opportunity and, due in part to this lower business rate and more competitive international tax system, companies are looking to hire more.

I mentioned that what I hear back in Ohio mostly now is this: We are looking for more workers. We are willing to hire people. We need the skills.

There was a Gallup Poll taken in May, and a record number of Americans said, “Now is the time to find a quality job”—a record number of Americans because they see the help
wanted signs. In fact, the number of Americans who are employed part-time for economic reasons—who want to work full-time but can only find part-time work—is now the lowest it has been since December of 2007. So you have to go back more than 10 years to find the number of people employed part-time who want full-time work. That is the lowest it has been since December of 2007. That is good. We want people to work full-time, not part-time.

I believe we are going to continue to see this rising tide in our economy. I think there are some newer provisions in the Tax Code that are yet to be implemented that will help even more.

There is a provision in the tax bill called opportunity zones where, if you invest in some of the neighborhoods in Ohio that have had the highest, persistent, stubborn rates of poverty, then you get a tax break. That is going to help increase investment in some of the poorer places. Those opportunity zones are just getting started now, and that is going to help ensure that people who have fallen behind have a chance to catch up.

John F. Kennedy once famously said that some boats go all the way while others go nowhere. It can. But you have to be sure that you are going into those kinds of neighborhoods and ensuring they have the opportunity to be lifted too. I think opportunity zones will help there.

Despite the strong and growing economy, there does remain a weakness in our workforce that will continue to hold us back; that is, a lot of Americans are not looking for work. They are literally on the sidelines. Labor economists call that a low labor force participation rate. It means that the percentage of people in the workforce looking for a job is relatively low.

So we have this strong economy, the lowest unemployment numbers we have been going back 10 years, but yet we have a lot of people in the shadows, on the sidelines, who aren’t even looking for work, so they don’t show up in the unemployment numbers.

If you took the labor force participation rate—again, the percentage of people in the workforce—and go back 10 years ago to just before the great recession and compare it to today, use the same labor force participation rate, what would you guess the unemployment rate is today? It is not 3.7 percent. It is more like 8.5 percent.

As strong as this economy is, as good as things are, as optimistic as people are, the fact that wages are going up—all good things, and the tax bill is hugely responsible for that. It is helpful. It has pulled a lot of people back into work who had part-time work or were underemployed. It hasn’t pulled people back into work altogether; there is still a big group of Americans, historically high numbers—probably 8 million people who want to go to work. It is not the case; for example, the ages of 25 and 55, able-bodied men who aren’t working. That is wrong, and it is wrong for them because they are not getting the dignity and self-respect that comes from work, helping them to be productive members of society. The numbers for women are perhaps not quite as high—but also at relatively high levels.

It is bad for our economy. We need these workers. We want these people in the workforce.

Why has that happened? I think there are a few reasons. I think one reason is that Americans don’t have the skills they would need in order to meet the job requirements of today. What do I mean by that? Today, if you don’t have a technical skill—whether you are in healthcare, whether you are in manufacturing, or whether you are in one of the service industries—it is hard to find a job. So to our young people here today: Get that skills training.

If you look at the unemployment in Ohio right now—OhioMeansJobs is a website you can go on and see that there are jobs being offered online right now, yet there are a lot of people unemployed. Why is that? You see that a lot of these jobs being offered are for things like a machinist or a welder or someone with IT skills—in person. There are opportunities out there, the jobs that are being offered and you look at this high unemployment, you say it doesn’t make sense. Part of it is because the job skills aren’t there.

There is a lot of exciting stuff going on in my State and in other States where there are colleges—particularly some of our community colleges—that are working closely with some of the businesses. They are finding the skills that are in demand. Particularly with low unemployment, the skills training that should and can go on in order to provide people with the tools they need to ultimately be successful in today’s economy. So that is part of it.

Part of it I think is the dependency on pain medication. What do I mean by that? There is an issue where you are on government support, when you are dependent on government, and you want to go to work. It is both the fact that there is a cliff in terms of losing the benefits, and also there is a mountain in terms of higher taxes.

One thing that some of us have worked on here—and we need to do more—is to say: How do you work with the States to provide for that transition? If someone wants to go to work and leave a government program, how do you have some way to transition so that they don’t have this big cliff and this mountain ahead of you? That creates a disincentive.

I do think there is work to be done there, but I will tell you, I think the biggest single issue in terms of these comparatively high numbers for people who are out of work altogether—the people who are on the sidelines—is actually the opioid crisis and the drug issue. Why do I say that? One, I see it back home. I go around my State; I spend a lot of time talking to people at treatment centers. I talk to people who are in recovery. I talk to people who are addicted. I talk to people who are experts in providing treatment for that longer term recovery. I talk to first responders. There are a lot of people in my State; we are probably in the top five in the country in terms of the percentage of people addicted, the number of overdoses per capita, the number of deaths per capita.

As a whole, we lost 72,000 people last year to drug overdoses. These are historically high numbers. These are record numbers, grim statistics. More people died last year of drug overdoses than we lost in the entire Vietnam conflict. Think about that.

A lot of these people are addicted, but they aren’t part of the statistics you read about—the overdoses and deaths, as tragic as they are. There is another part of the statistic, which is the people who are not productive in life because they are not engaged anymore with their friends, their family, or their work. The drugs have become everything.

I can give you a couple of statistics that you think are shocking. One, the Brookings Institute. They did a study of men between 25 and 55 who are out of the workforce, asking: How could this be—over 8 million men out of the workforce altogether—particularly with low unemployment, the jobs that are being offered? They found that almost half of those men acknowledged taking pain medication on a daily basis—on a daily basis. Who is going to say that they are addicted, that you don’t have this big cliff and this mountain ahead of you? There was another study by the Brookings Institute. Brookings said that almost half of the people they surveyed said that they were taking pain medication on a regular basis. They did the day before; one said on a daily basis.

They also asked another question: How many of you are taking prescription drugs? Two-thirds of the people acknowledged taking prescription drugs, pain medication.

These are shocking statistics. By the way, I do not believe this is over-reported; I believe it is under-reported. Who is going to say that they are addicted to pain medication? That is one
OK, how do we take these people who reason within the legal system not to do that, but there are also other reasons not to do it. A lot of people still feel it is something they can't talk about. We have changed that to a certain extent. The stigma has been removed to some extent. In my State, I think we have helped by talking about drug addiction as a disease, which I believe it is. You need to treat a disease as you would other diseases. It is not a moral failing; it is a disease that pervades all socioeconomic classes. There are people who are not coming forward who feel that stigma, there is no question about it. Probably 8 out of the 10 people in my State who are addicted are not getting any kind of treatment.

I think this is another issue we have to face for all the right reasons—to help these people get their lives back on track, to help these people be able to achieve what God's purpose is for them, which certainly is not to be an addict and not to be actively using and not to be causing all the pain and destruction it causes all through our society.

The No. 1 cause of crime in my State of Ohio, in pretty much every county I represent, is this issue. It is not necessarily the drug use; it is the crime that goes along with it—the property crimes, theft, fraud, and so forth—to pay for the drug habit.

If you go to the emergency room in Ohio, it is a normal issue they talk about. In our neonatal units—sad but true—more and more babies are being born with what is called neonatal abstinence syndrome, which means their moms were addicted. These kids have to be taken through withdrawal as babies, provided morphine and other drugs just to get them through withdrawal. It is incredibly sad. We don't know what long-term impact all of this will be on these kids, but it is a huge problem. It is the No. 1 problem I see back home in our hospitals in taking care of our babies.

If you go to our prisons, our jails, go to our courtrooms, what is the No. 1 issue? Drugs, primarily opioids. Of the 72,000 people who died of overdoses last year, the biggest single killer was not just opioids, it was fentanyl—this new synthetic opioid that has come mostly from China, mostly through the Postal Service. It is outrageous that it continues to happen. We are taking steps to address it.

My point is, all of us are affected by this. You may not think you are, although more and more people see it directly because their friends or family or they themselves are caught up in this, but all of us are affected, including our communities.

As good as the economic numbers are, I am so glad we passed the tax reform legislation because I really think it has helped spur this economic growth, and there is opportunity for so many people. It is increasing wages. It is doing so many good things.

The next step is, as I see it, to say: There are not in a position to get on that first rung of the economic ladder, much less the second and third, and climb up because of their addiction—how do we get them back on track, get them to face up to their addiction and get into treatment, get them into a longer-term recovery, which we know works better to get them off of their addiction and get them back into a productive life where they can reconnect not just with work but with their families, friends, communities and their faith? The drugs become everything, as I have heard from so many addicts and recovering addicts.

The American Action Forum released a report earlier this month that found that Ohio lost about 86,000 workers and about $72 billion in economic growth from 1999 to 2015 due to opioid addiction. This affects all of us, and it certainly affects our economy. That is the next step we must make.

In 2016, Congress started to get much more engaged in this issue. We passed two great bills, one called the Comprehensive Addiction and Recovery Act. Senator SHELTON WHITEHOUSE and I were the coauthors. This is broad, comprehensive legislation. Today, we have passed a number of grants to Ohio that are working to expand treatment to ensure that some of these gaps are filled where people get addicted, overdose, Narcan is supplied—the miracle drug that reverses the effect of an overdose— and yet they go right back into the community. We don't want that. We want to get them back into treatment. These grants will help.

We also passed legislation called the 21st Century Cures Act, which provides funding directly back to the States. CARA goes to these nonprofits and other programs that are working, evidence-based programs to help with treatment and recovery and prevention. CARA also gives money directly to the States and allows the States to spread out that funding where it will help. Every State is a little different and has different kinds of needs.

We started to see some progress on the ground. Again, the fentanyl has come in and overwhelmed a lot of the progress I have seen. On the fentanyl side, we passed legislation just last week that finally says to our post office: You must screen these packages coming to your P.O. box. It is coming to an abandoned warehouse from our post office. It is coming from the post office. It is coming to your P.O. box. It is coming to an abandoned warehouse from our post office. We finally said to them: You have to close this loophole because if there is a loophole, they don't have to provide law enforcement the data on these packages or track them, perhaps even get a needle in the haystack, which is too hard to find without that data. Private carriers have to provide that data to law enforcement; the post office does not. That is all going to change when the President signs this legislation next week. We are going to start to push back to keep some poison out of our communities, but we need to do more.

The legislation we passed this week also provides more funding for treatment. It gets rid of an outdated rule that says there can be only 16 beds in a treatment center if it gets Medicaid reimbursement. That is a vestige of years past during the deinstitutionalization of folks who had mental health issues, behavioral health issues, but it doesn't work today because we want these good treatment centers that are doing a good job to be able to expand the number of beds they have for residential treatment because that is what works for some people.

Unbelievably, today they have to turn people away, even though they are there, they are ready, and they can take these people, because there is a 16-bed limit. There are too many cases. I know of people in Ohio who have told me that when they were ready—in one case, a father told me that when his daughter was finally ready to go to a treatment center, the beds had run out. They went to the treatment center. She was ready to enter. She had come to that point in her life where she realized she needed to do this. They told her there was no room—no room under the 16-bed limit.

In the next 2 weeks, while she was waiting to get into that treatment center, you know what happened—she used again. She was addicted. She overdosed, and she died in her parents' home. That father is very happy about that. I think this is another issue we have to face for all the right reasons—to help these people get their lives back on track, get them to face up to their addiction, and get them to treatment, get them into a longer-term recovery, which we know works better to get them off of their addiction and get them back into a productive life where they can reconnect not just with work but with their families, friends, communities and their faith? The drugs become everything, as I have heard from so many addicts and recovering addicts.

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capable or able to take care of these kids. The parents need to focus, one would hope, on their own treatment and recovery. Sometimes they do, and sometimes they don't. The point is, the baby can't be with them, and these organizations are in a position to help. These organizations, like Brigid's Path, in Dayton, OH, have volunteers who come in just to hold the babies, just to show the babies the love they need so desperately. They couldn't get reimbursement from the Federal Government under the CRIP Act that we just passed. This will help the babies, the moms, with treatment, and keeping the poison out. It is helpful.

As we discussed this afternoon, in combination with a stronger economy that comes from the kinds of fiscal and economic policies we have pursued here, especially the tax reform and regulatory relief—that combination can lead to great things because it can provide hope that if people are really going to get on that next rung of the ladder, for them to find an opportunity for themselves and their family because they have dealt with their addiction. A rising tide can lift all boats, and this growing economy gives us an opportunity to bring people out of the shadows and into a productive life of work, family, and faith.

In the midst of the opioid epidemic, we have to do more to catch those who fall through the cracks and help those who are gripped by addiction find more meaning and purpose in their lives, and we now have that opportunity. That is what is exciting about it.

I am pleased that our new opioid legislation is going to be signed into law by the President next week. I am pleased to see the progress with the economy based on the policies we have passed here, especially the tax reform and regulatory relief—that combination can lead to great things because it can provide hope that if people are really going to get on that next rung of the ladder, for them to find an opportunity for themselves and their family because they have dealt with their addiction. A rising tide can lift all boats, and this growing economy gives us an opportunity to bring people out of the shadows and into a productive life of work, family, and faith.

Mr. M. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 4:45 p.m. today, the Senate proceed to executive session for the consideration of the following nominations: Executive Calendar Nos. 1007, David James Porter; 947, Lance Walker; 906, Chad Kenney; 945, James Hanlon; 943, Thomas Kleeh; 907, Jeremy Kernodle; 895, Peter Phipps; 905, Susan Brnovich; 906, Chad Kenney; 945, James Hanlon; 947, Lance Walker; further, I ask consent that the Senate vote on the nominations in the order listed, with 2 minutes of debate equally divided prior to each vote; that for each nomination that is confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, that no further motions be in order, and that any statements relating to the nominations be printed in the Record.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, I rise to speak in support of the nomination of David James Porter, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit.

Mr. Porter has deep roots in Pennsylvania. It is where he was born and raised by two public school educators who taught him and his siblings the value of hard work and education. Mr. Porter and his wife Valerie settled in western Pennsylvania and have raised their six children there during their 28 years of marriage. Mr. Porter is widely regarded as one of the preeminent attorneys in western Pennsylvania. Mr. Porter has a wealth of legal experience that will make him an outstanding judge. Currently, he is a shareholder in the Pittsburgh office of Buchanan Ingersoll & Rooney, a leading national law firm. Mr. Porter is best known for his 23 years at that firm, he has worked as a litigator on numerous complex commercial, regulatory, and constitutional

town schools, urban and suburban schools, all designated as "exemplary high performing schools."

I would like to read the names of these 16 schools in Ohio: Bath Elementary School, Bluffton Elementary School, Brecksville-Broadview Heights Middle School, Central Elementary School, Hazel Harvey Elementary School, Indian Ripple Elementary School, John Foster Dulles Elementary School, Maplewood Elementary School, Mariemont Elementary School, Mother Teresa Elementary School, Notre Dame-Cathedral Latin School, Oakwood Elementary School, Saint Andrew-Saint Elizabeth Ann Seton Catholic School, Stadium Drive Elementary School, and Twin Oak Elementary School.

The other school, in addition to these 16, is particularly close to my heart. It is called the Mansfield Spanish Immersion School. It sits on Euclid Avenue. It is the new school in the building where I went to elementary school, then called Brinkerhoff Elementary. It has since become a Spanish immersion school. Brinkerhoff was built, I believe, in the 1950s. I attended there and both of my brothers attended there from kindergarten through sixth grade.

The school reopened as a public magnet school a decade ago, with a class of 11 kindergartners, under the leadership of our neighbor Jody Nash.

Over the past 10 years, under Principal Nash and the current principal, Gabe Costa, the school has grown to more than 250 students across 9 grades.

Last year the school expanded to add seventh and eighth grade for the first time and had a third section of kindergartners.

Core subjects are taught in Spanish, helping Richland County students learn a second language from a young age. These students don't just excels in Spanish. The school is consistently ranked a top school in the State and has gotten high marks for serving students from diverse backgrounds.

I would add that there are not a huge number of people in Mansfield, OH, my hometown, whose parents are speaking Spanish at home. Most of these students are learning Spanish for the first time in their families.

Two years ago, the Brinkerhoff School, or the Mansfield Spanish Immersion School, which has 12 schools in Ohio and 100 across the Nation to receive a National Title I Distinguished Schools Award for making progress in closing the achievement gap between disadvantaged students and their peers. Awards like this mean so much to communities. They are a reminder that academic excellence isn't limited to exclusive private schools or wealthy communities on the coasts.

Too many people in this town of Washington want to refer to us as the Rust Belt—an outdated, offensive term that demeans our workers and devalues who we are. It devalues the incredible work schools like this are doing in our State, preparing our students for the global economy of the future. These schools are not rusty. They are thriving.

Congratulations to all 16 of this year's Ohio Blue Ribbon Schools—all examples to our State and to our country. I am so proud of them. I yield the floor.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

Mr. McConnell. Mr. President, I ask unanimous consent that the nominations be printed in the RECORD.
matters in both State and Federal courts, including the Third Circuit. He has represented a diverse set of clients, including the New York Times and Pennsylvania’s former Democratic Governor Ed Rendell.

Prior to joining Buchanan Ingersoll, Mr. Porter served for 2 years as a law clerk for current Chief Judge D. Brooks Smith of the U.S. Court of Appeals for the Third Circuit, while he was serving as a U.S. District Judge for the Western District of Pennsylvania. In addition to his law firm practice, Mr. Porter has served in numerous professional service and other organizations. For example, he has been a leader in the Allegheny County Bar Association. His peers elected him to serve as the chair of two of that association’s preeminent sections: the Federal court section and the civil litigation section. He also served on the Pennsylvania State Advisory Committee of the U.S. Commission on Civil Rights.

During his distinguished legal career, Mr. Porter has developed an outstanding reputation for professionalism, fairness, and integrity. His nomination is supported by a diverse group of attorneys and organizations, including the Pittsburgh firefighters union—IAFPE Local No. 1—the current president and a past president of the National Organization of Black Law Enforcement Executives, and the president of the Pittsburgh Steeler’s.

Mr. Porter has all the essential qualities needed to excel as a Federal judge: experience, intelligence, integrity, and respect for the limited role of the judiciary in our constitutional system. I am pleased to support this highly qualified nominee and urge my colleagues to do the same.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Mr. ENZI. Mr. President, I yield back all time.

I ask for the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. PORTER. The clerk will call the roll.

The legislative clerk called the roll. Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Thereupon, the Senate proceeded to consider the nomination. The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Sullivan nomination?

Mr. CORNYN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.
Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The result was announced—yeas 79, nays 41, as follows:

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The assistant bill clerk read the nomination of William M. Ray II, of Georgia, to be United States District Judge for the Northern District of Georgia.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HENRICH), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 41, as follows:

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Lilles Clifton Burke, of Alabama, to be United States District Judge for the Northern District of Alabama.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Burke nomination? Mr. TILLIS, President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HENRICH), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 40, as follows:

The nomination was confirmed.
The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Eli Jeremy Richardson, of Tennessee, to be United States District Judge for the Middle District of Tennessee.

The PRESIDING OFFICER. Will the Senate advise and consent to the Richardson nomination? The question is, Will the Senate advise and consent to the Richardson nomination? Mr. ROUNDS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The clerk will call the roll. The legislative clerk called the roll. Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. Rubio). Mr. DURBIN. I announce that the Senator from California (Mrs. Feinstein), the Senator from New Mexico (Mr. Heinrich), the Senator from North Dakota (Ms. Heitkamp), and the Senator from Florida (Mr. Nelson) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote? The result was announced—yeas 52, nays 43, as follows:

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The legislative clerk read the nomination of James Patrick Hanlon, of Indiana, to be United States District Judge for the Southern District of Indiana. Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Hanlon nomination? The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination. The senior assistant legislative clerk read as the nomination of Peter J. Phipps, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania. Thereupon, the Senate proceeded to consider the nomination. The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Phipps nomination? The nomination was confirmed.

The PRESIDING OFFICER. The clerk will report the next nomination. The senior assistant legislative clerk read the nomination of Susan Brnovich, of Arizona, to be United States District Judge for the District of Arizona. Thereupon, the Senate proceeded to consider the nomination. The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Brnovich nomination? The nomination was confirmed.

The PRESIDING OFFICER. The clerk will report the next nomination. The senior assistant legislative clerk read the nomination of Chad F. Kenney, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. Thereupon, the Senate proceeded to consider the nomination. The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Kenney nomination? The nomination was confirmed.

The PRESIDING OFFICER. The clerk will report the next nomination. The senior assistant legislative clerk read the nomination of Lance E. Walker, of Maine, to be United States District Judge for the District of Maine. Thereupon, the Senate proceeded to consider the nomination. Ms. COLLINS. Mr. President, I rise to support the nomination of Justice Lance Walker of Maine to serve on the U.S. District Court for the State of Maine. With nearly two decades of experience as both an attorney and as a judge in Maine, Justice Walker is well-qualified for the bench.

Justice Walker is a lifelong Mainer, where he lives with his wife Heidi and their two daughters, Ava and Dylan. He was born in the small town of Milo and raised in Dover-Foxcroft. He graduated from the University of Maine and from the University of Maine School of Law, with honors. He clerked for the Maine Superior Court before entering private practice.

Early in his career, Justice Walker distinguished himself as a skilled trial and appellate attorney at the law firm of Norman, Hanson & DeTroy, one of the premier law firms in Maine. He tried cases before juries and judges throughout Maine and in Federal Court and was selected for recognition in respected peer-reviewed legal publications such as Benchmark Litigation, Super Lawyers, and Best Lawyers in America.

In 2014, Justice Walker was unanimously confirmed to the Maine District Court by the Maine State Senate. He adjudicated a wide variety of cases primarily in Androscoggin and Oxford Counties. A year later, Justice Walker was nominated to serve on the Maine Superior Court, Maine’s trial court of general jurisdiction, a post to which he was also unanimously confirmed. Justice Walker has presided over complex criminal and civil cases, appeals, postconviction reviews, and jury trials. As a judge, Justice Walker has spoken with recovering addicts and caregivers about opioid addiction and itsintersection with the criminal justice system, anissue that is of urgent importance to communities across Maine.

The Judiciary Committee received several letters of support from legal professionals in Maine who know Justice Walker well, including from attorneys who have appeared before him, and from the Maine Trial Lawyers Association. Justice Walker has a reputation for fairness and respect for the law. As Daniel Waterman, former chief justice of the Maine Supreme Court, wrote: “I have known a lot of lawyers and judges in my fifty-three year legal career in Maine, and I can think of no one who is better qualified to assume the trial bench in the federal court system. Having served on the Supreme Court of Maine for more than twenty years, I believe that I can recognize a good judge. Lance’s nomination is well deserved and if confirmed, he will serve with integrity, competence, and humanity. In short, he will add to the strength and stature of the distinguished federal bench in Maine.”

Justice Walker has the intellect, experience, integrity, temperament, and respect for the Constitution and the rule of law that are essential in a Federal judge. His experience in private practice and as a State judge makes him well-qualified for the Federal district court, and if confirmed, he will serve the people of Maine and the Nation fairly and capably.

I urge my colleagues to support this nomination. The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Walker nomination? The nomination was confirmed. The PRESIDING OFFICER. Under the previous order, for all the nominations confirmed, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate’s actions.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES PAROLE COMMISSION EXTENSION ACT OF 2018

Mr. DAINES. Mr. President, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 6896 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6896) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed
and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6896) was ordered to a third reading, was read the third time, and passed.

Mr. DAINES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

MOTION TO CONCUR—S. 140

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment with a further amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL) moves to concur in the House amendment to S. 140 with further amendment No. 4054.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment in the nature of a substitute is as follows:

(The amendment is printed in today's Record under "Text of Amendments.")

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to concur on the further amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to accompany S. 140 with further amendment No. 4054.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment in the nature of a substitute is as follows:

(We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to accompany S. 140, an act to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund with a further amendment.


Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatorily quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. MCCONNELL). I ask unanimous consent that the cloture motion ripen following disposition of the motion to concur in the House amendment to accompany S. 140.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 909.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Michelle Bowman, of Kansas, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2006.

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Michelle Bowman, of Kansas, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2006.


Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatorily quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motion ripen following disposition of the motion to concur in respect to S. 140.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to the executive calendar consideration of the following nominations: Executive Calendar Nos. 1093 and 1094.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Jason R. Dunn, of Colorado, to be United States Attorney for the District of Colorado for the term of four years; and Dallas L. Carlson, of North Dakota, to be United States Marshal for the District of North Dakota for the term of four years.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the Record.

The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered.
The question is, Will the Senate advise and consent to the Dunn and Carlson nominations en bloc? The nominations were confirmed en bloc.

EXECUTIVE CALENDAR
Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 694, 920, and 921.
The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nominations en bloc.
The senior assistant legislative clerk read the nominations of Adam I. Klein, of the District of Columbia, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2024; Edward W. Felten, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board for the remainder of the term expiring January 29, 2019; and Jane Nitze, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2023.
There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate’s action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.
The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered. The question is, Will the Senate advise and consent to the Morhard nomination?
The nomination was confirmed.

EXECUTIVE CALENDAR
Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 1031, 1032, 1077, 1097, 1098, 1100, and 1107.
The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nominations en bloc.
The senior assistant legislative clerk read the nominations of Kimberly Breier, of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs); Denise Natali, of New Jersey, to be an Assistant Secretary of State (Conflict and Stabilization Operations); John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large; Karen L. Williams, of Missouri, 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 Republic of Suriname; Kevin K. Sullivan, of Ohio, 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 Republic of Nicaragua; Donald Y. Yamamoto, of Washington, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People’s Republic of Bangladesh.
There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate’s action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.
The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered. The question is, Will the Senate advise and consent to the Breier, Natali, Richmond, Williams, Sullivan, Yamamoto, and Miller nominations en bloc? The nominations were confirmed en bloc.

EXECUTIVE CALENDAR
Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 1111.
The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nomination.
The senior assistant legislative clerk read the nomination of Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense.
There being no objection, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate’s action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.
The PRESIDING OFFICER. Without objection, it is so ordered. The question is, Will the Senate advise and consent to the McMahon nomination?
The nomination was confirmed.

EXECUTIVE CALENDAR
Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 1105.
The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nomination.
The senior assistant legislative clerk read the nomination of Harold B. Parker, of New Hampshire, to be Federal Cochairperson of the Northern Border Regional Commission.
Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate’s action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.
The PRESIDING OFFICER. Without objection, it is so ordered. The question is, Will the Senate advise and consent to the Parker nomination?
The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar (PN2551). The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Gaynor nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar (PN2536). The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Taylor nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1130 to 1133 and all nominations placed on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows: 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 general

Gen. Robert B. Abrams

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Craig S. Faller

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force 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. Jerry D. Harris, Jr.

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Andrew L. Lewis

NOMINATIONS PLACED ON THE SECRETARY’S DESK

IN THE AIR FORCE

PN2518 AIR FORCE nominations (173) beginning BRUCE A. ABBOTT, and ending SHIRLEY B. ZISER, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2018.

PN2535 AIR FORCE nominations (4) beginning PATRICK C. DEGRAAF, and ending CHRISTOPHER L. PRIDGEN, which nominations were received by the Senate and appeared in the Congressional Record of September 24, 2018.

IN THE ARMY

PN2520 ARMY nominations (14) beginning WALTER C. BROCK, JR., and ending JOHN M. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of June 19, 2018.

PN2536 ARMY nomination of John J. Kalkonen, which was received by the Senate and appeared in the Congressional Record of September 24, 2018.

PN2537 ARMY nomination of Marc A. Peterson, which was received by the Senate and appeared in the Congressional Record of September 24, 2018.

PN2539 ARMY nomination of James B. Elledge, which was received by the Senate and appeared in the Congressional Record of September 24, 2018.

PN2551 ARMY nominations (11) beginning MICAH B. BELL, and ending TANYA R. TROUT, which nominations were received by the Senate and appeared in the Congressional Record of September 28, 2018.

IN THE NAVY

PN2574 NAVY nominations (2) beginning MARCUS N. FULTON, and ending FRANK D. HUTCHISON, which nominations were received by the Senate and appeared in the Congressional Record of September 11, 2018.

PN2580 NAVY nomination of Tilden L. Clark, which was received by the Senate and appeared in the Congressional Record of September 24, 2018.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to 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.

RECOGNIZING KENTUCKY HIGHLANDS INVESTMENT CORPORATION

Mr. MCCONNELL. Mr. President, I would like to take a moment to recognize the 50th anniversary of one of the greatest economic development organizations in my home State, the Kentucky Highlands Investment Corporation, KHIC. Throughout 22 counties in southeastern Kentucky, this community development institution provides the necessary assistance to groups by bringing new opportunities to the region.

Since its creation in 1968, the KHIC claims a remarkable record of financial investment and job creation. In fulfillment of its founding mission, the organization has invested more than $350 million and helped create or maintain approximately 22,000 jobs. A significant amount of the KHIC’s success has occurred in Promise Zones, federally designated regions of high poverty. I applaud organizations that are able to encourage economic growth in the areas of greatest need, and I am especially proud of the KHIC for doing just that.

To accomplish its goals, the KHIC focuses its efforts on four main areas: providing loans and giving equity investments, building housing solutions and driving innovation. The KHIC collaborates with experienced entrepreneurs and community leaders who offer guidance and support to a wide variety of small businesses in this region, and it is easy to see the half-century of success that has resulted.

I have proudly supported the KHIC’s work in its applications for competitive Federal grants. Much to my delight, their programming has been awarded Federal grant resources to bolster its successful work in Kentucky. I will continue to work with the KHIC and other groups to make a difference in our Commonwealth.
Purdue Global University

Mr. Durbin. Mr. President, more than a year ago, Senator Sherrod Brown of Ohio and I sent a letter to Purdue University President Mitch Daniels in which we expressed our concerns about Purdue’s proposed acquisition of the predatory, for-profit Kaplan University.

Kaplan was notorious in the for-profit college industry for their mistreatment of students. They had been the subject of numerous State and Federal investigations and lawsuits for misleading marketing claims, inflated job placement numbers, and unfair recruiting.

As Senator Brown and I cautioned at the time, Kaplan’s troubled history posed major risks for Purdue’s current students and the institution’s reputation as a top public university.

We suggested that at the very least Purdue should commit to clear protections and reforms for students if it intended to press on with the transaction.

Among our suggestions was an end to the use of predispute mandatory arbitration in student enrollment. Predispute mandatory arbitration clauses prevent students from bringing suit against a school in a court of law when the school harms a student, like misleading them about job placement rates or luring them with other false information.

Instead, students are forced into a dispute resolution process, known as arbitration, which lacks the procedures and the safeguards of the court system and is often stacked against students.

The proceedings themselves, including the outcome, are secret which hides misconduct from regulators and accreditors.

The clauses are often buried in the fine print of stacks of enrollment documents that students must sign in order to enroll.

The practice, along with class action bans which prevent students from bringing suit as a group, is a hallmark of the for-profit college industry: schools like Corinthian, ITT Tech, and Kaplan notoriously used the practice to shield themselves from being held accountable while exploiting students and taxpayers.

But predispute mandatory arbitration and class action bans are almost unheard of at public and legitimate not-for-profit institutions of higher education.

In fact, in an August 30 public comment letter to the Department of Education, the Association of Public and Land-Grant Universities, APLU, of which Purdue is a member, and other education organizations wrote, “We fail to see how allowing [predispute mandatory arbitration and class action bans] is beneficial to the public.”

Since the Purdue-Kaplan deal was finalized, creating Purdue Global University, it turns out that the new school continues to use predispute mandatory arbitration and class action bans.

In response to it coming to light, a Purdue spokesman said that the practice was “inherited from Kaplan, in an apparent attempt to deflect responsibility.

The spokesman went on to assert that the Purdue board “has complete control over Purdue Global, and has the final say as to which policies it retains and which it alters . . . and to enact whatever policies it deems to be in the interest of students . . .”

Well, Purdue can’t have it both ways. Either the continued use of predispute mandatory arbitration and class action bans is a remnant of Kaplan that the board disavows—in which case, the board should use its authority to immediately end the practice—or the board must accept responsibility for the practice continuing under its control and acknowledge predispute mandatory arbitration as an affirmed Purdue policy that it “deems to be in the best interest of students.”

As Senator Brown and I told the Purdue Board in a new letter recently, they have to choose.

We will be waiting.

I want to be clear: Anything short of meeting the high bar set by Purdue’s fellow public universities and APLU institutions—not using predispute mandatory arbitration and class action bans in student enrollment—will be a betrayal of students and Indiana taxpayers.

VOTE EXPLANATION

Mrs. Feinstein. Mr. President, due to an excused absence on October 11, 2018, I was unable to vote on several judicial nominations. Had I been present I would have voted in the following matter:

On Executive Calendar No. 1097, on the nomination of David James Porter, Sr., of Tennessee, to be U.S. District Judge for the Northern District of Georgia, I intended to vote nay.

On Executive Calendar No. 634, on the nomination of Mark Saalfield Norris, Sr., of Tennessee, to be U.S. District Judge for the Western District of Tennessee, I intended to vote nay.

On Executive Calendar No. 894, on the nomination of Thomas S. Kleeh, of West Virginia, to be U.S. District Judge for the Northern District of West Virginia, I intended to vote nay.

(At the request of Mr. Cornyn, the following statement was ordered to be printed in the Record.)

Hurricane Michael

Mr. Rubio. Mr. President, due to Hurricane Michael’s direct hit on Florida’s panhandle, I am traveling to northwest Florida to survey the devastation that has occurred in my home State. Yesterday, Hurricane Michael made landfall as a devastating, high-end Category 4 hurricane, near Mexico Beach. Initial reports indicate more than 400,000 utility customers in Florida are without power and areas within the storm’s path have been decimated.

Therefore, given these circumstances and the fact that my vote would not have been determinative of the outcome of the measures before the Senate, I will survey the damage firsthand and help coordinate efforts between Federal, State, and local officials.

Privacy and Civil Liberties Oversight Board Nominees

Mr. Wyden. Mr. President, I rise today to comment on the confirmation of three nominees to the Privacy and Civil Liberties Oversight Board, often called the PCLOB. The PCLOB is a vital oversight mechanism, empowered by Congress to investigate and write public reports on some of the government’s most secretive and controversial programs.

Today, three board member nominees were confirmed to the PCLOB: Edward Felten, a computer science professor at Princeton; Jane Nitze, a former lawyer...
at the Department of Justice Office of Legal Counsel; and Adam Klein, nominated to be chair, who is a fellow at the Center for New American Security.

I have concerns about some of the policy perspectives the Republican nominees hold. In this case, however, a functioning PCLOB with board members who listen to dissenting views is better than the status quo, where the five-member board has only one member. The PCLOB has been dormant for most of the current administration and-regrettably—and in contrary to its statutory mission—has not made all of its previously investigated and written reports public. I look forward to working with the new board members to returning the PCLOB to its core mission of public oversight of classified programs.

Additionally, I am particularly grateful for Professor Felten’s confirmation. The presence of a true public servant technologist on the PCLOB will hopefully raise awareness and understanding surrounding controversial surveillance programs that use advanced technology.

In the coming weeks and months, I will be working with the new board members on critical issues of privacy, security, and secret interpretations of public law. It is my sincere hope that the new members share my deeply held belief that the government should not have classified interpretations of public laws that cause the programs to operate differently than the public understands.

S. 3021

Mr. WHITEHOUSE. Mr. President, the passage of the bipartisan America’s Water Infrastructure Act, more commonly called the 2018 WRDA bill, is celebrated by a wide spectrum of supporters, including environmental organizations, national associations representing cities and counties, and water and coastal business associations.

I would like to commend the chairman, the ranking member, and the staff of the Environment and Public Works Committee for their hard work on this bill. I appreciate their consideration of my requests and their willingness to work with my staff in ensuring Rhode Island’s needs are well represented in the WRDA bill.

In particular, the American Water Infrastructure Act includes my provision directing the Army Corps of Engineers to study the resiliency of harbors of refuge and hurricane barriers in the North Atlantic, like the Fox Point Hurricane Barrier in Providence, that are under threat from rising sea levels and stronger storm surge. Though they may be able to endure current conditions, extra feet of sea level rise coupled with stronger storm surges will overwhelm the capabilities of many of these structures. We need to get ahead of these consequences of climate change and protect our coastal communities, instead of waiting for these barriers to fail and imperil coastal homes and businesses.

As oceans overtake our coastal infrastructure, we will also need to look to new and innovative building materials and techniques that can endure corrosive seawater and other harsh environmental conditions. This WRDA bill also includes my provision requiring the Corps to submit a report to Congress summarizing its research and investments in innovative materials, like those used in the SRF WIN Act, in water infrastructure projects, and recommend in which Army Corps projects those materials could be used.

This year’s WRDA bill also instructs the Corps to study the extent to which it has made use of its authority to clean up waterways littered with marine debris, like the deteriorating wooden pilings in the Providence River. It also expedites the completion of important projects and studies in Rhode Island, like the Providence River dredging project, Pawcatuck coastal risk management study, and the Rhode Island historical structure flood hazard vulnerability assessment that will bolster Rhode Island’s coastal economy and prepare it for future conditions.

Overall, the bill does well to give special consideration to coastal communities, also requiring the Corps to consider natural infrastructure solutions to flood and storm damage risk reduction projects, prioritize coastal erosion mitigation projects in New England, and assess coastal resiliency needs for the Great Lakes. Though only 17 percent of total land area, the United States’ coastal counties are home to over half of the U.S. population and were responsible for 48 percent of the country’s GDP in 2017. Investing in our coasts is an investment in the well-being of the entire country’s economy.

I am grateful this bill includes a focus on our water infrastructure. In addition to reauthorizing the Drinking Water State Revolving Fund and WIFIA programs, it also creates a new water financing opportunity that will better support water infrastructure projects in small- and medium-sized communities.

I am pleased to support this bill, and I look forward to working with the Army Corps of Engineers to ensure more transparency in the process.

CONFIRMATION OF BRETT KAVANAUGH

Ms. COLLINS. Mr. President, I rise today regarding remarks I made on October 11, 2018, on the nomination of Brett Kavanaugh. In reference to Justices O’Connor, Souter, and Kennedy, I misspoke and should have said that pro-choice groups opposed two of the nominations, not each.

My remarks should have read, “Furthermore, pro-choice groups vigorously opposed two of the Justices’ nominations.”

TAX REFORM

Mr. RISCH. Mr. President, as you may know, small businesses are thriving in one of the best economic climates that we have seen in several years. The National Federation of Independent Business’s Small Business Optimism Index for August saw its highest reading ever over its 45-year history and the MetLife and Chamber of Commerce’s most recent quarterly Small Business Index found that a substantial majority of small business owners are positive about their business and of the overall economy.

I believe that this uptick in small business confidence is due in large part
to the Tax Cuts and Jobs Act that passed the Senate and was signed into law last year. Over the 9 months since its passage, our country has witnessed the positive impact that the law has had on our economy. Companies of all sizes have directly benefited from various provisions of the law and as a result are paying out bonuses, raising wages, and purchasing new equipment for their businesses. As chairman of the Senate Committee on Small Business and Entrepreneurship, I was a strong supporter of the tax law because I believed it would allow small business owners to keep more of their hard-earned money, make more investments in their businesses, and increase the overall health of our economy. Over the last few months, I have been making this series of speeches to draw attention to the benefits this law provides for small businesses.

Since passage of the law, many observers have noted how much attention to individuals and corporations that have benefited from certain provisions of the law, but not nearly enough attention has been given to the benefits that small businesses have received. I rise today to spotlight how tax reform is benefiting small business. In Illinois, a business located just outside of Chicago in Morton Grove, IL, Sko-Die, Inc., provides their customers with high-quality steel laminations, heavy gauge metal stampings, and machining services. Before its passage, the company provided original equipment manufacturing services for a variety of sectors including the food, power generation, medical, and aerospace industries. Sko-Die is a family-run business started in 1947 by the Steininger family. The current president, Patrick Steininger, has led the company since 2002 and is the third generation of the family to helm the company. Sko-Die has about 70 employees, 60,000-square foot production facility, and operates numerous punch presses ranging in size from 5 to 300 tons.

Because of the Tax Cuts and Jobs Act, this family-owned custom metal stamping business has been able to pass on some its tax savings to employees, raising the average wages of its employees by about 3 percent. Sko-Die also made a $1 million investment in new equipment, which included a new die grinder and a new metal press. Benefiting from the accelerated depreciation of which made equipment purchases much easier. Companies like Sko-Die and will lower small businesses’ annual tax payments. As I am happy to see that small businesses like Sko-Die, Inc., are able to reduce their tax burden by making use of this accelerated depreciation provision and are using those tax savings to raise its employees’ wages. I am happy to see that the company’s continued success.

THE KOREAN WAR

Mr. WYDEN. Mr. President, I want to take a few minutes to honor the 65th anniversary of the Korean War Armistice Agreement, which brought the active hostilities of the Korean war to an end.

Americans don’t talk much about the Korean war today. As a result, too many have forgotten or never knew the history, how Kim Il-sung’s forces invaded South Korea in June 1950; how the United Nations Security Council condemned the invasion; how American troops raced to Korea’s shores; and how American troops landed at Inchon, driving the North Korean forces back and helping shift the war’s momentum; how 3 years later, representatives met in Panmunjom where they established a demilitarized zone and ended active hostilities.

Because this history is so often overlooked, American men and women who served in Korea have so rarely been given the recognition they deserve.

These are Americans who answered the call to take up arms again in a foreign country so soon after World War II. Americans who endured the bitter cold and harsh weather in the bitter cold and harsh weather up and down the Peninsula and the lack of adequate food. Americans who gave their lives by the thousands on Korea’s far-flung shores in service to their country. All told, more than 36,000 Americans perished in the Korean war, including more than 270 Oregonians and at least seven from Umatilla County, OR.

The Korean war is often called the Forgotten War.

Well, it isn’t forgotten by me. It isn’t forgotten by the U.S. Senate. I am proud to say that it isn’t forgotten by the Oregonians I speak with as I travel around our State.

I have never met a Korean war veteran—or a veteran of any conflict—who walked onto the battlefield seeking personal recognition.

Today I am proud to recognize these brave soldiers, sailors, and airmen.

This year marks the 65th year since the signing of the Korean War Armistice and the end of active hostilities.

As we follow new developments on the Korean Peninsula—and there have been many these past few months—let us reflect on the Americans who fought so bravely and endured so much in service to these United States.

I have always believed that the Federal Government owes these men and women a debt it cannot fully repay. The least I think I can do is to honor our commitments to them and to do right by their brothers and sisters who continue to wear the uniform.
meaningful action rather than empty proclamations. Congress must finally pass a Dream Act to provide Deferred Action for Childhood Arrivals, DACA, recipients with the protections they deserve, so they can continue their contributions to this country. It is time for the Senate to take an expedient S. 2144, legislation I introduced with Senators Van Hollen and Feinstein, to provide a pathway to legal permanent residency for TPS holders in the United States. We are long overdue with respect to passing comprehensive immigration reform.

We must also address systemic issues in our healthcare, tax, and education systems, many of which are particularly harmful to Hispanic communities. Like all Americans, Hispanics deserve access to quality public schools, affordable and widely available medical care, and tax reform which reduces the burden for middle and low-income workers.

We will further provide Puerto Rico with the resources and support it needs to recover. More than a year after Hurricane Maria, the situation remains desperate. Our fellow American citizens on the island deserve real support in their time of need. Hispanic Americans are facing immense challenges, but seek the same noble goals as all other Americans. Now is the time to stand with Hispanic, Latina, and Latino Americans against prejudice, divisive rhetoric, and harmful policies. In doing so, we will better uphold the ideals of our Nation and create a better country for all Americans.

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40TH ANNIVERSARY OF THE NA-TIONAL INSTITUTE ON DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RE-SEARCH

Mrs. MURRAY. Mr. President, on behalf of millions of people with disabilities, today I wish to celebrate the 40th anniversary of the establishment of the National Institute on Disability, Independent Living, and Rehabilitation Research, NIDILRR, and its 40 years of accomplishments and contributions to the lives of people with disabilities. NIDILRR is the Federal agency supporting applied research, demonstration, training, and technical assistance to enhance the quality of life of people with disabilities. NIDILRR’s mission is to generate knowledge and to promote its effective use to improve the abilities of people with disabilities to perform activities of their choice in the community and to expand society’s capacity to provide full opportunities and accommodations for our citizens with disabilities. NIDILRR carries out its mission by building the capacity of institutions and individuals to conduct high-quality research in the major life domains, including employment, participation in the community, community integration, and health.

NIDILRR plays a unique and critical role in Federal research. NIDILRR-sponsored projects and programs target populations that include all disability types and all age groups. While other Federal agencies focus on prevention, cure, and acute rehabilitation research, which are vital for people with disabilities, NIDILRR invests in applied research meant to quickly translate to greater independence, community living, and employment. During October, which is National Disability Employment Awareness Month, it is important to note the major role that NIDILRR has played in promoting and enabling the employment of people with disabilities. Over the past 40 years, NIDILRR-funded researchers have been extraordinarily productive, including in my home State of Washington. Across the United States, grantees have created more than 1,200 new products, including peer-reviewed publications, intervention protocols, measurement tools, and software. NIDILRR-funded research has enhanced the field of rehabilitation and enhance the lives of people with disabilities.

NIDILRR-funded fellowship programs have trained and supported a substantial number of emerging scholars, researchers, and policy implementation experts, including a significant focus on scholars with disabilities and those from minority communities. NIDILRR-funded fellows have contributed to substantive policy development in Congress, including by serving as content experts on the Committee on Health, Education, Labor, and Pensions. NIDILRR supports the ADA National Network, which provides information, guidance, and training on the Americans with Disabilities Act to businesses, employers, State and local governments, architects, disability organizations, and individuals with disabilities. In addition, NIDILRR also supports AbleData, an information center highlighting access to assistive technology products and resources to increase awareness of and access to assistive devices. Finally, NIDILRR supports the National Rehabilitation Information Center, NARIC, the research library and information center that promotes access to disability, independent living, and rehabilitation research information.

The need for NIDILRR’s important work will only increase in the coming decades. Demographic trends indicate a substantial increase in the number of people with disabilities as a result of the effects of injuries, illnesses, chronic conditions, developmental disabilities, and an aging population. NIDILRR will continue to play a critical role in empowering this growing population of individuals with disabilities to live the American dream.

I congratulate the National Institute on Disability, Independent Living, and Rehabilitation Research on its 40th anniversary and the significant accomplishments and contributions it has made to enhance the quality of life for people with disabilities in the United States. I am proud of the work NIDILRR has funded and the dedicated researchers and practitioners that have improved employment, participation and community integration, and health and function for people with disabilities. I look forward to 40 more years of NIDILRR’s continued contributions to our society.

30TH ANNIVERSARY OF THE MURDER OF MULUGETA SERAW

Mr. WYDEN. Mr. President, this November, my hometown of Portland marks a somber occasion: the 30th anniversary of the murder of Mulugeta Seraw, a 28-year-old Ethiopian college student, by racist skinheads. This horrid event galvanized the city, as well as the State of Oregon, to stand up to hate crimes and acts of violence by the neo-Nazi movement in the Pacific Northwest. While this brutal slaying happened 30 years ago, it remains fresh in the minds of many who lived through that time, as well as many people who still experience discrimination and hate today.

Mulugeta’s path to our country mirrors those of so many others who came to America. He came to the United States with a database. As a college student in Portland, he worked multiple jobs and remitted money to Ethio-
Mulugeta, like many immigrants who come to America, was simply seeking opportunity. His family and friends describe him as a kind, hard-working man. He had friends and family whom he supported and loved. All this was ripped away by evil, cruel racism.

As a result of the cruelty done to Mulugeta, community members, civil rights lawyers, elected officials, and nonprofits came together and demanded justice be served. They succeeded.

The case attracted national attention, and thanks in part to the great effort of the Southern Poverty Law Center, the White Aryan Resistance Center, the White Aryan Resistance, and the White Aryan Resistance to reestablishing U.S. Beef export access following the first U.S. case of BSE in 2003. Barry further oversaw USDA’s adoption of video technology critical in identifying those highest-quality prime steaks consumers around the world enjoy.

Barry’s appreciation for U.S. agriculture, his drive to serve, and his work ethic were developed at an early age. He began his career as a meat grader with the U.S. Department of Agriculture, earned the rank specialist fifth class. Barry carried with him the sense of duty and discipline learned in these formative years in each role he held.

Over the course of his 37-year career at USDA, Barry provided reasoned and steady guidance to Secretaries of both parties in multiple administrations. In his senior role at the Agricultural Marketing Service, Barry led programs critical to reestablishing U.S. beef export access following the first U.S. case of BSE in 2003. Barry further oversaw USDA’s adoption of video technology used to assign beef quality grades, an important tool in identifying those high-quality prime steaks consumers around the world enjoy.

Upon retiring from USDA, Barry continued to serve American agriculture when he was named CEO of the National Meat Association in 2007. Barry was the fifth class. Barry carried with him the sense of duty and discipline learned in these formative years in each role he held.

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TRIBUTE TO PAUL J. SCHNEIDER

- Mr. CRAPO. Mr. President, today I wish to honor Paul J. Schneider, who is retiring from NewsTalk 670 KBOI, of Boise, ID, after more than 51 years in radio and television.

Paul J. Schneider, known as Paul J., started working for the station in 1967 and has been a mainstay of thoughtful reporting since. He called Boise State University football and basketball games, known as “Voice of the Broncos.” Idahoans and many others have no doubt taken solace during their morning commutes with Paul J.’s interesting and cheerful discussions. He has been a treasured voice underscoring significant local and world events.

Over the years, he has no doubt observed and taken part in many innovations in broadcasting and significant local and national happenings. When announcing Paul J.’s retirement, the station noted “His storied radio career has seen plenty of benchmark moments, including but not limited to: the first radio interview with President Richard Nixon in 1972 after Watergate; covering the prison riots at the Idaho Penitentiary in 1971 and 1973; and calling Boise State Football’s first trip to the Fiesta Bowl in 2007.”

Descriptions of him are peppered with words such as greatly respected, trusted, professional, iconic, wise, and humorous. His experience and affection for the community he has chosen to make his home all these years comes through in his commentary. He has received numerous honors throughout his career that include being inducted into the Boise Area Hall of Fame in 2018, more than 50 Idaho State Broadcasting Association awards, and Boise’s Key to the City in 2017.

I feel fortunate to have known many distinguished public servants and industry leaders like Barry, who have dedicated their careers to advocating for U.S. agriculture. I thank Barry for his many contributions to American agriculture.

I congratulate him on a well-deserved retirement.

TRIBUTE TO ETHAN DAVIDSON

- Mr. DAINES. Mr. President, this week I have the honor of recognizing Ethan Davidson of Lewis and Clark County for his outstanding academic achievements.

Ethan Davidson epitomizes hard working Montanan’s, his work ethic shines. Ethan recently received a perfect score on his ACT, being one of the 2,760 high school students across the United States who received a perfect score of 36. About 2 million high school students take the test each year.

At a young age, Ethan devoted himself to his academics, always striving towards being a straight-A student. He attends Capitol High School in Helena, where he is involved in many extra-curricular activities, ranging from being the co-captain of the cross country team, to being a member of the math and science club. To add to his accolades, Ethan is a National Merit semifinalist and has earned the rank of Eagle Scout.

I congratulate Ethan on his impeccable academic achievements, as well as his willingness to give back to his community by being a role model for all high school students I look forward to seeing his success in his future endeavors.

ADDITIONAL STATEMENTS

- Ms. DUCKWORTH. Mr. President, today I wish to honor the life of Shirley Ann McCombs who passed away on Tuesday, October 2, 2018, at the age of 81. Shirley was born June 30, 1937, in Schuyler County, IL, to Harry and the late Minnie McCombs. She married Charles H. McCombs on May 30, 1956. She was employed by the Illinois State government in numerous positions and was ultimately promoted to the speaker’s staff as a fiscal officer under her retirement.

Shirley was a founding member of the Rushville Rushettes Softball Team and she was a past member of the Oakford United Methodist Church, where she served as secretary and on many committees. She was also a current member of the West Side Christian Church in Springfield.

Shirley was elected State central committeewoman for the 18th Congressional District in 1986 and served in the position until present. She served as chairman of the Democratic Party of Illinois, second vice president of Illinois Democratic Women, and Annual Convention Ad Book chair and editor/graphic artist. Shirley also had served as the Menard County chairman, precinct committeewoman, and as the first vice president of the Illinois County Chairman’s Association.

Shirley served as an elector on the Illinois Electoral College since 1992. She served at many of the Democratic National Conventions as a delegate and as an assistant whip. Shirley also served for numerous State Democratic Conventions, co-chaired IDW Luncheon for Convention Delegates and Dignitaries at the Democratic National Convention. She was the State fair committee chairman for the IDP. Shirley received the Chairman’s Award for Commitment and Service to the Democratic Party and Certificate of Appreciation Award for Outstanding and Dedicated Service.

In addition to her work in politics, she was also passionate about helping her community. She was a founding member of the Menard County Tourism Council and former treasurer. Shirley was a founding board member of the IWIL and served on the board for the Area Agency on Aging and served on the advisory council. She was on the Menard Caring Board and a volunteer at the Menard County Food Pantry. She was a lobbyist for AARP.

Shirley attended both President Clinton’s and President Obama’s inaugurations.

Shirley is survived by her daughter, Robin and her husband Rick Mathieu; grandchildren Vickie Mathieu and Jackie and her husband Gus Tserpelis; three great-grandchildren; siblings Nelda, Susan and husband Larry, Larry, Lois and her husband Stuart, and Deloris and her husband Robert; sisters-in-law Phyllis, Doris, and Betty; nieces, nephews, and cousins.

Her service to her community is remarkable and her story inspiring. I
TRIBUTE TO JOEL WERNICK

Mr. ISAKSON. Mr. President, it is an honor to, on behalf of Senator DAVID PERDUE and myself to offer our congratulations on a job well done to Joel Wernick, a fine Georgian and the longtime president and chief executive officer of Phoebe Putney Health System in Albany, GA.

Under Joel’s tireless leadership for the last 30 years, Phoebe Putney Health System has become a major regional healthcare provider. The Phoebe Putney Health System now includes Phoebe Sumter Medical Center, Phoebe Worth Medical Center, more than 15 primary and urgent care clinics, and nearly 30 specialty care clinics in counties throughout southwest Georgia.

As the health system has grown under Joel’s guidance, it has become a major contributor to the entire region’s economy. Today more than 4,500 people work under the Phoebe Putney umbrella, where they strive to improve the lives of Georgians from middle Georgia all the way south to the Georgia-Florida line.

Joel Wernick had the vision to grow Phoebe Putney’s suite of services and provide comprehensive healthcare including world-class oncology, cardiovascular, and neonatal intensive care unit services in the southwest Georgia region. This increase in quality specialty services greatly benefits area residents who no longer have to travel extensive distances to receive care.

I also thank the board of directors and staff who have shared and supported this great leader’s dedication to the people of Albany and the surrounding communities.

During Joel’s tenure, Phoebe Putney has received State and national recognition, including the American Hospital Association’s NOVA Award for teen pregnancy prevention and the prestigious Foster G. McGaw Prize for excellence in healthcare. Joel was a pioneer in making “upstream contributions” in community health programs over the years to reduce the cost and occurrence of disease and poor health before they reached the hospital setting.

In starting the Phoebe Family Medicine Residency Program, Joel has also appreciated the importance of healthcare for the family unit and the importance of training medical professionals in southwest Georgia and incentivizing them to remain there. Phoebe Putney’s teaching hospital has graduated more than 120 residents, and Joel’s investment in Flagstone, the housing that supports those residents and pharmacy students, has successfully kept doctors practicing in southwest Georgia rather than departing for larger cities.

Joel has helped keep the “golden rule” culture and the charm of small-town life as guiding principles during his tenure at Phoebe Putney, and for that, many have benefited and are grateful.

As Georgia’s Senators, we are thankful for Joel’s service and wish him well as he enters the next chapter of his life. May God bless him in his future pursuits.

REMEMBERING ROY H. MADSEN

Mr. MURKOWSKI. Mr. President, many Alaskans have contributed enormously to the development of the Territory of Alaska through Statehood and beyond with their special life skills, talents, courage, and insights into the world around them. Among that distinguished group was a very special man, Roy H. Madsen of Kodiak, AK. Roy Madsen was known for so many things. Among them, he was the first Alaska Native to serve as a judge of the Alaska Superior Court. On the occasion of the 1934 Alaska Native convention, I proudly honor his remarkable life that spanned 94 years from March 15, 1923 to December 26, 2017.

Roy was born in the village of Manakat, located just across Shellfish Fiord from the Kodiak Indian Village near the Valley of Ten Thousand Smokes and Mount Katmai in the Katmai National Monument on the Alaskan Peninsula, an area which, in 1980, was expanded and renamed the Katmai National Park and Preserve.

Roy was one of eight children. His father, Charles Madsen, was a Danish immigrant who established a trading post at Manakat. His mother, Alaska Native Mary (Metrokin) was a homemaker. The Madsens returned to his mother’s hometown of Kodiak where, when Roy was only 4 years old, she passed. Roy and his siblings were raised in Kodiak by their dad and their stepmother, Alexandra Churnoff Madsen. Roy’s love for his heritage and for the island remained centerpiece throughout his life. A member of the Sun’aq Tribe of Kodiak, he lived there for most of his life.

Blessed with his mother’s rich, Alaskan, Native Sugpiaq-Koniagmiut-Alutiiq-Russian subsistence culture and fortified by his father’s immigrant mindset of courage and ambition, Roy lived his life setting goals and pursuing them, most often with success.

After graduating from Kodiak High School in a class of six, he entered Oregon State University in 1941. In 1943, he left college and enlisted in the U.S. Navy and served as a gunner and navigator on Patrol Torpedo Boat PT 190, the “Jack of Diamonds” in the South Pacific during World War II. While serving in the Navy in the Philippines and New Guinea, Roy’s unit was awarded campaign medals and two battle stars.

It was after WWII that Roy and his first wife Katharine (Walters) and family moved back to Kodiak in 1946. To support his growing family, he spent a couple of summers fishing in Bristol Bay on a Columbia River double ender by sail and became a registered Alaska bear guide, working with his father Captain Charles Madsen, guiding clients on Kodiak brown bear hunts.

The Madsens then moved to Oregon, where Roy finished his law degree and entered Northwestern College of Law, today the Lewis & Clark Law School, where he received his juris doctor degree in 1953. He served as assistant district attorney and practiced law in Oregon before returning to Kodiak with his family in 1967. Over the years, the Madsen clan grew to include seven children: Elizabeth, Mary Jane, Charles, Charlotte, Jacqueline, Guy—deceased—stepdaughter Shannon, 13 grandchildren, and 4 great-grandchildren.

Roy Madsen immersed himself in Kodiak’s thriving civic and cultural life. In the 1960s, he established a law firm, was the Kodiak city attorney, and the Kodiak Island Borough attorney. During this period, commitment to his heritage grew and became legendary. He helped establish the Kodiak Area Native Association KANA, serving as its first vice president. His niece, Rita Stevens, wife of State Senator and a member of the Alaska Native Corporation authorized by ANCSA.

It was in 1975 that Roy began service as a Superior Court judge. He served in the State’s Third Judicial District, an area of approximately 67,000 square miles, and sat in Kodiak. He served as a judge on that court through 1990.

Judge Madsen continued to serve his beloved island through the decades. After his retirement from the bench, he enjoyed participating in Alaska court system’s Colors of Justice Program, promoting acceptance of diversity and encouraging minorities to consider pursuing law as a career. He helped found, was chair of the first advisory board and was a key backer of the Kodiak Community College teaching constitutional, criminal, and business law.

After his retirement from the bench, he was appointed to the Alaska State Commission for Human Rights and to the Alaska Supreme Court Committee on Fairness and Access to the Courts.

Roy was counsel for writing the articles of incorporation for and an original board member of St. Herman’s Orthodox Theological Seminary, a board member of the Kodiak Baptist Missions Treatment Center for Troubled Youths, and a member of the advisory board of St. Innocent’s Orthodox Academy for Troubled Youths. He also served on the
Alaska Regional Systemic Initiative committee which focused on incorporating “Native Ways of Learning” into mainstream education delivery in Alaska. That initiative added a great deal to the recognition and usage of this form of education. Native Ways of Learning is an earthquake into education delivery in the State.

A mesmerizing storyteller, with deep and broad knowledge as an elder, Roy was a sought after and frequently featured speaker at any number of local events, sharing many hours of his time for free. Saint Herman’s Cross, bestowed upon him by Bishop Gregory Afonsky. In more recent years, Kodiak’s courthouse was re-dedicated as the Roy H. Madsen Justice Center.

Not long before his passing, Roy was named Conservation Elder of the Year by the Kodiak National Wildlife Refuge for his long dedication to the refuge’s Kodiak brown bear program. In recognition of his lifetime of achievement, the University of Alaska honored Roy with a doctorate of humanities. The documentary, “Magnetic North,” capturing how his life contributed to the history, spirit, and character of Alaskans, premiered in Kodiak and aired on Alaskans Public Television during 2017 shortly before his passing.

Roy was equally comfortable in his robes dispensing justice from the court bench as he was in a flannel shirt and worn corduroys at the helm of his skiff, shuttling family to a cabin on Woody Island or helping ferry pilgrims for the annual St. Herman’s Pilgrimage to Monk’s Lagoon or simply picking wild berries and mushrooms in the woods.

He remained with an audience, be it 2 or 200 hundred, sharing his stories of nature and human nature. His deep bass voice could fill a room, and his easy smile and laughter were contagious. Roy was manly enough to shed tears of joy or sorrow without embarrassment, to render steady advice, and to dispense his love, help, and friendship to all in need.

When asked for some words of advice, Roy answered “For a good quality of life, I believe it is important to have several things: a positive mind, a healthy vitality of a judge, courage and vision of one committed to making life better for others, and the heart and humanity of a loyal friend.”

This is but a brief overview of the life of Roy Madsen who lived such a productive and principle life and who, by his deeds and who he was, represented the apex of what frontier Alaska and America can produce.

It is with the greatest respect that I share with my Senate colleagues and with the people of Alaska the life of an Alaskan who will be remembered and, hopefully, emulated as a “north star” for those who were fortunate to know him and those who will learn about his remarkable life.

**RECOGNIZING WALSH ENGINEERING SERVICES**

- Mr. RISCH. Mr. President, Idaho is home to many innovative, ambitious, and industrious small businesses. Today I would like to honor a small business that represents all of these qualities. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my distinct privilege to recognize Walsh Engineering Services as the Small Business of the Month for October 2018.

Walsh Engineering Services is a woman-owned design and architectural engineering firm, which provides high-quality technical and design services to various public and private customers throughout Idaho and around the country.

Located in Idaho Falls, ID, Walsh Engineering Services was founded by Stephanie Walsh along with a group of dedicated engineers. An Idaho Falls native, Stephanie was raised in a potato farming family and went on to graduate from the University of Idaho with a degree in mechanical engineering. After graduation, Stephanie returned home and began working for the Department of Energy’s Idaho National Lab. While at the INL, Stephanie recognized the emerging need for expert contractors at one of our country’s most important nuclear research centers. In 2005, Stephanie finally took the plunge and founded Walsh Engineering Services. Owning her own business and working with the INL as a contractor allowed her to continue to work to meet the needs of the INL, as well as those of a growing Southeastern Idaho.

Since its founding, Walsh Engineering Services has grown from a small group of dedicated engineers and designer-drafters, to a full-service engineering and architecture firm staffed by architects, cost estimators, and support personnel. Their goal has always been to provide high-quality, reliable, and responsive professional technical services to their customers. Their clients have expanded over the years from the INL to other DOE National Labora
tories and federal agencies. The company now employs approximately 75 Idahoans who provide valuable contracting services to public and private entities. Stephanie Walsh is a great example to both young female engineers and woman entrepreneurs throughout Idaho and the Nation. I would like to congratulate Stephanie and all of the employees at Walsh Engineering Services for being named the Small Business of the Month for October 2018. I wish you good luck in your future endeavors and look forward to watching your continued growth and success.

**150TH ANNIVERSARY OF WAYNE STATE UNIVERSITY**

- Ms. STABENOW. Mr. President, today I wish to pay special tribute to Wayne State University, which this year is celebrating 150 years.

Michigan is home to many world-class colleges and universities. However, the University of Detroit has set itself apart from the very beginning is its unique role in serving the people of Michigan from the heart of Detroit.

Wayne State traces its roots to 1868, when five physicians who had witnessed the worst of human suffering in the Civil War, banded together to change medicine for the better. They founded Detroit Medical College. Its motto: Salus Populi—Suprema Lex.
The Welfare of the People is the Highest Law.

A lot has changed since those early days. Today more than 27,000 Warriors from 80 countries are earning degrees in everything from accounting to manufacturing engineering, orchestral study, and planning, but one thing has not changed at all: Wayne State’s dedication to people’s welfare. For 150 years, Wayne State has been making Detroit and our State stronger and creating true leaders.

It is doing that at the Integrative Biosciences Center, a 127,000-square-foot, $90 million facility dedicated to studying and eliminating health disparities, and the National Institutes of Health’s Perinatology Research Branch, which has helped more than 20,000 at-risk mothers and babies.

It is doing that at the brand-new Mike Illitch School of Business, which is creating the next generation of business leaders while helping revitalize the corridor between downtown and midtown.

It is doing that through its Wayne Advantage-Macomb program, which allows students to begin to earn their degree at Macomb Community College, and the Warrior Way Back program, which helps students who didn’t receive their degrees get back into class while easing their student debt burden.

It counts among its alumni people who have excelled in nearly every field: Dr. Joseph Ferguson, class of 1869, the first African-American medical school graduate in Michigan; Helen Thomas, class of 1942, dean of the White House Press Corps; Emmett Leith, class of 1949, recipient of the National Medal of Science; Philip Levine, class of 1950, Poet Laureate of the United States and winner of the Pulitzer Prize; Damon Keith, Wayne State University Law School class of 1967, U.S. Circuit Court of Appeals; Garth Fagan, class of 1969, winner of the Tony Award for Best Choreography for “The Lion King”; Mark Fritz, class of 1978, winner of the Pulitzer Prize for international reporting; Dr. Carmen McIntyre, class of 1990, creator of the Mental Health First Aid program; and Dr. Mona Hanna-Attisha, class of 2006, whose careful research helped discover elevated lead levels in the children of Flint.

Hundreds of thousands more alumni, famous or not, can credit Wayne State in part for their success, but so too can hundreds of thousands of people who have been educated, inspired, represented, protected, entertained, and treated by those graduates. I think those original five physicians would be extremely pleased with the impact their school has had not just on Detroit but on our Nation.

Since 1868, Wayne State University has been a leader. Congratulations to students, faculty, staff, and alumni on 150 years of putting the welfare of the people of Michigan first.

Thank you.

Sesquicentennial of Lincoln High School

Mr. WYDEN, Mr. President, today I wish to recognize the sesquicentennial of Lincoln High School in Portland, OR.

One of the oldest and most celebrated public secondary schools in the state of Oregon, Lincoln High School was established in 1869, a decade after Oregon’s founding. Originally known as Portland High School, it was eventually renamed in honor of President Abraham Lincoln. Currently located in the northeast suburbs of South Portland, Lincoln High School has moved four times over the past 150 years and is currently planning a fifth campus to accommodate its growing student body.

Lincoln High School’s college preparatory program has generated generations of Oregon students. Over 60 faculty members oversee and implement a wealth of academic and extracurricular opportunities, including enhanced and advanced coursework in literature, the social sciences, foreign languages, mathematics, and physical and life sciences. Lincoln offers a celebrated international baccalaureate program, in addition to a full Spanish immersion program.

Outside the classroom, Lincoln’s Constitution Team has won 23 State championships and six national titles. Its speech and debate team ranks among the top in the State, and its tennis team competes nationally. The school’s student newspaper “The Cardinal Times” is the oldest continuously published high school paper on the West Coast. Lincoln’s magazine “Beyond the Flock” and its Spanish-language magazine “Puno y Letro” add to the school’s rich and diverse literary tradition. Lincoln’s student athletes have brought home 38 State championships in a variety of sports. Seventy-seven student-led clubs and unions serve the larger Portland community and demonstrate Lincoln’s commitment to an inclusive, engaged, and diverse student body.

Lincoln students are dedicated to fostering an open and welcoming community for all and have committed to carrying those values forth into 2019, the school’s 150th year. For 150 years, Lincoln High School has inspired generations of global thinkers who have bettered their communities in the Cardinal spirit of academic and civic engagement.

I rise to acknowledge the significant contribution of Lincoln High School to the State of Oregon and the Nation as a whole and to offer my congratulations to the students, faculty, and alumni on the occasion of its sesquicentennial.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

Executive Message Referred

In executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

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-6792. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13664 of April 3, 2014, to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2136. A bill to amend title 5, United States Code, to allow whistleblowers to disclose information to certain recipients (Rept. No. 115–346).

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 2679. A bill to provide for access to and management of the distribution of excess or surplus property to veteran-owned small businesses.

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 3552. A bill to amend the Small Business Act to adjust the real estate appraisal thresholds under the 7(a) program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators, and for other purposes.

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 3553. A bill to amend the Small Business Act to adjust the real estate appraisal thresholds under the section 504 program of the Small Business Administration to bring...
those thresholds into line with the thresh-olds used by the Federal banking regulators, and for other purposes.

By Mr. RISHCH, from the Committee on Small Business and Entrepreneurship, with out amendment:
S. 3554. A bill to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

By Mr. RISHCH, from the Committee on Small Business and Entrepreneurship, with out amendment:
S. 3561. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

By Mr. RISHCH, from the Committee on Small Business and Entrepreneurship, with out amendment:
S. 3562. A bill to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Mary Alice #yland, of Illinois, to be United States District Judge for the Northern District of Illinois.

Steven C. Seeger, of Illinois, to be United States District Judge for the Northern District of Illinois.

Kenneth D. Bell, of North Carolina, to be United States District Judge for the District of North Carolina.


Mary S. McElroy, of Rhode Island, to be United States District Judge for the District of Rhode Island.

Stephanie A. Gallagher, of Maryland, to be United States District Judge for the District of Maryland.

Kenneth D. Bell, of North Carolina, to be United States District Judge for the Western District of North Carolina.

Jonathan A. Kose, of South Dakota, to be United States Circuit Judge for the Eighth Circuit.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself, Ms. KLO-BAUGH, Mr. THUNE, and Mr. VAN HOLLLEN):
S. 3572. A bill to require information sharing with respect to the ownership of election service providers; to the Committee on Rules and Administration.

By Mr. VAN HOLLLEN (for himself, Ms. COLLINS, and Mr. CARDIN):
S. 3573. A bill to amend the Help America Vote Act of 2002 to require States to take steps to ensure domestic ownership and control of election service providers, and for other purposes; to the Committee on Rules and Administration.

By Mr. ROUNDS:
S. 3574. A bill to amend the Financial Stabili ty Act of 2010 to provide relief to nonbanks and other stress test requirements under that Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS:
S. 3575. A bill to require the Securities and Exchange Commission to carry out a cost benefit analysis of the use of Form 10-Q, for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS:
S. 3576. A bill to require the Securities and Exchange Commission to revise the definitions of a qualifying portfolio company and a qualifying investment to include an emerging growth company and the equity securi ties of an emerging growth company, respectively, for purposes of the exemption from registration for venture capital fund advisers under the Investment Advisers Act of 1940; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS:
S. 3577. A bill to extend the Financial Stabili ty Act of 2010 to require the Financial Stability Oversight Council to consider alternative approaches before determining that a U.S. nonbank financial company shall be supervised by the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS:
S. 3578. A bill to require the Securities and Exchange Commission to carry out a study of and make a recommendation to the President of, and reliance upon, investment research into small issuers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS:
S. 3579. A bill to require the Securities and Exchange Commission to revise the definitions of a “small business” and “small organization” for purposes of assessing the impact of the rulemakings of the Commission under the Investment Advisers Act of 1940; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER:
S. 3580. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to taxpayers who provide reductions in rent to low-income senior renters, and for other purposes; to the Committee on Finance.

By Mr. THUNE (for himself and Mr. WYDEN):
S. 3581. A bill to promote neutrality, simplici ty, and fairness in the taxation of digital goods and services; to the Committee on Finance.

By Mr. ROUNDS:
S. 3582. A bill to amend the Internal Revenue Code of 1986 to establish a new phaseout of the credit for plug-in electric drive motor vehicles; to the Committee on Finance.

By Mr. HELLER:
S. 3583. A bill to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-teacher work force, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. SCHULTZ, Mr. CARDIN, and Ms. COTETZ MASTO):
S. 3584. A bill to amend the Higher Education Act of 1965 in order to increase usage of the Federal student loan income-based repayment plan and improve repayment options for borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself and Mr. NICHOLSON):
S. 3585. A bill to prioritize the efforts of and enhance coordination among United States agencies to encourage countries in Central Asia and Europe to diversify their energy sources and supply routes, increase Europe’s energy security, and help the United States reach its global energy security goals, and for other purposes; to the Committee on Foreign Relations.

By Mr. SANDERS:
S. 3586. A bill to direct the Secretary of Agriculture to provide emergency payments to dairy producers; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARPER for himself, Mr. NEL son, Mr. MENENDEZ, and Mr. VAN HOLLLEN:
S. 3587. A bill to amend title 23, United States Code, to improve the nationally significant freight and highway projects program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself and Mr. MERKLEY):
S. 3588. A bill to amend title 18, United States Code, to establish an Office of Federal Correctional Education, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHATZ:
S. 3589. A bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to support the modernization, renovation, or repair of career and technical education facilities, and to enable schools serving grades 6 through 12 that are located in rural areas or that serve Native American students to remodel or build new facilities to provide STEM classrooms and laboratories and support high-speed internet, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:
S. 3590. A bill to prohibit military aid to Saudi Arabia until the Secretary of State determines that Jumaa Khashoggi is alive and free; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself, Mr. GARDENRE, Mr. BENNING, Mr. BLUMENTHAL, Mrs. HARKEN, Mr. BOOKER, Ms. BALDWIN, Mr. MARKEY, Mr. COONS, Mr. CASEY, Mr. SCHUMER, Mr. MENENDEZ, Mr. MURPHY, Ms. WARREN, Mrs. MURRAY, Mr. WHITEHOUSE, Ms. KLOBuchar, and Ms. DUCKWORTH):
S. 3591. A bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes; to the Committee on the Judiciary.

By Ms. HASSAN (for herself and Mrs. SHAHAN): S. 3592. A bill to amend the Public Health Service Act to prevent surprise medical billing practices, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. ERNST (for herself, Mr. COTTON, Mrs. MCCASKILL, and Ms. HESTIKAMP):
S. 3593. A bill to amend the Family and Medical Leave Act of 1993, to repeal certain limits on leave for a husband and wife employed by the same employer; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. McCASKILL (for herself, Mrs. MCCASKILL, and Ms. KLOBuchar):
S. 3594. A bill to amend the Patent Act of 1952 and the Patent Cooperation Treaty to allow putting the name of a State on the face of the patent, and for other purposes; to the Committee on the Judiciary.

By Mr. GARDNER:
S. 3595. A bill to amend the Internal Revenue Code of 1986 to exclude employer contributions to student loan repayment from income for other purposes; to the Committee on Finance.

By Mr. YOUNG (for himself, Ms. HASSAN, Mr. HATCH, and Mr. KAINES):
S. 3596. A bill to amend the Higher Education Act of 1965 to create an innovation zone initiative, and for other purposes; to
the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER:
S. 3097. A bill to strengthen protections for child trafficking victims testifying against human traffickers; to the Committee on the Judiciary.

By Mr. CORNYN:
S. 3098. A bill to limit private antitrust damages against occupational licensing boards, to promote beneficial reforms of State occupational licensing, and for other purposes; to the Committee on the Judiciary.

By Mr. DONNELLY:
S. 3600. A bill to amend the National Trails System Act to designate the Route 66 National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

S. 545. A bill to provide grants for local care programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL (for himself and Mr. INHOFFE):
S. 3600. A bill to amend the National Trails System Act to designate the Route 66 National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WICKER (for himself and Mrs. HYDE-SMITH):
S. Res. 673. A resolution recognizing the 80th anniversary of Ingalls Shipbuilding; to the Committee on the Judiciary.

By Mr. HATCH:
S. Res. 674. A resolution recognizing the month of October 2018 as “National Principals Month”; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself and Mr. KENNEDY):
S. Res. 675. A resolution designating the week beginning on October 14, 2018, as “National Public Service Week”; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Mr. CASEY):
S. Res. 676. A resolution to recognize the importance of National Disability Employment Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Mrs. CANTWELL):
S. Res. 677. A resolution congratulating the Seattle Storm women’s basketball team on winning the 2018 Women’s National Basketball Association championship; to the Committee on Commerce, Science, and Transportation.

By Ms. HIRONO (for herself, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Ms. HARRIS, Mr. HELLER, Mr. Kaine, Ms. KLOBuchar, Ms. MURKOWSKI, Ms. MURRAY, Mr. SCHAFER, Mr. VAN HOLLEN, Ms. WARREN, Mrs. FEINSTEIN, and Mr. SANDERS):
S. Res. 678. A resolution recognizing the month of October 2018 as Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. MORANO, Mr. LEAHY, and Mr. BOOKER):
S. Res. 679. A resolution designating October 16, 2018, as “World Food Day”; to the Committee on the Judiciary.

By Mr. CASSidy (for himself, Mr. MURPHY, Mrs. CAPITTO, Ms. WARREN, and Mr. HILL):
S. Res. 680. A resolution calling on Congress, schools, and State and local educational agencies to recognize the significance of dyslexia; to the Committee on the Judiciary.

By Mr. SCOTT:
S. Res. 681. A resolution designating the week beginning October 21, 2018, as “National Dyslexia Awareness Week”.

By Mr. AXELROD (for himself, Ms. STABENOW, Mr. ALEXANDER, Mr. DONNELLY, and Mr. ENZI):
S. Res. 682. A resolution designating October 30, 2018, as “National Day of Remembrance for nuclear weapons program workers”; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):
S. Res. 683. A resolution recognizing and commemorating the bicentennial of the State of Illinois; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):
S. Res. 684. A resolution relative to the death of the Honorable Joseph D. “Joe” Tydings, former United States Senator for the State of Maryland; considered and agreed to.

ADDITIONAL COSPONSORS

S. 352

At the request of Mr. TOOMEY, the name of the Senator from Nevada (Mrs. HYDE-SMITH) was added as a co-sponsor of S. 352, a bill to amend the Internal Revenue Code of 1986 to provide for coverage under the Medicare program of pharmacist services.

S. 390

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. SMITH) was added as a co-sponsor of S. 390, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 384

At the request of Mr. CORNER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a co-sponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 536

At the request of Mr. SCHUMER, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 536, a bill to promote transparency in the oversight of cybersecurity risks at publicly traded companies.

S. 545

At the request of Mr. PAUL, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a co-sponsor of S. 545, a bill to preserve and protect the free choice of individual employees.
to form, join, or assist labor organizations, or to refrain from such activities.

S. 889

At the request of Mrs. Murray, the name of the Senator from New Jersey (Mr. Booker) was added as a cosponsor of S. 889, a bill to provide women with increased access to preventive and life-saving cancer screening.

S. 796

At the request of Mr. Warner, the name of the Senator from Indiana (Mr. Young) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 802

At the request of Mr. Portman, the names of the Senator from Tennessee (Mr. Corker) and the Senator from Missouri (Mr. Blunt) were added as cosponsors of S. 802, a bill to award a Congressional Gold Medal in honor of Lawrence Eugene „Larry” Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

S. 998

At the request of Mr. Daines, the name of the Senator from Missouri (Mrs. McCaskill) was added as a cosponsor of S. 998, a bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes.

S. 1090

At the request of Mr. Booker, the name of the Senator from Mississippi (Ms. Hyde-Smith) was added as a cosponsor of S. 1090, a bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.

S. 1121

At the request of Mr. Hatch, the name of the Senator from Connecticut (Mr. Murphy) was added as a cosponsor of S. 1121, a bill to establish a postsecondary student data system.

S. 1106

At the request of Mr. Menendez, the name of the Senator from Washington (Mrs. Murray) was added as a cosponsor of S. 1106, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1190

At the request of Ms. Collins, the name of the Senator from Pennsylvania (Mr. Casey) was added as a cosponsor of S. 1190, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2228

At the request of Mr. Lee, the name of the Senator from South Carolina (Mr. Scott) was added as a cosponsor of S. 2228, a bill to amend the Higher Education Act of 1965 to provide for accreditation reform, to require institutions of higher education to publish information regarding student success, to provide for fiscal accountability, and to provide for school accountability for student loans.

S. 2770

At the request of Mr. Young, the name of the Senator from Wisconsin (Ms. Baldwin) was added as a cosponsor of S. 2770, a bill to require agencies to submit reports on outstanding recommendations in the annual budget justification submitted to Congress.

S. 2776

At the request of Mr. Gardner, the name of the Senator from Michigan (Mr. Peters) was added as a cosponsor of S. 2776, a bill to develop a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, and for other purposes.

S. 2784

At the request of Mr. Heller, the names of the Senator from Kansas (Mr. Roberts), the Senator from Maryland (Mr. Van Hollen), the Senator from South Carolina (Mr. Scott), the Senator from Hawaii (Ms. Hirono), the Senator from Utah (Mr. Hatch) and the Senator from Minnesota (Ms. Klobuchar) were added as cosponsors of S. 2784, a bill to reauthorize the Family Violence Prevention and Services Act.

S. 2796

At the request of Mr. Tester, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 2796, a bill to authorize the Secretary of Veterans Affairs to use the authority of the Secretary to conduct and support research on the efficacy and safety of medicinal cannabidiol for veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 2821

At the request of Ms. Smith, the name of the Senator from New Mexico (Mr. Heinrich) was added as a cosponsor of S. 2821, a bill to amend title 38, United States Code, to provide for the establishment of a trust in the Trust Territory of the Pacific Islands for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 2830

At the request of Mr. Durbin, the name of the Senator from Minnesota (Ms. Smith) was added as a cosponsor of S. 2830, a bill to reauthorize the rural emergency medical services training and equipment assistance program under section 330J of the Public Health Service Act.

S. 2863

At the request of Mr. Blunt, the names of the Senator from West Virginia (Mrs. Capito), the Senator from North Carolina (Mr. Tillis), the Senator from Montana (Ms. Hyde-Smith), the Senator from Montana (Mr. Daines), the Senator from Oklahoma (Mr. Inhofe), the Senator from Idaho (Mr. Risch), the Senator from Alaska (Mr. Sullivan), the Senator from Nebraska (Mrs. Fischer), the Senator from Ohio (Mr. Portman), the Senator from South Carolina (Mr. Graham), the Senator from Utah (Mr. Hatch), the Senator from Alabama (Mr. Shelby), the Senator from Wyoming (Mr. Enzi), the Senator from Nevada (Mr. Heller), the Senator from Oklahoma (Mr. Lankford), the Senator from Wyoming (Mr. Barrasso), the Senator from Louisiana (Mr. Kennedy), the Senator from Indiana (Mr. Young), the Senator from Louisiana (Ms. Cassidy), the Senator from Georgia (Mr. Perdue), the Senator from South Carolina (Mr. Scott), the Senator from Texas (Mr. Cruz), the Senator from Iowa (Mrs. Ernst), the Senator from Wisconsin (Ms. Baldwin), the Senator from Pennsylvania (Mr. Casey), the Senator from Hawaii (Ms. Hirono), the Senator from California (Ms. Harris), the Senator from Colorado (Mr. Bennet), the Senator from Virginia (Mr. Warner), the Senator from New Mexico (Mr. Udall), the Senator from Massachusetts (Ms. Warren), the Senator from Vermont (Mr. Leahy), the Senator from Alabama (Mr. Jones) and the Senator from Washington (Mrs. Murray) were added as cosponsors of S. 2863, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

S. 2971

At the request of Mr. Booker, the name of the Senator from Wisconsin (Ms. Baldwin) was added as a cosponsor of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

S. 3149

At the request of Mr. Inhofe, the name of the Senator from Missouri (Mrs. McCaskill) was added as a cosponsor of S. 3149, a bill to amend the Packers and Stockyards Act of 1921, to provide for the establishment of a trust for the benefit of all unpaid cash sellers of livestock, and for other purposes.

S. 3178

At the request of Ms. Harris, the names of the Senator from Iowa (Mr. Grassley), the Senator from Texas (Mr. Cornyn), the Senator from Texas (Mr. Cruz), the Senator from South Carolina (Mr. Graham) and the Senator from Utah (Mr. Hatch) were added as cosponsors of S. 3178, a bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

S. 3211

At the request of Ms. Warren, the names of the Senator from North Dakota (Ms. Heitkamp) and the Senator from Alaska (Ms. Murkowski) were added as cosponsors of S. 3211, a bill to amend the Servicemembers Civil Relief Act to provide for the termination by a spouse of a lessee of certain leases.
when the lessee dies while in military service.

S. 3257

At the request of Mr. CRUZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a co-sponsor of S. 3257, a bill imposing sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3319

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Oregon (Mr. MERKLEY) and the Senator from Ohio (Mr. BROWN) were added as co-sponsors of S. 3319, a bill to impose additional restrictions on tobacco flavors for use in e-cigarettes.

S. 3321

At the request of Mr. COONS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a co-sponsor of S. 3321, a bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden and to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson in recognition of their contributions to the success of the National Aeronautics and Space Administration during the Space Race.

S. 3363

At the request of Ms. HARRIS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a co-sponsor of S. 3363, a bill to support States in their work to end preventable morbidity and mortality in maternity care by using evidence-based quality improvement to protect the health of mothers during pregnancy, childbirth, and in the postpartum period and to reduce neonatal and infant mortality, to eliminate racial disparities in maternal health outcomes, and for other purposes.

S. 3397

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a co-sponsor of S. 3397, a bill to restore administrative law judges to the competitive service.

S. 3449

At the request of Mr. MERKLEY, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Vermont (Mr. SANDERS) were added as co-sponsors of S. 3449, a bill to amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.

S. 3470

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a co-sponsor of S. 3470, a bill to promote United States-Mongolia trade by authorizing duty-free treatment for certain imports from Mongolia, and for other purposes.

S. 3476

At the request of Mr. CORKER, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Virginia (Mr. Kaine), the Senator from Illinois (Mr. DURBIN) and the Senator from Nebraska (Mr. Sasse) were added as co-sponsors of S. 3476, a bill to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes.

S. 3481

At the request of Ms. WARREN, the name of the Senator from Colorado (Mr. BENNET) was added as a co-sponsor of S. 3481, a bill to amend the Securities and Exchange Act of 1934 to require issuers to disclose certain activities relating to climate change, and for other purposes.

S. 3483

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a co-sponsor of S. 3483, a bill to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the authority of the United States Patent and Trademark Office to set the amounts for the fees that the Office charges, and for other purposes.

S. 3504

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a co-sponsor of S. 3504, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons.

S. 3530

At the request of Mr. REED, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a co-sponsor of S. 3530, a bill to reauthorize the Museum and Library Services Act.

S. 3561

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Washington (Ms. CANTWELL) were added as co-sponsors of S. 3561, a bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

S. 3564

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a co-sponsor of S. 3564, a bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish pilot programs to assist low-income households in maintaining access to sanitation services and drinking water, and for other purposes.

S. J. RES. 64

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a co-sponsor of S.J. Res. 64, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury relating to “Returns by Exempt Organizations and Returns of Certain Non-Exempt Organizations”.

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. REED) was added as a co-sponsor of S. Res. 220, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights for adhering to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mrs. McCASKILL, and Ms. KLOBUCHAR):

S. 3594 A bill to provide for the issuance of a Stamp Out Elder Abuse Semipostal Stamp; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President. Along with my colleague and friend, Senator CLAIRE MCCASKILL, and Ms. KLOBUCHAR, I am introducing the Stamp Out Elder Abuse Act of 2018, a bill that seeks to help combat the abuse and financial exploitation of our nation’s seniors. Our bill would create a semipostal, or fundraising, stamp that would allow Postal Service customers to make a voluntary contribution to help raise awareness and combat elder abuse with a stamp purchase. The proceeds from this stamp would go to the Department of Health and Human Service’s (HHS) Administration on Community Living (ACL) and the Department of Justice (DOJ). This additional funding for the ACL would be used to further support the development and advancement of emerging practices to prevent and respond to the abuse of older adults. Funding for the DOJ would go toward improving prosecution, data collection, litigation support, and prevention of elder abuse initiatives. Notably, this bill would help to provide needed additional revenue to tackle elder abuse without costing the federal government a single penny.

Abuse can happen to anyone—no matter the person’s age, gender, race, religion, or ethnic or cultural background. Each year, hundreds of thousands of adults over the age of 60 are abused, neglected, or financially exploited. Abuse can happen in many places, including a person’s home, a family member’s house, an assisted living facility, or a nursing home. Just as abuse can occur in various settings, there are many types of elder abuse, including physical, emotional, sexual abuse, neglect, abandonment, and financial exploitation. Although there are different types of
abuse, it is common for a victim to experience more than one type of mistreatment. According to the National Council on Aging, approximately one in ten Americans aged 60 years old or older have experienced some form of elder abuse. And, according to the GAO, financial fraud targeting older Americans is a growing epidemic that costs seniors an estimated $2.9 billion annually. We know, however, that the true number is probably much higher since many of these cases go unreported. The victim is too often ashamed to report abuse, particularly when it involves a family member. As a consequence, the true incidence of abuse is not known. In fact, the National Center on Elder Abuse reports that only one in 14 cases are reported to the authorities.

In my home State of Maine—the State with the oldest population by median age—an estimated 33,000 seniors were identified as victims of scams or some other kind of abuse or financial fraud. Moreover, in as many as 90 percent of financial cases, the senior is victimized by someone he or she knows well. In a 2017 report of financial exploitation of Maine elders, it was found that financial exploitation is perpetrated by a family member and for those perpetrators who are family members, the majority were the victim’s child. In a recent case in Maine, police charged a York County man, with exploiting an incapacitated elderly woman. They say the man befriended the woman while he was volunteering at the assisted-living community where she lived. According to police, the State determined the woman to be incapacitated and assigned her a guardian and conservator. The pastor allegedly took the woman to her bank, withdrew money to have the locks changed on her former home, which had been on the market, and he took down the “for sale” sign.

Police say the pastor told the woman he would help her return to her house, even though it was not equipped for the wheelchair access she required. He suggested his daughter could live with the woman to care for her. Police say his goal was to ingratiate himself and have access to this woman’s financial accounts and property. Fortunately, in this case, the conservator, who was legally responsible for protecting the woman, identified and reported the suspected criminal activity to the police.

Combating elder abuse of seniors is primarily the responsibility of state and local agencies, particularly Adult Protective Services agencies. Prevention and response to cases of abuse require coordinated efforts, including state and local agencies, law enforcement, the social work and medical community, and financial institutions.

The Federal government also plays an important role in providing leadership to combat this problem. The Elder Justice Coordinating Council, which is led by HHS and DOJ, has brought other federal agencies to the table to coordinate efforts to protect older individuals from abuse. In January, the DOJ took another step forward by directing all 94 U.S. Attorneys’ offices to each designate an elder justice coordinator, to help law enforcement identify older victims and protect seniors in their districts. This will promote greater cooperation between the DOJ and its law enforcement partners.

While the best way to intervene in the problem of elder abuse is to prevent it from happening in the first place, when elder abuse does occur, it is crucial that the perpetrators of the crimes not go unpunished.

I worked closely on the Stamp Out Elder Abuse Act of 2018 with Philip C. Marshall, founder of Beyond Brooke, a cause-based campaign named to honor Philip’s late grandmother, Brooke Astor, who was a well-known philanthropist, recipient of the Presidential Medal of Freedom, and a victim of Alzheimer’s disease. In addition, I am pleased that the nonpartisan Elder Justice Coalition, which represents more than 3,000 members, along with the National Center for Victims of Crime, the National Sheriffs’ Association, and the National Association on Area Agencies on Aging, support and favor the Federal government’s role to help make that happen. I urge my colleagues to support this bill.

Mr. President—I ask that letters from these organizations appear in the Record immediately following my remarks.

There being no objection so ordered.____

Sincerely,

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC,
Dear Senator Collins: On behalf of the National Sheriffs’ Association (NSA) and the more than 3,000 elected sheriffs nationwide, I write to endorse the Elder Abuse Act of 2018 proposed by yourself and co-sponsored by Senator Claire McCaskill. This Act initiates a semi-postal stamp that not only raises elder abuse awareness, but also facilitates the proceeds to elder justice programs within DOJ and HHS.

As you may know, the NSA was one of the founding groups in the National Association of Triads, Inc. National Triads serves as a clearinghouse of information, best practices and early alert system for local Triads. Triad is a national coalition of citizens who identify and report patterns of criminal activity that partners law enforcement agencies with older adult volunteer groups and older adult related community services to educate older adults on fraud, to reduce crime against the elderly, and eliminate the unwarranted fear of crime.

We are pleased that the bill will direct the United States Postal Service to develop the semi-postal stamp and use the proceeds from its sales to provide funding to augment the elder justice initiatives at both the Administration on Aging in the Department of Health and Human Services and at the Department of Justice. These programs include prevention, education, data collection, surveillance, and support and demonstration projects, in addition to initiatives to investigate and prosecute perpetrators of elder abuse and financial exploitation.

Furthermore, the departments will be able to use their resources to support dissemination of the stamp.

Thank you again for your leadership on this and other elder justice issues. Please let us know if we can be of assistance in securing passage of the Stamp Out Elder Abuse Act of 2018.

Sincerely,

ROBERT B. BLANCATO, National Coordinator.

THE NATIONAL CENTER FOR VICTIMS OF CRIME, Washington, DC, October 2, 2018.

Hon. SUSAN COLLINS,
Chairman, Special Committee on Aging, U.S. Senate, Washington, DC.

Dear Chairman Collins: As the Executive Director of the National Center for Victims of Crime which advocates for stronger rights, protections, and services for all crime victims, I write to congratulate you on the introduction of the Stamp Out Elder Abuse Act of 2018, which will create a semi-postal stamp to provide additional funding to the federal government for programs to address elder abuse, neglect, and exploitation.

The Elder Justice Coalition, a nonpartisan Coalition for Elder Justice in America, is proud to have worked closely on this legislation with you and Philip C. Marshall, founder of Beyond Brooke, a cause-based campaign named to honor Philip’s late grandmother, Brooke Astor, who was a well-known philanthropist, recipient of the Presidential Medal of Freedom, and a victim of elder abuse and elder financial exploitation.

We are pleased that the bill will direct the United States Postal Service to develop the semi-postal stamp and use the proceeds from its sales to provide funding to augment the elder justice initiatives at both the Administration on Aging in the Department of Health and Human Services and at the Department of Justice. These programs include prevention, education, data collection, surveillance, and support and demonstration projects, in addition to initiatives to investigate and prosecute perpetrators of elder abuse and financial exploitation.

Furth
We are pleased that the bill will direct the United States Postal Service to develop the semi-postal stamp and use the proceeds from its sales to provide funding to augment the elder justice initiatives at both the Administration on Aging in the Department of Health and Human Services and at the Department of Justice. These programs include prevention, education, data collection, services to protect and support victims, and demonstration projects, in addition to initiatives to investigate and prosecute perpetrators of elder abuse and financial exploitation. Further, the departments will be able to use their resources to support dissemination of the stamp.

Thank you again for your leadership on this and other elder justice issues. Please let us know if we can be of assistance in securing passage of the Stamp Out Elder Abuse Act of 2018.

Sincerely,

Mai Fernandez, Executive Director.

By Mr. CORNYN:

S. 3598. A bill to limit private anti-trust damages against occupational licensing boards, to promote beneficial reforms of State occupational licensing, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. 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. 3598

To be 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 “Occupational Licensing Board Antitrust Damages Relief and Reform Act of 2018”.

SEC. 2. DEFINITIONS.

In this Act:

(1) CERTIFICATION.—The term “certification” means a voluntary program under which—

(A) a private organization (in the case of private certification) or the government of a State (in the case of government certification) authorizes an individual who meets certain qualifications to use “certified” as a designated title with respect to the performance of a lawful occupation; and

(B) a noncertified individual may perform the lawful occupation for compensation but may not use the title “certified”.

(2) MEMBER, OFFICER, EMPLOYEE, OR AGENT.—The term “member, officer, employee, or agent”, with respect to an occupational licensing board, means an individual appointed by, or employed by the occupational licensing board.

(3) OCCUPATIONAL LICENSE.—The term “occupational license” means a nontransferable authorization under law for an individual to perform a lawful occupation for compensation based on meeting personal qualifications established by the State government.

(4) OCCUPATIONAL LICENSING BOARD.—The term “occupational licensing board” or “board” means an entity established under State law—

(A) the express purpose of which is to regulate the personal qualifications required to engage in or practice a particular lawful occupation; and

(B) that has authority conferred by State law to interpret or enforce the occupational regulations and to regulate the practices of those engaged in or practicing that lawful occupation.

(5) OCCUPATIONAL REGULATION.—The term “occupational regulation”—

(A) means a statute, rule, regulation, practice, policy, or law that sets educational, examination, training and/or experience requirements to authorize an individual to work in a lawful occupation; and

(B) includes any statute, rule, regulation, practice, policy, or law requiring certification or an occupational license; and

(C) does not include a license, facility license, building permit, or zoning and land use regulation except to the extent that such a requirement or restriction substantially burdens the individual’s ability to work in a lawful occupation.

(6) WIDELY REGULATED OCCUPATION.—The term “widely regulated occupation” means an occupation for which States require an occupational license to engage in such occupation.

(7) STATE.—The term “State” means each of the several States, the District of Columbia, and any territory or possession of the United States.

SEC. 3. PRIVATE ANTITRUST DAMAGES.

(a) In General.—No damages, or interest on damages, may be recovered under section 4, 14A, or 15 of the Clayton Act (15 U.S.C. 15a, 15a, or 15c) by any person, except for any State, instrumentality of a State, or employee of a State engaged in an occupation in the State acting in his or her official capacity, from an occupational licensing board, or any member, officer, employee, or agent of a board, acting in their official capacity, if—

(1) the State—

(A) has enacted a law requiring an occupational license to practice the lawful occupation regulated by the occupational licensing board; and

(B) has set forth criteria outlining any personal qualifications necessary to obtain an occupational license and has required that licensees adhere to standards of practice and ethical standards in the performance of regulated lawful occupations; and

(C) has found that—

(i) the public needs, and can be reasonably expected to benefit from, occupational licensing of the lawful occupation; and

(ii) the unlicensed conduct of the lawful occupation would harm or endanger the health, safety, or welfare of the public;

(2) an occupation is licensed by an occupational licensing board—

(A) is a widely regulated occupation; or

(B)(i) is not a widely regulated occupation and has a period of at least 10 years of sunrise review process of the occupational licensing board with regard to that occupation; and

(ii) if previously unregulated by the State government, the State has implemented a sunrise review process of the occupational licensing board with regard to its regulation of that newly-licensed occupation;

(3) the chief executive, legislature, or other elected officer of the State—

(A) has appointed all members of the occupational licensing board; and

(B) has retained representation on the occupational licensing board; and

(4) the State or the occupational licensing board has established a mechanism under which any person aggrieved by an action of the occupational licensing board has the right to—

(A) contest such action at a hearing before the occupational licensing board; and

(B) receive a final reasoned decision in writing from the occupational licensing board within a reasonable period after the hearing; and

(D) appeal an adverse decision of the occupational licensing board to an independent adjudicator, including judicial review.

(b) APPLICABILITY.—This section shall not apply to any case commenced before the date of enactment of this Act, unless it would be inequitable not to apply this section to a pending action.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to modify or impair the applicability or availability of—

(1) relief pursuant to section 4A or 4C of the Clayton Act (15 U.S.C. 15a, 15c);

(2) injunctive relief pursuant to section 15(b) of the Federal Trade Commission Act (15 U.S.C. 45); or

(4) the ability of any person to recover the cost of the suit, including a reasonable attorney’s fee, under section 4 of the Clayton Act (15 U.S.C. 15).

(d) SAVINGS CLAUSE.—The immunity from damages, or interest on damages, that is provided to members, officers, employees, or agents of an occupational licensing board of a State under subsection (a) shall not apply to any action unrelated to their official capacity, such as implementing rules governing minimum prices or fees.

SEC. 4. STATE LICENSING STUDIES TO BE CONDUCTED.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) how States can best address occupational licensing reform, particularly for those occupations that are not directly related to protecting the health, safety, or welfare of the public, including recommendations on how States can weigh the costs and benefits of occupational licensing against those of less restrictive alternatives, such as certification and other approaches;

(2) how States can conduct comprehensive cost-benefit assessments of occupational regulations and occupational licensing boards through sunrise reviews and periodic sunset reviews;

(3) how States can implement policies to support occupational support uniformity and occupational license portability, including streamlined licensing portability programs for veterans and military service members and spouses;

(4) how occupational licensing requirements affect low-income workers, the unemployed, immigrants with work authorization, and individuals with criminal records.

SEC. 5. RULE OF CONSTRUCTION.

Except as provided in section 3, nothing in this Act shall be construed to modify or impair the applicability or the enforcement of the antitrust laws, as defined in the first section of the Clayton Act (15 U.S.C. 12).

By Mr. WYDEN:

S. 3605. A bill to support wildlife conservation, improve anti-trafficking enforcement, provide dedicated funding for wildlife conservation at no expense to taxpayers, and for other purposes; to the Committee on Environment and Public Works.

Mr. WYDEN. Mr. President, today I am introducing the Wildlife Conservation and Anti-Trafficking Act which will work to protect threatened or endangered species, punish violations, and limit the illegal operations of international criminal organizations.
This bill is a bipartisan and bicameral effort, sponsored in the House of Representatives by Representative MADELINE BORDALLO and Representative DON YOUNG, and I look forward to its support in the Senate.

Conservation violations and wildlife trafficking offenses are a global problem threatening biodiversity and animal welfare and facilitating significant criminal operations. Tackling this broad problem is complicated and compounded by insufficient penalties for offenders, the difficulty of maintaining U.S.-oversight on the global level.

This bill proposes to address these concerns by criminalizing elements of wildlife-trafficking operations under Federal racketeering and organized crime statutes. Classifying wildlife-trafficking crimes as "predicate offenses" under the Money Laundering Statute, Travel Act and the Racketeer Influenced and Corrupt Organizations Act empowers federal authorities to administer substantial fines and prison-time for violations.

The bill recognizes the value of whistleblowers' information to direct investigations into wildlife-trafficking violations and establishes a procedure to secure valuable, useful information from informants and provide sufficient compensation for the risks these individuals make to blow the whistle on illegal operations. To do so, the bill redicts penalty payments from wildlife-trafficking violations to fund whistle-blower compensation programs. Monetary rewards to wildlife-criminal whistleblowers come from partial share of penalty paid to the U.S. Government, providing no additional expense to American taxpayers.

The bill empowers Federal wildlife agents to operate abroad and provides them with direction to collaborate with local authorities. It instructs the Secretaries of the Interior to adopt an International Wildlife Conservation Program consisting of four components: a regional component providing for protection of natural range habitats; a species component focusing on conservation of most vulnerable species; an anti-trafficking component to curtail demand and limit poaching; and a convention component to implement the Convention on International Trade in the Endangered Species of Wild Flora and Fauna, CITES.

The legislation seeks to expand the Marine Turtle Act of 2004 by extending the legislation's coverage to include U.S. territories, and increasing the Act's scope to cover marine and freshwater turtles as well as tortoises.

Additionally, the bill proposes to strengthen the Marine Mammal Protection Act of 1972 and the Shark-Finning Measure under the Magnuson-Stevens Act by establishing that fines associated with violating these acts are to be imposed against the same species that were affected.

Of particular concern to fishermen and women up and down the coasts, the bill addresses illegal, unreported, and unregulated fishing violations by considering serious abuses as violations of Federal money laundering laws and therefore subjecting violators to substantial penalties.

Protecting wildlife requires a unified and strategic approach to end poaching worldwide. Congress must aggressively counter the relentless activities of poachers, traffickers, and transnational criminal organizations. The Wildlife Conservation and Anti-Trafficking Act is a strong response to crimes against wildlife; it will provide the necessary tools to curtail these illicit activities.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 673—RECOGNIZING THE 80TH ANNIVERSARY OF INGALLS SHIPBUILDING**

Mr. WICKER (for himself and Mrs. HYDE-SMITH) submitted the following resolution; which was referred to the Committee on the Judiciary:

> **Whereas** October 2018 marks the 80th anniversary of Ingalls Shipbuilding, a shipbuilding corporation located in Pascagoula, Mississippi;  
> **Whereas** Ingalls Shipbuilding is the largest industrial employer in the State of Mississippi, with nearly 12,000 shipbuilders that—  
> (1) construct surface combatants, amphibious assault ships, and United States Coast Guard cutters; and  
> (2) provide repair and maintenance services on United States Navy ships;  
> **Whereas** Ingalls Shipbuilding is the largest supplier to the United States Navy of surface combatants and has built nearly 70 percent of the fleet of warships of the United States Navy;  
> **Whereas** Ingalls Shipbuilding was founded in 1938 by Robert Ingersoll Ingalls on the east bank of the Pascagoula River in the State of Mississippi;  
> **Whereas** since 1938, Ingalls Shipbuilding has provided the United States Navy, United States Coast Guard, and other customers with the most reliable and high-quality ships in the world;  
> **Whereas** the individuals who build ships at Ingalls Shipbuilding continue that legacy of excellence;  
> **Whereas** Ingalls Shipbuilding provides 20,000 direct and indirect jobs in the State of Mississippi;  
> **Whereas** Pascagoula is the home of the finest shipbuilders in the world;  
> **Whereas** Ingalls Shipbuilding contributes more than $1,000,000,000 to the economy of the State of Mississippi annually; and  
> **Whereas** as of the date of this resolution, Ingalls Shipbuilding—  
> (1) has 13 ships from 4 different classes under construction; and  
> (2) will build for the United States Navy the LPD Flight II, the next class of amphibious transport dock landing ship: Now, therefore, be it  
> **Resolved**, That the Senate—

**SENATE RESOLUTION 674—RECOGNIZING THE MONTH OF OCTOBER 2018 AS "NATIONAL PRINCIPALS MONTH"**

Mr. HATCH submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

> **Resolved**, That the Senate—

**SENATE RESOLUTION 675—DESIGNATING THE WEEK BEGINNING ON OCTOBER 14, 2018, AS "NATIONAL WILDLIFE REFUGE WEEK"**

Mr. COONS (for himself and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on the Judiciary:

> **Resolved**, That the Senate—

Whereas, in 1903, President Theodore Roosevelt established the first national wildlife refuge on Pelican Island in Florida;  
Whereas, in 2018, the National Wildlife Refuge System, administered by the United States Fish and Wildlife Service, is the premier system of land and water to conserve wildlife in the world and has grown to approximately 88,000,000 acres, 584 wildlife refuges, and 320 wetland management districts located in every State and territory of the United States;  
Whereas national wildlife refuges are important recreational and tourism destinations in communities across the United States, and this protected land offers a variety of recreational activities, including 6-wildlife-dependent uses that the National Wildlife Refuge System manages, specifically hunting, fishing, wildlife observation, photography, environmental education, and interpretation;  
Whereas the National Wildlife Refuge System experiences more than 55,000,000 visits each year, which is more than $2,400,000,000 in sales and 35,000 jobs in local economies;
Whereas visitation to the National Wildlife Refuge System increased by nearly 30 percent from 2006 to 2017;

Whereas, in 2018, 377 units of the National Wildlife Refuge System have hunting programs and 312 units of the National Wildlife Refuge System have fishing programs, averaging more than 2,400,000 hunting visits and more than 1,200,000 fishing visits each year;

Whereas the National Wildlife Refuge System experienced more than 31,400,000 wildlife observation visits during fiscal year 2017;

Whereas national wildlife refuges are important to local businesses and gateway communities;

Whereas the National Wildlife Refuge System encompasses every kind of ecosystem in the United States, including temperate, tropical and boreal forests, wetlands, deserts, grasslands, arctic tundras, and remote islands, and spans 12 time zones from the Virgin Islands to Guam;

Whereas national wildlife refuges are home to more than 700 species of birds, 220 species of mammals, 256 species of reptiles and amphibians, and more than 1,000 species of fish;

Whereas national wildlife refuges are the primary Federal land on which the production, migration, and wintering habitat for waterfowl are found;

Whereas, since 1934, the sale of the Federal Duck Stamp to outdoor enthusiasts has generated more than $850,000,000, which has enabled the purchase or lease of more than 5,700,000 acres of habitat for waterfowl and numerous other species in the National Wildlife Refuge System;

Whereas the sale of the Federal Duck Stamp has provided protection to more than 380 threatened and endangered species;

Whereas national wildlife refuges are cores of conservation and provide critical habitat and resources for other agencies of the Federal Government, State governments, private landowners, and organizations in efforts to secure the wildlife heritage of the United States;

Whereas more than 38,000 volunteers and approximately 200 national wildlife refuge “Friends” organizations contribute more than 1,350,000 volunteer hours annually, the equivalent of 650 full-time employees, and provide an important link to local communities;

Whereas national wildlife refuges provide an important opportunity for children to discover and gain a greater appreciation for the natural world;

Whereas there are national wildlife refuges located in several urban and suburban areas and there is a refuge located within a 1-hour drive of every metropolitan area in the United States, which has enabled national wildlife refuges to employ, educate, and engage young people from all backgrounds in exploring, connecting with, and preserving the natural heritage of the United States;

Whereas, since 1995, refuges across the United States have held festivals, educational programs, guided tours, and other recreational opportunities available to enjoy this network of protected land: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on October 14, 2018, as “National Wildlife Refuge Week”;

(2) encourages the observance of National Wildlife Refuge Week with appropriate events and activities;

(3) acknowledges the importance of national wildlife refuges for their recreational opportunities, and the economic contributions to local economies across the United States;

(4) finds that national wildlife refuges play a vital role in securing the hunting and fishing heritage of the United States for future generations;

(5) identifies the significance of national wildlife refuges in advancing the traditions of wildlife observation, photography, environmental education, and interpretation;

(6) recognizes the importance of national wildlife refuges to wildlife conservation, the protection of imperiled species and ecosystems, and compatible uses;

(7) acknowledges the role of national wildlife refuges in conserving waterfowl and waterfowl habitat under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(8) reaffirms the support of the Senate for wildlife conservation and the National Wildlife Refuge System;

(9) expresses the intent of the Senate—

(A) to continue working to conserve wildlife; and

(B) to manage the National Wildlife Refuge System for current and future generations.

SENATE RESOLUTION 676—TO RECOGNIZE THE IMPORTANCE OF NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

Mrs. MURRAY (for herself and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 676

Whereas, in 1945, Congress passed the Joint Resolution of August 11, 1945 (59 Stat. 530, chapter 363), to establish the first week in October of each year as “National Employ the Physically Challenged Week”; Whereas, in 1988, Congress passed the Handicapped Programs Technical Amendment Act of 1988 (Public Law 100–492; 102 Stat. 2314) to designate the first week in October of each year as “National Disability Employment Awareness Month”; Whereas, according to the Centers for Disease Control and Prevention, approximately 61,000,000 people in the United States have a disability; Whereas, among people with disabilities in the United States, 33 percent participate in the workforce; Whereas the unemployment rate for people with a disability is higher than for people without a disability across all educational attainment groups; Whereas community-based, integrated employment at competitive wages is a human right and vital to economic self-sufficiency in the United States; Whereas Employment First is a national movement, supported by the Department of Labor, that supports the belief that all people, including people with significant disabilities, are capable of full participation in competitive integrated employment and community life; Whereas, under Employment First policies, State and Federal systems align services, incentives, and policies for youth and adults with disabilities that lead to community-based, integrated employment at competitive wages; Whereas, when provided the accommodations and support they need, people with disabilities as a group are capable of performing virtually any job in the United States; Whereas Congress has enacted laws to ensure people with disabilities are not discriminated against in employment, have access to supports and services to find and maintain employment, and have accommodations in the workplace, including—

(1) in 1973, when Congress enacted the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), a landmark civil rights law that—

(A) prohibits discrimination on the basis of a disability in employment by the Federal Government and Federal contractors;

(B) requires the Federal Government and Federal contractors to engage in affirmative action to promote the employment and advancement of people with disabilities; and

(C) established programs administered by the Rehabilitation Services Administration of the Department of Education, including vocational rehabilitation services administered by State agencies;

(2) in 1975, when Congress enacted the Education for All Handicapped Children Act of 1975 (20 U.S.C. 1400 et seq.), which required programs and services to be provided to children with disabilities, beginning on October of each year as “National Disability Employment Awareness Month”; Whereas Congress has enacted laws to ensure people with disabilities are not discriminated against in employment, have access to supports and services to find and maintain employment, and have accommodations in the workplace, including—

(3) in 1990, when Congress enacted the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), a landmark civil rights law that prohibits employment discrimination against qualified individuals with disabilities, mandates reasonable accommodations in the workplace, and requires public entities to provide services (including employment services) in the most integrated setting;

(4) in 2008, when Congress enacted the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff–1 et seq.), a landmark civil rights law that—

(A) expands the definition of disability to include genetic information; (B) limits the use of discriminatory subminimum wages; and (C) requires that 15 percent of vocational rehabilitation funds be used to help people with disabilities transition from high school to higher education or the workforce;

(5) in 2014, when Congress extended the Work Opportunity Tax Credit Act (29 U.S.C. 3101 et seq.) to strengthen and improve the workforce system of the United States to better support people with disabilities; and


(7) in 2018, when Congress has taken steps to increase recruitment, hiring, and retention of people with disabilities in the Federal workforce, including when—

(1) on July 26, 2000, President William J. Clinton issued Executive Order 13163 (29 U.S.C. 791 note) relating to increasing the opportunity for individuals with disabilities to...
be employed in the Federal Government, which set the goal for the Federal Government to hire 100,000 people with disabilities over 5 years, including individuals with targeted disabilities; and

(2) on July 26, 2010, President Barack Obama issued Executive Order 13548 (29 U.S.C. 791 note; relating to increasing Federal government contractors employing people with disabilities; which directed the Federal Government to take additional steps to achieve the hiring goals of Executive Order 13163 (29 U.S.C. 791 note; relating to increasing the opportunity for individuals with disabilities to be employed in the Federal Government), including—

(A) directing the Office of Personnel Management to design model recruitment and hiring strategies for Federal agencies to increase the employment of people with disabilities; and

(B) directing each Federal agency to develop a plan for that agency for promoting employment opportunities for people with disabilities; and

(i) performance measures and numerical goals for the employment of individuals with disabilities and targeted disabilities; and

(ii) a focus on the retention of employees with disabilities; and

(3) on August 13, 2011, President Barack Obama issued Executive Order 13581 (42 U.S.C. 701 note; relating to establishing a coordinated government-wide initiative to promote diversity and inclusion in the Federal workforce), which prompted the Office of Personnel Management to increase the use of Schedule A hiring authority for people with disabilities, conduct barrier analyses, and support Special Emphasis Programs to promote workforce diversity; and

(4) on May 14, 2015, President Barack Obama issued Executive Order 13658 (79 Fed. Reg. 9851; relating to establishing a minimum wage for contractors (February 20, 2014), which required certain Federal Government contractors to pay the same minimum wage to workers with disabilities as all other workers;

(5) the Equal Employment Opportunity Commission, in implementing the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), required agencies to set hiring and workforce goals for people with specific disabilities that are associated with high rates of unemployment and underemployment;

(6) the Equal Employment Opportunity Commission created the Leadership for the Employment of Americans with Disabilities (or “LEAD”) Initiative to encourage Federal agencies to hire and promote people with severe disabilities; and

(7) the Office of Federal Contract Compliance Programs of the Department of Labor, in implementing the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), established a nationwide 7 percent utilization goal for Federal contractors employing people with disabilities;

Whereas some private employers see disability employment not only as a civil rights issue but also as a smart business strategy, and support Special Emphasis Programs to promote diversity and inclusion in the Federal workforce; and

Whereas some private employers see disability employment not only as a civil rights issue but also as a smart business strategy, and have recruited employees with disabilities;

Whereas the recognition of the first permanent Filipino settlement in the United States was established in St. Mary's, Louisiana; and

Whereas the owners of the Seattle Storm, Lisa Brummel, Dawn Trudeau, and Ginny Grodzinski, are just 1 of 2 all-female ownership groups in the WNBA; and

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States; and

Whereas the Filipino American community is the third largest Asian American and Pacific Islander group in the United States; and

Whereas the Filipino American National Historical Society recognizes 1783 as the year in which the first permanent Filipino settlement in the United States was established in St. Mary's, Louisiana; and

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States; and

Whereas the Seattle Storm has exhibited dedication to social impact by strengthening communities through partnerships with organizations in the greater Puget Sound region; and

Whereas the Seattle Storm has exhibited dedication to social impact by strengthening communities through partnerships with organizations in the greater Puget Sound region; and

Whereas the Seattle Storm Women's Basketball team won the 2018 Women's National Basketball Association championship; and

Whereas the Seattle Storm have inspired and empowered girls, boys, women, and men of all ages: Now, therefore, be it

Resolved, That the Senate recognizes—

(1) the achievements of the players, coaches, fans, and staff whose dedication has helped the Seattle Storm women's basketball team win the 2018 Women's National Basketball Association championship;

(2) the State of Washington and the City of Seattle for their enthusiastic support of women's professional basketball; and

(3) the continuing progress toward ensuring equity in men’s and women’s professional sports.
Whereas, effective June 8, 2016, the Filipino World War II Veterans Parole Program allowed for Filipino World War II veterans and certain family members to be reunited more expeditiously by the immigrant visa process allowed at that time;

Whereas, on December 14, 2016, President Barack Obama signed into law the Filipino Veterans of World War II Congressional Gold Medal Act of 2015 (Public Law 114-265; 130 Stat. 1376) to award Filipino veterans who fought alongside troops of the United States in World War II the highest civilian honor bestowed by Congress;

Whereas, on October 25, 2017, the Congressional Gold Medal was presented to Filipino World War II veterans in Emancipation Hall in the Capitol Building, a recognition for which the veterans have waited for more than 70 years;

Whereas, Filipino Americans continue to demonstrate a commendable sense of patriotism and honor;

Whereas 9 Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces;

Whereas the late Thelma Garcia Buchholdt, born in Claveria, Cagayan, on the island of Luzon in the Philippines—

(1) moved with her family to Alaska in 1965;

(2) was elected to the House of Representatives of Alaska in 1974;

(3) was the first Filipino woman elected to a State legislature; and


Whereas Filipino American farmers and labor leaders, such as Philip Vera Cruz and Larry Itliong, played an integral role in the multiethnic United Farm Workers movement, alongside Cesar Chávez, Dolores Huerta, and other Latino workers;

Whereas Filipino Americans play an integral role in the healthcare system of the United States as nurses, doctors, and other medical professionals;

Whereas Filipino Americans have contributed greatly to music, dance, literature, education, business, journalism, sports, fashion, politics, government, science, technology, the fine arts, and other fields that enrich the landscape of the United States;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of the history of the United States;

Whereas it is imperative for Filipino American youth to have positive role models to instill:

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Filipino American History Month in October 2018 as—

(A) a testament to the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so as to provide an opportunity for all people of the United States to learn more about Filipino Americans and to appreciate the historic contributions of Filipino Americans to the United States; and

(2) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

SENATE RESOLUTION 679—DESIGNATING OCTOBER 16, 2018, AS "WORLD FOOD DAY"

Mr. CONDON (for himself, Mr. MORAN, Mr. LEAHY, and Mr. BOOZMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 679

Whereas hunger and malnutrition are daily facts of life for hundreds of millions of people around the world;

Whereas women and children suffer the most serious effects of hunger and malnutrition;

Whereas millions of children die each year from hunger-related illness and disease;

Whereas many suffer permanent physical or mental impairment because of vitamin or protein deficiencies;

Whereas the United States has a long tradition of demonstrating humanitarian concern for the hungry and malnourished people of the world;

Whereas there is a growing concern in the United States and in other countries about threats to the future food supply, including:

(1) misuse and overuse of land and water;

(2) loss of biological diversity; and

(3) erosion of genetic resources on a global scale;

Whereas the world community increasingly calls upon the United States to resolve food problems stemming from natural- and human-made disasters by providing humanitarian assistance;

Whereas the United States—

(1) plays a major role in the development and implementation of international food and agricultural trade standards and practices; and

(2) recognizes the positive role that the global food trade can play in enhancing human nutrition and alleviating hunger;

Whereas, although progress has been made in reducing the number of hungry and malnourished people in the United States, certain groups remain vulnerable to malnutrition and related diseases;

Whereas the conservation of natural resources, the preservation of biological diversity, and strong public and private agricultural research programs are required for the United States:

(1) to remain food secure; and

(2) to continue to aid the hungry and malnourished people of the world;

Whereas the achievement gap between students with appropriate programs and activities.

SENATE RESOLUTION 680—CALLING ON CONGRESS, SCHOOLS, AND STATE AND LOCAL EDUCATIONAL AGENCIES TO RECOGNIZE THE SIGNIFICANT EDUCATIONAL IMPLICATIONS OF DYSLEXIA, THAT DYSLEXIC READERS ARE A SPECIAL, PICKED-OUT, AND DESIGNATING OCTOBER 2018 AS “NATIONAL DYSLEXIA AWARENESS MONTH”

Mr. CASSIDY (for himself, Mr. MURPHY, Mrs. CAPITO, Ms. WARREN, and Mr. VAN HOLLEN) submitted the following resolution; which was considered and agreed to:

S. Res. 680

Whereas dyslexia is—

(1) defined as an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader and

(2) most commonly caused by a difficulty in phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell, and often, the ability to learn a second language;

Whereas dyslexia is the most common learning disability and affects 80 to 90 percent of all individuals with a learning disability;

Whereas dyslexia is persistent and highly prevalent, affecting as many as 1 out of every 5 individuals;

Whereas dyslexia is a paradox, in that an individual with dyslexia may have both—

(1) weaknesses in decoding that result in difficulties in accurate or fluent word recognition and

(2) strengths in higher-level cognitive functions, such as reasoning, critical thinking, concept formation, and problem solving;

Whereas great progress has been made in understanding dyslexia on a scientific level, including the epidemiology and cognitive and neurobiological bases of dyslexia;

Whereas the National Institutes of Health—

(1) recognizes that the likelihood of dyslexia in the typical reader and dyslexic readers occurs as early as first grade; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.
Whereas early screening for, and early diagnosis of, dyslexia are critical for ensuring that individuals with dyslexia receive focused, evidence-based intervention that leads to fluent reading, promotion of self-awareness and self-empowerment, and the provision of necessary accommodations that ensure success in school and in life; Now, therefore,

Resolved, That the Senate—
(1) calls on Congress, schools, and State and local educational agencies to recognize that dyslexia has significant educational implications that must be addressed; and
(2) designates October 2018 as “National Dyslexia Awareness Month”.

SENATE RESOLUTION 681—DESIGNATING THE WEEK BEGINNING OCTOBER 21, 2018, AS ‘‘NATIONAL CHARACTER COUNTS WEEK’’

Mr. GRASSLEY (for himself, Ms. STARENOW, Mr. ALEXANDER, Mr. DONNELLY, and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. Res. 681

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character; Whereas the character education of children has become more urgent, as violence by and against young people increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong, positive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas many school districts and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, schools, and, youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, and helping others;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and modeled ethical values and social institutions have the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize and have taken steps to integrate the values of their communities into teaching activities; and

Whereas the establishment of “National Character Counts Week” recognizes the importance of character education, is of great benefit to the United States; Now, therefore, be it

Resolved, That the Senate—
(1) designates the week beginning October 21, 2018, as “National Character Counts Week”;

(2) calls upon the people of the United States and interested groups—
(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and
(B) to observe the week with appropriate ceremonies, programs, and activities.

SENATE RESOLUTION 682—DESIGNATING OCTOBER 30, 2018, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. ALEXANDER (for himself, Mr. UDALL, Mr. MCCONNELL, Mr. SCHUMER, Mr. CORBETT, Mr. HEINICH, Mr. PORTMAN, Mr. BROWN, Mr. GARDNER, Ms. CANTWELL, Mr. GRAHAM, Mrs. MURRAY, Mr. HATCH, Mr. MARKEY, Mr. ROBERTS, Mr. RUBIO, and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. Res. 682

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served in the United States nuclear weapons program and uranium enrichment activities to commemorate October 30, 2018, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

Whereas Illinoisans will celebrate the 200th anniversary of the founding of the State of Illinois on December 3, 2018, and the lasting legacy of all that the “Prairie State” has to offer;

Whereas Illinois was the 21st State to be admitted to the Union in 1818, expanding the borders of the United States to the west;

Whereas Illinois took part in shaping the visions and moral compass of Abraham Lincoln, the 16th President of the United States, and became known as the “Land of Lincoln”;

Whereas Abraham Lincoln demonstrated political courage in issuing the Emancipation Proclamation in 1863, an Executive order which freed more than 3,000,000 enslaved persons of color in the United States;

Whereas Illinois led the righteous path toward equal equality as the first State to ratify the 13th Amendment, banning slavery in the United States, in 1865;

Whereas Illinois fostered the development of many leaders of the United States as the birthplace of President Ronald Reagan and the home of President Ulysses S. Grant and the first African-American President of the United States, Barack H. Obama;

Whereas Illinois served as a pioneer in challenging the views of leadership in society by electing—
(1) the third woman to ever serve in Congress, Winifred S. Huck, in 1922; and

(2) the first African-American woman to serve in the Senate, Carol Moseley Braun, in 1993;

Whereas the characteristic forests, wetlands, and vast farmland that established Illinois as an agricultural leader and the predominant producer of soybeans, corn, and swine in the United States, and is home to the 72,000 farms that cover 27,000,000 acres, or 75 percent of the State;

Whereas Illinois is home to Chicago, the third largest city in the United States, where more than one million people follow the Great Chicago Fire of 1871 that resulted in 300 fatalities and incurred an estimated $200,000,000 in damage across 4 miles of the city;

Whereas Chicago introduced the world to groundbreaking, life-altering innovations
while it was host to the World’s Columbian Exposition in 1893, where the world witnessed—
(1) the first all-steel-frame skyscraper, the Rand McNally Building on Adams Street; and
(2) the first Ferris Wheel;
Whereas Illinois inventors have been trailblazers in the areas of scientific and mechanical achievement, having contributed such inventions as the cell phone, the mechanical dishwasher, the zipper, meatpacking, and the first blood bank in the United States, the wireless remote controller, the vacuum cleaner, and the farm silo;
Whereas Chicago was home to revolutionary and timely events, including—
(1) the first televised Presidential debate;
(2) the first successful open-heart surgery; and
(3) the first self-sustaining controlled nuclear reaction in the world;
Whereas the economic contributions of Illinois are a testament of the hardworking men and women who call the State home, as the gross domestic product of the State of Illinois in 2017 amounted to $796,000,000,000 and was the fifth highest in the United States in that year;
Whereas the communities of Illinois nurture creativity, as the State is home to more than 20,000 active duty military personnel, more than 24,000 members of reserve forces, and, from 2012 to 2016, more than 640,000 veterans, who selflessly risked their lives for the protection of the United States;
Whereas Illinois is home to numerous renowned artists in the areas of music, writing, acting, and visual art, including—
(1) Miles Davis, born in Alton and raised in East St. Louis;
(2) Ernest Hemingway, born in Oak Park;
(3) Jane Addams, born in Cedarville;
(4) Nat King Cole, raised in Chicago;
(5) Carl Sandburg, born in Galesburg;
(6) Sam Cooke, raised in Chicago;
(7) Walt Disney, born in Chicago; and
(8) Robin Williams, born in Chicago;
Whereas the major league sports teams of Chicago exhibit an impressive level of athleticism, teamwork, and sportsmanship, and have won several national championships, including—
(1) the Chicago Bears in 1986; and
(2) the Chicago Bulls each year from—
(A) 1991 through 1993; and
(B) 1996 through 1998; and
(3) the Chicago White Sox in 2005; and
(4) the Chicago Blackhawks in 2010, 2013, and 2015; and
(5) the Chicago Cubs in 2016;
Whereas Illinois is a state of innumerable inventions, Illinois has welcomed with open arms visitors from every corner of the world, possessed an understanding of how diversity enriches the fabric of the country, fostered people, preserved land, and contributed generations that are imperative to the history of the United States;
Whereas Illinois will be celebrating its bicentennial with the dedication of a new Bicentennial Plaza that connects the home of President Lincoln to the State Capitol in Springfield, as a commemorative Route 66 motorcycle ride and fireworks above the State Capitol on the eve of the occasion; and
Whereas residents across Illinois have hosted, and continue to host, celebrations, from downstate Illinois up to the coast of Lake Michigan, commemorating the 200th anniversary of the State: Now, therefore, be it
Resolved, That the Senate—
(1) recognizes the bicentennial of the founding of the State of Illinois, as well as the past and current residents of Illinois for their significant contributions to the economic, social, and cultural development of the United States; and
(2) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Governor of Illinois.

SENATE RESOLUTION 684—RELATIVE TO THE DEATH OF THE HONORABLE JOSEPH D. “JOE” TYDINGS, FORMER UNITED STATES SENATOR FOR THE STATE OF MARYLAND
Mr. CARDIN (for himself and Mr. VAN HOLLE) submitted the following resolution; which was considered and agreed to:

S. Res. 684
Whereas Joseph D. “Joe” Tydings (referred to in this preamble as “Joe Tydings”) entered the McDonough School as a military cadet in 1938;
Whereas Joe Tydings served in the United States Army from 1946 to 1948, participating in the postwar occupation of Germany as a member of the 40th Infantry Division, and was corporal of the Sixth Constabulary Regiment;
Whereas Joe Tydings was elected in 1954 to the Maryland House of Delegates to represent Harford County, and served there until 1961;
Whereas Joe Tydings was appointed by President John F. Kennedy to serve as United States Attorney for the District of Maryland from 1961 to 1963;
Whereas Joe Tydings worked hard to establish the nonpartisan reputation of the office of the United States Attorney for the District of Maryland and successfully prosecuted political corruption in the State of Maryland;
Whereas in 1963 Joe Tydings represented the United States at the Interpol Conference in Helsinki, Finland, and at the International Penal Congress in Bellagio, Italy;
Whereas Joe Tydings was elected in 1964 to represent the State of Maryland in the United States Senate;
Whereas Joe Tydings served the United States Senate as Chairman of the Committee on the District of Columbia in the 91st Congress;
Whereas Joe Tydings authored legislation to make improvements to the Federal court system, many of which are still in place as of the date of adoption of this resolution;
Whereas Joe Tydings was a progressive who championed the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) and the Fair Housing Act (42 U.S.C. 3601 et seq.);
Whereas Joe Tydings exemplified a duty to public service by committing to protect the civil rights of fellow citizens, safeguard the environment and public health, and reach across the aisle to find bipartisan solutions to pressing national problems;
Whereas Joe Tydings was an avid and devoted horseman who—
(1) authored the Horse Protection Act (15 U.S.C. 1821 et seq.), which penalizes the practice of soring horses; and
(2) advocated for the implementation of that Act following a return to private life;
Whereas Joe Tydings continued to serve his community in many different capacities, including as—
(1) the Board of Regents of the University of Maryland from 1974 to 1984;
(2) the Board of Regents of the University System of Maryland from 2000 to 2005; and
(3) the board of the University of Maryland Medical System since 2008; and
Whereas Joe Tydings served the people of the State of Maryland and all of the people of the United States with distinction for 6 years in the United States Senate: Now, therefore, be it
Resolved, That—
(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Joseph D. “Joe” Tydings, former member of the United States Senate;
(2) the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy of this resolution to the family of the Honorable Joseph D. “Joe” Tydings; and
(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Joseph D. “Joe” Tydings.

AMENDMENTS SUBMITTED AND PROPOSED
SA 4054. Mr. MCCONNELL (for Mr. THUNE) proposed an amendment to the bill S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund;
SA 4055. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill S. 730, to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes;
SA 4056. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill H.R. 390, supra;
SA 4057. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 2422, to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes;
SA 4058. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill H.R. 3342, supra, to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes;
SA 4059. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill H.R. 3342, supra.

TEXT OF AMENDMENTS
SA 4054. Mr. MCCONNELL (for Mr. THUNE) proposed an amendment to the bill S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund; as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Frank Lodibo"onbe Coast Guard Authorization Act of 2019.”

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—REORGANIZATION OF TITLE 14, UNITED STATES CODE
Sec. 101. Initial matter.
Sec. 102. Subtitle I.
Sec. 103. Chapter 1.
Sec. 104. Chapter 3.
Sec. 105. Chapter 5.
Sec. 106. Chapter 7.
Sec. 107. Chapter 9.
Sec. 108. Chapter 11.
Sec. 109. Subtitle II.
Sec. 110. Chapter 19.
Sec. 111. Part II.
Sec. 112. Chapter 21.
Sec. 113. Chapter 23.
Sec. 114. Chapter 25.
Sec. 115. Part III.
Sec. 116. Chapter 27.
Sec. 117. Chapter 29.
Sec. 118. Subtitle III and chapter 37.
Sec. 119. Chapter 39.
Sec. 120. Chapter 41.
Sec. 121. Subtitle IV and chapter 49.
Sec. 122. Chapter 51.
Sec. 123. References.
Sec. 124. Rule of construction.

TITLE II—AUTHORIZATIONS

Sec. 201. Amendments to title 14, United States Code, as amended by title I of this Act.
Sec. 203. Authorized levels of military strength and training.
Sec. 204. Authorization of amounts for Fast Response Cutters.
Sec. 205. Authorization of amounts for shoreside infrastructure.
Sec. 206. Authorization of amounts for aircraft improvements.

TITLE III—COAST GUARD

Sec. 301. Amendments to title 14, United States Code, as amended by title I of this Act.
Sec. 302. Primary duties.
Sec. 303. National Coast Guard Museum.
Sec. 304. Unmanned aircraft.
Sec. 305. Coast Guard health-care professionals; licensure portability.
Sec. 306. Training; emergency response providers.
Sec. 307. Incentive contracts for Coast Guard yard and industrial establishments.
Sec. 308. Confidential investigative expenses.
Sec. 309. Regular captains; retirement.
Sec. 310. Coverslip, alteration, and repair projects.
Sec. 311. Contracting for major acquisitions programs.
Sec. 312. Officer promotion zones.
Sec. 313. Cross reference.
Sec. 314. Commissioned service retirement.
Sec. 315. Leave for birth or adoption of child.
Sec. 316. Clothing at time of discharge.
Sec. 317. Unfunded priorities list.
Sec. 318. Safety of vessels of the Armed Forces.
Sec. 319. Air facilities.

TITLE IV—PORTS AND WATERWAYS

Sec. 402. Conforming amendments.
Sec. 403. Transitional and savings provisions.
Sec. 404. Rule of construction.
Sec. 405. Advisory committee; repeal.
Sec. 406. Regattas and marine parades.
Sec. 407. Regulation of vessels in territorial waters of United States.
Sec. 408. Port, harbor, and coastal facility security.

TITLE V—MARITIME TRANSPORTATION

Sec. 501. Consistency in marine inspections.
Sec. 502. Uninspected passenger vessels in St. Louis County, Minnesota.
Sec. 503. Engine cut-off switch requirements.
Sec. 504. Exception from survival craft requirements.
Sec. 505. Safety standards.
Sec. 506. Fishing safety grants.
Sec. 507. Fishing, fish tender, and fish processing vessel certification.
Sec. 508. Deadline for compliance with alternate safety compliance program.
Sec. 509. Termination of unsafe operations; Chapter 1.
Sec. 510. Technical corrections: Licenses, certificates of registry, and merchant documents.
Sec. 511. Clarification of logbook entries.
Sec. 512. Certificates of documentation for recreational vessels.
Sec. 513. Numbers for undocumented barges.
Sec. 514. Backup national timing system.
Sec. 515. Scientific personnel.
Sec. 516. Transparency.

TITLE VI—ADVISORY COMMITTEES

Sec. 601. National maritime transportation advisory committees.
Sec. 602. Maritime Security Advisory Committee.

TITLE VII—FEDERAL MARITIME COMMISSION

Sec. 701. Short title.
Sec. 702. Authorization of appropriations.
Sec. 703. Reporting on impact of alliances on competition.
Sec. 704. Definition of certain covered services.
Sec. 705. Reports filed with the Commission.
Sec. 706. Public participation.
Sec. 707. Ocean transportation intermediaries.
Sec. 708. Common carriers.
Sec. 709. Negotiations.
Sec. 710. Injunctive relief sought by the Commission.
Sec. 711. Discussions.
Sec. 712. Transparency.
Sec. 713. Study of bankruptcy preparation plans.
Sec. 714. Agreements unaffected.

TITLE VIII—MISCELLANEOUS

Sec. 801. Repeal of obsolete reporting requirement.
Sec. 802. Construction to provisions enacted by Coast Guard Authorization Act.
Sec. 803. Officer evaluation report.
Sec. 804. Extension of authority.
Sec. 805. Coast Guard ROTC program.
Sec. 806. Currency detection canine team program.
Sec. 807. Center of expertise for Great Lakes oil spill search and response.
Sec. 808. Public safety answering points and maritime search and rescue coordination.
Sec. 809. Ship shoal lighthouse transfer: repeal.
Sec. 810. Land exchange, Ayakulik Island, Alaska.
Sec. 811. Use of Tract 43.
Sec. 812. Coast Guard maritime domain awareness.
Sec. 813. Monitoring.
Sec. 814. Reimbursements for non-Federal construction costs of certain aids to navigation.
Sec. 815. Towing safety management system fees.
Sec. 816. Oil spill disbursements auditing and report.
Sec. 817. Fleet requirements assessment and strategy.
Sec. 818. National Security Cutter.
Sec. 819. Acquisition of new icebreakers.
Sec. 820. Great Lakes icebreaker acquisition.
Sec. 821. Polar icebreakers.
Sec. 822. Strategic assets.
Sec. 823. Arctic planning criteria.
Sec. 824. Vessel response plan audit.
Sec. 825. Waters deemed not navigable waters of the United States for certain purposes.
Sec. 826. Documentation of recreational vessels.
Sec. 827. Equipment requirements; exemption from throwable personal flotation devices requirement.
Sec. 828. Visual distress signals and alternative use.
Sec. 829. Radar refresher training.
Sec. 830. Commercial fishing vessel safety national communications plan.
Sec. 831. Atlantic Coast port access route study recommendations.
Sec. 832. Drawbridges.
Sec. 833. Waiver.
Sec. 834. Fire-retardant materials.
Sec. 835. Vessel waiver.
Sec. 836. Temporary limitations.
Sec. 837. Transfer of Coast Guard property in Jupiter Island, Florida, for inclusion in Hobe Sound National Wildlife Refuge.
Sec. 838. Emergency response.
Sec. 839. Drawbridges consultation.

TITLE IX—VESSEL INCIDENTAL DISCHARGE ACT
Sec. 901. Short title.
Sec. 902. Purposes; findings.
Sec. 903. Standards for discharges incidental to normal operation of vessels.

TITLE X—HYDROGRAPHIC SERVICES AND OTHER MATTERS

Sec. 1001. Reauthorization of Hydrographic Services Improvement Act of 1996.
Sec. 1002. System for tracking and reporting all-inclusive cost of hydrographic surveys.
Sec. 1003. Homeport of certain research vessels.

TITLE XI—REORGANIZATION OF TITLE 14, UNITED STATES CODE

SEC. 101. INITIAL MATTER.

Title 14, United States Code, is amended by striking the title designation, the title heading, and the table of parts at the beginning and inserting the following:

"TITLE 14—COAST GUARD"

"Subtitle Sec. 101.
1. Establishment, Powers, Duties, and Administration ........ 101
2. Personnel .................................................. 101
3. III. Coast Guard Reserve and Auxiliary .......................... 3701
4. IV. Coast Guard Authorizations and Reports to Congress .......... 4901"

SEC. 102. SUBTITLE I.

Part I of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning and inserting the following:

"Subtitle I—Establishment, Powers, Duties, and Administration"

"Chap. 1. Establishment and Duties .................................. 101
2. Composition and Organization .................................. 301
3. Functions and Powers ........................................... 501
4. Cooperation ......................................................... 701
5. Administration .................................................. 901
6. "11. Acquisitions .................................................. 1101"

SEC. 103. CHAPTER 1.

(a) IS NOT APPLICABLE.
"101. Establishment of Coast Guard.
"102. Primary duties.
"103. Department in which the Coast Guard operates.
"104. Removing restrictions.
"105. Secretary defined.
"106. Commandant defined.
(b) REDesignATIONS AND TRANSFERS.—
(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—
(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 3 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before re-designation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after re-designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Establishment of Coast Guard</td>
<td>101</td>
<td>41 Grades and ratings</td>
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<tr>
<td>2 Primary duties</td>
<td>102</td>
<td>44 Commandant; appointment</td>
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<td>3 Department in which the Coast Guard operates</td>
<td>103</td>
<td>46 Retirement of Commandant or Vice Commandant</td>
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<td>652 Removing restrictions</td>
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<td>47 Vice Commandant; appointment</td>
</tr>
<tr>
<td>4 Secretary defined</td>
<td>105</td>
<td>50 Vice admirals</td>
</tr>
<tr>
<td>5 Commandant defined</td>
<td>106</td>
<td>51 Retirement</td>
</tr>
</tbody>
</table>

SEC. 104. CHAPTER 3.
(a) INITIAL MATTER.—Chapter 3 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 3—COMPOSITION AND ORGANIZATION"

"Sec. 301. Grades and ratings.
"302. Commandant; appointment.
"303. Retirement of Commandant or Vice Commandant.
"304. Vice Commandant; appointment.
"305. Vice admirals.
"306. Retirement.
"307. Vice admirals and admiral, continuity of grade.
"308. Chief Acquisition Officer.
"309. Office of the Coast Guard Reserve; Director.
"310. Chief of Staff to President; appointment.
"311. Captains of the port.
"312. Prevention and response workforces.
"313. Centers of expertise for Coast Guard prevention and response.
"314. Marine industry training program.
"315. Training course on workings of Congress.
"316. National Coast Guard Museum.
"317. United States Coast Guard Band; composition; director.
"318. Environmental Compliance and Restoration Program.".
(b) REDesignATIONS AND TRANSFERS.—
(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—
(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 3 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) PROGRAM.—
(1) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.
(2) Program goals include:
(A) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.
(B) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.
(C) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.
(D) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.

(3) Program goals include:
(A) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.
(B) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.
(C) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.
(D) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.
(E) Program goals include:
(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;
(ii) at each Coast Guard facility the United States owns, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and
(iii) on each vessel the Coast Guard owns or operates.

(3) (A) The Secretary shall respond to releases of hazardous substances and pollutants:
(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;
(ii) at each Coast Guard facility the United States owns, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and
(iii) on each vessel the Coast Guard owns or operates.

(4) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary’s responsibilities under this section. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary’s responsibilities under this section. Services that may be obtained under this paragraph include identifying, investigating, and cleaning up off-site contamination that may have resulted from the release of a hazardous substance or pollutant at a Coast Guard facility.


(3) (A) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.

"318. Environmental Compliance and Restoration Program"

"(a) DEFINITIONS.—For the purposes of this section:
"(2) ‘hazardous substance’ has the same meaning it has in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), except that it also includes the meaning given ‘oil’ in section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1221); and
"(3) ‘pollutant’ has the same meaning it has in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1322).

(b) PROGRAM.—
(1) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.
(2) Program goals include:
(A) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.
(B) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.
(C) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.
(D) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.
(E) Program goals include:
(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;
(ii) at each Coast Guard facility the United States owns, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and
(iii) on each vessel the Coast Guard owns or operates.

(3) (A) The Secretary shall respond to releases of hazardous substances and pollutants:
(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;
(ii) at each Coast Guard facility the United States owns, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and
(iii) on each vessel the Coast Guard owns or operates.

(4) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary’s responsibilities under this section. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary’s responsibilities under this section. Services that may be obtained under this paragraph include identifying, investigating, and cleaning up off-site contamination that may have resulted from the release of a hazardous substance or pollutant at a Coast Guard facility.
Guard shall indemnify response action contractors to the extent that adequate insurance is not generally available at a fair price at the time the contractor enters into the contract to cover the contractor’s reasonable, potential, long-term liability.

‘(c) AMOUNTS RECOVERED FOR RESPONSE ACTIONS.—

‘(1) All sums appropriated to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law shall be credited or transferred to an appropriate Coast Guard account, as determined by the Commandant and remain available until expended.

‘(2) Funds may be obligated or expended from such account to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law.

‘(3) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary’s response action, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), shall set forth separately the amount requested for the Coast Guard’s environmental compliance and restoration activities under this section or another law.

‘(4) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary’s response actions at current and former Coast Guard facilities shall be credited to an appropriate Coast Guard account, as determined by the Commandant.

‘(d) ANNUAL LIST OF PROJECTS TO CONGRESS.—The Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President’s budget submission for that fiscal year.”;

(2) CONFORMING REPEALS.—Sections 631, 690, 691, 692, and 693 of title 14, United States Code, are repealed.

SEC. 105. CHAPTER 5.

(a) INITIAL MATTER.—Chapter 5 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 5—FUNCTIONS AND POWERS

‘SUBCHAPTER I—GENERAL POWERS

‘Sec.

‘561. Secretary; general powers.

‘562. Delegation of powers by the Secretary.

‘563. Regulations.

‘564. Commandant; general powers.

‘565. Functions and powers vested in the Commandant.

‘566. Prospective payment of funds necessary to provide medical care.

‘507. Appointment of judges.

‘SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

‘521. Saving life and property.

‘522. Law enforcement.

‘523. Enforcement authority.

‘524. Enforcement of coastwise trade laws.

‘525. Special agents of the Coast Guard Investigative Service and law enforcement authority.

‘526. Stopping vessels; indemnity for firing at or into vessel.

‘527. Safety of naval vessels.

‘528. Protecting against unmanned aircraft.

‘SUBCHAPTER III—AIDS TO NAVIGATION

‘541. Aids to navigation authorized.

‘542. Unauthorized aids to maritime navigation; penalty.

‘543. Interference with aids to navigation; penalty.

‘544. Aids to maritime navigation; penalty.

<table>
<thead>
<tr>
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<td></td>
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<td>637</td>
<td>Stopping vessels; indemnity for firing at or into vessel</td>
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<td>85</td>
<td>Aids to maritime navigation;</td>
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<tr>
<td>103</td>
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<td>563</td>
</tr>
</tbody>
</table>

(c) ADDITIONAL CHANGES.—Chapter 5 of title 14, United States Code, is further amended—

(1) by inserting before section 501 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL POWERS;

(2) by inserting before section 521 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES;

(3) by inserting before section 541 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—AIDS TO NAVIGATION;

and

(4) by inserting before section 561 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER IV—MISCELLANEOUS”.

SEC. 106. CHAPTER 7.

(a) INITIAL MATTER.—Chapter 7 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 7—COOPERATION

‘Sec.

‘701. Cooperation with other agencies, States, territories, and political subdivisions.

‘702. State Department.

‘703. Treasury Department.

‘704. Department of the Army and Department of the Air Force.

‘705. Navy Department.


‘707. Department of Commerce.


‘709. Maritime instruction.

‘710. Assistance to foreign governments and maritime authorities.

‘711. Coast Guard officers as attaches to missions.
SEC. 107. CHAPTER 9.

(a) INITIAL MATTER.—Chapter 9 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 9—ADMINISTRATION"

"SUBCHAPTER I—REAL AND PERSONAL PROPERTY"

"Sec. 901. Disposal of certain material.
902. Employment of draftsmen and engineers.
903. Use of certain appropriated funds.
904. Local hire.
905. Procurement authority for family housing.
906. Air Station Cape Cod Improvements.
907. Long-term lease of special purpose facilities.
908. Long-term lease authority for light-house property.
909. Small boat station rescue capability.
910. Small boat station closures.
911. Search and rescue center standards.
912. Air facility closures.
913. Turnkey selection procedures.
914. Disposition of infrastructure related to E-LORAN.
"SUBCHAPTER II—MISCELLANEOUS"

931. Oaths required for boards.
932. Administration of oaths.
933. Coast Guard ensigns and pennants.
934. Penalty for unauthorized use of words "Coast Guard".
935. Coast Guard band recordings for commercial sale.
936. Confidentiality of medical quality assurance records; qualified immunity for participants.
937. Admiralty claims against the United States.
938. Claims for damage to property of the United States.
939. Accounting for industrial work.
940. Supplies and equipment from stock.
941. Coast Guard Supply Fund.
942. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services.
943. Arms and ammunition; immunity from taxation.
944. Confidential investigative expenses.
945. Assistance to film producers.
946. User fees.
947. Vessel construction bonding requirements.
949. Telephone installation and charges.
950. Designation, powers, and accountability of deputy disbursing officials.
951. Aircraft accident investigations.
"(b) REDesignATIONS AND TRANSFERS.—
(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 9 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(b) REDesignATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 9 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before re-designation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after re-designation</th>
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<tbody>
<tr>
<td>141</td>
<td>Cooperation with other agencies, States, territories, and political subdivisions</td>
<td>701</td>
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<td>142</td>
<td>State Department</td>
<td>702</td>
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<td>143</td>
<td>Treasury Department</td>
<td>703</td>
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<tr>
<td>144</td>
<td>Department of the Army and Department of the Air Force</td>
<td>704</td>
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<tr>
<td>145</td>
<td>Navy Department</td>
<td>705</td>
</tr>
<tr>
<td>146</td>
<td>United States Postal Service</td>
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<td>147</td>
<td>Department of Commerce</td>
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<td>147a</td>
<td>Department of Health and Human Services</td>
<td>708</td>
</tr>
<tr>
<td>148</td>
<td>Maritime instruction</td>
<td>709</td>
</tr>
<tr>
<td>149</td>
<td>Assistance to foreign governments and maritime authorities</td>
<td>710</td>
</tr>
<tr>
<td>150</td>
<td>Coast Guard officers as attaches to missions</td>
<td>711</td>
</tr>
<tr>
<td>151</td>
<td>Contracts with Government-owned establishments for work and material</td>
<td>712</td>
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<td>152</td>
<td>Nonappropriated fund instrumentality contracts with other agencies and instrumentalities to provide or obtain goods and services</td>
<td>713</td>
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<td>Section heading (provided for identification purposes only-not amended)</td>
<td>Title 14 section number after re-designation</td>
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<tr>
<td>646</td>
<td>Admiralty claims against the United States</td>
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<td>Claims for damage to property of the United States</td>
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<td>Accounting for industrial work</td>
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<td>Supplies and equipment from stock</td>
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<td>Coast Guard Supply Fund</td>
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<td>654</td>
<td>Public and commercial vessels and other watercraft; sale of fuel, supplies, and services</td>
<td>942</td>
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<td>655</td>
<td>Arms and ammunition; immunity from taxation</td>
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<td>Confidential investigative expenses</td>
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<td>Vessel construction bonding requirements</td>
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<td>Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care</td>
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<td>Telephone installation and charges</td>
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<td>Aircraft accident investigations</td>
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**Title 14 section number before re-designation**

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**Title 14 section number before re-designation**

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<td>1117</td>
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</table>

(c) ADDITIONAL CHANGES.—Chapter 11 of title 14, United States Code, is further amended:

1. by inserting before section 1101 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER I—REAL AND PERSONAL PROPERTY";
```

and

2. by inserting before section 1101 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER II—MISCELLANEOUS".
```

SEC. 108. CHAPTER 11.

(a) INITIAL MATTER.—Chapter 11 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

```
"CHAPTER 11—ACQUISITIONS
"SUBCHAPTER I—GENERAL PROVISIONS
"Sec.
1101. Acquisition directorate.
```

(b) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

1. by redesigning the sections as described in the table; and

2. by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 11 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(c) ADDITIONAL CHANGES.—Chapter 11 of title 14, United States Code, is further amended:

1. by striking all subdivision designations and headings in such chapter, except for—

   A. the chapter designation and heading added by subsection (a); and

   B. the subparagraph designations and headings added by this subsection; and

   C. any designation or heading of a section or a subdivision of a section;

2. by inserting before section 1101 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER I—GENERAL PROVISIONS";
```

3. by inserting before section 1131 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER II—IMPROVED ACQUISITION PROCESS AND PROCEDURES";
```

4. by inserting before section 1151 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER III—PROCUREMENT";
```

and

5. by inserting before section 1171 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER IV—DEFINITIONS";
```

<table>
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<tr>
<th>Title 14 section number before re-designation</th>
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<th>Title 14 section number after re-designation</th>
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<tr>
<td>561</td>
<td>Acquisition directorate</td>
<td>1101</td>
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<td>562</td>
<td>Improvements in Coast Guard acquisition management</td>
<td>1102</td>
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<td>563</td>
<td>Role of Vice Commandant in major acquisition programs</td>
<td>1103</td>
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<td>564</td>
<td>Prohibition on use of lead systems integrators</td>
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<td>565</td>
<td>Required contract terms</td>
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<td>566</td>
<td>Extension of major acquisition program contracts</td>
<td>1107</td>
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<td>567</td>
<td>Department of Defense consultation</td>
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<tr>
<th>Title 14 section number before re-designation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after re-designation</th>
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<tbody>
<tr>
<td>567</td>
<td>Undefinitized contractual actions</td>
<td>1109</td>
</tr>
<tr>
<td>569</td>
<td>Mission need statement</td>
<td>1110</td>
</tr>
<tr>
<td>571</td>
<td>Identification of major system acquisitions</td>
<td>1111</td>
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<tr>
<td>572</td>
<td>Acquisition</td>
<td>1132</td>
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<tr>
<td>573</td>
<td>Preliminary development and demonstration</td>
<td>1133</td>
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<tr>
<td>574</td>
<td>Acquisition, production, deployment, and support</td>
<td>1134</td>
</tr>
<tr>
<td>575</td>
<td>Acquisition program baseline breach</td>
<td>1135</td>
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<tr>
<td>576</td>
<td>Acquisition approval authority</td>
<td>1136</td>
</tr>
<tr>
<td>658</td>
<td>Definition of terms of vessels in foreign shipyards</td>
<td>1151</td>
</tr>
<tr>
<td>677</td>
<td>Advance procurement funding</td>
<td>1152</td>
</tr>
<tr>
<td>96</td>
<td>Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards</td>
<td>1153</td>
</tr>
<tr>
<td>97</td>
<td>Procurement of buoy chain</td>
<td>1154</td>
</tr>
<tr>
<td>657</td>
<td>Contract termination</td>
<td>1155</td>
</tr>
<tr>
<td>581</td>
<td>Definitions</td>
<td>1171</td>
</tr>
</tbody>
</table>
SEC. 109. SUBTITLE II

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by inserting after chapter 11 (as amended by section 108) the following:

“Subtitle II—Personnel

“Chap. 19. Coast Guard Academy .......................... 1901

“Sec. 19. Personnel; Officers .............................. 2101

“Subpart 1. Members of the Corps of Cadets 2001

“Sec. 25. Personnel; General Provisions ....... 2501

“Sec. 27. Pay, Allowances, Awards, and Other Rights and Benefits ........... 2701

“Sec. 29. Coast Guard Family Support, Child Care, and Housing .................. 2901

(b) RESERVED CHAPTER NUMBERS.—

(1) Chapter 13 of Title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

(2) Chapter 14.—Chapter 14 of title 14, United States Code, is amended—

(A) by striking the chapter designation, the chapter heading, and the table of sections at the beginning; and

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(3) Chapter 15.—Chapter 15 of title 14, United States Code, is amended—

(A) by striking the chapter designation, the chapter heading, and the table of sections at the beginning; and

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(4) Chapter 17.—Chapter 17 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

(5) Chapter 18.—Chapter 18 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

SEC. 110. CHAPTER 19.

(a) INITIAL MATTER.—Chapter 19 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 19—COAST GUARD ACADEMY

“Subchapter I—Administration

“Sec. 1901. Administration of Academy.


“1903. Annual Board of Visitors.

“1904. Participation in Federal, State, or other educational research grants.

“Subchapter II—Cadets

“1921. Corps of Cadets authorized strength.

“1922. Appointments.

“1923. Admission of foreign nationals for instruction; restrictions; conditions.

“1924. Conduct.

“1925. Agreement.

“1926. Cadet applicants; preappointment travel to Academy.

“1927. Cadets; initial clothing allowance.

“1928. Cadets; degree of bachelor of science.

“1929. Cadets; appointment as ensign.

“1930. Cadets: charges for and fees for attendance; limitation.

“Subchapter III—Faculty

“1941. Civilian teaching staff.

“1942. Permanent commissioned teaching staff.

“1943. Appointment of permanent commissioned teaching staff.

“1944. Grade of permanent commissioned teaching staff.

“1945. Retirement of permanent commissioned teaching staff.

“1946. Credit for service as member of civilian teaching staff.


“1948. Marine safety curriculum.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—Sections 1901 through 1904 of chapter 19, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 19 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
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</thead>
<tbody>
<tr>
<td>181</td>
<td>Administration of Academy</td>
<td>1901</td>
</tr>
<tr>
<td>200</td>
<td>Policy on sexual harassment and sexual violence</td>
<td>1902</td>
</tr>
<tr>
<td>194</td>
<td>Annual Board of Visitors</td>
<td>1903</td>
</tr>
<tr>
<td>195</td>
<td>Admission of foreign nationals for instruction; restrictions; conditions</td>
<td>1923</td>
</tr>
<tr>
<td>181a</td>
<td>Cadet applicants; preappointment travel to Academy</td>
<td>1926</td>
</tr>
<tr>
<td>183</td>
<td>Cadets; initial clothing allowance</td>
<td>1927</td>
</tr>
<tr>
<td>184</td>
<td>Cadets; degree of bachelor of science</td>
<td>1928</td>
</tr>
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<td>185</td>
<td>Cadets; appointment as ensign</td>
<td>1929</td>
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<td>197</td>
<td>Cadets; charges and fees for attendance; limitation</td>
<td>1930</td>
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<tr>
<td>186</td>
<td>Civilian teaching staff</td>
<td>1941</td>
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<tr>
<td>187</td>
<td>Permanent commissioned teaching staff; composition</td>
<td>1942</td>
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<tr>
<td>188</td>
<td>Appointment of permanent commissioned teaching staff</td>
<td>1943</td>
</tr>
<tr>
<td>189</td>
<td>Grade of permanent commissioned teaching staff</td>
<td>1944</td>
</tr>
<tr>
<td>190</td>
<td>Retirement of permanent commissioned teaching staff</td>
<td>1945</td>
</tr>
</tbody>
</table>

(c) ADDITIONAL CHANGES.—

(1) IN GENERAL.—Chapter 19 of title 14, United States Code, is further amended—

(A) by inserting before section 1901 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—ADMINISTRATION;

(B) by inserting before section 1923 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—CADETS

“1921. Corps of Cadets authorized strength

“The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number shall not exceed 500.

(2) Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments.

To the administration of this section, the Secretary shall take such action as may be necessary and appropriate to ensure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for the minimum essential adjustments in such standards required because of physiological differences between male and female individuals.

(3) by inserting before section 1926 (as so redesignated and transferred under subsection (b)) the following:

“1924. Conduct

“The Secretary may summarily dismiss from the Coast Guard any cadet who, during his cadetship, is found unsatisfactory in either studies or conduct, or may be deemed not adapted for a career in the Coast Guard. Cadets shall be subject to rules governing discipline prescribed by the Commandant.

“1925. Agreement

“(a) Each cadet shall sign an agreement with respect to the cadet’s length of service in the Coast Guard. The agreement will provide that the cadet agrees to the following:

“(1) That the cadet will complete the course of instruction at the Coast Guard Academy.

“(2) That upon graduation from the Coast Guard Academy the cadet—

“(A) will accept an appointment, if tendered, as a commissioned officer of the Coast Guard; and

“(B) will serve on active duty for at least five years immediately after such appointment.

“(3) That if an appointment described in paragraph (2) is not tendered or if the cadet is permitted to resign as a regular officer before the completion of the commissioned service obligation of the cadet, the cadet—
``(A) will accept an appointment as a commissioned officer in the Coast Guard Reserve; and

``(B) will remain in that reserve component until completion of the commissioned service obligation of the cadet.

``(b)(1) The Secretary may transfer to the Coast Guard Reserve, and may order to active duty during a period of time of the Secretary prescribes (but not to exceed four years), a cadet who breaches an agreement under subsection (a). The period of time for which a cadet is ordered to active duty under this paragraph may be determined without regard to section 651(a) of title 10.

``(2) A cadet transferred to the Coast Guard Reserve under paragraph (1) shall be transferred in an appropriate enlisted grade or rating, as determined by the Secretary.

``(c) The Secretary shall prescribe regulations for the carrying out of this section. Those regulations shall include—

``(1) standards for determining what constitutes, for the purpose of subsection (b), a breach of an agreement under subsection (a); and

``(2) procedures for determining whether such a breach has occurred; and

``(d) In this section, 'commissioned service obligation', with respect to an officer who is a graduate of the Academy, means the period beginning on the date of the officer’s appointment as a commissioned officer and ending on the sixth anniversary of such appointment or, at the discretion of the Secretary, any later date up to the eighth anniversary of such appointment.

``(e)(1) This section does not apply to a cadet who is not a citizen or national of the United States.

``(2) In the case of a cadet who is a minor and who has parents or a guardian, the cadet may sign the agreement required by subsection (a) only with the consent of the parent or guardian.

``(f) A cadet or former cadet who does not fulfill the terms of the obligation to serve as specified under section (a), or the alternative obligations imposed under subsection (b), shall be subject to the repayment provisions of section 383(a)(e) of title 37; and

``(g) by inserting before section 1941 (as so redesignated and transferred under subsection (b)) the following:

``SUBCHAPTER III—PERSONNEL; OFFICERS

1.2102. Active duty promotion list.

1.2103. Number and distribution of commissioned officers on active duty promotion list.

1.2104. Appointment of temporary officers.

1.2105. Rank of warrant officers.

1.2106. Selection boards; convening of boards.

1.2107. Selection boards; composition of boards.

1.2108. Selection boards; notice of convening; communication with board.

1.2109. Selection boards; oath of members.

1.2110. Number of officers to be selected for promotion.

1.2111. Promotion zones.

1.2112. Promotion year; defined.

1.2113. Eligibility of officers for consideration for promotion.

1.2114. United States Deputy Marshals in Alaska.

1.2115. Selection boards; information to be furnished boards.

1.2116. Officers to be recommended for promotion.

1.2117. Selection boards; reports.

1.2118. Selection boards; submission of reports.

1.2119. Failure of selection for promotion.

1.2120. Special selection boards; correction of errors.

1.2121. Promotions; appointments.

1.2122. Removal of officer from list of selectees for promotion.

1.2123. Promotions; acceptance; oath of office.

1.2124. Promotions; pay and allowances.

1.2125. Warrant officers; temporary service promotion.

1.2126. Promotion of officers not included on active duty promotion list.

1.2127. Recall to active duty during war or national emergency.

1.2128. Recall to active duty with consent of officer.

1.2129. Aviation cadets; appointment as Reserve officers.

1.2130. Subchapter II—Discharges; Retirements; Revocation of Commissions; Separation for Cause

1.2141. Revocation of commissions during first five years of commissioned service.

1.2142. Regular lieutenants (junior grade); separation for failure of selection for promotion.

1.2143. Regular lieutenants; separation for failure of selection for promotion; continuation.

1.2144. Regular Coast Guard; officers serving under temporary appointments.

1.2145. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.

1.2146. Discharge in lieu of retirement; separation pay.

1.2147. Regular warrant officers; separation pay.

1.2148. Separation for failure of selection for promotion or continuation; time of.

1.2149. Regular captains; retirement.

1.250. Captains; continuation on active duty; involuntary retirement.

1.251. Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirements.

1.252. Voluntary retirement after twenty years’ service.

1.253. Voluntary retirement after thirty years’ service.

1.254. Compulsory retirement.

1.255. Retirement for physical disability after selection for promotion; involuntary retirement.

1.256. Deferment of retirement or separation for medical reasons.

1.257. Flag officers.

1.258. Review of records of officers.


1.260. Boards of review.

1.261. Composition of boards.

1.262. Rights and privileges.

1.263. Removal of officer from active duty; action by Secretary.

1.264. Officers considered for removal; retirement or discharge; separation benefits.

1.265. Relief of retired officer promoted while on active duty.

SUBCHAPTER III—GENERAL PROVISIONS

1.2681. Physical fitness of officers.

1.2682. Multirater assessment of certain personnel.''

(b) Redesignations and Transfers.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 21 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>211</td>
<td>Original appointment of permanent commissioned officers</td>
<td>2101</td>
</tr>
<tr>
<td>212</td>
<td>Active duty promotion list</td>
<td>2102</td>
</tr>
<tr>
<td>213</td>
<td>Number and distribution of commissioned officers on active duty promotion list</td>
<td>2103</td>
</tr>
<tr>
<td>214</td>
<td>Appointment of temporary officers</td>
<td>2104</td>
</tr>
<tr>
<td>215</td>
<td>Rank of warrant officers</td>
<td>2105</td>
</tr>
<tr>
<td>216</td>
<td>Selection boards; convening of boards</td>
<td>2106</td>
</tr>
<tr>
<td>217</td>
<td>Selection boards; composition of boards</td>
<td>2107</td>
</tr>
<tr>
<td>218</td>
<td>Selection boards; notice of convening; communication with board</td>
<td>2108</td>
</tr>
<tr>
<td>219</td>
<td>Selection boards; oath of members</td>
<td>2109</td>
</tr>
<tr>
<td>220</td>
<td>Number of officers to be selected for promotion</td>
<td>2110</td>
</tr>
<tr>
<td>255</td>
<td>Promotion zones</td>
<td>2111</td>
</tr>
<tr>
<td>256</td>
<td>Promotion year; defined</td>
<td>2112</td>
</tr>
<tr>
<td>257</td>
<td>Eligibility of officers for consideration for promotion</td>
<td>2113</td>
</tr>
<tr>
<td>Title 14 section number before re-designation</td>
<td>Title 14 section number after re-designation</td>
<td>Title 14 section number before re-designation</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>258 Selection boards; information to be furnished boards</td>
<td>2115</td>
<td>265 Regular lieutenant commanders and commanders; retirement for failure of selection for promotion</td>
</tr>
<tr>
<td>259 Officers to be recommended for promotion</td>
<td>2116</td>
<td>266 Discharge in lieu of retirement; separation pay</td>
</tr>
<tr>
<td>260 Selection boards; reports</td>
<td>2117</td>
<td>266a Regular warrant officers; separation pay</td>
</tr>
<tr>
<td>261 Selection boards; submission of reports</td>
<td>2118</td>
<td>267 Separation for failure of selection for promotion or continuation; time of retirement</td>
</tr>
<tr>
<td>262 Failure of selection for promotion</td>
<td>2119</td>
<td>268 Regular captains; retirement</td>
</tr>
<tr>
<td>263 Special selection boards; correction of errors</td>
<td>2120</td>
<td>269 Captains; continuation on active duty; involuntary retirement</td>
</tr>
<tr>
<td>271 Promotions; appointments</td>
<td>2121</td>
<td>270 Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement</td>
</tr>
<tr>
<td>272 Removal of officer from list of selectees for promotion</td>
<td>2122</td>
<td>271 Voluntary retirement after twenty years’ service</td>
</tr>
<tr>
<td>273 Promotions; acceptance; oath of office</td>
<td>2123</td>
<td>272 Voluntary retirement after thirty years’ service</td>
</tr>
<tr>
<td>274 Promotions; pay and allowances</td>
<td>2124</td>
<td>273 Compulsory retirement</td>
</tr>
<tr>
<td>275 Wartime temporary service promotions</td>
<td>2125</td>
<td>274 Retirement for physical disability after selection for promotion; grade in which retired</td>
</tr>
<tr>
<td>276 Promotion of officers not included on active duty promotion list</td>
<td>2126</td>
<td>275 Deferment of retirement or separation for medical reasons</td>
</tr>
<tr>
<td>311 Recall to active duty during war or national emergency</td>
<td>2127</td>
<td>276 Flag officers</td>
</tr>
<tr>
<td>312 Recall to active duty with consent of officer</td>
<td>2128</td>
<td>321 Review of records of officers</td>
</tr>
<tr>
<td>373 Aviation cadets; appointment as Reserve officers</td>
<td>2129</td>
<td>322 Boards of inquiry</td>
</tr>
<tr>
<td>281 Revocation of commissions during first five years of commissioned service</td>
<td>2141</td>
<td>323 Boards of review</td>
</tr>
<tr>
<td>282 Regular lieutenants (junior grade); separation for failure of selection for promotion</td>
<td>2142</td>
<td>324 Composition of boards</td>
</tr>
<tr>
<td>283 Regular lieutenants; separation for failure of selection for promotion; continuation</td>
<td>2143</td>
<td>325 Rights and procedures</td>
</tr>
<tr>
<td>284 Regular Coast Guard; officers serving under temporary appointments</td>
<td>2144</td>
<td>326 Removal of officer from active duty; action by Secretary</td>
</tr>
<tr>
<td></td>
<td></td>
<td>327 Officers considered for removal; retirement or discharge; separation benefits</td>
</tr>
</tbody>
</table>
"2317. Aviation cadets; procurement; transfer.

"2318. Aviation cadets; benefits.

"2319. Critical skill training bonus.".

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 23 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number</th>
</tr>
</thead>
<tbody>
<tr>
<td>350</td>
<td>Recruiting campaigns</td>
<td>2301</td>
</tr>
<tr>
<td>351</td>
<td>Enlistments; term, grade</td>
<td>2302</td>
</tr>
<tr>
<td>352</td>
<td>Promotion</td>
<td>2303</td>
</tr>
<tr>
<td>353</td>
<td>Compulsory retirement at age of sixty-two</td>
<td>2304</td>
</tr>
<tr>
<td>354</td>
<td>Voluntary retirement after thirty years’ service</td>
<td>2305</td>
</tr>
<tr>
<td>355</td>
<td>Voluntary retirement after twenty years’ service</td>
<td>2306</td>
</tr>
<tr>
<td>357</td>
<td>Retirement of enlisted members: increase in retired pay</td>
<td>2307</td>
</tr>
<tr>
<td>359</td>
<td>Recall to active duty during war or national emergency</td>
<td>2308</td>
</tr>
<tr>
<td>360</td>
<td>Recall to active duty with consent of member</td>
<td>2309</td>
</tr>
<tr>
<td>361</td>
<td>Relief of retired enlisted member promoted while on active duty</td>
<td>2310</td>
</tr>
<tr>
<td>362</td>
<td>Retirement in cases where higher grade or rating has been held</td>
<td>2311</td>
</tr>
<tr>
<td>365</td>
<td>Extension of enlistments</td>
<td>2312</td>
</tr>
<tr>
<td>366</td>
<td>Retention beyond term of enlistment in case of disability</td>
<td>2313</td>
</tr>
<tr>
<td>367</td>
<td>Detention beyond term of enlistment</td>
<td>2314</td>
</tr>
<tr>
<td>369</td>
<td>Inclusion of certain conditions in enlistment contract</td>
<td>2315</td>
</tr>
<tr>
<td>370</td>
<td>Discharge within three months before expiration of enlistment</td>
<td>2316</td>
</tr>
</tbody>
</table>

(a) INITIAL MATTER.—Chapter 25 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 25—PERSONNEL GENERAL PROVISIONS"

"SUBCHAPTER I—GENERAL PROVISIONS"

"Sec. 2501. Grade on retirement.

2502. Retirement.

2503. Status of recalled personnel.

2504. Computation of retired pay.

2505. Limitations on retirement and retired pay.

2506. Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution.

2507. Board for Correction of Military Records deadline.

2508. Emergency leave retention authority.

2509. Prohibition of certain involuntary administrative separations.

2510. Sea service letters.

2511. Investigations of flag officers and Senior Executive Service employees.

2512. Leave policies for the Coast Guard.

2513. Computation of length of service.

2514. Personnel of former Lighthouse Service.

"SUBCHAPTER II—LIGHTHOUSE SERVICE"

―Personnel of former Lighthouse Service.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 23 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number</th>
</tr>
</thead>
<tbody>
<tr>
<td>334</td>
<td>Grade on retirement</td>
<td>2501</td>
</tr>
<tr>
<td>421</td>
<td>Retirement</td>
<td>2502</td>
</tr>
<tr>
<td>422</td>
<td>Status of recalled personnel</td>
<td>2503</td>
</tr>
<tr>
<td>423</td>
<td>Computation of retired pay</td>
<td>2504</td>
</tr>
<tr>
<td>424</td>
<td>Limitations on retirement and retired pay</td>
<td>2505</td>
</tr>
</tbody>
</table>

(c) ADDITIONAL CHANGES.—Chapter 25 of title 14, United States Code, is further amended—

(1) by inserting before section 2501 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER I—GENERAL PROVISIONS";

and

(2) by inserting before section 2531 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER II—LIGHTHOUSE SERVICE".

SEC. 115. PART III.

Part III of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning.

SEC. 116. CHAPTER 27.

(a) INITIAL MATTER.—Chapter 27 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 27—PAY, ALLOWANCES, AWARDS, AND OTHER RIGHTS AND BENEFITS"

"SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS"

"Sec. 2701. Procurement of personnel.

2702. Training.

2703. Contingent expenses.

2704. Equipment to prevent accidents.

2705. Clothing at time of discharge for good service.

2706. Right to wear uniform.

2707. Protection of uniform.

2708. Clothing for officers and enlisted personnel.

2709. Procurement and sale of stores to members and civilian employees."
Title 14 section number before re-designation | Title 14 section number after re-designation
---|---
468 Procurement of personnel | 2701
469 Training | 2702
476 Contingent expenses | 2703
477 Equipment to prevent accidents | 2704
482 Clothing at time of discharge for good of service | 2705
483 Right to wear uniform | 2706
484 Protection of uniform | 2707
485 Clothing for officers and enlisted personnel | 2708
487 Procurement and sale of stores to members and civilian employees | 2709
507 Disposition of effects of decedents | 2710
508 Deserters; payment of expenses incident to apprehension and delivery; penalties | 2711
444 Payment for the apprehension of stragglers | 2712
499 Delegation of powers to make awards; rules and regulations | 2731
491 Medal of honor | 2732
504 Medal of honor: duplicate medal | 2733
505 Medal of honor: presentation of Medal of Honor Flag | 2734
491a Coast Guard cross | 2735
492 Distinguished service medal | 2736
492a Silver star medal | 2737
492b Distinguished flying cross | 2738
493 Coast Guard medal | 2739
494 Insignia for additional awards | 2740
496 Time limit on award; report concerning deed | 2741
497 Honorable subsequent service as condition to award | 2742
498 Posthumous awards | 2743
500 Life-saving medals | 2744
501 Replacement of medals | 2745
502 Award of other medals | 2746
503 Awards and insignia for excellence in service or conduct | 2747
516 Presentation of United States flag upon retirement | 2748
509 Persons discharged as result of court-martial; allowances to | 2761
510 Shore patrol duty; payment of expenses | 2762
511 Compensatory absence from duty for military personnel at isolated duty stations | 2763
512 Monetary allowance for transportation of household effects | 2764
513 Retroactive payment of pay and allowances delayed by administrative error or oversight | 2765
517 Travel card management | 2766
518 Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States | 2767
519 Annual audit of pay and allowances of members undergoing permanent change of station | 2768
461 Remission of indebtedness | 2769
470 Special instruction at universities | 2770
471 Attendance at professional meetings | 2771
472 Education loan repayment program | 2772
473 Rations or commutation therefor in money | 2773
479 Sales of ration supplies to messes | 2774
<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>480</td>
<td>Flight rations</td>
<td>2775</td>
</tr>
<tr>
<td>481</td>
<td>Payments at time of discharge for good of service</td>
<td>2776</td>
</tr>
<tr>
<td>486</td>
<td>Clothing for destitute shipwrecked persons</td>
<td>2777</td>
</tr>
<tr>
<td>488</td>
<td>Advancement of public funds to personnel</td>
<td>2778</td>
</tr>
<tr>
<td>660</td>
<td>Transportation to and from certain places of employment</td>
<td>2779</td>
</tr>
</tbody>
</table>

(c) ADDITIONAL CHANGES.—Chapter 27 of title 14, United States Code, is further amended—
(1) by inserting before section 2701 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS":

(2) by inserting before section 2731 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER II—AWARDS":

and

(3) by inserting before section 2761 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER III—PAYMENTS":

SEC. 117. CHAPTER 29.

(a) INITIAL MATTER.—Chapter 29 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of chapters at the beginning and inserting the following:

"CHAPTER 29—COAST GUARD FAMILY SUPPORT, CHILD CARE, AND HOUSING"

"SUBCHAPTER I—COAST GUARD FAMILIES"

(b) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 29 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>531</td>
<td>Work-life policies and programs</td>
<td>2901</td>
</tr>
<tr>
<td>532</td>
<td>Surveys of Coast Guard families</td>
<td>2902</td>
</tr>
<tr>
<td>541</td>
<td>Reimbursement for adoption expenses</td>
<td>2903</td>
</tr>
<tr>
<td>542</td>
<td>Education and training opportunities for Coast Guard spouses</td>
<td>2904</td>
</tr>
<tr>
<td>543</td>
<td>Youth sponsorship initiatives</td>
<td>2905</td>
</tr>
<tr>
<td>544</td>
<td>Dependent school children</td>
<td>2906</td>
</tr>
<tr>
<td>551</td>
<td>Definitions</td>
<td>2921</td>
</tr>
<tr>
<td>552</td>
<td>Child development services</td>
<td>2922</td>
</tr>
<tr>
<td>553</td>
<td>Child development center standards and inspections</td>
<td>2923</td>
</tr>
<tr>
<td>554</td>
<td>Child development center employees</td>
<td>2924</td>
</tr>
<tr>
<td>555</td>
<td>Parent partnerships with child development centers</td>
<td>2925</td>
</tr>
<tr>
<td>560</td>
<td>Definitions</td>
<td>2941</td>
</tr>
<tr>
<td>561</td>
<td>General authority</td>
<td>2942</td>
</tr>
<tr>
<td>475</td>
<td>Leasing and hiring of quarters; rental of inadequate housing</td>
<td>2943</td>
</tr>
<tr>
<td>680</td>
<td>Retired service members and dependents serving on advisory committees</td>
<td>2944</td>
</tr>
<tr>
<td>685</td>
<td>Conveyance of real property</td>
<td>2945</td>
</tr>
<tr>
<td>687</td>
<td>Coast Guard Housing Fund</td>
<td>2946</td>
</tr>
<tr>
<td>688</td>
<td>Reports</td>
<td>2947</td>
</tr>
</tbody>
</table>

(c) ADDITIONAL CHANGES.—Chapter 29 of title 14, United States Code, is further amended—
(1) by inserting before section 2901 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER II—COAST GUARD CHILD CARE":

and

(3) by inserting before section 2941 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER III—HOUSING":

SEC. 118. SUBTITLE III AND CHAPTER 37.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 29 (as amended by section 117) the following:

"SUBTITLE III—COAST GUARD RESERVE AND AUXILIARY".
“3754. Rear admiral and rear admiral (lower half); maximum service in grade.

“3755. Appointment of a former Navy or Coast Guard officer.

“3756. Grade on entry upon active duty.

“3757. Recall of a retired officer; grade upon release.”.

(b) Redesignations and Transfers.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 37 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>701</td>
<td>Organization</td>
<td>3701</td>
</tr>
<tr>
<td>702</td>
<td>Authorized strength</td>
<td>3702</td>
</tr>
<tr>
<td>703</td>
<td>Coast Guard Reserve Boards</td>
<td>3703</td>
</tr>
<tr>
<td>704</td>
<td>Grades and ratings; military authority</td>
<td>3704</td>
</tr>
<tr>
<td>705</td>
<td>Benefits</td>
<td>3705</td>
</tr>
<tr>
<td>706</td>
<td>Temporary members of the Reserve; eligibility and compensation</td>
<td>3706</td>
</tr>
<tr>
<td>707</td>
<td>Temporary members of the Reserve; disability or death benefits</td>
<td>3707</td>
</tr>
<tr>
<td>708</td>
<td>Temporary members of the Reserve; certificate of honorable service</td>
<td>3708</td>
</tr>
<tr>
<td>709</td>
<td>Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade</td>
<td>3709</td>
</tr>
<tr>
<td>709a</td>
<td>Reserve student pre-commissioning assistance program</td>
<td>3710</td>
</tr>
<tr>
<td>710</td>
<td>Appointment or wartime promotion; retention of grade upon release from active duty</td>
<td>3711</td>
</tr>
<tr>
<td>711</td>
<td>Exclusiveness of service</td>
<td>3712</td>
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<tr>
<td>712</td>
<td>Active duty for emergency augmentation of regular forces</td>
<td>3713</td>
</tr>
<tr>
<td>713</td>
<td>Enlistment of members engaged in schooling</td>
<td>3714</td>
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</table>

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>720</td>
<td>Definitions</td>
<td>3731</td>
</tr>
<tr>
<td>721</td>
<td>Applicability of this subsection</td>
<td>3732</td>
</tr>
<tr>
<td>722</td>
<td>Suspension of this subchapter</td>
<td>3733</td>
</tr>
<tr>
<td>723</td>
<td>Effect of this subchapter on retirement and retired pay</td>
<td>3734</td>
</tr>
<tr>
<td>724</td>
<td>Authorized number of officers</td>
<td>3735</td>
</tr>
<tr>
<td>725</td>
<td>Precedence</td>
<td>3736</td>
</tr>
<tr>
<td>726</td>
<td>Running mates</td>
<td>3737</td>
</tr>
<tr>
<td>727</td>
<td>Constructive credit upon initial appointment</td>
<td>3738</td>
</tr>
<tr>
<td>728</td>
<td>Promotion of Reserve officers on active duty</td>
<td>3739</td>
</tr>
<tr>
<td>729</td>
<td>Promotion; recommendations of selection boards</td>
<td>3740</td>
</tr>
<tr>
<td>730</td>
<td>Selection boards; appointment</td>
<td>3741</td>
</tr>
<tr>
<td>731</td>
<td>Establishment of promotion zones under running mate system</td>
<td>3742</td>
</tr>
<tr>
<td>732</td>
<td>Eligibility for promotion</td>
<td>3743</td>
</tr>
<tr>
<td>733</td>
<td>Recommendation for promotion of officer previously removed from an active status</td>
<td>3744</td>
</tr>
<tr>
<td>734</td>
<td>Qualifications for promotion</td>
<td>3745</td>
</tr>
<tr>
<td>735</td>
<td>Promotion; acceptance; oath of office</td>
<td>3746</td>
</tr>
<tr>
<td>736</td>
<td>Date of rank upon promotion; entitlement to pay</td>
<td>3747</td>
</tr>
<tr>
<td>737</td>
<td>Type of promotion; temporary</td>
<td>3748</td>
</tr>
<tr>
<td>738</td>
<td>Effect of removal by the President or failure of consent of the Senate</td>
<td>3749</td>
</tr>
<tr>
<td>739</td>
<td>Failure of selection for promotion</td>
<td>3750</td>
</tr>
<tr>
<td>740</td>
<td>Failure of selection and removal from an active status</td>
<td>3751</td>
</tr>
<tr>
<td>741</td>
<td>Retention boards; removal from an active status to provide a flow of promotion</td>
<td>3752</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>742</td>
<td>Maximum ages for retention in an active status</td>
<td>3753</td>
</tr>
<tr>
<td>743</td>
<td>Rear admiral and rear admiral (lower half); maximum service in grade</td>
<td>3754</td>
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<tr>
<td>744</td>
<td>Appointment of a former Navy or Coast Guard officer</td>
<td>3755</td>
</tr>
<tr>
<td>745</td>
<td>Grade on entry upon active duty</td>
<td>3756</td>
</tr>
<tr>
<td>746</td>
<td>Recall of a retired officer; grade on release</td>
<td>3757</td>
</tr>
</tbody>
</table>

(c) Additional Changes.—Chapter 37 of title 14, United States Code, is further amended—

(1) by inserting before section 3701 (as so redesignated and transferred under subsection (b)) the following:

“CHAPTER I—ADMINISTRATION”;

and

(2) by inserting before section 3731 (as so redesignated and transferred under subsection (b)) the following:

“CHAPTER II—PERSONNEL”.

SEC. 119. CHAPTER 39.

(a) Initial Matter.—Title 14, United States Code, is further amended by adding after chapter 37 (as added by section 118) the following:

“CHAPTER 39—COAST GUARD AUXILIARY

‘Sec.

‘3901. Administration of the Coast Guard Auxiliary.

‘3902. Purpose of the Coast Guard Auxiliary.

‘3903. Eligibility; enrollments.

‘3904. Members of the Auxiliary; status.

‘3905. Disenrollment.

‘3906. Membership in other organizations.

‘3907. Use of member’s facilities.

‘3908. Vessel deemed public vessel.

‘3909. Aircraft deemed public aircraft.

‘3910. Radio station deemed government station.

‘3911. Availability of appropriations.

‘3912. Assignment and performance of duties.

‘3913. Injury or death in line of duty.”.

(b) Redesignations and Transfers.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 39 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3631</td>
<td>Administration of the Coast Guard Auxiliary</td>
<td>3901</td>
</tr>
</tbody>
</table>
SEC. 120. CHAPTER 41.

(a) Initial Matter.—Title 14, United States Code, is further amended by adding after chapter 39 (as added by section 119) the following:

"CHAPTER 41—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY"

"Sec. 4101. Flags; pennants; uniforms and insignia.
4102. Penalty.
4103. Limitation on rights of members of the Auxiliary and temporary members of the Reserve.

4104. Availability of facilities and appropriations.

(b) Redesignations and Transfers.—

(1) Requirement.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 41 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) Table.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>4101</td>
<td>Flags; pennants; uniforms and insignia</td>
<td>4101</td>
</tr>
<tr>
<td>4102</td>
<td>Penalty</td>
<td>4102</td>
</tr>
</tbody>
</table>

SEC. 121. SUBTITLE IV AND CHAPTER 49.

Sec. 4901. Requirement for prior authorization of appropriations.
4902. Authorization of personnel end strengths.
4903. Authorized levels of military strength and training.

(b) Redesignations and Transfers.—

(1) Requirement.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 49 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) Table.—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only-not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101</td>
<td>Transmission of annual Coast Guard authorization request.</td>
<td>5101</td>
</tr>
<tr>
<td>5102</td>
<td>Capital investment plan.</td>
<td>5102</td>
</tr>
<tr>
<td>5103</td>
<td>Major acquisitions.</td>
<td>5103</td>
</tr>
<tr>
<td>5104</td>
<td>Manpower requirements plan.</td>
<td>5104</td>
</tr>
<tr>
<td>5105</td>
<td>Inventory of real property.</td>
<td>5105</td>
</tr>
<tr>
<td>5106</td>
<td>Major acquisition risk assessment</td>
<td>5107</td>
</tr>
</tbody>
</table>

SEC. 123. REFERENCES.

(a) Definitions.—In this section, the following definitions apply:

(1) Redesignated section.—The term "redesignated section" means a section of title 14, United States Code, that is redesignated by this title, as that section is so redesignated.

(2) Source section.—The term "source section" means a section of title 14, United States Code, that is redesignated by this title, as that section was in effect before the redesignation.

(b) Reference to source section.—

(1) Treatment of reference.—A reference to a source section, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding redesignated section.

(2) Title 14.—In title 14, United States Code, each reference in the text of such title to a source section is amended by striking such reference and inserting a reference to the appropriate, as determined using the tables located in this title, redesignated section.

(c) Other conforming amendments.—

(1) Reference to section 1922.—Section 1922(c) of title 14, United States Code, as so redesignated by this title, is further amended by striking "section 182.1" and inserting "section 1922.1".

(2) References to chapter 11.—Title 14, United States Code, is further amended—

(A) in section 2146(d), as so redesignated by this title, by striking "chapter 11 of this title" and inserting "this chapter"; and

(B) in section 3739, as so redesignated by this title, by striking "chapter 11" each place that it appears and inserting "chapter 21.1".

(3) Reference to chapter 12.—Section 3705(b) of title 14, United States Code, as so redesignated by this title, by striking "chapter 12 of this title" and inserting "this chapter".
redesignated by this title, is further amended by striking “chapter 13” and inserting “chapter 27.”

(4) REFERENCES TO CHAPTER 19.—Section 308(b)(1) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 19” and inserting “chapter 27.”

(5) REFERENCES TO CHAPTER 21.—Section 701(a) of title 14, United States Code, is further amended by striking “chapter 21” and inserting “chapter 23.”

SEC. 124. RULE OF CONSTRUCTION.

This title, including the amendments made by this title, is intended only to reorganize title 14, United States Code, and may not be construed to alter—

(1) the effect of a provision of title 14, United States Code, including any authority or requirement therein;

(2) a department or agency interpretation with respect to title 14, United States Code; or

(3) a judicial interpretation with respect to title 14, United States Code.

TITLE II—AUTHORIZATIONS

SEC. 201. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment or repeal to, or a repeal of, a section or other provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this Act.

SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—Section 4902 of title 14, United States Code, is amended to read as follows:

“§ 4902. Authorizations of appropriations

(1) Fiscal Year 2018.—Funds are authorized to be appropriated for fiscal year 2018 for necessary expenses of the Coast Guard as follows:

(1)(A) For the operation and maintenance of the Coast Guard, not otherwise provided for, $7,210,313,000 for fiscal year 2018.

(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $2,694,745,000 for fiscal year 2018.

(3) For the Coast Guard Reserve program, including operations and maintenance of the program, compensation and training costs, equipment, and services, $114,875,000 for fiscal year 2018.

(4) For the environmental compliance and restoration operations of the Coast Guard under chapter 3 of this title, $13,397,000 for fiscal year 2018.

(5) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $2,694,745,000 for fiscal year 2019.

(6) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $2,694,745,000 for fiscal year 2019.

(b) REPEAL.—On October 1, 2018—

(1) section 4902(a) of title 14, United States Code, as amended by subsection (a), shall be repealed; and

(2) subsection 4902(b) of title 14, United States Code, as amended by subsection (a), shall be amended by striking “FISCAL YEAR 2019.”

SEC. 203. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4907 of title 14, United States Code, is amended—

(1) in subsection (a), by striking “for each of fiscal years 2016 and 2017” and inserting “for fiscal year 2018 and 2019”;

(2) in subsection (b), by striking “fiscal years 2016 and 2017” and inserting “fiscal years 2018 and 2019.”

SEC. 204. AUTHORIZATION OF AMOUNTS FOR FAST RESPONSE CUTTERS.

(a) IN GENERAL.—Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to $187,500,000 is authorized for the acquisition of 3 Fast Response Cutters.

(b) TREATMENT OF ACQUIRED CUTTERS.

Any cutters acquired pursuant to subsection (a) shall be in addition to the 58 cutters approved under the existing acquisition baseline.

SEC. 205. AUTHORIZATION OF AMOUNTS FOR SHORESIDE INFRASTRUCTURE.

(a) IN GENERAL.—Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to $187,500,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction, rebuilding, or improvement of Coast Guard shoreside infrastructure and facilities necessary to support Coast Guard operations and readiness.

SEC. 206. AUTHORIZATION OF AMOUNTS FOR AIRCRAFT IMPROVEMENTS.

(a) IN GENERAL.—Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to $5,000,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund analysis and program development for improvements to or the replacement of rotary-wing aircraft.

SEC. 301. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment or repeal to, or a repeal of, a section or other provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this Act.

SEC. 302. PRIMARY DUTIES.

Section 102(7) of title 14, United States Code, is amended to read as follows:

“(7) To maintain a state of readiness to assist in the defense of the United States, including when functioning as a specialized service in the Navy pursuant to section 162.”

SEC. 303. NATIONAL COAST GUARD MUSEUM.

Section 316 of title 14, United States Code, is amended to read as follows:

“(a) Establishment.—The Commandant may establish a National Coast Guard Museum, on lands which will be federally owned and administered by the Coast Guard, and are located in New London, Connecticut, at, or in close proximity to, the Coast Guard Academy.

“(b) Limitation on expenditures.—(1) The Secretary shall not expend any funds appropriated to the Coast Guard on the construction of any museum established under this section.

“(2) The Secretary shall fund the National Coast Guard Museum with nonappropriated and non-Federal funds to the maximum extent practicable. The priority use of Federal funds should be to preserve and protect historic Coast Guard artifacts, the design, fabrication, and installation of exhibits or displays in which such artifacts are included.

“(c) Funding plan.—Before the date on which the Commandant establishes a National Coast Guard Museum under subsection (a), the Commandant shall provide to the Committee on Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for constructing, operating, and maintaining such a museum, including—

“(1) estimated planning, engineering, design, construction, operation, and maintenance costs;

“(2) the extent to which appropriated, nonappropriated, and non-Federal funds will be used for such purposes, including the extent to which there is any shortfall in funding for engineering, design, or construction; and

“(3) a certification by the Inspector General of the department in which the Coast Guard is operating that the estimates provided pursuant to paragraphs (1) and (2) are reasonable and realistic.

“(d) Authority.—The Commandant may not establish a National Coast Guard museum except as set forth in this section.”

SEC. 304. UNMANNED AIRCRAFT.

(a) LAND-BASED UNMANNED AIRCRAFT SYSTEM PROGRAM.—Chapter 33 of title 14, United States Code, is amended by adding at the end the following:

“(d) Authority.—The Secretary shall establish a land-based unmanned aircraft system program.”
system program under the control of the Commandant.

(1) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ‘unmanned aircraft system’ has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(b) LIMITATION ON UNMANNED AIRCRAFT SYSTEMS.—Chapter 11 of title 14, United States Code, is amended by inserting after section 1155 the following:

“§ 1156. Limitation on unmanned aircraft systems

(a) IN GENERAL.—During any fiscal year for which funds are appropriated for the design or construction of an Offshore Patrol Cutter, the Commandant—

(1) may not award a contract for design of an unmanned aircraft system for use by the Coast Guard; and

(2) may lease, acquire, or acquire the services of an unmanned aircraft system only if such system—

(A) has been part of a program of record of, procured by, or used by a Federal entity (or funds for research, development, test, and evaluation have been received from a Federal entity with regard to such system) before the date on which the Commandant leases, acquires, or acquires the services of the system; and

(B) is leased, acquired, or utilized by the Commandant through an agreement with a Federal entity, unless such an agreement is not practicable or would be less cost-effective than an independent contract action by the Commandant.

(b) SMALL UNMANNED AIRCRAFT EXEMPTION.—Subsection (a)(2) does not apply to small unmanned aircraft.

(c) CLERICAL AMENDMENTS.—

(1) CHAPTER 3.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“319. Land-based unmanned aircraft system program.”

(2) CHAPTER II.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 1155 the following:

“§ 1156. Limitation on unmanned aircraft systems.”

(d) CONFORMING AMENDMENT.—Subsection (c) of section 1105 of title 14, United States Code, is repealed.

SEC. 305. COAST GUARD HEALTH-CARE PROFESSIONALS; LICENSURE PORTABILITY.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 507 the following:

“§ 508. Coast Guard health-care professionals; licensure portability

(a) IN GENERAL.—Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in the District of Columbia, a State, a Commonwealth, territory, or possession of the United States, regardless of where such health-care professional or the patient is located, if such practice is within the scope of the authorized Federal duties of such health-care professional.

(b) DESCRIBED INDIVIDUALS.—A health-care professional described in this subsection is an individual—

(1) who is—

(A) a member of the Coast Guard;

(B) a civilian employee of the Coast Guard;

(C) a member of the Public Health Service who is assigned to the Coast Guard; or

(D) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

(2) who—

(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; has the meaning given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note); and

(B) is performing authorized duties for the Coast Guard.

(c) DEFINITIONS.—In this section, the terms ‘license’ and ‘health-care professional’ have the meanings given those terms in section 184(e) of title 10.

(d) DETERMINATION.—The analysis for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 507 the following:

“§ 508. Coast Guard health-care professionals; licensure portability.”

(e) ELECTRONIC HEALTH RECORDS.—

(1) SYSTEM.—The Commandant of the Coast Guard is authorized to procure for the Coast Guard an electronic health record system that—

(A) has been competitively awarded by the Department of Defense; and

(B) ensures full integration with the Department of Defense electronic health record systems.

(2) SUPPORT SERVICES.—

(A) IN GENERAL.—The Commandant is authorized to procure support services for the electronic health record system pursuant to this section to include services procured under paragraph (1) necessary to ensure full integration with the Department of Defense electronic health record systems.

(B) SCOPE.—Support services procured pursuant to this paragraph may include services for the following:

(i) System integration support.

(ii) Hosting support.

(iii) Training, testing, technical, and data migration support.

(iv) Hardware support.

(v) Any other support the Commandant considers appropriate.

(3) AUTHORIZED PROCUREMENT ACTIONS.—The Commandant is authorized to procure an electronic health record system under this subsection through the following:

(A) A task order under the Department of Defense electronic health record system program.

(B) A sole source contract award.

(C) An agreement made pursuant to sections 1553 and 1536 of title 31, United States Code.

(D) A contract or other procurement vehicle otherwise authorized.

(4) COMPETITION IN CONTRACTING; EXEMPTION.—Procurement of an electronic health record system and support services pursuant to this subsection shall be exempt from the competition requirements of section 2304 of title 10, United States Code as otherwise authorized.

SEC. 306. TRAINING; EMERGENCY RESPONSE PROVIDERS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“§ 718. Training; emergency response providers

(a) IN GENERAL.—The Commandant may, on a reimbursable or a non-reimbursable basis, make a training available to emergency response providers whenever the Commandant determines that such training is within the scope of the authorized Federal duties of such health-care professional.

(b) DESCRIBED INDIVIDUALS.—A health-care professional described in this subsection is an individual—

(1) who is—

(A) a member of the Coast Guard;

(B) a civilian employee of the Coast Guard;

(C) a member of the Public Health Service who is assigned to the Coast Guard; or

(D) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

(2) who—

(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health-care profession; has the meaning given those terms in section 184(e) of title 10.

(B) is performing authorized duties for the Coast Guard.

(c) DETERMINATION.—The Commandant may make available to emergency response providers the training in this section to such parties initially agreed-upon amount and distributed to such parties.

(d) LIMITATION ON LIABILITY.—The United States shall not be liable for actions taken by an individual in the course of training made available under this section.

(e) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“§ 718. Training; emergency response providers.”

SEC. 307. INCENTIVE CONTRACTS FOR COAST GUARD YARD AND INDUSTRIAL ESTABLISHMENTS.

Section 939 of title 14, United States Code, is amended—

(1) by inserting before “The Secretary” the following: “(a) IN GENERAL.—”; and

(2) by striking paragraph (1) of this section, by striking the period at the end of the last sentence and inserting “or in accordance with subsection (b).”; and

(3) by adding at the end the following:

“(2) such training, if made available to such emergency response providers, would be credited to the appropriation used to pay the costs for such training.”

SEC. 308. BUDGET AUTHORITY FOR CONSTRUCTION OF COAST GUARD YARD.

Section 2671 through 2680 of title 28 (relating to tort claims).
SEC. 308. CONFIDENTIAL INVESTIGATIVE EXPENSES.
Section 941 of title 14, United States Code, is amended by striking "$45,000" and inserting "$250,000".

SEC. 309. REGULAR CAPTAINS; RETIREMENT.
Section 2149(a) of title 14, United States Code, is amended—
(1) by striking "zone is" and inserting "zone, or from being placed at the top of the list of selectees promulgated by the Secretary under section 2121(a) of this title, is"; and
(2) by striking the period at the end and inserting "or placed at the top of the list of selectees, as applicable.

SEC. 310. CONSTRUCTION, ALTERATION, AND REPAIR PROJECTS.
(a) IN GENERAL.—Chapter 9 of title 14, United States Code, as amended by this Act, is further amended by inserting after section 951 the following:
§ 952. Construction of Coast Guard vessels and assignment of vessel projects
"The assignment of Coast Guard vessel construction, alteration, and repair projects shall be based on economic and military considerations and may not be restricted by a requirement that certain parts of Coast Guard shipyards be assigned to a particular type of shipyard or geographical area or by a similar requirement.".
(b) CLERICAL AMENDMENT.—The analysis for chapter 9 of title 14, United States Code, is amended by inserting after the item relating to section 951 the following:
§ 952. Construction of Coast Guard vessels and assignment of vessel projects
"(a) IN GENERAL.—In carrying out authorities provided to the Secretary to design, construct, accept, or otherwise acquire assets and systems under section 5102 of title 14, the Secretary may enter into contracts for a major acquisition program, of—
(A) materials and components; and
(B) long lead time materials; and
(c) APPROPRIATIONS.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract shall be treated as authorized in the amounts specifically provided in advance for that purpose in subsequent appropriations Acts.
(c) CLERICAL AMENDMENT.—The analysis for chapter 9 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 1138 the following:
"1137. Contracting for major acquisitions programs."
(d) CONFORMING AMENDMENTS.—The following provisions are repealed:
(1) Section 223 of the Howard Coble Coast Guard and Maritime Transportation Act of 2012 (14 U.S.C. 1133 note).
(2) Section 221(a) of the Coast Guard and Maritime Transportation Act of 2012 (14 U.S.C. 1133 note).
(3) Section 207(a) of the Coast Guard Authorization Act of 2016 (14 U.S.C. 561 note).
(4) Section 952 of this subchapter.

SEC. 311. CONTRACTING FOR MAJOR ACQUISITIONS PROGRAMS.
(a) GENERAL ACQUISITION AUTHORITY.—Section 2121(a) of title 14, United States Code, is amended by inserting "aircraft, and systems," after "vessels,"
(b) CONTRACTING AUTHORITY.—Chapter 11 of title 14, United States Code, as amended by this Act, is further amended by inserting after section 1136 the following:
§ 1137. Contracting for major acquisitions programs
"(a) IN GENERAL.—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a list of each unfunded priority for which appropriations are proposed in that budget—
(1) the proposed appropriations included in the budget;
(2) the total estimated cost of completion based on the proposed appropriations included in the budget;
(3) projected commissioning dates for each fiscal year for the next 5 fiscal years or until project completion, whichever is earlier; and
(4) an estimated completion date based on the proposed appropriations included in the budget;
(b) UNFUNDED PRIORITIES.—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:
§ 5108. Unfunded priorities list
"(a) IN GENERAL.—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a list of each unfunded priority for the Coast Guard.
(b) PRIORITIZATION.—The list required under subsection (a) shall present the unfunded priorities in order from the highest priority to the lowest, as determined by the Commandant.
(c) UNFUNDED PRIORITY DEFINED.—In this section, the term 'unfunded priority' means a program or mission requirement that—
(1) has not been included for funding in the applicable proposed budget;
(2) is necessary to fulfill a requirement associated with an operational need; and
(3) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted."
(c) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:
§ 5108. Unfunded priorities list

SEC. 312. OFFICER PROMOTION ZONES.
Section 2231 of title 14, United States Code, is amended by striking "six-tenths."
CHAPTER 700—PORTS AND WATERWAYS

SAFETY

"CHAPTER A—VESSEL OPERATIONS"

"§ 70001. Vessel traffic services.

"§ 70002. Special powers.

"§ 70003. Incorporated vessels.

"§ 70004. Considerations by Secretary.

"§ 70005. International agreements.

"CHAPTER B—PORTS AND WATERWAYS"

"§ 70011. Waterfront safety.

"§ 70012. Navigational hazards.

"§ 70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

"CHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

"§ 70021. Conditions for entry to ports in the United States.

"CHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY"

"§ 7001. Definitions.

"§ 7002. Saint Lawrence Seaway.

"§ 7003. Limitation on application to foreign vessels.

"§ 7004. Regulations.

"§ 7005. Investigatory powers.

"§ 7006. Enforcement.

"SUBCHAPTER I—VESSEL OPERATIONS

"§ 70001. Vessel traffic services

"(a) Subject to the requirements of section 70004, the Secretary—

"(1) in an area or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic for navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairway restrictions;

"(2) shall require appropriate vessels that operate in an area of a vessel traffic service to be able to comply with that service; and

"(3) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such provision shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and used within the frequency bands 157.155–157.4375 MHz and 161.785–162.0375 MHz.

"(b) COOPERATIVE AGREEMENTS—

"(1) IN GENERAL.—The Secretary may enter into agreements with any public or private agencies, authorities, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)."
§ 70003. Port access routes
(a) Authority To Designate.—Except as provided in subsection (b) and subject to the requirements of subsection (c), in order to provide safe access routes for the movement of vessels, including fishing vessels and other vessels subject to the jurisdiction of the United States, the Secretary shall designate necessary fairways and traffic separation schemes, respectively, in waters where such regulations apply:
(1) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of this section, making the use of any United States, international, or designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(2) to provide for the safety and security of United States vessels of the United States operating on the high seas beyond the territorial sea of the United States;
(3) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(4) to promote the economic interests, including the development of economic resources, of the United States by designating fairways and traffic separation schemes.
(b) Consideration.— (1) In General.—No designation may be made by the Secretary under this section if—
(A) the Secretary determines such a designa- tion, as implemented, would adversely affect the purpose for which the existing designation was made and the need for which it continues; and
(B) the Secretary determines that such a designation, as implemented, would adversely affect the purpose for which the existing designation was made and the need for which it continues.
(c) Consideration of Other Uses.—Before making a designation under subsection (a), and in accordance with the requirements of section 70004, the Secretary shall—
(1) undertake a study of the potential traffic density and the need for safe access routes for vessels in any area for which fair- ways or traffic separation schemes are pro- posed or that may otherwise be considered and publish notice of such undertaking in the Federal Register;
(2) consult with the Secretary of State, the Secretary of the Interior, the Secretary of Commerce, the Secretary of the Army, and the Governors of affected States, as their responsibilities may require, take into account all other uses of the area under consideration, including, as appropriate, the exploration for, or exploitation of, oil, gas, or other resources, the construction or operation of deepwater ports or other structures on or above the seabed or subsoil of the submerged lands or the Outer Conti- nental Shelf of the United States, the estab- lishment or operation of marine or estuarine sanctuaries, and activities involving rec- reational or commercial fishing; and
(3) to the extent practicable, reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved.
(d) Study.—In carrying out the Secre- tary's responsibilities under subsection (c), the Secretary shall—
(1) proceed expeditiously to complete any study undertaken under section 70004;
(2) after completion of such a study, promptly—
(A) issue a notice of proposed rulemaking for the consultation required under section 70004;
(B) publish in the Federal Register a no- tice that no designation is contemplated as a result of the study and the reason for such determination; and
(e) Implementation of Designation.—In connection with a designation made under this section, the Secretary shall—
(1) issue rules and regulations governing the use of such designated areas, including rules and regulations regarding the applicability of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to narrow channels and traffic separation schemes, re- spectively, in waters where such regulations apply;
(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of this section, making the use of any United States, international, or designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States, and high seas;
(3) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(4) to promote the economic interests, including the development of economic resources, of the United States by designating fairways and traffic separation schemes, respectively, in waters where such regulations apply;
(5) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(6) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(7) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(8) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(9) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(10) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(11) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(12) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(13) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(14) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(15) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(16) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(17) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(18) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(19) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas;
(20) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas; and
(21) to provide for the safety and security of United States vessels operating in the territorial sea of the United States, the Estab- lishment of navigational zones in the territorial sea of the United States, and high seas.
§ 70004. Considerations by Secretary
(a) Waterfront Safety
(1) In General.—The Secretary, in cooperation with the International Maritime Organization, may implement and enforce two mandatory ship reporting systems, consistent with international law, with respect to vessels subject to such regulations for providing the following areas of the Atlantic Ocean:
(Cape Cod Bay, Massachusetts Bay, and Great South Channel (in the area generally bounded by a line starting from a point on Cape Ann, Massachusetts at 42 deg. 35′ N., 70 deg. 37′ W.; then northeast to 42 deg. 45′ N., 70 deg. 13′ W.; then southeast to 42 deg. 10′ N., 68 deg. 31′ W.; then south to 41 deg. 00′ N., 68 deg. 31′ W.; then west to 41 deg. 00′ N., 68 deg. 17′ W.; then northeast to 42 deg. 05′ N., 70 deg. 02′ W.; then west to 42 deg. 06′ N., 70 deg. 10′ W.; and then along the midline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann at 42 deg. 39′ N., 70 deg. 37′ W.).
(2) In the coastal waters of the South- eastern United States within about 25 nm along a 90 nm stretch of the Atlantic seabo- ard (in an area generally extending from the shoreline east to longitude 80 deg. 51.5′ W. with the southern and northern boundary at latitudes 30 deg. 00′ N., 31 deg. 27′ N., respectively.
(3) SUBCHAPTER II—PORTS AND WATERWAYS SAFETY
§ 70011. Waterfront safety
(a) In General.—The Secretary may take such action as is necessary to—
(1) protect the navigable waters and the structures (including the emergency removal,
control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in section 201;

(2) establishing minimum safety equipment requirements for a structure to assure adequate protection from fire, explosion, natural disaster, and other serious accidents or casualties;

(3) establishing water or waterfront safety zones, or other measures, for limited, controlled, or conditional access and activity when the application of such measures relates to the protection of safe vessel, structure, waters, or shore area; and

(4) establishing procedures for examination to assure compliance with the requirements of this section.

(c) STATE LAW.—Nothing in this section, with respect to structures, prohibits a State or political subdivision thereof from prescribing higher safety equipment requirements or safety standards than those that may be prescribed by regulations under this section.

§ 70012. Navigational hazards

(a) REPORTING PROCEDURE.—The Secretary shall establish a program to encourage fisherman and other vessel operators to report existing navigational hazards involving pipelines to the Secretary through Coast Guard field offices.

(b) SECRETARY’S RESPONSE.—

(1) FOR A PIPELINE.—Upon notification by the operator of a pipeline of a hazard to navigation with respect to that pipeline, the Secretary shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline’s vicinity, and the owner and operator of the pipeline.

(2) NOTIFICATION BY OTHER PERSONS.—Upon notification by any other person of a hazard or potential hazard to navigation with respect to a pipeline, the Secretary shall promptly determine whether a hazard exists, and if so shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline’s vicinity, and the owner and operator of the pipeline.

(c) PIPELINE DEFINED.—For purposes of this section, the term ‘pipeline’ has the meaning given the term ‘pipeline facility’ in section 6010(a)(18) of title 49.

§ 70013. Requirement to notify Coast Guard of release of objects into the navigable waters

(a) REQUIREMENT.—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1809, popularly known as the Rivers and Harbors Appropriations Act of 1809 (33 U.S.C. 409), such person shall notify the Secretary and the Secretary of the Army of such release.

(b) RESTRICTION ON USE OF NOTIFICATION.—Any provider, or person, in individual in accordance with subsection (a) may not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.

(c) SUBCHAPTER III—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

§ 70021. Conditions for entry to ports in the United States

(a) IN GENERAL.—No vessel that is subject to chapter 37 shall operate in the navigable waters of the United States or transfer cargo or resources, for or place under the jurisdiction of the United States, if such ves-

(1) has a history of accidents, pollution incidents, or serious repair problems that, as determined by the Secretary, creates reason to believe that such vessel may be unsafe or may create a threat to the marine environment;

(2) fails to comply with any applicable regulation issued under section 70034, chapter 7 of this title, the Saint Lawrence Seaway Convention, or the Outer Continental Shelf of the United States and the land and resources therein;

(3) discharges oil or hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with any treaty to which the United States is a party;

(4) does not comply with any applicable vessel traffic service requirements;

(6) is manned by one or more officers who are licensed by a certifying State that the Secretary has determined, pursuant to section 901 of title 46, does not have standards for licensing and certification of seafarers that are comparable to or more stringent than United States standards or international standards that are accepted by the United States;

§ 70031. Definitions

(3) The term ‘navigable waters of the United States’ includes °the territorial sea of the United States as described by the Saint Lawrence Seaway.

(2) The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating, except that such term means the Secretary of Transportation with respect to the Saint Lawrence Seaway.

(3) The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating, except that such term means the Secretary of Transportation with respect to the operation of the Saint Lawrence Seaway.

§ 70033. Limitation on application to foreign vessels

Except pursuant to international treaty, convention, or agreement, to which the United States is a party through chapters A through C and this subchapter shall not apply to any foreign vessel that is not destined for a port or place subject to the jurisdiction of the United States and that is in—

(1) innocent passage through the territorial sea of the United States or

(2) transit through the navigable waters of the United States that form a part of an international strait.

§ 70034. Regulations

(1) IN GENERAL.—In accordance with sections 401 to 486, the Secretary shall issue, and may from time to time amend or repeal, regulations necessary to implement subchapters A through C and this subchapter.

(b) POWERS.—In an investigation under

(1) interested Federal departments and agencies;

(2) officials of State and local governments;

(3) representatives of the maritime community;

(4) representatives of port and harbor authorities or associations;

(5) representatives of environmental groups;

(6) any other interested persons who are knowledgeable or experienced in dealing with problems involving vessel safety, port and ocean safety, and protection of the marine environment; and

(7) advisory committees consisting of all interested segments of the public when the Secretary considers it necessary because the issues involved are highly complex or controversial.

§ 70035. Investigatory powers

(a) SECRETARY.—The Secretary may investigate any incident, accident, or act involving the loss or destruction of, or damage to, any structure subject to subchapters A through C and this subchapter, or that affects or may affect the environmental quality of the ports, harbors, or navigable waters of the United States.

(b) POWERS.—In an investigation under

(1) the Secretary may require the Attorney General to invoke the aid of the appropriate district court of the United States to compel compliance with a subpoena.

(2) The order may be punished by the court as a contempt. Witnesses may be paid fees for...
travel and attendance at rates not exceeding those allowed in a district court of the United States.

(a) CIVIL PENALTY.—

(1) IN GENERAL.—Every person who is found by the Secretary, after notice and an opportunity for a hearing, to have violated subchapters A through C or this subchapter or a regular or foreign vessel, to have caused, through any violation of subchapters A through C or this subchapter, to have caused a vessel to be subject to a penalty or fine under this section, or to have caused a continuing violation shall be liable to the United States for a civil penalty, not to exceed $25,000 for each violation. Each day of a continuing violation shall constitute a separate violation. The amount of such civil penalty shall be assessed by the Secretary, or the Secretary's designee, by written notice. In assessing the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

(2) COMPROMISE, MODIFICATION, OR REMISSION.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that is subject to imposition or that has been imposed under this section.

(b) CRIMINAL PENALTY.—

(1) CLASS D FELONY.—Any person who willfully and knowingly violates subchapters A through C or this subchapter or any of any regulation issued thereunder commits a class D felony.

(2) CLASS C FELONY.—Any person who, in the willful and knowing violation of subchapters A through C or this subchapter or of any regulation issued thereunder, uses a dangerous weapon, or engages in conduct that causes bodily injury or fear of imminent bodily injury to any officer authorized to enforce the provisions of such a subchapter or the regulations issued under such subchapter, commits a class C felony.

(3) IN REM LIABILITY.—Any vessel that is used in violation of subchapters A, B, or C or this subchapter or of any regulations issued under such subchapter, shall be liable in rem for any civil penalty assessed pursuant to subsection (a) and may be proceeded against in the United States district court for any district in which such vessel may be found.

(d) INJUNCTION.—The United States district courts shall have jurisdiction to restrain violations of subchapter A, B, or C or this subchapter or of any regulations issued under such subchapter, for cause shown.

(e) DENIAL OF ENTRY.—Except as provided in section 3105, the Secretary may, subject to recognized principles of international law, deny entry by any vessel that is not in compliance with subchapter A, B, or C or this subchapter or of regulations issued under such subchapter—

(1) into the navigable waters of the United States; or

(2) into the territorial sea or place under the jurisdiction of the United States.

(f) WITHHOLDING OF CLEARANCE.—

(1) IN GENERAL.—If any owner, operator, or agent or representative of a vessel in violation of a source provision, or for a penalty or fine under this section, or if reasonable cause exists to believe that the owner, operator, or individual in charge may be subject to a penalty or fine under this section, the Secretary of the Treasury, upon the request of the Secretary, shall with respect to such vessel refuse or revoke any clearance required by section 60105 of title 46.

(2) GRANTING CLEARANCE REFUSED OR REVOKED.— Clearance refused or revoked under this subsection may be granted upon filing of a bond or other surety satisfactory to the Secretary.''

(b) CRIMINAL AMENDMENT.—The analysis at the beginning of chapter 31 of such title is amended by adding at the end thereof:

"3105. Electronic charts."

(b) PORT, HARBOR, AND COASTAL FACILITY SECURITY.—

(1) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred to appear after section 70104 of that title; and

(2) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(c) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—Section 70116 of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end thereof:

"3105. Electronic charts."

(b) PORT, HARBOR, AND COASTAL FACILITY SECURITY.—

(1) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred to appear after section 70116 of that title.

(2) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(d) REGATTAS AND MARINE PARADES.—The term "regattas and marine parades" means a provision of law that is deemed to refer to the corresponding title 46 provision.

(e) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.

(h) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(i) ADVISORY COMMITTEE: REPEAL.

SEC. 405. ADVISORY COMMITTEE: REPEAL.

Section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102-241; 106 Stat. 2233) is repealed.

SEC. 406. REGATTAS AND MARINE PARADES.

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SEC. 406. REGATTAS AND MARINE PARADES.
may be transferred by the President for any special occasion to the head of another Federal department or agency whenever in the President’s judgment such transfer is desirable.

“(d) Penalties.—

“(1) In general.—For any violation of regulations issued pursuant to this section the following penalties shall be incurred:

“(A) A licensed officer shall be liable to suspension or revocation of license in the manner prescribed by law for incompetency or misconduct.

“(B) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of $5,000.

“(C) Any person in charge of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of $5,000, unless the violation of regulations occurred without the owner’s knowledge.

“(D) Any other person shall be liable to a penalty of $2,500.

“(2) Mitigation or remission.—The Commandant may mitigate or remit any penalty provided for in this subsection in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

“(3) Civil actions.—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER E—REGATTA AND MARINE PARADES

“70041. Regattas and marine parades.”

“(c) Repeal.—The Act of April 28, 1908 (35 Stat. 69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

SEC. 407. REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“(a) Establishment of Subchapter F.—Chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“§ 70054. Definitions

“In this subchapter:

“(1) UNITED STATES.—The term ‘United States’ includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.

“(2) Territorial waters.—The term ‘territorial waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.”


“(1) by striking the section designation and all that follows before “agency,” and inserting the following:

“§ 70052. Seizure and forfeiture of vessel; fine and imprisonment

“(a) In General.—If any owner,

“(2) by striking “this title” each place it appears and inserting “this subchapter”; and

“(3) by transferring the section so that the section appears after section 70051 of title 46, United States Code (as transferred by subsection (b) of this section).


“(1) by striking all before “may employ” and inserting the following:

“§ 70053. Enforcement provisions

“The President may by such special order, the purpose of this title and inserting “this subchapter”; and

“(3) by transferring the section so that the section appears after section 70052 of title 46, United States Code (as transferred by subsection (c) of this section).

“(e) Clerical Amendment.—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of the Act, is amended by adding at the end the following:

“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“70051. Regulation of anchorage and movement of vessels during national emergency.

“70052. Seizure and forfeiture of vessel; fine and imprisonment.

“70053. Enforcement provisions.

“70054. Definitions.”

SEC. 408. PORT, HARBOR, AND COASTAL FACILITY SECURITY

“(a) Transfer of Provisions.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70102a of title 46, United States Code, and transferred so as to appear after section 70102 of that title.

“(b) Definitions, Administration, and Enforcement.—Section 70102a of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:

“(c) Definitions, Administration, and Enforcement.—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, and 70035, and of section 70036.

“(d) Clerical Amendment.—The analysis at the beginning of chapter 701 of such title is amended by inserting after the item relating to section 70102 the following:

“70102a. Port, harbor, and coastal facility security.”

“(e) Non Disclosure of Port Security Plans.—Section 8 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

“(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

“(2) is amended by striking “this Act” and inserting “this Act”.

TITLE V—MARITIME TRANSPORTATION SAFETY

SEC. 501. CONSISTENCY IN MARINE INSPECTIONS

“(a) In General.—Section 3305 of title 46, United States Code, is amended by adding at the end the following:

“(d)(1) The Commandant of the Coast Guard shall—

“(2) acting upon a request by the cognizant Coast Guard district commander, request a final agency determination of the matter in disagreement.

“(3) The Commandant of the Coast Guard shall—

“(A) provide to each person affected by a decision or action by an Officer in Charge, Marine Inspection relating to a marine safety center all information necessary for such person to exercise any right to appeal such decision or action; and

“(B) if such an appeal is processed such appeal under parts 1 through 4 of title 46, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2017.

“(4) In this section, the term ‘Office in Charge, Marine Inspection’ means any person from the civilian or military branch of the Coast Guard who—

“(A) is designated as such by the Commandant; and

“(B) under the supervision and direction of the cognizant Coast Guard district commander, is in charge of an inspection zone for the performance of duties with respect to the inspections under, and enforcement and administration of, subtitie II, chapter 700, and regulations under such laws.

“(b) Report on Marine Inspector Training.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the training and experience, and qualifications required for assignment as a marine inspector under section 312 of title 14, United States Code, including—

“(1) a description of any continuing education requirement, including a specific list of the required courses;

“(2) a description of the training, including a specific list of the included courses, offered to a journeyman or an advanced journeyman marine inspector to advance inspection expertise;

“(3) a description of any training that was offered in the 15-year period before the date of the enactment of this Act, but is no longer required or offered, including a specific list of the included courses, including the senior marine inspector course and any plan review courses;

“(4) a justification for why a course described in paragraph (3) is no longer required or offered; and

“(5) a list of the course content the Commandant considers necessary to promote uniformity among marine inspectors in an environment of increasingly complex vessels and vessel systems.
SEC. 502. UNINSPECTED PASSENGER VESSELS IN ST. LOUIS COUNTY, MINNESOTA.

Section 4105 of title 46, United States Code, is amended—

(1) by redesigning subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute '12 passengers' for '6 passengers' each place it appears in section 2901 (1) of this Act."

SEC. 503. ENGINE CUT-OFF SWITCH REQUIREMENTS.

(a) In General.—Chapter 43 of title 46, United States Code, is amended by adding at the end the following:

"§ 4312. Engine cut-off switches

"(a) INSTALLATION REQUIREMENT.—A manufacturer, distributor, or dealer that installs propulsion machinery and associated starting controls on a covered recreational vessel shall equip such vessel with an engine cut-off switch and engine cut-off switch link that meet American Boat and Yacht Council Standard A–33, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2017.

"(b) EDUCATION ON CUT-OFF SWITCHES.—The Commandant of the Coast Guard, through the National Boating Safety Advisory Committee established under section 15105, may initiate a boating safety program on the use and benefits of cut-off switches for recreational vessels.

"(c) AVAILABILITY OF STANDARD FOR INSPECTION.—

"(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, the Commandant shall transmit American Boat and Yacht Council Standard A–33, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2017, to—

(A) the Committee on Transportation and Infrastructure of the House of Representatives;

(B) the Committee on Commerce, Science, and Transportation of the Senate; and

(C) the Coast Guard Office of Design and Engineering Standards; and

(D) the National Archives and Records Administration.

"(2) AVAILABILITY.—The standard submitted under paragraph (1) shall be kept on file and available for public inspection at such locations as the Commandant and the National Archives and Records Administration shall designate.

"(d) DEFINITIONS.—In this section:

"(1) COVERED RECREATIONAL VESSEL.—The term 'covered recreational vessel' means a recreational vessel that is—

(A) less than 26 feet overall in length; and

(B) capable of developing 115 pounds or more of static thrust.

"(2) DEALER.—The term ‘dealer’ means any person who is engaged in the sale and distribution of recreational vessels or associated equipment to purchasers whom the seller in good faith believes to be purchasing any such vessel or associated equipment for purposes other than resale.

"(3) DISTRIBUTOR.—The term ‘distributor’ means any person engaged in the sale and distribution of recreational vessels and associated equipment for the purposes of resale.

"(4) EQUIPMENT MANUFACTURER.—The term ‘equipment manufacturer’ means any person engaged in the manufacture, construction, or assembly of recreational vessels or associated equipment.

SEC. 504. EXCEPTION FROM SURVIVAL CRAFT REQUIREMENTS.

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

(1) by adding at the end the following:

"(2) shall examine at dockside a vessel described in subsection (b) at least once every 5 years, but may require an exam at dockside every 2 years for certain vessels or vessels with an auxiliary craft shall satisfy the equipment requirement under paragraph (2)(B) if such craft is—

(A) necessary for normal fishing operations;

(B) readily available during an emergency; and

(C) capable, in accordance with the Coast Guard capacity rating, when applicable, of safely holding all individuals on board the vessel to which the craft functions as an auxiliary; 

and

(3) by adding at the end the following:

"(k) For purposes of this section, the term ‘auxiliary craft’ means a vessel that is carried onboard a fishing vessel and is normally used to support fishing operations.

SEC. 505. SAFETY STANDARDS.

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

(1) in subsection (a)(2), by striking "50'"; and

(2) by adding at the end the following:

"(A) For purposes of this section, the term ‘fishing vessel’ includes any vessel that is—

(i) used in the fishing industry;

(ii) engaged in fishing; and

(iii) has commenced comprising of at least 50 metric tons or one percent of the estimated mass of all structural material, whichever is less.

"(B) Construction identifiable with the vessel has begun and assembly of that vessel has commenced comprising of at least 50 metric tons or one percent of the estimated mass of all structural material, whichever is less.

SEC. 506. FISHING SAFETY GRANTS.

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

(1) in subsections (i) and (j), by striking "Secretary" each place it appears and inserting "Secretary of Health and Human Services";

(2) in subsection (i)(2), as amended by paragraph (1) of this subsection, by striking "subsection (f)" and inserting "subsection (e)";

(3) in subsection (i)(3), by striking "subsection (f)" and inserting "subsection (e)";

(4) in subsection (i)(4), by striking "$3,000,000 for each of fiscal years 2015 through 2017" and inserting "$3,000,000 for each of fiscal years 2016 through 2018";

(5) in subsection (j)(4), by striking "$3,000,000 for each of fiscal years 2016 through 2017" and inserting "$3,000,000 for each of fiscal years 2016 through 2018";

SEC. 507. FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.

(a) NONAPPLICATION.—Section 4503a(c)(2)(A) of title 46, United States Code, is amended by striking "9'" and inserting "180'.

(b) DETERMINING WHEN KEEL IS LAID.—Section 4503(f) of title 46, United States Code, as redesignated by section 506 of this Act, is further amended to read as follows:

"(g) For purposes of this section and section 4503a, the term 'built' means, with respect to a vessel, that the vessel's construction has reached any of the following stages:

(A) The vessel's keel is laid.

(B) Construction identifiable with the vessel has begun and assembly of that vessel has commenced comprising of at least 50 metric tons or one percent of the estimated mass of all structural material, whichever is less.

"(2) In the case of a vessel greater than 79 feet overall in length, for purposes of paragraph (1)(A) a keel is deemed to be laid when a marine surveyor affirms that a structure adequate for serving as a keel for such vessel is in place and identified for use in the construction of such vessel.

SEC. 508. DEADLINE FOR COMPLIANCE WITH ALTERNATE SAFETY COMPLIANCE PROGRAM.

(a) IN GENERAL.—Section 4503(d) of title 46, United States Code, is redesignated as section 4503a and transferred to appear after section 4503 of such title.

(b) FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.—Section 4503 of title 46, United States Code, is amended—

(1) by redesigning paragraphs (1), (2), and (3) as subsections (a), (b), and (c), respectively;

(2) in subsection (b), by striking "subsection (d)" and inserting "subsection (e)";

(3) in subsection (c)(2)(B), by striking "subsection (e)" and inserting "subsection (d)";

(4) in subsection (c)(2)(B)(ii), by striking "subsection (f)" and inserting "subsection (e)";

(5) in subsection (d)(1), as amended by paragraph (1) of this subsection, by striking "subsection (e)" each place it appears and inserting "subsection (d)"; and

(6) in subsection (e)(2), as amended by paragraph (1) of this subsection, by striking "subsection (e)" each place it appears and inserting "subsection (d)

SEC. 4503a. Alternate safety compliance program.

(a) IN GENERAL.—Section 4503(a) of title 46, United States Code, is redesignated and transferred by subsection (a) of this section, is amended—

(1) by redesigning paragraphs (1), (2), (3), and (4) as subsections (a), (b), (c), and (d), respectively;

(2) by inserting before subsection (a), as so redesignated, the following:

"(b) ALTERNATE SAFETY COMPLIANCE PROGRAM.—Section 4503a of title 46, United States Code, as redesignated and transferred by subsection (a) of this section, is amended—

(1) by redesigning paragraphs (1), (2), (3), and (4) as subsections (a), (b), (c), and (d), respectively;"
(5) in subsection (b), as so redesignated, by striking ‘‘establishes standards for an alternate safety compliance program, shall comply with such standards, and shall develop in cooperation with the commercial fishing industry and prescribed by the Secretary’’ and inserting ‘‘prescribes an alternate safety compliance program, shall comply with such an alternate safety compliance program;’’

(c) For purposes of subsection (a), a separate alternate safety compliance program may be developed for a specific region or specific vessel types.

(7) in subsection (d), as so redesignated—

(A) by striking ‘‘paragraph (1)’’ and inserting ‘‘subsection (a)’’; and

(B) by striking ‘‘that paragraph’’ each place it appears and inserting ‘‘that subsection’’;

(8) in subsection (e), as so redesignated, by—

(A) inserting ‘‘is not eligible to participate in an alternate safety compliance program prescribed under subsection (a) and’’ after ‘‘(J)’’; and

(B) redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(9) by adding at the end the following:

‘‘(f) C O NFORMING AMENDMENT.—Section 3104 of title 46, United States Code, is amended by striking ‘‘log book’’ and inserting ‘‘logbook’’. ‘‘

(f) FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing the requirements enumerated in section 4503(d) of title 46, as amended by subsection (b)(1) of this section.

(g) A lternate Safety Compliance Program Status Report.—

(1) in General.—Not later than January 1, 2020, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the development of the alternate safety compliance program directed by section 4503a of title 46, United States Code, as redesignated by subsection (c).

(2) Contents.—The report required under paragraph (1) shall include discussion of—

(A) the steps taken in the rulemaking process to establish the alternate safety compliance program;

(B) communication and collaboration between the Coast Guard, the department in which the Coast Guard is operating, and the commercial fishing vessel industry regarding the development of the alternate safety compliance program;

(C) consideration given to developing alternate safety compliance programs for specific regions and fisheries, as authorized in section 3104 of such title, as redesignated by subsection (c);

(D) any identified legislative changes necessary to implement an effective alternate safety compliance program; and

(E) the timeline and planned actions that will be taken to implement regulations necessary to fully establish an alternate safety compliance program before January 1, 2020.

SEC. 509. TERMINATION OF UNSAFE OPERATIONS; TECHNICAL CORRECTION.

Section 4503a of title 46, United States Code, is amended—

(1) by striking ‘‘4503a(1)’’ and inserting ‘‘4503a(a)(2)’’; and

(2) by inserting before the period the following: ‘‘except that this paragraph shall not apply with respect to a vessel which section 4503a applies.’’

SEC. 510. TECHNICAL CORRECTIONS: LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINER DOCUMENTS.

Title 46, United States Code, is amended—

(1) in section 7107(b), by striking ‘‘merchant mariner’s document,’’ and inserting ‘‘license,’’;

(2) in section 7107(b), by striking ‘‘mercerhant mariner’s document,’’ and inserting ‘‘license or certificates of registry,’’;

(3) in section 7507(b)(1), by striking ‘‘license or certificates of registry’’ and inserting ‘‘license or certificate of registry,’’;

(4) in section 7507(b)(2) by striking ‘‘merchant mariner’s document,’’ and inserting ‘‘license or certificate of registry,’’;

SEC. 511. CLEARINGHOUSE FOR RECREATIONAL VESSELS.

(a) in General.—Section 11304 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ‘‘an official logbook,’’ and inserting ‘‘logbook, which may be in any form, including electronic, and’’; and

(2) in subsection (b), by amending paragraph (3) to read as follows:

‘‘(3) Each illness of, and injury to, a seaman of the vessel, the nature of the illness or injury, and the medical treatment provided for the injury shall be recorded on the logbook.’’

(b) Technical Amendment.—Section 11304(b) is amended by striking ‘‘log book’’ and inserting ‘‘logbook’’.

SEC. 512. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Section 12105 of title 46, United States Code, is amended by adding at the end the following:

‘‘(e) Effective Period.—

‘‘(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a certificate of documentation issued under this section shall be valid for a 1-year period and may be renewed for additional 1-year periods.

‘‘(2) RECREATIONAL VESSELS.—

‘‘(A) Requirements for the procurement of a certificate of documentation for a recreational vessel and the renewal of such a certificate shall be effective for a 5-year period.

‘‘(B) Establishment of Requirements.—During the period beginning January 1, 2019, and ending December 31, 2021, the owner or operator of a recreational vessel may choose a period of effectiveness of between 1 and 5 years for such a certificate of documentation for such vessel or the renewal thereof.

‘‘(C) FEES.—

‘‘(1) REQUIREMENT.—The Secretary shall assess and collect a fee—

‘‘(I) for the issuance of a certificate of documentation for a recreational vessel that is equivalent to the fee established for the issuance of a certificate of documentation under section 2110; and

‘‘(II) for the renewal of a certificate of documentation for a recreational vessel that is equivalent to the number of years of effectiveness of the certificate of documentation multiplied by the fee established for the renewal of a certificate of documentation under section 2110.

‘‘(2) TREATMENT.—Fees collected under this subsection—

‘‘(I) shall be credited to the account from which the costs of such issuance or renewal were paid; and

‘‘(II) may remain available until expended.

‘‘(3) NOTICE OF CHANGE IN INFORMATION.—

‘‘(A) REQUIREMENT.—The owner of a vessel shall notify the Coast Guard of any change in information on the certificate of documentation for the vessel is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change.

‘‘(B) TERMINATION OF CERTIFICATE.—The certificate of documentation for a vessel shall terminate upon the expiration of such 5-year period if the owner has not notified the Coast Guard of such change before the end of such period.

‘‘(4) STATE AND LOCAL AUTHORITY TO REMOVE ABANDONED AND DERELICT VESSELS.—Nothing in this section shall be construed to limit the authority of a State or local authority from taking action to remove an abandoned or derelict vessel.’’.}

SEC. 513. NUMBERING FOR UNDOCUMENTED BARGES.

Section 12301(b) of title 46, United States Code, is amended—

(1) by striking ‘‘shall’’ and inserting ‘‘may’’; and

(2) by inserting ‘‘of’’ after ‘‘barge’’.

SEC. 514. BACKUP NATIONAL TIMING SYSTEM.

(a) SHORT TITLE.—This section may be cited as the ‘‘National Timing Resilience and Security Act of 2018’’.

(b) IN GENERAL.—Chapter 30 of title 49, United States Code, is amended by adding at the end the following:

‘‘§ 312. Alternative timing system

‘‘(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Transportation shall provide for the establishment, sustenance, and operation of a land-based, resilient, and reliable alternative timing system—

‘‘(1) to reduce critical dependencies and provide a complement to and backup for the timing component of the Global Positioning System (referred to in this section as ‘GPS’); and

‘‘(2) to ensure the availability of uncorrupted and non-degraded timing signals for military and civilian users in the event that GPS timing signals are corrupted, degraded, unreliable, or otherwise unavailable.

‘‘(b) ESTABLISHMENT OF REQUIREMENTS.—

‘‘(1) IN GENERAL.—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary of Transportation shall establish requirements for the procurement of the system required by subsection (a) as a complement to and backup for the timing component of GPS in accordance with the timing requirements study required by section 1618 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2395).

‘‘(2) REQUIREMENTS.—The Secretary of Transportation shall ensure, to the maximum extent practicable, that the system established under subsection (a) will—

‘‘(A) be wireless;

‘‘(B) be terrestrial;

‘‘(C) provide wide-area coverage;

‘‘(D) be synchronized with coordinated universal time;

‘‘(E) be resilient and extremely difficult to disrupt or degrade;

‘‘(F) be able to penetrate underground and insulate signals; and

‘‘(G) be capable of deployment to remote locations;

‘‘(H) be developed, constructed, and operated incorporating applicable private sector expertise;

‘‘(I) work in concert with and complement any other similar positioning, navigation, and timing systems, including enhanced long-range navigation systems and Nationwide Differential GPS systems;"
(J) be available for use by Federal and non-Federal government agencies for public purposes at no net cost to the Federal Government within 10 years of initiation of operation.

(K) be capable of adaptation and expansion to provide position and navigation capabilities;

(II) incorporate the recommendations from any GPS back-up demonstration program initiated and completed by the Secretary, in coordination with other Federal agencies before the date specified in subsection (c)(1); and

(M) incorporate such other elements as the Secretary considers appropriate.

(c) Implementation Plan.—

(1) Plan required.—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report setting forth the following:

(A) A plan to develop, construct, and operate a system required by subsection (a), which plan shall not be in operation by not later than 2 years after the date of enactment of the National Timing Resilience and Security Act of 2018.

(B) A description and assessment of the advantages of a system to provide a follow-on positioning, timing, and backup positioning and navigation capability to the timing component of GPS.

(2) Deadline for commencement of operation.—The system required by subsection (a) shall be in operation by not later than 10 years after the date of enactment of the National Timing Resilience and Security Act of 2018.

(3) Minimum duration of operational capability.—The system required by subsection (a) shall be designed to be fully operational for at least 20 years.

(d) LORAN Facilities.—

(1) In general.—If the Secretary of Transportation determines that any LORAN infrastructure, including the underlying real property and any spectrum associated with LORAN, in the possession of the Coast Guard is required by the Department of Transportation for the purpose of establishing the system required by subsection (a), the Committee shall transfer such property, spectrum, and equipment to the Secretary.

(2) Afford.—This subsection shall not be construed to limit the application of or otherwise affect section 125(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) with respect to the Federal Government facilities described in paragraph (1).

(e) Cooperative Agreement.—

(1) In general.—The Secretary of Transportation may enter into a cooperative agreement (as that term is described in section 903 of title 31) with an entity upon such terms and conditions as the Secretary of Transportation determines will fulfill the purposes and requirements of this section and be in the public interest.

(2) Requirements.—The cooperative agreement under paragraph (1) shall, at a minimum, require the Secretary of Transportation to—

(A) authorize the entity to sell timing and other services to commercial and non-commercial third parties, subject to any national security requirements determined by the Secretary, in consultation with the Secretary of Defense;

(B) require the entity to develop, construct, and operate at private expense the backup timing system in accordance with this section;

(C) allow the entity to make any investments in technologies necessary over the life of such agreement to meet future requirements for advanced timing resilience and technologies;

(D) require the entity to share 25 percent of the gross proceeds received by the entity from sales of its products or services with the Secretary for at least 10 years after the date upon which the Secretary enters into the cooperative agreement;

(E) require the entity to—

(i) assume all financial risk for the completion and operational capability of the system, after the Secretary provides any capabilities necessary for the system under subsection (d), if required for the alternative timing system; and

(ii) to furnish performance and payment bonds in an amount in a reasonable amount as determined by the Secretary;

(F) require the entity to make any investments in technologies necessary over the life of the agreement to provide position and navigation capabilities for advanced timing resiliency.

(3) Competition required.—The Secretary shall use competitive procedures similar to those authorized under section 2967 of title 10 in selecting an entity to enter into a cooperative agreement pursuant to this subsection.

(4) Authorization to purchase services.—The Secretary may not purchase timing system services from the entity for use by the Department of Transportation or for provision to other Federal and non-Federal governmental agencies until the system achieves operational status, and then only if the necessary funds for such purchase are provided for in subsequent yearly appropriations acts made available to the Secretary for each and every year in which such purchases are made.

(5) Determination requirement.—The Secretary may not enter into a cooperative agreement under this subsection unless the Secretary determines that such cooperative agreement is in the best financial interest of the Federal Government. The Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the results of and recommendations made pursuant to such audit.

(6) Definition.—In this subsection the term ‘alternative timing system’ means—

(1) to enhance the transparency of the documentation process, and communications with the maritime industry regarding such process over the next 5 years; and

(2) to implement the recommendations made by the National Maritime Transportation Advisory Committee.

SEC. 516. TRANSPARENCY.

(a) In general.—The Commander of the Coast Guard shall publish any letter of determination issued by the Coast Guard National Vessel Documentation Center after the date of the enactment of this Act on the National Vessel Documentation Center website not later than 20 days after the date of issuance of such letter of determination.

(b) Audit.—

(1) In general.—The Comptroller General of the United States shall conduct an audit, the results of which shall be made publicly available, of—

(A) the method or process by which the Coast Guard National Vessel Documentation Center develops policy for and documents compliance with the requirements of section 67.97 of title 46, Code of Federal Regulations, for the purpose of endorsing documents under section 12112 and 12113 of title 46, United States Code;

(B) the coordination between the Coast Guard and U.S. Customs and Border Protection with respect to the enforcement of such requirements; and

(C) the extent to which the Secretary of the department in which the Coast Guard is operating and the Secretary of Transportation, through the Maritime Administration, have published and disseminated information necessary to prepare applicative vessel construction requirements.

(2) Report.—Not later than 90 days after the date on which paragraph (1) is complete, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the results of and recommendations made pursuant to such audit.

(c) Outline.—Not later than 180 days after the date of the submission of the Comptroller General of the United States report required under subsection (b), the Comptroller of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an outline of plans—

(1) to enhance the transparency of the documentation process, and communications with the maritime industry regarding such process over the next 5 years; and

(2) to implement the recommendations made by the National Maritime Transportation Advisory Committee.

TITLe VI—Advisory Committees

SEC. 601. NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES.

(a) In general.—Subtitle I of title 46, United States Code, is amended by adding at the end the following:

"PART K—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES"

"CHAPTER 151—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES"

"SEC. 15108. National Towing Safety Advisory Committee."
§15101. National Chemical Transportation Safety Advisory Committee

(a) ESTABLISHMENT.—There is established a National Chemical Transportation Safety Advisory Committee (in this section referred to as the ‘Committee’).

(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to the safe and secure transportation of chemicals.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of not more than 25 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Each member of the Committee shall represent 1 of the following:

(A) Chemical manufacturing entities.

(B) Entities related to marine handling or transportation of chemicals.

(C) Vessel design and construction entities.

(D) Marine safety or security entities.

(E) Marine environmental protection entities.

(4) DISTRIBUTION.—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

§15102. National Commercial Fishing Safety Advisory Committee

(a) ESTABLISHMENT.—There is established a National Commercial Fishing Safety Advisory Committee (in this section referred to as the ‘Committee’).

(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to the safe and secure operation of vessels to which chapter 45 of this title applies, including the matters of—

(A) navigation safety;

(B) safety equipment and procedures;

(C) marine insurance;

(D) vessel design, construction, maintenance, operation, and personnel qualifications and training; and

(2) review regulations proposed under chapter 45 of this title (during preparation of the regulations).

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) REPRESENTATION.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

(A) 10 members shall represent the commercial fishing industry and—

(i) as a group, shall together reflect a regional and representational balance; and

(ii) as individuals, shall each have experience in the operation of vessels to which chapter 45 of this title applies; or

(D) 1 member shall represent education and training professionals related to fishing vessel, fish processing vessel, and vessel tender service and personnel qualifications.

(E) 1 member shall represent underwriters that insure vessels to which chapter 45 of this title applies.

(F) 1 member shall represent owners of vessels to which chapter 45 of this title applies—

(i) an independent expert or consultant in maritime safety;

(ii) a marine surveyor who provides services to vessels to which chapter 45 of this title applies; and

(iii) a person familiar with issues affecting fishing communities and the families of mariners.

§15103. National Merchant Marine Personnel Advisory Committee

(a) ESTABLISHMENT.—There is established a National Merchant Marine Personnel Advisory Committee in accordance with this section and section 15109 of this chapter.

(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to personnel in the United States merchant marine, including the training, qualifications, certification, documentation, and fitness of mariners.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 19 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

(A) 9 members shall represent mariners and, of the 9—

(i) 1 each shall—

(A) be a citizen of the United States; and

(B) hold an active license or certificate issued under chapter 71 of this title or a merchant mariner document issued under chapter 73 of this title;

(ii) 3 shall be deck officers who represent merchant marine deck officers and, of the 3—

(D) 2 shall be licensed for oceans any gross tons;

(III) 1 shall have significant tanker experience;

(B) 1 shall represent labor; and

(C) 1 shall have a master’s license or a master of towing vessels license;

(D) 2 shall represent State maritime academies or the United States Merchant Marine Academy; and

(I) 1 shall have significant tanker experience;

(ii) 3 shall be marine educators who represent other maritime training institutions and, of the 3—

(B) 2 shall represent State maritime academies (and are jointly recommended by such academies); and

(II) 1 shall represent either State maritime academies or the United States Merchant Marine Academy; and

(III) 1 shall have significant tanker experience.

(4) medical examiner education; and

(4) medical research.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 14 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

(A) 9 shall represent health-care professionals and have particular expertise, knowledge, and experience regarding the medical examinations of merchant mariners or occupational medicine.

(B) 5 shall represent professional mariners and have particular expertise, knowledge, and experience in occupational requirements for mariners.

§15105. National Boating Safety Advisory Committee

(a) ESTABLISHMENT.—There is established a National Boating Safety Advisory Committee in accordance with this section and section 15109 of this chapter.

(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to national boating safety.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

(A) 7 shall represent State officials responsible for State boating safety programs.

(B) 7 members shall represent recreational vessel and associated equipment manufacturers.

(C) 7 members shall represent the general public or national recreational boating organizations.

October 11, 2018
§15106. National Offshore Safety Advisory Committee

‘‘(a) ESTABLISHMENT.—There is established a National Offshore Safety Advisory Committee (in this section referred to as the ‘Committee’).

‘‘(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to activities involved with, or in support of, the exploration of offshore mineral and energy resources, to the extent that such matters are within the jurisdiction of the Coast Guard.

‘‘(c) MEMBERSHIP.—

‘‘(1) IN GENERAL.—The Committee shall consist of 15 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

‘‘(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee. Members of the Committee shall be appointed as follows:

‘‘(A) 2 members shall represent entities engaged in the production of petroleum.

‘‘(B) 2 members shall represent entities engaged in offshore drilling.

‘‘(C) 2 members shall represent entities engaged in the support, by offshore supply vessels or other vessels, of offshore mineral and oil operations, including geophysical services.

‘‘(D) 1 member shall represent entities engaged in the construction of offshore exploration and recovery facilities.

‘‘(E) 1 member shall represent entities engaged in diving services related to offshore construction, inspection, and maintenance.

‘‘(F) 1 member shall represent entities engaged in pipelaying services related to offshore construction.

‘‘(G) 1 member shall represent entities engaged in the repair, maintenance, and protection of navigation aids.

‘‘(H) 2 members shall represent shippers and users of ports.

‘‘(I) 2 members shall represent groups directly affected by the activities of the committee, including, but not limited to, the recreational boating industry.

‘‘(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

§15108. National Towing Safety Advisory Committee

‘‘(a) ESTABLISHMENT.—There is established a National Towing Safety Advisory Committee (in this section referred to as the ‘Committee’).

‘‘(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to shallow-draft inland navigation, coastal waterway navigation, and towing safety.

‘‘(c) MEMBERSHIP.—

‘‘(1) IN GENERAL.—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

‘‘(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

‘‘(D) The recreational boating industry.

§15109. Administration

‘‘(a) MEETINGS.—Each committee established under this chapter shall, at least once each year, meet at the call of the Secretary or a majority of the members of the committee.

‘‘(b) EMPLOYEE STATUS.—A member of a committee established under this chapter shall not be considered an employee of the Federal Government by reason of service on the committee if such service is considered service of the member if—

‘‘(1) the member is authorized to represent the member's Government or other entity or group;

‘‘(2) the member is not a special Government employee for purposes of section 1342 of title 31 or any other statute relating to Federal employee conduct, political activities, ethics, conflicts of interest, and corruption, do not apply to the member.

§15107. National Navigation Safety Advisory Committee

‘‘(a) ESTABLISHMENT.—There is established a National Navigation Safety Advisory Committee (in this section referred to as the ‘Committee’).

‘‘(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to maritime collisions, ramnings, and groundings, Inland Rules of the Road, International Rules of the Road, navigation regulations and equipment, navigation aids, and systems, and aids to navigation systems.

‘‘(c) MEMBERSHIP.—

‘‘(1) IN GENERAL.—The Committee shall consist of not more than 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

‘‘(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

‘‘(D) The Committee shall be appointed as follows:

‘‘(1) 7 members shall represent the barge and towing industry, reflecting a regional geographic distribution.

‘‘(2) 1 member shall represent the offshore mineral and oil supply vessel industry.

‘‘(3) 1 member shall represent masters and pilots of towing vessels who hold active licenses and have experience on the Western Rivers and the Gulf Intracoastal Waterway.

‘‘(4) 1 member shall represent masters of towing vessels in offshore service who hold active licenses.

‘‘(5) 1 member shall represent masters of active ship-docking or harbor towing vessels.

‘‘(6) 1 member shall represent licensed and unlicensed towing vessel engineers with formal training and experience.

‘‘(7) 2 members shall represent port district authorities, terminal operators, and harbor masters.

‘‘(8) 2 members shall represent individuals employed in the shipyard, shipbuilding industry, or related industries.

‘‘(B) 2 members shall represent port operators.

‘‘(C) 2 members shall represent port and waterway interests.

‘‘(D) 2 members shall represent the general public in port and waterway interests.

‘‘(E) 2 members shall represent the general public in port and waterway interests.

§15109. Administration

‘‘(a) MEETINGS.—Each committee established under this chapter shall, at least once each year, meet at the call of the Secretary or a majority of the members of the committee.

‘‘(b) COMPENSATION.—A member of a committee established under this chapter shall not be considered an employee of the Federal Government by reason of service on such committee, except for the purposes of the following:

‘‘(1) Chapter 81 of title 5.

‘‘(2) Chapter 171 of title 28 and any other Federal law relating to tort liability.

‘‘(c) FEE PAYMENT.—A member of a committee established under this chapter shall be paid fees at a daily rate not to exceed the daily rate payable under section 5527 of title 5.

‘‘(d) Acceptance of volunteer service.—A member of a committee established under this chapter may serve on such committee on a voluntary basis without pay.
“(A) IN GENERAL.—The term of each member of a committee established under this chapter shall expire on December 31 of the third full year after the effective date of the appointment; and

“(B) CONTINUED SERVICE AFTER TERM.—When the term of a member of a committee established under this chapter ends, the member shall not be disqualified from reappointment to a committee; and may continue to serve as a member until a successor is appointed.

“(7) VACANCIES.—A vacancy on a committee established under this chapter shall be filled in the same manner as the original appointment.

“(B) PROVISIONAL RULE FOR REAPPOINTMENTS.—Notwithstanding paragraphs (1) and (2), the Secretary may reappoint a member of a committee established under this chapter for any term for a period not to exceed 1 year.

“(2) PARTICIPANTS.—Subject to conditions imposed by the Chairman, members of a committee established under this chapter may add any staff and services considered by the Secretary to be necessary for the conduct of the committee’s functions.

“(1) CHAIRMAN; VICE CHAIRMAN.—

“(1) IN GENERAL.—Each committee established under this chapter shall elect a Chairperson and Vice Chairperson from among the committee’s members.

“(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—The Vice Chairperson shall act as Chairperson in the absence of the Chairperson, or in case of a vacancy in the office of the Chairperson.

“(1) SUBCOMMITTEES AND WORKING GROUPS.—

“(1) IN GENERAL.—The Chairman of a committee established under this chapter may establish and disestablish subcommittees and working groups for any purpose consistent with the function of the committee.

“(2) PARTICIPANTS.—Subject to conditions imposed by the Chairman, members of a committee established under this chapter and additional persons from entities or groups designated by the Chairman to be represented on the committee or the general public may be assigned to subcommittees and working groups established under paragraph (1).

“(3) CHAIR.—Only committee members may chair subcommittees and working groups established under paragraph (1).

“(J) CONSULTATION, ADVICE, REPORTS, AND RECOMMENDATIONS.—

“(1) IN GENERAL.—The Committee shall have particular expertise, including a council or committee the authority for which was repealed under subsection (c), may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the council or committee may remain in force or in effect; and

“(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the applicable advisory committee established under chapter 151 of title 46, United States Code, shall be treated as satisfied by the substantially similar advisory council or committee; and

(B) if the recommendations are from the committee under paragraph (2) to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee shall submit the advice, reports, and recommendations received from the committee under paragraph (2) to the Committee on Commerce, Science, and Transportation of the Senate for its advice, and the Committee shall forward such advice to the Committee on Transportation and Infrastructure of the House of Representatives in addition to the committee specified in subparagraph (A).

(K) OBSERVERS.—Any Federal agency with matters under such agency’s administrative jurisdiction related to the function of a committee established under this chapter may designate a representative to—

(1) attend any meeting of such committee; and

(2) participate as an observer at meetings of such committee that relate to such a matter.

“(1) TERMINATION.—Each committee established under this chapter shall terminate on September 30, 2027.

“(B) CLERICAL AMENDMENT.—The analysis for subtitle II of title 46, United States Code, is amended by inserting after the item relating to chapter 147 the following:

"Part K—National Maritime Transportation Advisory Committees

151. National Maritime Transportation Advisory Committees

15101. National Maritime Transportation Advisory Committees ("15101").

(1) CONFIRMING AMENDMENTS.—

(1) COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—Section 4508 of title 46, United States Code, and the item relating to that section in the table of sections for chapter 45 of that title, are repealed.

(2) MERCHANT MARINER MEDICAL ADVISORY COMMITTEE.—Section 7115 of title 46, United States Code, and the item relating to that section in the analysis for chapter 71 of that title, are repealed.

(3) MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—

(A) REPEAL.—Section 8106 of title 46, United States Code, and the item relating to that section in the analysis for chapter 81 of that title, are repealed.

(B) CONFORMING AMENDMENTS.—Section 7510(c)(1)(C) of title 46, United States Code, is amended by inserting “National” before “Merchant Marine”.

(C) NATIONAL BoATING SAFETY ADVISORY COUNCIL.—

(A) REPEAL.—Section 13110 of title 46, United States Code, and the item relating to that section in the analysis for chapter 131 of that title, are repealed.

(B) CONFORMING AMENDMENTS.—

(1) REPEAL OF Enumerations.—Section 1310(c)(4) of title 46, United States Code, is amended by striking “Counsel established under section 13110 of this title” and inserting “Committee established under section 15109 of this title”.

(2) REPAIR AND REPLACEMENT OF DEFECTS.—Section 4310(c) of title 46, United States Code, is amended by striking “Advisory Council” and inserting “Advisory Committee”.

(3) NAVIGATION SAFETY ADVISORY COUNCIL.—Section 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 1231a) is repealed.

(6) TOWING SAFETY ADVISORY COMMITTEE.—

(A) REPEAL.—Public Law 96–380 (33 U.S.C. 1231a) is repealed.

(B) CONFORMING AMENDMENTS.—

(1) REDUCTION OF OIL SPILLS FROM SINGLE HULL NON-SELF-PROPELLED TANK VESSELS.—Section 3719 of title 46, United States Code, is amended by inserting “National” before “Towing Safet—y”.

(ii) SAFETY EQUIPMENT.—Section 4102(1)(z) of title 46, United States Code, is amended by inserting “National” before “Towing Safety.”

(d) TREATMENT OF EXISTING COUNCILS AND COMMITTEES.—Notwithstanding any other provision of law—

(1) an advisory council or committee substantially similar to an advisory committee established under chapter 151 of title 46, United States Code, as added by this Act, and that was in force or in effect on the day before the date of enactment of this section, including the council or committee the authority for which was repealed under subsection (c), may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the council or committee may remain in force or in effect; and

(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the applicable advisory committee established under chapter 45 of title 46, United States Code, shall be treated as satisfied by the substantially similar advisory council or committee; and

(B) if the recommendations are from the committee under paragraph (2) to the Committee on Commerce, Science, and Transportation of the Senate for its advice, and the Committee shall forward such advice to the Committee on Transportation and Infrastructure of the House of Representatives in addition to the committee specified in subparagraph (A).

(K) OBSERVERS.—Any Federal agency with matters under such agency’s administrative jurisdiction related to the function of a committee established under this chapter may designate a representative to—

(1) attend any meeting of such committee; and

(2) participate as an observer at meetings of such committee that relate to such a matter.

(1) TERMINATION.—Each committee established under this chapter shall terminate on September 30, 2027.

(B) CLERICAL AMENDMENT.—The analysis for subtitle II of title 46, United States Code, is amended by inserting after the item relating to chapter 147 the following:

"Part K—National Maritime Transportation Advisory Committees

151. National Maritime Transportation Advisory Committees

15101. National Maritime Transportation Advisory Committees ("15101").

(1) CONFIRMING AMENDMENTS.—

(1) COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—Section 4508 of title 46, United States Code, and the item relating to that section in the table of sections for chapter 45 of that title, are repealed.

(2) MERCHANT MARINER MEDICAL ADVISORY COMMITTEE.—Section 7115 of title 46, United States Code, and the item relating to that section in the analysis for chapter 71 of that title, are repealed.

(3) MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—

(A) REPEAL.—Section 8106 of title 46, United States Code, and the item relating to that section in the analysis for chapter 81 of that title, are repealed.

(B) CONFORMING AMENDMENTS.—Section 7510(c)(1)(C) of title 46, United States Code, is amended by inserting “National” before “Merchant Marine”.

(C) NATIONAL BoATING SAFETY ADVISORY COUNCIL.—

(A) REPEAL.—Section 13110 of title 46, United States Code, and the item relating to that section in the analysis for chapter 131 of that title, are repealed.

(B) CONFORMING AMENDMENTS.—

(1) REPEAL OF Enumerations.—Section 1310(c)(4) of title 46, United States Code, is amended by striking “Counsel established under section 13110 of this title” and inserting “Committee established under section 15109 of this title”.

(2) REPAIR AND REPLACEMENT OF DEFECTS.—Section 4310(c) of title 46, United States Code, is amended by striking “Advisory Council” and inserting “Advisory Committee”.

(3) NAVIGATION SAFETY ADVISORY COUNCIL.—Section 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 1231a) is repealed.

(6) TOWING SAFETY ADVISORY COMMITTEE.—

(A) REPEAL.—Public Law 96–380 (33 U.S.C. 1231a) is repealed.

(B) CONFORMING AMENDMENTS.—

(1) REDUCTION OF OIL SPILLS FROM SINGLE HULL NON-SELF-PROPELLED TANK VESSELS.—Section 3719 of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.}
(v) Maritime labor organizations.

(vi) The academic community.

(vii) State and local governments.

(viii) The maritime industry.

(v) Applicant has at least 5 years of practical experience in maritime security operations.

(B) TERMS.—The term of each member of a committee established under this subsection shall consist of at least 7 members appointed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS-15 of the General Schedule under section 5332 of title 5 including travel time; and

(2) travel or transportation expenses under section 5703 of title 5 based on the receipt of any payment under this paragraph.

(A) in general.—The Secretary shall establish and maintain a maritime security advisory committee, to be known as the National Maritime Security Advisory Committee, to consist of individuals who represent the maritime interests of the port industry, terminal operators, labor organizations, and other interests of the port industry, terminal operators, labor organizations, and other users of the port areas.

(1) the Secretary, who shall call such a meeting at least once during each calendar year; or

(ii) a majority of the committee.

(2) MEMBERSHIP.—

(II) a majority of the committee.

(A) in general.—Each committee established under subsection (v) may—

(i) determine the number of additional members of the committee who represent each entity specified in that subparagraph. Neither this subparagraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in subparagraph (C).

(II) a majority of the committee.

(2) during the 2-year period referenced in paragraph (1)—

(i) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS-15 of the General Schedule under section 5332 of title 5 including travel time; and

(ii) travel or transportation expenses under section 5703 of title 5 based on the receipt of any payment under this paragraph.

(D) BACKGROUND EXAMINATIONS.—The Secretary may require an individual to have passed an appropriate security background examination as a condition of appointment to a committee established under this subsection.

(E) REPRESENTATION.—Each committee established under this subsection shall be composed of individuals who represent the interests of the port industry, terminal operators, labor organizations, and other users of the port areas.

(F) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) the Secretary, who shall call such a meeting at least once during each calendar year; or

(iii) travel or transportation expenses under section 5703 of title 5 based on the receipt of any payment under this paragraph.

(A) in general.—Each committee established under subsection (v) may—

(i) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS-15 of the General Schedule under section 5332 of title 5 including travel time; and

(ii) travel or transportation expenses under section 5703 of title 5 based on the receipt of any payment under this paragraph.

(2) during the 2-year period referenced in paragraph (1)—

(i) limit the scope of any filing ordered under this section in the event of a vacancy in the office of the Chairperson.

(ii) the Chairperson, or in the event of a vacancy in the office of the Chairperson.

(1) in general.—

(A) in general.—The Secretary shall, and the head of any other interested Federal agency may, designate a representative to participate in advisory committees established under this subsection.

(3) OBSERVERS.—

(A) in general.—The Secretary shall, and the head of any other interested Federal agency may, designate a representative to participate in advisory committees established under this subsection.

(2) during the 2-year period referenced in paragraph (1)—

(i) limit the scope of any filing ordered under this section in the event of a vacancy in the office of the Chairperson.
(2) request interested persons to submit relevant information and documents.".
(b) REQUEST FOR INFORMATION AND DOCUMENTS.—Section 40904(d) of title 46, United States Code, is amended by striking "section" and inserting "part".
(c) SAVING CLAUSE.—Nothing in this section, or the amendments made by this section, may be construed to
(1) prevent the Federal Maritime Commission from requesting from a person, at any time, any additional information or documents
(2) with respect to a vessel operated by an ocean common carrier within the United States, to negotiate for the purchase of certain covered services, unless the negotiations and
(3) by inserting after paragraph (4) the following:
(5) negotiate with a tug or towing vessel service provider on any matter relating to rates or services provided within the United States by those tugs or towing vessels;
(4) COMPETITION FACTORS.—In making a determination under this subsection regarding whether an agreement is likely to
(3) EXCEPTION.—If the Commission properly determines may be withheld from the public under section 552b(c) of title 5.
(2) the date the rulemaking was initiated;
(1) the popular title;
(5) any applicable statutory, regulatory, or
(4) what prompted the action in question;
(3) any resulting agreements are not in violation of the antitrust laws and are consistent with the purposes of this part, except that this paragraph does not prohibit the setting
(2) the current stage of the proceeding;
(1) to prevent the Federal Maritime Commission from requesting from a person, at any time, any additional information or documents
(3) any relevant competition factors in affected markets, including, without limitation, the competitive effect of agreements other than the agreement under review.
(2) the associated docket number;
(1) the Commission may consider any relevant competition factors in affected markets, including, without limitation, the competitive effect of agreements other than the agreement under review.

SEC. 709. NEGOTIATIONS.
(a) CONCERTED ACTION.—Section 41105 of title 46, United States Code, is amended—
(1) by redesignating paragraphs (5) through (8) as paragraphs (7) through (10), respectively;
(2) in paragraph (3) by striking "substantially lessen competition in the purchase of certain covered services" after "transportation cost";
(3) by adding at the end the following:
(1) the applicable docket number,
(2) the current stage of the proceeding;
(3) the date the rulemaking was initiated;
(4) the date the final rule was published.
(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under paragraph (3), not later than 2 business days after the conclusion of a meeting under paragraph (1), the Commission shall make available to the public, in a place easily accessible to the public—
(1) the applicable docket number,
(2) the current stage of the proceeding;
(3) the date the rulemaking was initiated;
(4) the date the final rule was published.
(2) in paragraph (3) by adding at the end the following:
(1) the applicable docket number,
(2) the current stage of the proceeding;
(3) the date the rulemaking was initiated;
(4) the date the final rule was published.
SEC. 713. STUDY OF BANKRUPTCY PREPARATION AND RESPONSE.

(a) Study.—The Comptroller General of the United States shall conduct a study that examines the immediate aftermath of a major ocean carrier bankruptcy and its impact through the supply chain. The study shall include an assessment of financial mechanisms that could be used to mitigate the impact of any future bankruptcy events on the supply chain.

(b) Report.—No later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings, conclusions, and recommendations, if any, from the study required under subsection (a).

SEC. 714. AGREEMENTS UNAFFECTED.

Nothing in this Act may be construed—

(1) to limit or amend the definition of “agreement” under section 4012(b) of title 46, United States Code, with respect to the exclusion of maritime labor agreements; or

(2) to apply to a maritime labor agreement (as defined in section 4012(b) of title 46).

TITLE VIII—MISCELLANEOUS

SEC. 801. REPEAL OF OBSOLETE REPORTING REQUIREMENT.

Subsection (b) of section 888 of the Homeless Security Act of 2002 (6 U.S.C. 468) is repealed.

SEC. 802. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

Section 604(b) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281; 128 Stat. 3061) is amended by inserting “and fishery endorsement” after “endorsement”.

SEC. 803. OFFICER EVALUATION REPORT.

(a) In General.—Not later than 3 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall reduce lieutenant junior grade evaluation report distances and narrative text;

(b) Surveys.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall conduct surveys of—

(1) ongoing promotion board members and assignment officers to determine, at a minimum—

(A) which sections of the officer evaluation report were most useful;

(B) which sections of the officer evaluation report were least useful;

(C) how to better reflect high performers; and

(D) any recommendations for improving the officer evaluation report; and

(2) at least 10 percent of the officers from each grade of officers from O1 to O6 to determine how each member of the rating chain spends on that member’s portion of the officer evaluation report.

(c) Revisions.—

(1) In General.—Not later than 4 years after the date of the completion of the surveys required by subsection (b), the Commandant of the Coast Guard shall revise the officer evaluation report, and provide corresponding directions, taking into account the requirements under paragraph (2).

(2) Requirements.—In revising the officer evaluation report under paragraph (1), the Commandant shall—

(A) consider the findings of the surveys under subsection (b);

(B) remove unnecessary legislative mandates;

(C) reduce and streamline performance dimensions and narrative text;

(D) eliminate redundancy with the officer specialty management system and any other record information systems that are used during the officer assignment or promotion process;

(E) provide for fairness and equity for Coast Guard officers with regard to promotion boards, selection panels, and the assignment process;

(F) ensure officer evaluation responsibilities can be accomplished within normal working hours—

(i) to minimize any impact to officer duties; and

(ii) to eliminate any need for an officer to take liberty or leave for administrative purposes.

(g) Report.—

(1) In General.—Not later than 545 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the surveys under subsection (b).

(2) Format.—The report under paragraph (1) shall be formatted by rank, type of board, and position, as applicable.

SEC. 804. EXTENSION OF AUTHORITY.

Section 604 of the Coast Guard Authorization Act of 2019 (Public Law 116-211; 124 Stat. 2950) is amended—

(1) in subsection (a), in the text preceding paragraph (1), by striking “sections 3304, 3305, and 3533” and inserting “section 3304”, and

(2) by striking subsection (b), and redesignating subsection (c) as subsection (b).

SEC. 805. COAST GUARD ROTC PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the costs and benefits of creating a Coast Guard Reserve Officers’ Training Corps Program based on the other Armed Forces programs.

SEC. 806. CURRENCY DETECTION CANINE TEAM PROGRAM.

(a) Definitions.—In this section:

(1) CANINE CURRENCY DETECTION TEAM.—The term “canine currency detection team” means a canine and a canine handler that are trained to detect currency.

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(b) Establishment.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a program to allow the use of canine currency detection teams for purposes of Coast Guard maritime law enforcement, including underwater vessel boardings.

(c) Operation.—The Secretary may cooperate with, or enter into an agreement with, other Federal, State, or local law enforcement agencies to meet the requirements under subsection (b).

SEC. 807. CENTER OF EXPERTISE FOR GREAT LAKES OIL SPILL SEARCH AND RESPONSE.

(a) In General.—Not later than 10 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(1) within 10 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(2) within 90 days after receiving the notice under paragraph (1), the Commandant shall

(3) offer, the Secretary shall provide notice of the offer to the Commandant;

(4) arrange for a joint meeting of the Commandant and the Secretary to discuss the offer; and

(5) work with academic and private sector response training centers to develop and standardize maritime oil spill response training and techniques for use on the Great Lakes.

SEC. 808. PUBLIC SAFETY ANSWERING POINTS AND MARITIME SEARCH AND RESCUE ACT.

Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of the department in which the Coast Guard is operating shall review Coast Guard policies and procedures for public safety answering points and search-and-rescue coordination with State and local law enforcement entities in order to—

(A) further minimize the possibility of maritime 911 calls being improperly routed; and

(B) assure the Coast Guard is able to effectively carry out the Coast Guard’s maritime search and rescue mission; and

(2) the Commandant shall—

(A) formulate a national maritime public safety answering points policy; and

(B) submit a report to the Congress on such implementation and policies, which shall include an update to the report submitted in accordance with section 233 of the Howard Coble Coast Guard and Maritime Transportation Authorization Act of 2014.
develop and transmit to the Secretary proposed operational restrictions on commercial activity conducted on the Tract, including the right of the Commandant to—

(A) at any time, for a period of up to 72 hours, of any activity occurring on or from the Tract that violates or threatens to violate one or more of such restrictions; and

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction enjoining the activity that violates or threatens to violate such restrictions;

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island; and

(4) within 30 days after transmitting the proposed operational restrictions to the owner of Ayakulik Island, and if the owner agrees to such restrictions, the Secretary shall convey all right, title, and interest of such owner in and to Ayakulik Island, but only if the owner agrees to such restrictions, the Secretary shall convey all right, title, and interest of such owner in and to Ayakulik Island.

(b) BOUNDARY REVISIONS.—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.

(c) PUBLIC LAND ORDER.—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) FAILURE TO TIMELY RESPOND TO NOTICE.—If the Commandant does not transmit proposed operational restrictions to the Secretary within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 90 days after transmittal, notify the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(e) CERCLA NOT AFFECTED.—This section and an exchange under this section shall not be construed to limit the application of, or otherwise affect section 101(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(1) DEFINITIONS.—In this section:

(1) COMMANDANT.—The term "Commandant" means the Secretary of the Department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) SIRIUS.—The term "SIRIUS" means the Secretary of the Interior.

(3) TRACT.—The term "Tract" means the land (including submerged land) depicted as "PROPOSED PROPERTY EXCHANGE AREA" on the title "PROPOSED PROPERTY EXCHANGE PARCEL" and dated 3/22/17.

SEC. 811. USE OF TRACT 43.
Section 524(e)(2) of the Pribilof Island Transition Implementation Act of 2016 (Public Law 114–120), as amended by section 3533 of the Pribilof Island Transition Completion Amendments Act of 2016 (subtitle B of title XXXV of Public Law 114–320), is amended by—

(1) striking "each month" and inserting "every April and October"; and

(2) striking "a preceding month" and inserting "previous six months".

SEC. 812. COAST GUARD MARITIME DOMAIN AWARENESS.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act under which the Academy shall prepare an assessment of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard.

(b) ASSESSMENT.—The assessment shall—

(1) describe the potential limitations of current and emerging unmanned technologies used in the maritime domain for—

(A) ocean observation;

(B) vessel traffic and identification;

(C) weather observation;

(D) to the extent practicable for consideration by the Academy, intelligence gathering, surveillance, and reconnaissance; and

(E) communications;

(2) examine how technologies described in paragraph (1) can help prioritize Federal investment by examining—

(A) affordability, including acquisition, operations, and maintenance;

(B) reliability;

(C) versatility;

(D) efficiency; and

(E) estimated service life and persistence of effort; and

(3) analyze whether the use of new and emerging maritime domain awareness technologies can be used to—

(A) carry out Coast Guard missions at lower cost;

(B) expand the scope and range of Coast Guard maritime domain awareness;

(C) allow the Coast Guard to more efficiently and effectively allocate Coast Guard vessels, aircraft, and personnel; and

(D) identify adjustments that would be necessary in Coast Guard policies, procedures, and operations to incorporate unmanned technologies to enhance efficiency.

(c) REPORT TO CONGRESS.—Not later than 1 year after entering into an arrangement with the National Academy of Sciences, the National Academy of Sciences shall submit the assessment prepared under this section to the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) USE OF INFORMATION.—In formulating costs pursuant to subsection (b), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard manpower requirements or other reports, assessments, or analyses for the acquisition of unmanned, autonomous, or remotely controlled technologies by the Federal Government.

SEC. 813. MONITORING.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall conduct a 1-year pilot program to determine the impact of persistent use of different types of surveillance systems on illegal maritime activities, including unreported, and unregulated fishing, in the Western Pacific region.

(b) REQUIREMENTS.—The pilot program shall—

(1) consider the use of light aircraft-based detection systems that can identify potential illegal activity from high altitudes and produce enforcement-quality evidence at low altitudes; and

(2) be directed at detecting and deterring illegal maritime activities, including illegal, unreported, and unregulated fishing, and enhancing maritime domain awareness.

SEC. 814. REIMBURSEMENTS FOR NON-FEDERAL CONSTRUCTION COSTS OF CERTAIN PROJECTS AND REPORT.

(a) IN GENERAL.—Subject to the availability of amounts specifically provided in advance in subsequent appropriations Acts and in accordance with this section, the Commandant of the Coast Guard may reimburse a non-Federal entity for costs incurred by the entity for a covered project.

(b) CONDITIONS.—The Commandant may not provide reimbursement under subsection (a) with respect to a covered project—

(1) if the need for the project is a result of the completion of construction with respect to a federally authorized navigation channel; and

(2) if the Commandant determines, through an appropriate navigation safety analysis, that the project is necessary to ensure safe marine transportation.

(c) COVERED PROJECT DEFINED.—In this section, the term 'covered project' means a project carried out—

(1) by a non-Federal entity to construct and establish an aid to navigation that facilitates safe and efficient marine transportation on a Federal navigation project authorized by title 1 of the Water Resources Development Act of 2007 (Public Law 110–114); and

(2) in an area that was affected by Hurricane Harvey.

SEC. 815. TOWING SAFETY MANAGEMENT SYSTEM FEES.

(a) REVIEW.—The Commandant of the Coast Guard shall—

(1) review and compare the costs to the Government of—

(A) towing vessel inspections performed by the Coast Guard; and

(B) such inspections performed by a third party; and

(2) based on such review and comparison, determine whether the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard.

(b) REVISION OF FEES.—If the Commandant determines under subsection (a) that the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections, the Commandant shall revise the fee assessed by the Coast Guard for such inspections as necessary to conform to the requirements under section 9701 of title 31, United States Code, that such fee be based on the cost to the Government of such inspections and accurately reflect such costs.

SEC. 816. OIL SPILL DISBURSEMENTS AUDITING AND REPORT.
Section 1022 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—
SEC. 817. FLEET REQUIREMENTS ASSESSMENT AND STRATEGIES.

(a) Report.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Commerce, Science, and Transportation of the House of Representatives a report including—

(1) an assessment of Coast Guard at-sea operational fleet requirements referred to in subsection (a)(1) that are currently being met;

(B) the Coast Guard’s current fleet, its operational lifespan, and how the anticipated changes in the distribution of vessels in the fleet will impact the ability to meet at-sea operational requirements;

(C) fleet operations and recommended improvements to minimize costs and extend operational vessel life spans; and

(D) the number of Fast Response Cutters, Offshore Patrol Cutters, and National Security Cutters needed to meet at-sea operational requirements as compared to planned acquisitions under the current programs of record;

(2) an analysis of—

(A) how the Coast Guard at-sea operational fleet requirements are currently met, including the use of the Coast Guard’s current cutter fleet, agreements with partners, chartered vessels, and unmanned vehicle technology; and

(B) whether existing and planned cutter programs and future acquisitions will change the extent to which the Coast Guard at-sea operational requirements are met.

(c) CONSULTATION AND TRANSPARENCY.—

(1) CONSULTATION.—In consulting with the Federal and non-Federal stakeholders under subsection (a), the Secretary of the department in which the Coast Guard is operating shall—

(A) provide the stakeholders with opportunities for input—

(i) prior to officially drafting the report, including the assessment and strategic plan; and

(ii) not later than 3 months prior to finalizing the assessment and strategic plan, for submission; and

(B) document the input and its disposition in the report.

(2) TRANSPARENCY.—Each input provided under paragraph (1) shall be made available to the public.

(d) ENSURING MARITIME COVERAGE.—In order to meet Coast Guard mission requirements for search and rescue, ports, waterways, and coastal security, and maritime environment response during recapitalization of Coast Guard vessels, the Coast Guard shall ensure continuity of the coverage, to the maximum extent practicable, in the locations that may lose assets.

SEC. 818. NATIONAL SECURITY CUTTER.

(a) STANDARD METHOD FOR TRACKING.—The Commandant of the Coast Guard may not certify an eighth National Security Cutter as Ready for Operations until the date on which the Commandant provides to the Committee on Transportation and Infrastructure of the House of Representatives a report including—

(1) a list of each incident that—

(A) occurred in the preceding fiscal year; and

(B) resulted in disbursements from the Fund, for removal costs and damages, totaling $500,000 or more; and

(2) a description of how the funding for removal costs and damages, totaling $500,000 or more; and

(C) a strategic plan for meeting the requirements identified under paragraph (1), including—

(i) a description of the extent to which the Coast Guard at-sea operational fleet requirements referred to in subsection (a)(1) that are currently being met;

(ii) the Coast Guard’s current fleet, its operational lifespan, and how the anticipated changes in the distribution of vessels in the fleet will impact the ability to meet at-sea operational requirements;

(iii) a report analyzing cost and performance for different approaches to achieving varied levels of operational employment using the standard method required by paragraph (1) that, at a minimum—

(A) compares over a 30-year period the average annualized baseline cost and performance for a certified National Security Cutter that does not include time during which such a cutter is away from its homeport for maintenance or repair; and

(B) examines the optimal level of operational employment of National Security Cutters that does not include time during which such a cutter is away from its homeport for maintenance or repair, including—

(i) against the cost of the acquisition and operation of an additional National Security Cutter; and

(ii) the cost of the acquisition and operation of vessels that may lose assets.

SEC. 820. GREAT LAKES ICEBREAKER ACQUISITION.

(a) ICEBREAKING ON THE GREAT LAKES.—For fiscal years 2018 and 2019, the Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by this Act, for the construction of an icebreaker that is at least as capable as the Coast Guard Cutter Mackinaw to enhance icebreaking capacity on the Great Lakes.

(b) ACQUISITION PLAN.—Not later than 45 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing a plan to extend the service life of each vessel until at least December 31, 2025.

(2) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of enactment of the Coast Guard Authorization Act of 2017, the Secretary of the department in which the Coast Guard is operating, in consultation with the Commandant, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the House of Representatives a detailed report describing a plan to extend the service life of the Coast Guard Cutter Polar Star (WAGB–10) to extend the service life of such vessel until at least December 31, 2025.

SEC. 819. ACQUISITION PLAN FOR INLAND WATERWAY AND RIVER TENDERS AND BAY-CLASS ICEBREAKERS.

(a) ACQUISITION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to replace or extend the life of the Coast Guard fleet of inland waterway and river tenders, and the Bay-class icebreakers.

(b) CONTENTS.—The plan under subsection (a) shall include—

(1) an analysis of the work required to extend the life of vessels described in subsection (a); and

(2) recommendations for which, if any, such vessels it is cost effective to undertake a ship-life extension or enhanced maintenance program.

(3) an analysis of the aids to navigation program to determine if advances in navigation technology may reduce the need for physical aids to navigation.

(4) recommendations for changes to physical aids to navigation and the distribution of such aids that reduce the need for the acquisition of vessels to replace the vessels described in subsection (a);

(5) a schedule for the acquisition of vessels to replace the vessels described in subsection (a), including the date on which the first vessel will be delivered;

(6) the date such acquisition will be complete;

(7) a description of the order and location of replacement vessels;

(8) an estimate of the cost per vessel and of the total cost of the acquisition program of vessels; and

(9) an analysis of whether existing vessels can be used.

SEC. 821. POLAR ICEBREAKERS.

(a) ENHANCED MAINTENANCE PROGRAM FOR THE POLAR STAR.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Commandant of the Coast Guard shall conduct an enhanced maintenance program on Coast Guard Cutter Polar Star (WAGB–10) to extend the service life of such vessel until at least December 31, 2025.

(2) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2017, the Secretary of the department in which the Coast Guard is operating, in consultation with the Commandant, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the House of Representatives a detailed report describing a plan to extend the service life of the Coast Guard Cutter Polar Star (WAGB–10) to extend the service life of such vessel until at least December 31, 2025, through an enhanced maintenance program.
(3) CONTENT.—The report required by paragraph (2) shall include the following:
(A) an assessment and discussion of the enhanced maintenance program recommended by the National Academies of Sciences, Engineering, and Medicine’s Committee on Polar Icebreaker Cost Assessment in the letter report “Acquisition and Operation of Polar Icebreakers: Fulfilling the Nation’s Needs”;
(B) an assessment and discussion of the Government Accountability Office’s concerns and recommendations regarding service life extension work on Coast Guard Cutter Polar Star (WAGB–10) in the report “Status of the Coast Guard’s Polar Icebreaking Fleet and Recapitalization Plan”;
(C) based upon a material condition assessment of the Coast Guard Cutter Polar Star (WAGB–10):
(i) a description of the service life extension needs of the vessel;
(ii) detailed information regarding planned shipyard work for each fiscal year to meet such needs; and
(iii) an estimate of the amount needed to be appropriated to complete the enhanced maintenance program;
(D) the Commandant of the Coast Guard will maintain seasonally operational status during the enhanced maintenance program;
(4) AUTHORIZATION OF APPROPRIATIONS.—The Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by section 202 of this Act, for the enhanced maintenance program described in the report required by subsection (a).
(b) COAST GUARD AND MARITIME TRANSPORTATION AMENDMENT.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213), as amended, is further amended as follows:
(1) by striking paragraphs (a) through (d);
(2) by redesignating subsections (e) through (g) as subsections (a) through (c), respectively; and
(3) in subsection (a), as redesignated—
(A) in the matter preceding paragraph (1), by striking “Except as provided in subsection (c), the Commandant” and inserting “The Commandant”;
(B) in paragraph (1) by striking “Polar Sea” or;
(C) in paragraph (2) by striking “either of the vessels” and inserting “the Polar Star or the Polar Sea”;
and
(D) in paragraph (3) by striking “either of the vessels” each place it appears and inserting “the Polar Star”.
SEC. 822. STRATEGIC ASSETS IN THE ARCTIC.
(a) DEFINITION OF ARCTIC.—In this section, the term “Arctic” has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).
(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the Arctic continues to grow in significance to both the national security interests and the economic prosperity of the United States; and
(2) the Coast Guard must ensure it is positioned to respond to any accident, incident, or threat with appropriate assets.
(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Secretary of Defense and taking into consideration the Department of Defense 2016 Arctic Strategy, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress toward implementing the strategic objectives described in the United States Coast Guard Arctic Strategy dated May 2013.
(d) CONTENTS.—The report under subsection (c) shall include—
(1) a description of the Coast Guard’s progress toward each strategic objective identified in the United States Coast Guard Arctic Strategy dated May 2013;
(2) an assessment of the assets and infrastructure necessary to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy dated May 2013 based on factors such as—
(A) response time;
(B) coverage of the area;
(C) endurance on scene;
(D) presence; and
(E) deterrence;
(3) an analysis of the sufficiency of the distribution of National Security Cutters, Fast Response Cutters, and Fast response vessels stationed in various Alaskan ports and in other locations to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy, dated May 2013;
(4) plans to provide communications throughout the entire Coastal Western Alaskan Captain of the Port zone to improve waterway safety, mitigate close calls, collisions, and other dangerous interactions between the shipping industry and subsistence hunters;
(5) plans to prevent marine casualties, when possible, by ensuring vessels avoid environmentally sensitive areas and permanent security zones;
(6) an explanation of—
(A) whether it is feasible to establish a vessel traffic service, using existing resources or otherwise; and
(B) whether an Arctic Response Center of Expertise is necessary to address the gaps in experience, skills, equipment, resources, training, and experience that are required to respond to, and recover spilled oil in the Arctic; and
(7) an assessment of whether sufficient agreements are in place to ensure the Coast Guard is receiving the information it needs to carry out its responsibilities.
SEC. 823. ARCTIC PLANNING CRITERIA.
(a) ALTERNATIVE PLANNING CRITERIA.—
(1) IN GENERAL.—For purposes of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), the Commandant of the Coast Guard may approve a vessel response plan under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) for a vessel operating in any area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic, if the Commandant verifies that—
(A) equipment required to be available for response under the provisions of the Oil Pollution Act of 1990 is adequate and proven capable of operating in the environmental conditions expected in the area in which it is intended to be operated; and
(B) the operators such equipment have conducted training on the equipment within the area covered by such Captain of the Port Zone.
(2) POST-APPROVAL REQUIREMENTS.—In approving a vessel response plan under paragraph (1), the Commandant shall—
(A) require that the oil spill removal organization identified in the vessel response plan conduct regular exercises and drills using the response resources identified in the plan in the area covered by the Captain of the Port Zone that includes the Arctic; and
(B) allow such oil spill removal organization to take credit for a response to an actual spill or release in the area covered by such Captain of the Port Zone, instead of conducting an exercise or drill required under subparagraph (A), if the oil spill removal organization—
(i) has completed a minimum of 1 exercise or drill required under paragraph (1), including—
(ii) submits a request for credit to, and receives approval from, the Commandant.
(b) REPORT.—
(1) IN GENERAL.—Not later than 120 days after approval of a vessel response plan under subsection (a), the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the oil spill prevention and response capabilities for the area covered by the Captain of the Port Zone that includes the Arctic.
(2) CONTENTS.—The report submitted under paragraph (1) shall include—
(A) a description of equipment and assets available for response under the vessel response plans approved for vessels operating in the area covered by the Captain of the Port Zone, including details on any providers of such equipment and assets;
(B) a description of the location of such equipment and assets, including an estimate of the time of deployment and deployment equipment and assets is taken into account when measuring the equipment and assets available throughout the area covered by the Captain of the Port Zone;
(C) a determination of the compliance rate with Federal vessel response plan regulations for the area covered by the Captain of the Port Zone during the previous 3 years;
(G) a description of the resources needed throughout the area covered by the Captain of the Port Zone to conduct port assessments, exercises, response plan reviews, and spill responses;
(D) DEFINITION OF ARCTIC.—In this section, the term “Arctic” has the meaning given the term under section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).
SEC. 824. VESSEL RESPONSE PLAN AUDIT.
(a) PROCEDURE.—Within 1 year after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a comprehensive review of the processes and resources used by the Coast Guard to implement vessel response plan requirements under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).
(b) REQUIRED ELEMENTS OF REVIEW.—The review required under subsection (a) shall, at a minimum, include—
(1) a study, or an audit if appropriate, of the processes the Coast Guard uses—
(A) to approve the vessel response plans referred to in subsection (a); and
(B) to approve alternate planning criteria used in lieu of National Planning Criteria in approving such plans; and
(2) to verify compliance with such plans; and
(3) to act in the event of a failure to comply with the requirements of such plans;
(2) an examination of all Federal and State agency resources used by the Coast Guard in carrying out the processes identified under paragraph (1), including—
(A) the current staffing model and organization;
(B) data, software, simulators, systems, or other technology, including those pertaining to weather, oil spill trajectory modeling, and risk management;
(C) the total amount of time per fiscal year expended by Coast Guard personnel to approve and ensure compliance with vessel response plans; and
(D) the average amount of time expended by the Coast Guard for approval of, and verification of compliance with, a single vessel response plan;
(3) an analysis of how, including by what means or methods, the processes identified under paragraph (1) are implemented by the Coast Guard, including at the district and sector levels;
(C) are informed by public comment and engagement with States, Indian Tribes, and other regional stakeholders;
(D) ensure availability and adequate operational capability and capacity of required assets and equipment, including in cases in which contractual obligations may limit the availability of such assets and equipment for response operations; and
(E) provide for adequate asset and equipment mobilization time requirements, particularly with respect to—
(1) calculation and establishment of such requirements;
(2) verifying compliance with such requirements; and
(3) factoring in weather, including specific regional adverse weather as defined in section 155.1020 of title 33, Code of Federal Regulations, in calculating, establishing, and verifying compliance with such requirements;
(F) ensure response plan updates and vessel compliance when changes occur in response planning criteria, asset and equipment mobilization times, or regional response needs, such as trends in transportation of high gravity oils or changes in vessel traffic volume; and
(G) enable effective action by the Coast Guard in the event of a failure to comply with response plan requirements;
(4) recommendations regarding whether asset and equipment mobilization time requirements under approved vessel response plans can be met by the vessels to which they apply; and
(5) recommendations for improving the processes identified under paragraph (1), including recommendations regarding the sufficiency of Coast Guard resources dedicated to those processes.
SEC. 826. WATERS DEEMED NOT NAVIGABLE WATERS OF THE UNITED STATES FOR CERTAIN PURPOSES.
For purposes of the application of subtitle II of title 46, United States Code, to the Voluntary Haul Number CCAH106, the Illinois and Michigan Canal is deemed to be not navigable waters of the United States.
SEC. 828. DOCUMENTATION OF RECREATIONAL VESSELS.
Coast Guard personnel performing recreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform recreational vessel documentation under section 12114 of such title in any fiscal year in which—
(1) funds available for Coast Guard operating expenses may not be used for expenses incurred for recreational vessel documentation;
(2) fees collected from owners of yachts and credit card transactions are insufficient to pay expenses of recreational vessel documentation; and
(3) there is a backlog of applications for recreational vessel documentation.
SEC. 827. EQUIPMENT REQUIREMENTS; EXEMPTION FROM THROWABLE PERSONAL FLOATATION DEVICES REQUIREMENT.
Not later than one year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall—
(1) prescribe regulations in part 160 of title 46, Code of Federal Regulations, that treat a mariner’s credential that term is commonly used in the commercial whitewater rafting industry, as a type of lifesaving equipment; and
(2) revise section 175.17 of title 33, Code of Federal Regulations, to exempt rafts that are 16 feet or more overall in length from the requirements to carry an additional throwable personal flotation device when such a marine throw bag is onboard and accessible.
SEC. 828. VISUAL DISTRESS SIGNALS AND ALTERNATIVE USE.
(a) In General.—The Secretary of the department in which the Coast Guard is operating shall develop a performance standard for the alternative use and possession of visual distress alerting and locating signals as mandated by carriage requirements for recreational boats in subpart C of part 175 of title 33, Code of Federal Regulations.
(b) Regulations.—Not later than 180 days after the performance standard for alternative use and possession of visual distress alerting and locating signals is finalized, the Secretary shall prescribe part 175 of title 33, Code of Federal Regulations, to allow for carriage of such alternative signal devices.
SEC. 829. RADAR REFRESHER TRAINING.
Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall—
(1) leverage Coast Guard staff, resources, and capabilities; and
(2) ensure availability and adequate operating schedules of required vessels, including in cases in which the Coast Guard is operating shall—
(A) not later than 10 days after the date of enactment of this Act, and every 4 years thereafter;
(B) include in such report input from individual Captains of the Port and any feedback received from the commercial fishing vessel industry.
SEC. 831. ATLANTIC COAST PORT ACCESS ROUTE STUDY RECOMMENDATIONS.
Not later than 30 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of action taken to carry out the recommendations contained in the final report issued by the Atlantic Coast Port Access Study (ACPABIS) workgroup for which notice of availability was published March 14, 2016 (81 Fed. Reg. 13397).
SEC. 832. DRAWBRIDGES.
Section 5 of the Act entitled ‘‘An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes’’, approved August 18, 1894 (33 U.S.C. 599), is amended by adding at the end the following:
‘‘(d) TEMPORARY CHANGES TO DRAWBRIDGE OPERATING SCHEDULES.—Notwithstanding section 553 of title 5, United States Code, whenever a temporary change to the operating schedule of a drawbridge, lasting 180 days or less—
(1) is approved—
(A) the Secretary of the department in which the Coast Guard is operating shall—
(i) issue a deviation approval letter to the bridge owner; and
(ii) announce the temporary change in—
(I) the Local Notices to Mariners;
(II) a broadcast notice to mariners and through radio stations; or
(III) such other local media as the Secretary considers appropriate; and
(B) the bridge owner, except a railroad bridge owner, shall notify—
(i) the public by publishing notice of the temporary change in a newspaper of general circulation published in the place where the bridge is located; 
(ii) the department, agency, or office of transportation with jurisdiction over the roadway that abuts the approaches to the bridge; and
(iii) the law enforcement organization with jurisdiction over the roadway that abuts the approaches to the bridge; or
(2) is denied, the Secretary of the department in which the Coast Guard is operating shall—
(A) not later than 10 days after the date of receipt of the request, provide the bridge..."
owner in writing the reasons for the denial, including any supporting data and evidence used to make the determination; and

(B) provide the bridge owner a reasonable opportunity to submit additional evidence for each reason for the denial and request the resubmittal.

‘‘(e) DRAWBRIDGE MOVEMENTS.—The Secretary of the department in which the Coast Guard is operating, a drawbridge operator, or an employee or agent of the Secretary shall require a drawbridge operator to record each movement of the drawbridge in a logbook.

‘‘(f) REQUIREMENTS.—

(1) LOGBOOKS.—An operator of a drawbridge built across a navigable river or other water of the United States—

(‘‘a’’) that opens the draw of such bridge for the passage of a vessel, shall record in a logbook—

(i) the bridge identification and date of each opening;

(ii) the bridge tender or operator for each opening;

(iii) each time it is opened for navigation;

(iv) each time it is closed for navigation;

(v) the number and direction of vessels passing through during each opening;

(vi) the types of vessels passing through during each opening;

(vii) an estimated or known size (height, length or beam) of the largest vessel passing through during each opening;

(viii) for each vessel, the vessel name and registration number if easily observable; and

(ix) any other comments, malfunctions, or other comments; and

(B) that remains open to navigation but closes to allow for trains to cross, shall record in a logbook—

(i) the bridge identification and date of each opening;

(ii) the bridge tender or operator for each opening;

(iii) each time it is opened for navigation;

(iv) each time it is closed for navigation;

(v) the number and direction of vessels passing through during each opening;

(vi) the types of vessels passing through during each opening;

(vii) an estimated or known size (height, length or beam) of the largest vessel passing through during each opening;

(viii) for each vessel, the vessel name and registration number if easily observable; and

(ix) any other comments, malfunctions, or other comments; and

(2) REVIEW.—The Secretary of the department in which the Coast Guard is operating, a drawbridge operator, or an employee or agent of the Secretary shall review whether deviations from the posted operating schedule are impairing vehicular and pedestrian traffic; and

(3) INSPECTION.—The Secretary of the department in which the Coast Guard is operating, a drawbridge operator, or an employee or agent of the Secretary may inspect the logbook to ensure drawbridge movement is in accordance with the posted operating schedule.

‘‘(g) REQUIRED RECORDS.—

(1) Each drawbridge operator that opens the draw of such bridge for the passage of a vessel, shall record in a logbook—

(i) the bridge identification and date of each opening;

(ii) the bridge tender or operator for each opening;

(iii) each time it is opened for navigation;

(iv) each time it is closed for navigation;

(v) the number and direction of vessels passing through during each opening;

(vi) the types of vessels passing through during each opening;

(vii) an estimated or known size (height, length or beam) of the largest vessel passing through during each opening;

(viii) for each vessel, the vessel name and registration number if easily observable; and

(ix) any other comments, malfunctions, or other comments; and

(2) Review.—The Secretary of the department in which the Coast Guard is operating, a drawbridge operator, or an employee or agent of the Secretary shall review required under paragraph (1), the Secretary may request and review any information to carry out this section, including to prescribe the manner in which prospective passengers are to be notified under paragraph (1)(A).

‘‘(h) PENALTIES.—The penalties provided in section 330(c) of this title shall apply to a violation of this subsection.

‘‘(i) In addition to other applicable penalties, the Secretary may immediately withdraw a certificate of inspection for an exempted vessel described in subsection (a)(2) that does not comply with any requirement under subsection (b).

SEC. 835. VESSEL WAIVER.

(a) IN GENERAL.—Upon the date of enactment of this Act and notwithstanding section 3503(a)(2) and section 3503(b) of title 46, United States Code, the Secretary shall issue a certificate of documentation with coastwise and fishery endorsements to the certificated vessel.

(b) REPLACEMENT VESSEL.—The certificated vessel shall qualify as a replacement vessel for the vessel ‘‘AMERICA NO.1’’ (United States official number 610654) and not be precluded from operating as an Amendment 80 replacement vessel under the provisions of part 679 of title 33, Code of Federal Regulations.

(c) COAST GUARD REVIEW AND DETERMINATION.

(1) REVIEW.—Not later than 30 days after the date of enactment of this Act, the Secretary shall conduct a review of the use of certain foreign fabricated steel components in the hull or superstructure of the certificated vessel.

(2) DETERMINATION.—Based on the review conducted under paragraph (1), the Secretary shall determine whether the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code.

(3) REVOCATION.—If the Secretary determines under paragraph (2) that the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall immediately revoke the certificate of documentation issued under subsection (a).

(4) USE OF DOCUMENTS.—In conducting the review required under paragraph (1), the Secretary may request and review any information, correspondence, or documents related to the construction of the certificated vessel, including from the shipyard that constructed the certificated vessel and the purchaser of the certificated vessel.

(d) TERMINATION.—If the contract for purchase of the certificated vessel that is in effect as of the date of enactment of this Act is terminated, the purchasing party to that contract shall be prohibited from entering into a subsequent contract or agreement for purchase of such vessel.

(e) DEFINITIONS.—In this section:

(1) CERTIFICATED VESSEL.—The term ‘‘certificated vessel’’ means the vessel America’s Finest (United States official number 1276760).

(2) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

SEC. 836. TEMPORARY LIMITATIONS.

(a) LIMITATIONS.—

(1) IN GENERAL.—Upon the Coast Guard issuing a certificate of documentation with...
coastwise and fishery endorsements for the vessel “AMERICA’S FINEST” (United States official number 1276760) and during the calendar years 2012 through 2017; or
(b) the percentage of processing delivered by other vessels in any Bering Sea, Aleutian Islands, and Gulf of Alaska groundfish fisheries (including fisheries subject to a limited access privilege program created by the North Pacific Fishery Management Council, or community development quotas as described in section 306(c) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853(c))) that is equivalent to the total processing delivered by the vessels described in paragraph (2) in those fisheries in the calendar years 2012 through 2017 relative to the total allowable catch available in the calendar years 2012 through 2017.

SEC. 839. DRAWBRIDGES CONSULTATION.
(a) CONSULTATION.—In addition and subsequent to any rulemaking conducted under section 8 of the Federal Regulation of vessel discharges of agricultural washings; and
(b) Timing.—Consultation in subsection (a) shall occur after commencement of Amtrak passenger service between New Orleans, Louisiana and Orlando, Florida, and affected waterway users on changes to drawbridge operating schedules necessary to facilitate the On Time Performance of passenger trains. These changes to schedules shall not impact Coast Guard response times to operational missions.
(c) REPORT.—If after conducting the consultation required by subsection (b)(1), the Commandant finds that permanent changes to drawbridge operations are necessary to mitigate delays in the movement of trains described in subsection (a) and that those changes do not unreasonably obstruct the navigability of the affected waterways, then the Commandant shall submit those findings to the Committees on Transportation and Infrastructure of the House of Representatives.

TITLE IX—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 901. SHORT TITLE.
This title may be cited as the “Vessel Incidental Discharge Act of 2018”.

SEC. 902. PURPOSES, FINDINGS.
(a) PURPOSES.—The purposes of this title are—
(1) to provide for the establishment of uniform, environmentally sound standards and requirements for the discharge of pollutants into the navigable waters of the United States;
(2) to charge the Environmental Protection Agency with the primary responsibility for establishing standards relating to the discharge of pollutants from vessels; and
(3) to charge the Coast Guard with primary responsibility for prescribing, administering, enforcing, and enforcing regulations, consistent with the discharge standards established by the Environmental Protection Agency, for the design, construction, installation, and operation of the equipment and management practices required onboard vessels; and
(b) FINDINGS.—Congress finds that—
(1) the Environmental Protection Agency is the principal Federal authority charged under the Federal Water Pollution Control Act (33 U.S.C. 1321 et seq.) with regulating through the issuance of permits for the discharge of pollutants into the navigable waters of the United States;
(2) the Coast Guard is the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels; and
(3) during the period of 1973 to 2010—
(A) the Environmental Protection Agency promulgated regulations exempting certain discharges incidental to the normal operation of vessels from otherwise applicable permitting requirements of the Federal Water Pollution Control Act (33 U.S.C. 1321 et seq.) and
(B) Congress enacted laws on numerous occasions governing the regulation of discharges incidental to the normal operation of vessels, including—
(i) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.);
(ii) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);
(iii) the National Invasive Species Act of 1996 (16 U.S.C. 4701 note; Public Law 104–332);
(iv) section 415 of the Coast Guard Authorization Act of 1998 (Public Law 105–383; 112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 2001 note; Public Law 108–293), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residues;
(v) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (Public Law 106–298), which prohibited or limited certain vessel discharges in certain areas of Alaska;
(vi) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1992a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washing;
(i) the diversity or abundance of a native species; (ii) the ecological stability of; (iii) waters of the United States; or (iv) a contiguous zone; or (iii) a commercial, agricultural, aquacultural, or recreational activity that is dependent on; (i) waters of the United States; or (ii) waters of the contiguous zone.

(B) Ballast water.—(i) In general.—The term ‘ballast water’ means any water suspended matter, and other materials taken onboard a vessel— (1) to control or maintain trim, draught, stability, or stresses of the vessel, regardless of the means by which any such water or suspended matter is carried; or (2) during the cleaning, maintenance, or other operation of a ballast tank or ballast water management system of the vessel.

(ii) Exclusion.—The term ‘ballast water’ does not include any substance that is added to the water described in clause (i) that is directly related to the operation of a properly functioning ballast water management system.

(C) Ballast Water Discharge Standard.—The term ‘ballast water discharge standard’ means— (i) the numerical ballast water discharge standard established by section 151.311 or 151.2030 of title 33, Code of Federal Regulations (or successor regulations); or (ii) if a standard referred to in clause (i) is superseded by a numerical standard of performance under this subsection, that superseding standard.

(D) Ballast Water Exchange.—The term ‘ballast water exchange’ means the replacement of water in a ballast water tank using 1 of the following methods: (i) bow-through exchange, in which ballast water is flushed out by pumping in midocean water at the bottom of the tank, if possible, and continuously overflowing the tank from the top continuously until 3 full volumes of water have been changed to minimize the number of original organisms remaining in the tank; (ii) empty and refill exchange, in which ballast water taken on in ports, estuarine waters, or territorial waters is pumped out until the pump loses suction, after which the ballast water is replaced with midocean water.

(E) Ballast Water Management System.—The term ‘ballast water management system’ means a system or technology designed to control or manage the discharge of ballast water, including all ballast water treatment equipment, ballast tanks, pipes, pumps, and all associated control and monitoring equipment that processes ballast water— (i) to kill, render nonviable, or remove organisms; or (ii) to avoid the uptake or discharge of organisms.

(F) Best Available Technology Economically Achievable.—The term ‘best available technology economically achievable’ means— (i) best available technology economically achievable (within the meaning of section 301(b)(2)(A)); and (ii) best available technology (within the meaning of section 304(b)(2)(B)); and (iii) best available technology, as determined in accordance with section 125.3(d)(3) of title 40, Code of Federal Regulations (or successor regulations).

(G) Best Conventional Pollutant Control Technology.—The term ‘best conventional pollutant control technology’ means— (i) best conventional pollutant control technology (within the meaning of section 301(b)(2)(E)); and (ii) normal conventional pollutant control technology (within the meaning of section 304(b)(4)); and (iii) best conventional pollutant control technology, as determined in accordance with section 125.3(d)(2) of title 40, Code of Federal Regulations (or successor regulations).

(H) Best Management Practice.— (i) In General.—The term ‘best management practice’ means a schedule of activities, prohibitions of practices, requirements, rules, and other management practices to prevent or reduce the pollution of— (1) the waters of the United States; or (2) the waters of the contiguous zone.

(ii) Inclusions.—The term ‘best management practice’ includes any treatment requirement, operating procedure, or practice to— (1) vessel runoff; (2) spillage or leaks; (3) sludge or waste disposal; or (4) drainage from raw material storage.

(I) Best Practicable Control Technology Currently Available.—The term ‘best practicable control technology currently available’ means— (i) best practicable control technology currently available (within the meaning of section 301(b)(1)); and (ii) best practicable control technology currently available, as determined in accordance with section 125.3(d)(1) of title 40, Code of Federal Regulations (or successor regulations).

(J) Captain of the Port Zone.—The term ‘Captain of the Port Zone’ means a Captain of the Port Zone established by the Secretary pursuant to sections 92, 93, and 633 of title 14, United States Code.

(K) Empty Ballast Tank.—The term ‘empty ballast tank’ means a tank that— (i) has previously held ballast water that has been drained to the limit of the functional or operational capabilities of the tank (such as loss of suction); (ii) is recorded as empty on a vessel log; and (iii) contains unpumpable residual ballast water and sediment.

(L) Great Lakes Commission.—The term ‘Great Lakes Commission’ means the Great Lakes Commission established by article IV, section 6, of the compact of 1955 (P.L. 84–366; 70 Stat. 310). The term includes any successor to the commission.

(M) Great Lakes State.—The term ‘Great Lakes state’ means any of the States of— (i) Illinois; (ii) Indiana; (iii) Michigan; (iv) Minnesota; (v) New York; (vi) Ohio; (vii) Pennsylvania; and (viii) Wisconsin.

(N) Great Lakes System.—The term ‘Great Lakes system’ means the Great Lakes, as defined in section 118(a)(3).

(O) Marine Pollution Control Device.—The term ‘marine pollution control device’ means any equipment or management practice (or combination of equipment and a management practice), for installation or use onboard a vessel, that is— (i) designed to receive, retain, treat, control, or discharge a discharge incidental to the normal operation of a vessel; and (ii) determined by the Administrator and the Secretary, in consultation with the Great Lakes states, to be the most effective equipment or management practice (or combination of equipment and a management practice) to reduce the environmental impacts of the discharge, consistent with the factors for consideration described in paragraphs (4) and (5).

(P) Nonindigenous Species.—The term ‘nonindigenous species’ means an organism of a species that enters an ecosystem beyond the historic range of the species.

(Q) Organism.—The term ‘organism’ includes— (i) an animal; including any fish or fish eggs or larvae; (ii) a plant; (iii) a pathogen; (iv) a microbe; (v) a virus; (vi) a prokaryote (including any archean or bacterium); (vii) a fungus; and (viii) a protist.

(R) Pacific Coast Region.—(i) In General.—The term ‘Pacific Coast Region’ means any Federal or State water— (1) adjacent to the State of Alaska, California, Oregon, or Washington; and (2) extending from shore.
"(A) IN GENERAL.—Except as provided in subparagraph (B), this subsection applies to—

(i) any discharge incidental to the normal operation of a vessel; and

(ii) any discharge incidental to the normal operation of a vessel (such as most graywater) that is commingled with sewage, subject to the conditions that—

(I) nothing in this subsection prevents a State from regulating sewage discharges; and

(II) any such commingled discharge shall comply with all applicable requirements of—

(a) this subsection; and

(bb) any law applicable to discharges of sewage.

(B) EXCLUSION.—This subsection does not apply to any discharge incidental to the normal operation of a vessel—

(i) from—

(I) a vessel of the Armed Forces subject to subsection (a); and

(II) a recreational vessel subject to subsection (c);

(II) a small vessel or fishing vessel, except that this subsection shall apply to any discharge incidental to the normal operation of a vessel from a small vessel or fishing vessel; or

(IV) a floating craft that is permanently moored to a pier, including a ‘floating’ casino, marina, or entertainment or bar;

(ii) of ballast water from a vessel—

(I) that continuously takes on and discharges ballast water in a flow-through system, if the Administrator determines that system cannot materially contribute to the spread or introduction of an aquatic nuisance species into waters of the United States;

(II) in the National Defense Reserve Fleet that is scheduled for disposal, if the vessel does not possess a floatable ballast water management system;

(III) that discharges ballast water consisting solely of water taken onboard from a public or commercial source that, at the time the water is taken onboard, meets the applicable requirements or permit requirements of the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(IV) that carries all permanent ballast water in sealed tanks that are not subject to discharging ballastwater into a receiving facility;

(V) that only discharges ballast water into a reception facility;

(VI) that results from, or contains material derived from, the normal operation of the vessel, such as material resulting from an industrial or manufacturing process onboard the vessel; or

(VII) that the Administrator determines contributes to a violation of a water quality standard established under section 303, other than a water quality standard based on the presence of an aquatic nuisance species.

(C) CONTINUATION IN EFFECT OF EXISTING REQUIREMENTS.—

(A) VESSEL GENERAL PERMIT.—Notwithstanding the expiration date of the Vessel General Permit or any other provision of law, all provisions of the Vessel General Permit shall remain in force and effect, and shall not be modified, until the applicable date described in subparagraph (C).

(B) NONINDIGENOUS AQUATIC NUISANCE PREVENTION AND CONTROL ACT REGULATIONS.—Notwithstanding section 905(a)(2)(A) of the Vessel Incidental Discharge Act of 2018, all regulations promulgated by the Secretary pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection), including the regulations contained in parts 2.1 and 2.2 of part 151 of title 33, Code of Federal Regulations, and subpart 162.060 of part 162 of title 46, Code of Federal Regulations (as in effect on the day before that date of enactment), shall remain in force and effect until the applicable date described in subparagraph (C).

(C) EFFECTIVE BEGINNING ON THE DATE ON WHICH THE REQUIREMENTS PROMULGATED BY THE SECRETARY UNDER SUBPARAGRAPHS (A) AND (B) OF PARAGRAPH (5) WITH RESPECT TO EACH DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL THAT IS SUBJECT TO REGULATION UNDER THIS SUBSECTION ARE FINAL, EFFECTIVE, AND ENFORCEABLE REQUIREMENTS.—

(I) review the standards of performance in effect under this paragraph and

(ii) if appropriate, revise those standards of performance as necessary.
(b) as necessary to establish requirements for any discharge that is subject to regulation under this subsection.

(iii) MAINTAINING PROTECTIVENESS.—

(1) Except as provided in subparagraph (C), the requirements promulgated under this subsection shall be less stringent than an applicable existing requirement.

(2) EXCEPTION.—The Administrator may establish a less-stringent requirement than an applicable existing requirement—

(a) if the Administrator determines that the material technical mistake or misinterpretation of law occurred when promulgating the existing standard of performance or comparable requirement; or

(b) if the Administrator determines that the applicable requirement of the Vessel General Permit, or that the requirements promulgated by the Administrator under paragraph (4) of this subsection, as applicable (including the subsequent scarcity or unavailability of materials used to control the relevant discharge); and

(b) would have justified the application of a less-stringent standard of performance at the time of promulgation; or

(c) if the Administrator determines that a material technical mistake or misinterpretation of law occurred when promulgating the existing standard of performance or comparable requirement of the Vessel General Permit, as applicable.

(iv) IMPLEMENTATION, COMPLIANCE, AND ENFORCEMENT REQUIREMENTS.—

(A) IMPLEMENTATION.—Procedures developed to enforce the regulations promulgated by the Administrator under paragraph (4) with respect to a discharge, shall be sufficient to control the relevant discharge.

(B) COMPLIANCE ASSURANCE.—

(I) Implementation.—The Secretary shall promulgate the appropriate regulations governing the design, construction, testing, approval, installation, and use of marine pollution control devices as necessary to ensure compliance with the standards of performance promulgated under paragraph (4).

(II) Compliance Assurance.—

(a) General.—The Secretary shall promulgate regulations establishing Federal and State inspection, data management, and enforcement procedures for the enforcement of standards and requirements under this title.

(b) Enforcement.—If an enforcement action is necessary to control a discharge, the Secretary shall take appropriate enforcement action to control the discharge.

(c) Enforcement Action.—When enforcement action is necessary to control a discharge, the Secretary shall take enforcement action to control the discharge.

(2) PREVENTION OF DISCHARGE OF BALLAST WATER.—

(I) IN GENERAL.—Not later than 60 days after the date of enactment of this title, the Secretary, in coordination with the Governors of the States, shall develop and publish Federal and State inspection, data management, and enforcement procedures for the enforcement of standards and requirements under this title by States.

(II) PROCEDURES.—Procedures developed and published under paragraph (1)—

(A) may be periodically updated;

(B) shall describe the conditions and procedures under which the Secretary may suspend the agreement described in paragraph (A); and

(C) shall have a mechanism for the Secretary to provide to the Governor of a State, if requested by the Governor, access to Automated Identification System arrival data for

inbound vessels to specific ports or places of destination in the State.

(3) STATE ENFORCEMENT.—The Secretary shall enter into an agreement with the Governor of a State to authorize the State to inspect vessels to enforce the provisions of this title in accordance with the procedures developed under paragraph (2).

(4) ADDITIONAL PROVISIONS REGARDING BALLAST WATER.—

(A) IN GENERAL.—In addition to the other applicable requirements of this subsection, the requirements of this paragraph shall apply with respect to any discharge incidental to the normal operation of a vessel that is a discharge of ballast water.

(B) SMALL BALLAST TANKS.—

(i) REQUIREMENTS.—Except as provided in clause (ii), the owner or operator of a vessel with empty ballast tanks shall conduct a ballast water exchange or saltwater flush—

(1) not less than 200 nautical miles from any shore for a voyage originating outside the United States or Canadian exclusive economic zone; or

(2) not less than 50 nautical miles from any shore for a voyage within the Pacific Coast Region.

(ii) EXCEPTION.—Clause (i) shall not apply—

(1) if the unpumpable residual waters and sediments of an empty ballast tank were subject to treatment, in compliance with applicable requirements, through a type-approved ballast water management system approved by the Secretary;

(2) except as otherwise required under this subsection, if the unpumpable residual waters and sediments of an empty ballast tank were sourced within the same—

(a) port or place of destination; or

(b) the Port Zone;

(3) if complying with the requirement would compromise the safety of the vessel; or

(4) if design limitations of the vessel prevent a ballast water exchange or saltwater flush from being conducted in accordance with clause (1).

(5) PERIOD OF USE OF INSTALLED BALLAST WATER MANAGEMENT SYSTEMS.—

(I) IN GENERAL.—Except as provided in clause (ii), a vessel shall be deemed to be in compliance with a standard of performance for a marine pollution control device that is a ballast water management system—

(A) if the vessel has in effect a valid type-approval certificate issued by the Secretary.

(B) if the vessel is maintained and used in accordance with manufacturer specifications;

(III) continues to meet the ballast water discharge standard applicable to the vessel at the time of installation, as determined by the Secretary; and

(IV) if the design limitations of the vessel prevent a ballast water exchange or saltwater flush from being conducted in accordance with clause (I).

(6) ADDITIONAL PROVISIONS REGARDING BALLAST WATER MANAGEMENT SYSTEM TYPE-APPROVAL TESTING METHODS.—
(1) DEFINITION OF LIVE LIVING.—Notwithstanding any other provision of law (including regulations), for purposes of sections 151.1511 of title 33, and part 162 of title 46, Code of Federal Regulations (or successor regulations), the terms ‘live’ and ‘living’ shall not—

(i) include an organism that has been rendered nonviable;

(ii) preclude the consideration of any method of measuring the concentration of organisms in ballast water that are capable of reproduction;

(iii) DRAFT POLICY.—Not later than 180 days after the date of enactment of this subsection, the Secretary, in coordination with the Administrator, shall publish a draft policy letter describing type-approval testing methods and protocols for ballast water management systems, if any, that—

(I) render nonviable organisms in ballast water; and

(II) may be used in addition to the methods established under subpart 162.060 of title 46, Code of Federal Regulations (or successor regulations)

(aa) to measure the concentration of organisms in ballast water that are capable of reproduction;

(bb) to certify the performance of each ballast water management system under clause (ii); and

(cc) to evaluate laboratories to laboratory to laboratory the availability of test methodologies.

(III) PUBLIC COMMENT.—The Secretary shall provide a period of not more than 60 days for public comment regarding the draft policy letter published under clause (i).

(IV) FINAL POLICY.—

(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Administrator, shall publish a final policy letter describing type-approval testing methods, if any, for ballast water management systems that render nonviable organisms in ballast water.

(II) METHOD OF EVALUATION.—The ballast water management systems under subclause (I) shall be evaluated by measuring the concentration of organisms in ballast water that are capable of reproduction based on the best available science that may be used in addition to the methods established under subpart 162.060 of title 46, Code of Federal Regulations (or successor regulations).

(III) NOTIFICATION OF DETERMINATION.—The Secretary shall revise the final policy letter under subclause (I) in any case in which the Secretary, in coordination with the Administrator, determines that testing methods are capable of measuring the concentration of organisms in ballast water that have not been rendered nonviable.

(IV) FACTORS FOR CONSIDERATION.—In developing a policy letter under this subpart, the Secretary, in coordination with the Administrator—

(I) shall take into consideration a testing method that uses organism grow-out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction;

(aa) organisms greater than or equal to 50 micrometers; and

(bb) organisms less than or equal to 50 micrometers;

(II) shall not take into consideration a testing method that relies on a staining method that measures the concentration of any organism growing out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction;

(aa) organisms greater than or equal to 50 micrometers; and

(bb) organisms less than or equal to 50 micrometers;

(7) PETITIONS BY GOVERNORS FOR REVIEW.—

(A) IN GENERAL.—The Governor of a State (or a designee) may submit to the Administrator a petition for a regulation promulgated pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) relating to the terms ‘live’ or ‘living’ or any standard of performance, regulation, or policy promulgated under paragraph (4), (5),

or (6), respectively, if there exists new information that could reasonably result in a change to—

(i) the standard of performance, regulation, or policy;

(ii) a determination on which the standard of performance, regulation, or policy was based.

(B) INCLUSION.—A petition under subparagraph (A) shall include a description of any applicable scientific or technical information that forms the basis of the petition.

(8) PROHIBITION.—

(I) TIMING.—The Administrator or the Secretary, as applicable, shall grant or deny a petition under subparagraph (A) not later than the date that is 1 year after the date on which the petition is submitted.

(II) NOTICE OF REVISON.—If the Administrator or the Secretary determines under clause (i) to grant a petition, the Administrator or the Secretary shall publish in the Federal Register, by not later than 30 days after the date of that determination, a notice of proposed rulemaking to revise the relevant standard or requirement, regulation, or policy under paragraph (4), (5), or (6), as applicable.

(III) NOTICE OF DENIAL.—If the Administrator or the Secretary determines under clause (i) to deny a petition, the Administrator or the Secretary shall publish in the Federal Register, by not later than 30 days after the date of that determination, a detailed justification for the determination.

(IV) REVIEW.—A determination by the Administrator or the Secretary under clause (i) to deny a petition shall be—

(I) considered to be a final agency action; and

(II) subject to judicial review in accordance with section 509, subject to clause (v).

(9) EXCEPTIONS.—

(I) VENUE.—Notwithstanding section 509(b), a petition for review of a determination by the Administrator or the Secretary under clause (i) to deny a petition submitted by the Governor of a State under subparagraph (A) may be filed in any United States district court of competent jurisdiction.

(II) DEADLINE FOR FILING.—Notwithstanding section 509(b), a petition for review of a determination under clause (I) shall be filed by not later than 180 days after the date on which the determination is published in the Federal Register under clause (III).

(III) PROHIBITION.—

(A) IN GENERAL.—It shall be unlawful for any person to—

(I) a provision of the Vessel General Permit in force and effect under paragraph (3)(A); or

(ii) a regulation promulgated pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) as in effect on the day before the date of enactment of this subsection) in force and effect under paragraph (3)(B); or

(iii) an applicable requirement or regulation under this subsection.

(B) COMPLIANCE REQUIREMENTS.—Effective beginning on the effective date of a regulation promulgated under paragraph (4), (5), (6), or (10), as applicable, it shall be unlawful for the owner or operator of a vessel subject to the regulation—

(i) to discharge any discharge incidental to the normal operation of a vessel into the waters of the contiguous zone, except in compliance with the regulation; or

(ii) to operate in waters of the United States within the contiguous zone, except in compliance with the regulation; or

(B) COMPLIANCE REQUIREMENTS.—Effective beginning on the effective date of a regulation promulgated under paragraph (4), (5), (6), or (10), as applicable, it shall be unlawful for the owner or operator of a vessel subject to the regulation—

(i) to discharge any discharge incidental to the normal operation of the vessel into the waters of the contiguous zone, except in compliance with the regulation; or

(ii) to operate in waters of the United States within the contiguous zone, except in compliance with the regulation; or

(B) COMPLIANCE REQUIREMENTS.—Effective beginning on the effective date of a regulation promulgated under paragraph (4), (5), (6), or (10), as applicable, it shall be unlawful for the owner or operator of a vessel subject to the regulation—

(i) to discharge any discharge incidental to the normal operation of the vessel into the waters of the contiguous zone, except in compliance with the regulation; or

(ii) to operate in waters of the United States within the contiguous zone, except in compliance with the regulation.  

(C) AFFIRMATIVE DEFENSE.—No person shall be found to be in violation of this paragraph if—

(i) the violation was in the interest of ensuring the safety of life at sea, as determined by the Administrator; and

(ii) the applicable emergency circumstance was not the result of negligence or malfeasance on the part of—

(I) the owner or operator of the vessel;

(II) the master of the vessel; or

(III) the person in charge of the vessel.

(II) TREATMENT.—Each day of continuing violation of an applicable requirement of this subsection shall constitute a separate offense.

(10) IN REM LIABILITY.—A vessel operated in violation of this subsection is liable in rem for any civil penalty assessed for the violation.

(11) PETITIONS FOR REVIEW.—The Secretary shall withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of this subsection.

(9) EFFECT ON OTHER LAWS.—

(A) STATE AUTHORITY.—In general.—Except as provided in clauses (ii) through (v) and paragraph (10), effective beginning on the date on which the requirements promulgated by the Secretary under subparagraphs (B), (C), and (D) of paragraph (5) with respect to every discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection are final, effective, and enforceable, no State, political subdivision of a State, or interstate agency may adopt or enforce any law, regulation, or other requirement that authorizes, requires, or establishes any discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection and that takes precedence over or relates to this subsection.

(II) COENFORCEMENT.—Clause (i) shall not apply to any law, regulation, or other requirement of the United States, a State, political subdivision of a State, or interstate agency—

(I) that is identical to a Federal requirement under this subsection applicable to the relevant discharge; or

(II) compliance with which would be achieved concurrently in achieving compliance with a Federal requirement under this subsection applicable to the relevant discharge.

(11) ENFORCEMENT PROCEDURES.—A State may enforce any standard of performance or requirement promulgated under this subsection in accordance with the regulations promulgated by the Secretary under paragraph (5)(D)(ii).

(12) EXCEPT FOR CERTAIN FEES.—

(I) IN GENERAL.—Subject to subclauses (II) and (III), a State that assesses a permit fee, inspection fee, or other fee relating to the permitting, discharging, or enforcing activities by the State to achieve compliance with the applicable requirements of this subsection.

(II) MAXIMUM AMOUNT.—

(A) IN GENERAL.—Except as provided in item (bb), a State may assess a fee for activities under this clause equal to not more than
$1,000 against the owner or operator of a vessel that—

"(AA) has operated outside of that State; and

"(BB) arrives at a port or place of destination in the State (excluding movement entirely within a single port or place of destination)

"(BB) VESSELS ENGAGED IN COASTWISE TRADE.—A State may assess against the owner or operator of a vessel registered in accordance with applicable Federal law and lawfully engaged in the coastwise trade not more than $5,000 in fees under this clause per vessel during a calendar year.

"(III) EFFECTIVE PERIOD.—A State may adjust the amount of a fee authorized under this clause not more frequently than once every 5 years to reflect the percentage by which the Consumer Price Index for All Urban Consumers published by the Department of Labor for the month of October immediately preceding the date of adjustment exceeds the Consumer Price Index for All Urban Consumers published by the Department of Labor for the month of October that immediately precedes the date that is 5 years before the date of adjustment.

"(v) ALASKA GRAYWATER.—Clause (i) shall not apply with respect to any discharge of graywater (as defined in section 1414 of the Consolidated Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763A–323)) from a passenger vessel (as defined in section 2101 of title 33) in the waters of the State of Alaska (including all waters in the Alexander Archipelago) carrying 50 or more passengers.

"(vii) PRESERVATION OF AUTHORITY.—Nothing in this subsection preempts any State law, public initiative, referendum, regulation, requirement, or other State action, except as expressly provided in this subsection.

"(B) ESTABLISHED REGIMES.—Except as expressly provided in this subsection, nothing in this subsection shall apply to any vessel or other vessel subject to a vessel of any other provision of Federal law, including—

"(i) this section;

"(ii) section 311;

"(iii) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.); and


"(C) PERMITTING.—Effective beginning on the date of enactment of this subsection—

"(i) the Small Vessel General Permit is repealed;

"(ii) the Administrator, or a State in the case of a permit program approved under section 302, shall not require, or in any way modify, the condition for—

"(I) any discharge that is subject to regulation under this subsection or

"(II) any discharge incidental to the normal operation of a vessel from a small vessel or fishing vessel, regardless of whether that discharge is subject to regulation under this subsection.

"(D) EFFECT ON CIVIL OR CRIMINAL ACTIONS.—Nothing in this subsection, or any standard, regulation, or requirement established under this subsection, modifies or otherwise affects, preempts, or displaces—

"(i) any cause of action; or

"(ii) any provision of Federal or State law establishing a remedy for civil relief or criminal penalties.

"(E) NO EFFECT ON CERTAIN SECRETARIAL AUTHORITY.—Nothing in this subsection affects the authority of the Secretary of Commerce, the Secretary of the Interior, or any other officer of the President to administer any land or waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior, respectively.

"(10) ADDITIONAL REGIONAL REQUIREMENTS.—

"(A) ENHANCED GREAT LAKES SYSTEM REQUIREMENTS.—

"(i) PETITIONS BY GOVERNORS FOR PROPOSED ENHANCED STANDARDS AND REQUIREMENTS.—

"(II) SUBMISSION.—A Governor shall submit a petition under clause (i), in writing, to—

"(AA) the Executive Director of the Great Lakes Commission, in such manner as may be prescribed by the Great Lakes Commission;

"(BB) the Governor of each other Great Lakes State; and

"(CC) the Director of the Great Lakes National Program Office established by section 118(b).

"(III) PRELIMINARY ASSESSMENT BY GREAT LAKES COMMISSION.—

"(AA) IN GENERAL.—After the date of receipt of a petition under clause (II)(aa), the Great Lakes Commission (acting through the Great Lakes Commission Office) may—

"(BB) have the preliminary views of any, if any, of the Great Lakes Commission on the propriety of the proposed standard or requirement described in the petition;

"(CC) PROVISIONS.—The preliminary assessment developed by the Great Lakes Commission under clause (ii) may adjust the amount of a fee authorized under this subsection.

"(BB) EFFECT ON FEDERAL REVIEW.—If, after the date of adjustment, the Federal Register for public comment—

"(I) COORDINATION TO DEVELOP PROPOSED STANDARD OR REQUIREMENT.—After the expiration of the public comment period for the petition under subclause (I), any interested Governor of a Great Lakes State may work in coordination with the Great Lakes Commission to develop a proposed standard or requirement applicable to a discharge referred to in the petition.

"(II) EFFECTIVE PERIOD.—A proposed standard or requirement developed under subclause (II) may differ from the proposed requirement described in a petition published under item (aa).

"(CC) N O RESPONSE REQUIRED.—Notwithstanding any other provision of law, a Governor of a Great Lakes State that endorses a proposed standard or requirement developed under subclause (I) shall—

"(AA) be developed—

"(BB) after notice and opportunity for public comment on the petition published under subclause (I); and

"(CC) taking into consideration the preliminary assessment, if any, of the Great Lakes Commission under clause (ii),

"(bb) be specifically endorsed in writing by—

"(AA) the Governor of each Great Lakes State, if the proposed standard or requirement would impose additional equipment requirements on a vessel; or

"(BB) Governors of Great Lakes States, if the proposed standard or requirement would not impose any additional equipment requirements on a vessel; and

"(cc) in the case of a proposed requirement to prohibit 1 or more types of discharge regulated under this subsection, whether treated or not treated, into waters within the Great Lakes system, only apply within the waters of the Great Lakes State of 1 of the Governors endorsing the proposed requirement under item (bb).

"(DD) PROMULGATION BY ADMINISTRATOR AND SECRETARY.—

"(II) SUBMISSION.—

"(AA) IN GENERAL.—The Governors endorsing a proposed standard or requirement under clause (ii)(III)(bb) may jointly submit to the Administrator and the Secretary for approval each proposed standard of performance or other requirement developed and endorsed pursuant to clause (ii).

"(BB) EFFECT.—Each submission under item (aa) shall include an explanation regarding why the application of the proposed standard of performance or other requirement is—

"(BB) INCLUSION.—Each submission under item (aa) shall include an explanation regarding why the application of the proposed standard of performance or other requirement is—

"(AA) at least as stringent as a comparable standard of performance or other requirement under this subsection;

"(BB) in accordance with maritime safety; and

"(CC) in accordance with applicable maritime and navigation laws and regulations.

"(CC) WITHDRAWAL.—

"(AA) IN GENERAL.—The Governor of any Great Lakes State that endorses a proposed standard or requirement under clause (ii)(III)(bb) may withdraw the endorsement by not later than the date that is 90 days after the date on which the Administrator and the Secretary receive the proposed standard or requirement described in a petition published under item (aa).

"(BB) EFFECT ON FEDERAL REVIEW.—If, after the withdrawal of an endorsement

shall not be required to provide a response to any comment received in response to the publication of a petition or preliminary assessment under item (aa).
under subitem (AA), the proposed standard or requirement does not have the applicable number of endorsements under clause (ii)(III)(bb), the Administrator and the Secretary shall terminate the review under this clause.

‘(dd) DISSENTING OPINIONS.—The Governor of a Great Lakes State that does not endorse a proposed standard or requirement under clause (ii)(III)(bb) may submit to the Administrator and the Secretary any dissenting opinions of the Governor.

‘(ee) NOTICE.—On receipt of a proposed standard of performance or other requirement under subclause (I), the Administrator and the Secretary shall publish in the Federal Register a joint notice that, at minimum—

‘(aa) states that the proposed standard or requirement is publicly available; and

‘(bb) includes public comment regarding the proposed standard or requirement during the 90-day period beginning on the date of receipt by the Administrator and the Secretary of the proposed standard or requirement.

‘(ff) IN GENERAL.—As soon as practicable after the date of publication of a joint notice under subclause (II)—

‘(aa) the Administrator shall commence a review of each proposed standard of performance or other requirement covered by the notice to determine whether that standard or requirement is at least as stringent as comparable standards and requirements under this subsection; and

‘(bb) the Secretary shall commence a review of each proposed standard of performance or other requirement covered by the notice to determine whether that standard or requirement is in accordance with maritime safety, or inconsistent with applicable maritime and navigation laws and regulations.

‘(gg) CONSULTATION.—In carrying out item (aa), the Administrator and the Secretary—

‘(AA) shall consult with the Governor of each Great Lakes State and representatives from the Federal and provincial governments of Canada;

‘(BB) shall take into consideration any relevant data or public comments received under subclause (II)(bb); and

‘(CC) shall not take into consideration any preliminary assessment by the Great Lakes Commission under clause (i)(III), or any dissenting opinion under subclause (I)(dd), except to the extent that the dissenting opinion is relevant to the criteria for the applicable determination under item (aa).

‘(hh) ACTION ON APPROVAL.—On approval by the Administrator and the Secretary of a proposed standard of performance or other requirement under subclause (IV)(bb)—

‘(aa) the Administrator shall establish, by regulation, the proposed standard or requirement within the Great Lakes System in lieu of any comparable standard or other requirement promulgated under paragraph (i); and

‘(bb) the Secretary shall establish, by regulation, any requirements necessary to implement, ensure compliance with, and enforce the standard or requirement item (aa), or to apply the proposed requirement in lieu of any comparable requirement promulgated under paragraph (i).

‘(ii) NO JUDICIAL REVIEW FOR CERTAIN ACTIONS.—An action or inaction of a Governor under clause (i) shall not be subject to judicial review.

‘(jj) GREAT LAKES COMPACT.—Nothing in this subsection shall limit, alter, or amend the Great Lakes Compact to which Congress granted consent in the Act of July 24, 1969 (Public Law 90–419).

‘(kk) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Great Lakes Commission $5,000,000, to be available until expended.

‘(ll) MINIMUM PACIFIC COAST REGION REQUIREMENTS.—

‘(I) DEFINITION OF COMMERCIAL VESSEL.—In this subparagraph, the term ‘commercial vessel’ means a vessel operating between—

‘(i) 2 ports or places of destination within the Pacific Coast Region; or

‘(ii) a port or place of destination within the Pacific Coast Region and a port or place of destination on the Pacific Coast of Canada or Mexico on a parallel 20 degrees north latitude, inclusive of the Gulf of California.

‘(II) BALLAST WATER EXCHANGE.—

‘(A) IN GENERAL.—Except as provided in subclause (I) and clause (IV), the owner or operator of a commercial vessel that trans-ports ballast water sourced from waters with a measured salinity of less than 18 parts per thousand and voyages to a Pacific Coast Region port or place of destination—

‘(aa) not more than 50 nautical miles from shore, if the ballast water was sourced from a Pacific Coast Region port or place of destination; or

‘(bb) more than 50 nautical miles from shore, if the ballast water was not sourced from a Pacific Coast Region port or place of destination.

‘(B) EXCEPTION.—Subclause (I) shall not apply to a commercial vessel using, in compliance with applicable requirements, a type-approved ballast water management system approved by the Secretary for treating freshwater at the concentrations prescribed in that subclause.

‘(III) GENERAL EXCEPTIONS.—The requirements of clauses (ii) and (iii) shall not apply to a commercial vessel if—

‘(A) complying with the requirement would compromise the safety of the commercial vessel;

‘(B) design limitations of the commercial vessel prevent a ballast water exchange from being conducted in accordance with clause (ii) or (iii), as applicable; and

‘(C) the volume of ballast water—

‘(aa) is certified by the Secretary as having no residual ballast water or sediments onboard;

‘(bb) retains all ballast water while in waters subject to those requirements; or

‘(cc) establishes a no-discharge zone.

‘(I) STATE PROHIBITION.—Subject to clause (ii), after the effective date of regulations promulgated by the Secretary under paragraph (5), if any State determines that the protection and enhancement of the quality of some or all of the waters within the State may be impaired by the introduction of ballast water, the State may prohibit 1 or more types of discharge regulated under this subsection, whether treated or not treated, into such waters.

‘(II) APPLICABILITY.—A prohibition by a State under clause (i) shall not apply until the date on which the Administrator makes the applicable determinations described in clause (iii).

‘(III) PROHIBITION BY ADMINISTRATOR.—
“(I) DETERMINATION.—On application of a State, the Administrator, in concurrence with the Secretary (subject to subclause (II)), shall, by regulation, prohibit the discharge of oil or more discharges subject to regulation under this subsection, whether treated or not treated, into the waters covered by the application if the Administrator determines that—

(aa) the protection and enhancement of the quality of the specified waters within the State require a prohibition of the discharge into those waters;

(bb) adequate facilities for the safe and sanitary removal and treatment of the discharge are reasonably available for the water and the vessels to which the prohibition would apply;

(cc) the discharge can be safely collected and stored until a vessel reaches a discharge facility or another location; and

(dd) in the case of an application for the prohibition of discharges of ballast water in a port (or in any other location where cargo, passengers, or fuel are loaded and unloaded)—

(AA) the adequate facilities described in item (bb) are reasonably available for commercial vessels, after considering, at a minimum, water depth, dock size, pumpout facility capacity and flow rate, availability of year-round proximity to navigation routes, and the ratio of pumpout facilities to the population and discharge capacity of commercial vessels operating in those waters; and

(BB) the prohibition will not unreasonably interfere with the safe loading and unloading of cargo, passengers, or fuel.

(II) CONCURRENCE WITH SECRETARY.—

(aa) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to a prohibition under subclause (I).

(bb) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under subclause (I) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under item (aa) shall not prevent the Administrator from prohibiting the relevant discharge in accordance with subclause (III), subject to the condition that the Administrator shall include in the administrative record of the promulgation—

(A) documentation of the request submitted under item (aa); and

(B) in paragraph (2), the provision to the Administrator to any written objections received from the Secretary relating to the proposed standard of performance during the 60-day period beginning on the date of submission of the request.

(III) TIMING.—The Administrator shall approve or disapprove an application submitted under subclause (I) by not later than 90 days after the date on which the application is submitted to the Administrator.

(D) MAINTENANCE IN EFFECT OF MORE-STRINGENT STANDARDS.—In any case in which a requirement established under this paragraph is more stringent or environmentally protective than a comparable requirement established under paragraph (4), (5), or (6), the more-stringent or more-protective standard shall control.”.

(2) REPLACES.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act, the following provisions of law are repealed:


(B) CONFORMING AMENDMENTS.—Section 1312 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 1427) is amended—

(i) in subsection (c)(1), by inserting “(as in effect on the day before the date of enactment of the Vessel Incidental Discharge Act of 2018)” after “section 1101(b)”; and

(ii) in subsection (c)(1)(B), if of the date of enactment of the Vessel Incidental Discharge Act of 2018” after “section 1101(b)”.  

(b) REGULATIONS FOR USE OF MARINE POLLUTION CONTROL DEVICES.—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) is amended—

(1) by striking subsections (a) through (f) and inserting “(a) in subsection (c)(1), by inserting “(as in effect on the day before the date of enactment of the Vessel Incidental Discharge Act of 2018)” after “section 1101(b)”; and

(ii) in subsection (c)(1), if of the date of enactment of the Vessel Incidental Discharge Act of 2018” after “section 1101(b)”.  

(2) in subsection (c)(2), by striking “device or of vessels” and inserting “device, marine pollution control device equipment, or vessels”;

(3) in paragraph (12)(B)—

(i) in clause (ii), by striking “or” at the end; and

(ii) by adding at the end the following:

“(iv) a discharge of sewage; or

(v) discharge occurring as a result of a vessel not being used as a means of transportation on water, including a discharge occurring—

(I) at any time when the vessel is being prepared for transport by land from 1 body of water to another;

(II) solely as a result of the vessel being used as—

(aa) an energy facility;

(bb) a mining facility;

(cc) a storage facility; or

(dd) a seafood processing vessel; or

(III) at any time when the vessel is secured to the bed of the contiguous zone for the purpose of mineral or oil exploration or development;

(bb) the bed of the contiguous zone for the purpose of mineral or oil exploration or development;

(cc) the bed of the ocean for the purpose of mineral or oil exploration or development; or

(dd) a buoy for the purpose of mineral or oil exploration or development; and

(C) in paragraph (13), in the matter preceding subparagraph (A), by inserting “except as provided in subsection (p),” after “means”;

(3) in subsection (e)—

(A) by inserting “or marine pollution control device equipment” after “marine sanitation device” each place it appears;

(B) in paragraph (1), by inserting “(or equipment)” after “such device”; and

(C) in paragraph (2)—

(i) by inserting “(or equipment)” after “the device” each place it appears; and

(ii) by inserting “after” after “test device”; and

(D) in paragraph (3)—

(1) by inserting “(or equipment)” after “the device” each place it appears; and

(2) by striking “(i) after” and inserting the following:

“(ii) the Secretary provides to the owner or operator of the vessel a notice of the intent to detain.”.

(2) PRESERVATION OF FEDERAL ENFORCEMENT AUTHORITY.—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1321) is amended—

(A) in section (a)(3), by striking “316” and inserting “316(p), 318”;

(B) in subsection (c), by striking “318” each place it appears and inserting “318(p), 318”;

(C) in subsection (d), in the first sentence—

(i) by striking “318” and inserting “318(p), 318,”; and
(D) in subsection (g)(1)(A), by striking "318" and inserting "312(p), 318".

(3) PRESERVATION OF PUBLIC ENFORCEMENT AUTHORITY.—Section 505(f) of the Federal Water Pollution Control Act (33 U.S.C. 1365(f)) is amended by striking "(5) certification of clean ballast water under this section that follows through the period at the end and inserting the following:

"(5) a standard of performance or requirement under section 312(p); (6) a certification under section 401; (7) a permit or condition of a permit issued under section 402 that is in effect under this Act (including a requirement under section 313); or (8) a regulation under section 405(d)."

(4) REVIEW.—Section 509(b) of the Federal Water Pollution Control Act (33 U.S.C. 1369(b)) is amended by adding at the end the following:

"(4) DISCHARGES INCIDENTAL TO NORMAL OPERATIONS OF VESSELS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), any interested person may file a petition for review of a final agency action under section 312(p) of the Administrator, or the Secretary of the department in which the Coast Guard is operating, in accordance with the requirements of this subsection.

"(B) VENUE EXCEPTION.—Subject to section 312(p)(7)(C)(v), a petition for review of a final agency action under section 312(p) of the Administrator or the Secretary of the department in which the Coast Guard is operating may be filed only in the United States Court of Appeals for the District of Columbia Circuit.

(D) LOGBOOK REQUIREMENTS.—Section 1310(b)(3) of title 46, United States Code, is amended by adding at the end the following:

"(3) A vessel fails to carry out ballast water management requirements as applicable and pursuant to regulations promulgated by the Secretary, including when the vessel fails to carry out ballast water management requirements due to an allowed safety exemption, a statement regarding the failure to comply and the circumstances under which the failure occurred, made immediately after the failure, when practicable to do so.

(e) QUAGGA MUSSEL.—Section 24(a)(1) of title 18, United States Code, is amended by adding at the end the following:

"(B) the term "quagga mussel" means—

(i) the species Dreissena bugensis; or

(ii) the species Dreissena polymorpha;"

(f) COASTAL AQUATIC INVASIVE SPECIES MITIGATION GRANT PROGRAM AND MITIGATION FUND.—

(1) DEFINITIONS.—In this subsection:

(A) COASTAL ZONE.—The term "coastal zone" means the term defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(B) ELIGIBLE ENTITY.—The term "eligible entity" means—

(i) a State;

(ii) a unit of local government;

(iii) an Indian Tribe;

(iv) a nongovernmental organization; and

(v) an institution of higher education.

(C) EXCLUSIVE ECONOMIC ZONE.—The term "exclusive economic zone" means the Exclusive Economic Zone of the United States, as established by Presidential Proclamation 5030, dated March 10, 1983 (16 U.S.C. 1453 note).

(D) FOUNDATION.—The term "Foundation" means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(E) FUND.—The term "Fund" means the Coastal Aquatic Invasive Species Mitigation Fund established by paragraph (3)(A).

(F) PROGRAM.—The term "Program" means the Coastal Aquatic Invasive Species Mitigation Grant Program established under paragraph (2)(A).

(G) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(2) GRANT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary and the Foundation shall establish a program to be known as the "Coastal Aquatic Invasive Species Mitigation Grant Program", under which the Secretary and the Foundation shall award grants to eligible entities in accordance with this paragraph.

(B) PURPOSES.—The purposes of the Program are—

(i) to improve the understanding, prevention, and mitigation of, and response to, aquatic invasive species in—

(I) the coastal zone; and

(II) the Exclusive Economic Zone;

(ii) to support the prevention and mitigation of impacts from aquatic invasive species in the coastal zone; and

(iii) to support the restoration of Pacific Island habitats, marine, estuarine, and Great Lakes environments in the coastal zone and the Exclusive Economic Zone that are impacted by aquatic invasive species.

(C) USE OF GRANTS.—

(1) IN GENERAL.—A grant award under the Program shall be used for an activity to carry out the purposes of the Program, including an activity—

(i) to develop and implement procedures and programs to prevent, control, mitigate, or progressively eradicate aquatic invasive species in the coastal zone or the Exclusive Economic Zone, particularly in areas with high numbers of established aquatic invasive species;

(ii) to restore habitat impacted by an aquatic invasive species;

(iii) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species;

(iv) to develop mitigation measures to protect natural and cultural living resources, including shellfish, from the impacts of aquatic invasive species; or

(v) to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from the impacts of aquatic invasive species.

(2) PROGRAM.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a watch list of candidate aquatic nuisance species that may be introduced into the coastal zone; and

(iii) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species;

(v) to develop mitigation measures to protect natural and cultural living resources, including shellfish, from the impacts of aquatic invasive species; or

(v) to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from the impacts of aquatic invasive species.

(E) DIRECTOR.—The term "Director" means the Director of the Great Lakes National Program Office established by section 118(b) of the Federal Water Pollution Control Act (33 U.S.C. 1286(b)).

(D) GREAT LAKES SYSTEM.—The term "Great Lakes System" has the meaning given in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1286(a)(3)).

(E) PROGRAM.—The term "Program" means the Great Lakes Invasive Species Monitoring Program established under paragraph (2)(A).

(F) ESTABLISHMENT OF PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish within the Great Lakes National Program Office a program, to be known as the Great Lakes Invasive Species Monitoring Program—

(i) in collaboration with—

(I) the Director of the United States Fish and Wildlife Service; and

(II) the Administrator of the National Oceanic and Atmospheric Administration; and

(III) the Director of the United States Geological Survey; and

(ii) in consultation with—

(I) the head of Great Lakes Aquatic Non-Native Species Information System of the Great Lakes; and

(II) the Administrator of the National Oceanic and Atmospheric Administration; and

(III) the Director of the United States Geological Survey.

(B) PURPOSES.—The purposes of the Program shall be—

(i) to monitor for the introduction and spread of aquatic nuisance species into or within the Great Lakes System;

(ii) to detect newly introduced aquatic nuisance species prior to the establishment of the nuisance species in the Great Lakes;

(iii) to inform, and assist with, management and response actions to prevent or stop the introduction and spread of aquatic nuisance species;

(iv) to establish a watch list of candidate aquatic nuisance species that may be introduced into the Great Lakes System, that may survive and establish, within the Great Lakes System; and

(v) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species; and

(v) to develop mitigation measures to protect natural and cultural living resources, including shellfish, from the impacts of aquatic invasive species; or

(v) to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from the impacts of aquatic invasive species.

(E) DIRECTOR.—The term "Director" means the Director of the Great Lakes National Program Office established by section 118(b) of the Federal Water Pollution Control Act (33 U.S.C. 1286(b)).

(D) GREAT LAKES SYSTEM.—The term "Great Lakes System" has the meaning given in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1286(a)(3)).

(E) PROGRAM.—The term "Program" means the Great Lakes Invasive Species Monitoring Program established under paragraph (2)(A).

(F) ESTABLISHMENT OF PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish within the Great Lakes National Program Office a program, to be known as the Great Lakes Invasive Species Monitoring Program—

(i) in collaboration with—

(I) the Director of the United States Fish and Wildlife Service; and

(II) the Administrator of the National Oceanic and Atmospheric Administration; and

(III) the Director of the United States Geological Survey; and

(ii) in consultation with—

(I) the head of Great Lakes Aquatic Non-Native Species Information System of the Great Lakes; and

(II) the Administrator of the National Oceanic and Atmospheric Administration; and

(III) the Director of the United States Geological Survey.

(B) PURPOSES.—The purposes of the Program shall be—

(i) to monitor for the introduction and spread of aquatic nuisance species into or within the Great Lakes System; and

(ii) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species; and

(ii) to detect newly introduced aquatic nuisance species prior to the establishment of the nuisance species in the Great Lakes;
(v) to monitor vectors likely to be contributing to the introduction or spread of aquatic nuisance species, including ballast water operations.

(3) METHODOLOGY.—The Program shall seek—
(A) to build on existing aquatic nuisance species monitoring efforts in the Great Lakes System;
(B) to advance early detection and monitoring, and capacity to control the establishment and spread of aquatic nuisance species within the Great Lakes System;
(C) to identify opportunities to interdict the introduction and spread of aquatic nuisance species through sound science and technological advancements;
(D) to assess the risk of aquatic nuisance species introduction and spread via the range of vectors active within the Great Lakes System;
(E) to immediately make available to the public information regarding—
(i) the detection of new aquatic nuisance species within the Great Lakes System;
(F) to annually submit to appropriate individuals to the Great Lakes Program a report describing the findings and activities of the Program; and
(G) to identify roles and responsibilities of Federal, State, and Tribal agencies in aquatic nuisance species monitoring and response.

(4) COLLABORATION.—In carrying out and developing the Program, the Director shall collaborate with—
(A) applicable Federal, State, local, and Tribal agencies; and
(B) such other research entities or stakeholders as the Director determines to be appropriate.

(5) DATA AVAILABILITY.—The Director shall—
(A) make the data collected under the Program available on a publicly accessible internet website, including in an annual summary report;
(B) in coordination with the entities identified under paragraph (4), develop communication and notification protocols for the purpose of communicating the range of aquatic nuisance species and any identification of a new aquatic nuisance species introduced to the Great Lakes System;
(C) make the data collected under subparagraph (A) available to the public in a searchable and fully retrievable electronic format.

(6) HYDROGRAPHIC SERVICES.
(A) IN GENERAL.—Not later than December 31, 2019, the Director shall submit to Congress a report summarizing the outcomes of activities carried out under the Program.
(B) In paragraph (2), the report under subparagraph (A) shall include—
(i) a description of activities carried out under the Program, including an explanation of how those activities help to achieve the purposes described in paragraph (2)(B);
(ii) an analysis of Federal, State, and local efforts to enhance multidisciplinary approaches to achieve the purposes described in paragraph (2)(B);
(iii) recommendations relating to activities that would contribute to achievement of the purposes described in paragraph (2)(B); and
(iv) recommendations to improve the efficiency and effectiveness of the Program.

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the Program $10,000,000 for each of fiscal years 2019 through 2023.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—
(1) Section 1102(f) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1984 (33 U.S.C. 1222(f)) is amended by striking paragraph (2) and inserting the following:

(2) BALLAST WATER REPORTING REQUIREMENTS.—
"(A) IN GENERAL.—The owner or operator of a vessel subject to this title shall submit to the National Ballast Information Clearinghouse, by not later than 6 hours after the arrival of the vessel at a United States port or place of destination, the ballast water management report prepared by the Office of Management and Budget numbered OMB 1625-0069 (or a successor form), unless the vessel is operating exclusively on a voyage between ports or places within a single Captain of the Port Zone.
"(B) MULTIPLE DISCHARGES.—The owner or operator of a vessel subject to this title may submit a single report under paragraph (A) for multiple ballast water discharges within a single port or place of destination during the same voyage.
"(C) ADVANCE REPORT TO STATES.—A State may require the owner or operator of a vessel subject to this title to submit directly to the State, or to an appropriate regional forum, a ballast water management report form—
(i) not later than 24 hours prior to arrival at a United States port or place of destination in the State, if the voyage of the vessel is anticipated to last 24 hours or more;
(ii) before departing the port or place of departure, if the voyage of the vessel to the United States import or place of destination is not anticipated to exceed 24 hours.
"(D) VESSEL REPORTING DATA.—
"(i) A DISSEMINATION TO STATES.—On receipt of a ballast water management report under paragraph (2), the National Ballast Information Clearinghouse shall—
(I) in the case of a form submitted electronically by means other than electronically, disseminate the report to interested States as soon as practicable.
"(ii) AVAILABILITY TO PUBLIC.—Not later than 30 days after the date of receipt of a ballast water management report under paragraph (2), the National Ballast Information Clearinghouse shall make the data in the report fully and readily available to the public in a searchable and fully retrievable electronic format.
"(E) SUBMISSION.—The Secretary shall—
(i) submit each report under this paragraph to—
(I) the Task Force;
(ii) the Smithsonian Institution (acting through the Smithsonian Environmental Research Center).
(ii) make each report available to the public.
"(F) WORKING GROUP.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall establish a working group, including members from the National Ballast Information Clearinghouse and States with ballast water management programs, to establish a process for compiling and readily sharing Federal and State ballast water enforcement data regarding compliance with this Act.
"(2) Section 1285 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended—
(A) in the third sentence, by striking "Compliance" and inserting the following:
"(i) the Secretary of Commerce;
(B) in the second sentence, by striking "Nothing" and inserting the following:
"(ii) EFFECT OF TITLE.—"(i) IN GENERAL.—Except as provided in paragraph (2), nothing";
(C) in the first sentence, by striking "All actions" and inserting the following:
"(ii) CONSISTENCY WITH ENVIRONMENTAL LAWS.—All actions"; and
(D) in subsection (a) (as so designated), by adding at the end the following:
"(ii) $2,000,000 is authorized for use to acquire hydrographic services in the Arctic necessary to ensure safe navigation; and
"(iii) $29,923,000 for each of fiscal years 2019 through 2023.
"(3) by adding at the end the following:

(a) REAUTHORIZATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 802d) is amended—
(1) in the matter before paragraph (1), by striking "There" and inserting the following:
"(a) IN GENERAL.—There are";
(2) in subsection (a) (as designated by paragraph (1))—
(A) in paragraph (1), by striking "surveys—" and all that follows through the end of the paragraph and inserting "surveys, $70,814,000 for each of fiscal years 2019 through 2023";
(B) in paragraph (2), by striking "vessels—" and all that follows through the end of the paragraph and inserting "vessels, $25,000,000 for each of fiscal years 2019 through 2023";
(C) in paragraph (3), by striking "Administration—" and all that follows through the end of the paragraph and inserting "Administration—$29,923,000 for each of fiscal years 2019 through 2023."
"(d) in paragraph (4), by striking "title—" and all that follows through the end of the paragraph and inserting "title, $26,800,000 for each of fiscal years 2019 through 2023;" and
(E) in paragraph (5), by striking "title—" and all that follows through the end of the paragraph and inserting "title—$10,000,000 is authorized for use in the Arctic—"; and
(F) to provide hydrographic services; and
(C) to conduct coastal change analyses necessary to ensure safe navigation;
(D) to improve the management of coastal change; and
(E) to reduce risks of harm to subsistence and coastal communities associated with increased international maritime traffic; and
"(i) $10,000,000 is authorized for use in the Arctic—"; and
"(ii) to provide hydrographic services; and
"(iii) to conduct coastal change analyses necessary to ensure safe navigation; and
"(iv) to improve the management of coastal change; and
"(2) by striking incidental; and
"(A) to acquire hydrographic data;" and
"(B) to acquire hydrographic data and provide hydrographic services in the Arctic necessary to
delineate the United States extended Continental Shelf.’’

(b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 3501 et seq.) is further amended by adding at the end the following:

‘‘(c) LIMITATION ON ADMINISTRATIVE EXPENSES.—The term ‘administrative expense’ as so defined by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.’’

SEC. 1002. SYSTEM FOR TRACKING AND REPORTING ALL-INCLUSIVE COST OF HYDROGRAPHIC SURVEYS.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall—

(1) implement a system to track and report the full cost to the Department of Commerce of hydrographic data collection, including costs relating to vessel acquisition, vessel repair, and administration of contracts to procure data; and

(2) evaluate measures for comparing cost per unit effort in addition to measures of cost per nautical mile, and

(b) submit to the Committee on Commerce, Science, and Transportation of the Senate the report required by subsection (a).

(c) DEVELOPMENT OF STRATEGY FOR INCREASED CONTRACTING WITH NONGOVERNMENTAL ENTITIES FOR HYDROGRAPHIC DATA COLLECTION.—Not later than 180 days after the date on which the Secretary completes the activities required by subsection (a), the Secretary shall develop a strategy for how the National Oceanic and Atmospheric Administration will increase contracting with nongovernmental entities for hydrographic data collection in a manner that is consistent with the requirements of the Ocean Act (Public Law 111–11; 33 U.S.C. 3501 et seq.).

SEC. 1003. HOMEPORT OF CERTAIN RESEARCH VESSELS.

(a) ACCEPTANCE OF FUNDS AUTHORIZED.—The Secretary of Commerce may accept non-Federal funds for the purpose of the construction of a new port facility, including obtaining such cost estimates, designs, and permits as may be necessary to facilitate the homeporting of the R/V FAIRWEATHER in a new, existing, or reactivated research vessel to be homeported in St. Petersburg, Florida, at a location that during such homeporting shall be under the administrative jurisdiction of the Under Secretary of Commerce for Oceans and Atmosphere.

(b) STRATEGIC PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Natural Resources of the House of Representatives a strategic plan for implementing subsection (a).

(c) U.S. GOVERNMENT FUNDS AUTHORIZED.—The Secretary may accept non-Federal funds for the purpose of the construction of a new port facility, including obtaining such cost estimates, designs, and permits as may be necessary to facilitate the homeporting of a new, existing, or reactivated research vessel in the city of St. Petersburg, Florida, at a location that during such homeporting shall be under the administrative jurisdiction of the Under Secretary of Commerce for Oceans and Atmosphere, and

(d) STRATEGIC PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a strategic plan for construction or acquisition of the facilities needed to allow for an oceanographic research vessel to be homeported in St. Petersburg, Florida. The strategic plan shall include an estimate of funding needed to construct such facilities.

SA 4055. Mr. McCONNELL (for Mr. CORKER) proposed an amendment to the bill H.R. 390, to provide relief for victims of genocide, crimes against humanity, and war crimes, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘Iraq and Syria Genocide Relief and Accountability Act of 2018.’’

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Secretary of State of State declared on March 16, 2016, and on August 15, 2016, that Daesh (also known as the Islamic State of Iraq and Syria or ISIS) is responsible for genocide, crimes against humanity, and other atrocities crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yazidis, and Shia, among other religious and ethnic groups.

(2) According to the Department of State’s annual reports on international religious freedom:

(A) the number of Christians living in Iraq has dropped from an estimated 800,000 to 1,400,000 in 2002 to fewer than 250,000 in 2017; and

(B) the number of Yazidis living in Iraq has dropped from 500,000 in 2013, to between 350,000 and 400,000 in 2016, and between 600,000 and 750,000 in 2017.

(3) The annual reports on international religious freedom further suggest that—

(A) Christian communities living in Syria, which had accounted for between 8 and 10 percent of Syria’s total population in 2010, are now ‘‘considerably’’ smaller as a result of the civil war, and

(B) there was a population of approximately 80,000 Yazidis before the commence ment of the conflict in Syria.

(4) Local communities and entities have sought to mitigate the impact of violence directed against ethnic minorities in Iraq and Syria, including the Chaldean Catholic Archdiocese of Erbil (Kurdistan Region of Iraq), which has used predominantly private funds to provide assistance to internally displaced Christians, Yazidis, and Muslims throughout the greater Erbil region, while significant needs and diminished resources make it increasingly difficult to continue these efforts.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term appropriate congressional committees means

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the House of Representatives;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Select Committee on Intelligence of the Senate;

(F) the Committee on Foreign Affairs of the Senate;

(G) the Committee on the Judiciary of the House of Representatives;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Committee on Appropriations of the House of Representatives; and

(J) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FOREIGN TERRORIST ORGANIZATION.—The term foreign terrorist organization means an organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(3) HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.—The term humanitarian, stabilization, and recovery needs means with respect to an individual, includes water, sanitation, hygiene, food security and nutrition, shelter and housing, reconstruction, medical, education, psychosocial needs, and other assistance to address basic human needs, including stabilization assistance as defined by the Stabilization Assistance Review in ‘‘A Framework for Maximizing the Effectiveness of U.S. Government Efforts to Stabilize Conflict-Affected Areas, 2018.’’

(4) HYBRID COURT.—The term hybrid court means a court with the support of domestic and international lawyers, judges, and personnel.

(5) INTERNATIONALIZED DOMESTIC COURT.—The term internationalized domestic court means a domestic court with the support of international advisers.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to ensure that assistance for humanitarian, stabilization, and recovery needs of individuals who are or were nationals and residents of Iraq, and other countries and from those countries, is directed toward those individuals and communities with the greatest need, including those individuals who are from communities of religious and ethnic minorities, and communities of religious and ethnic minorities, and that the Secretary of State declared were targeted for genocide, crimes against humanity, or war crimes, and have been identified as being at risk of persecution, forced migration, genocide, crimes against humanity, or war crimes.

SEC. 5. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ FOR GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

(a) ASSISTANCE.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance, as necessary and appropriate, to support the efforts of governments and non-governmental organizations with expertise in international criminal investigations and law, to address genocide, crimes against humanity, or war crimes, and their constituent crimes by ISIS in Iraq by—

(1) conducting criminal investigations;

(2) developing indigenous investigative and judicial units, including training, direct mentoring, and providing necessary equipment and infrastructure to effectively adjudicating cases through due process and respect for the rule of law; and

(3) collecting and preserving evidence and the chain of evidence, including for use in prosecutions in domestic courts, hybrid courts, and international courts, consistent with the activities described in subsection (b).

(b) ACTIONS BY FOREIGN GOVERNMENTS.—The Secretary of State, in consultation with the Attorney General, the Secretary of Homeland Security, the Director of National Intelligence, and the Federal Bureau of Investigation, shall encourage governments of foreign—
taken, and efforts proposed to be taken, to implement the provisions of this Act;

(2) an assessment of—

(A) the feasibility and advisability of pros-ecuting ISIS members for whom credible evi- dence exists of having committed genocide, crimes against humanity, or war crimes; and

(B) the resources needed—

(i) to ensure effective criminal investiga- tions of such individuals; and

(ii) to effectively collect and preserve evi- dence, and preserve the chain of evidence, for prosecution; and

(3) recommendations for legislative reme- dies and administrative actions to facilitate the implementation of this Act.

(b) FORM.—The report required under sub- section (a) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

SA 4056. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill H.R. 2422, to provide relief for vic- tims of genocide, crimes against hu- manity, and war crimes.

Amend the title so as to read: “An Act to pro-vide relief for victims of genocide, crimes against humanity, and war crimes; and for other purposes.”

SA 4057. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 2422, to amend the Public Health Service Act to improve essen-tial oral health care for low-income and other underserved individuals; and for other purposes; as follows:

SEC. 1. SHORT TITLE. This Act may be cited as the Action for Dental Health Act of 2018.

SEC. 2. ORAL HEALTH EDUCATION. (a) IN GENERAL.—Section 399LL of the Public Health Service Act (42 U.S.C. 280k) is amended—

(1) in subsection (a) —

(A) in the subsection heading, by inserting “OF ORAL HEALTH EDUCATION CAMPAIGN” after “establishment”; and

(B) by striking “focused on oral healthcare prevention and education” and inserting “focused on oral health education”;

(2) in subsection (b), in the matter pre-ceding paragraph (1), by striking “campaign” and inserting “campaign under sub-section (a)”;

(3) by striking subsection (c) and inserting the following:

“(c) ACTION FOR DENTAL HEALTH PRO-GRAM.—

“(1) IN GENERAL.—The Secretary, in con-sultation with the Director of the Centers for Disease Control and Prevention and the Administrator of the Health Resources and Services Administration, may award grants, contracts, or cooperative agreements to eli-gible entities to collaborate with State or local public health officials, tribal or local health of-ficials, oral health professional organiza-tions, and others, as appropriate, to develop and implement initiatives to improve oral health services, prevent dental disease, and reduce barriers to the provision of dental services, including—

“(A) through community-wide dental dis-ease prevention programs; and

“(B) by increasing public awareness and education related to oral health and dental disease prevention.”

(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, an entity shall be—

(A) a dental association;

(B) a State or tribal health department or State or tribal oral health program;

(C) an accredited dental education, dental hygiene, or postdoctoral dental education program; or

(D) a non-profit community-based organi-zation that has expertise related to private non-profit entities, such as an academic in-stitution, to facilitate the provision of den-tal services to underserved populations.”;

(c) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representa-tives, a report on the outcomes and effective-ness of programs and activities conducted under sections 399LL and 399LL-1 of the Public Health Service Act (42 U.S.C. 280k and 280k-1).

SEC. 3. GRANTS FOR INNOVATIVE PROGRAMS. Section 340G of the Public Health Service Act (42 U.S.C. 280g) is amended—

(1) in subsection (b)(4) —

(A) in subparagraph (B), by striking “and” and inserting “, and”;

(B) by adding at the end the following: “(D) the establishment or development of models for the provision of dental services to children and adults, such as dental homes, including for the elderly, blind, individuals with disabilities, and individuals living in long-term care facilities; and

(E) the establishment of initiatives to re-duce the use of emergency departments by individuals who seek dental services more appropriately delivered in a dental primary care setting’’; and

(2) in subsection (f), by striking “$25,000,000 for the 5-fiscal year period beginning with fiscal year 2008” and inserting “$15,363,000 for each of fiscal years 2019 through 2023”.

SA 4058. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill H.R. 3342, to impose sanctions with respect to foreign persons that are re sponsible for using civilians as human shields, and for other purposes; as follows:

SEC. 1. SHORT TITLE. This Act may be cited as the “Sanctioning the Use of Civilians as Defenseless Shields Act.”

SEC. 2. STATEMENT OF POLICY. It shall be the policy of the United States to officially and publicly condemn the use of innocent civilians as human shields.

SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ARE RESPONSIBLE FOR THE USE OF CIVILIANS AS HUMAN SHIELDS.

(a) IMPOSITION OF SANCTIONS.—
MANDATORY SANCTIONS.—The President shall impose sanctions described in subsection (d) with respect to each person on the list required under subsection (b).

(2) KNOWLEDGE SANCTIONS.—The President may impose sanctions described in subsection (d) with respect to each person on the list described in subsection (c).

(b) EXCEPTIONS—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a list of the following:

(1) Each foreign person that the President determines, on or after the date of the enactment of this Act—

(A) is a member of Hamas or is knowingly acting on behalf of Hamas; and

(B) knowingly supports, orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack.

(2) Each foreign person that the President determines, on or after the date of the enactment of this Act—

(A) is a member of Hamas or is knowingly acting on behalf of Hamas; and

(B) knowingly orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack.

(3) Each foreign person or agency or instrumentality of a foreign state that the President determines, on or after the date of the enactment of this Act, knowingly supports, orders, controls, directs, or otherwise engages in—

(A) any act described in subparagraph (B) of paragraph (a) by a person described in that paragraph; or

(B) any act described in subparagraph (B) of paragraph (a) by a person described in that paragraph.

(c) PERMISSIVE SANCTIONS LIST.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a list of each foreign person that the President determines, on or after the date of the enactment of this Act, knowingly orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack.

(4) REGULATORY AUTHORITY.—

(a) IN GENERAL.—The President may exercise all authorities under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(b) ISSUANCE OF REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the President shall prescribe such regulations as may be necessary to implement this section.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under this section or any prohibition, condition, or penalty imposed as a result of any such finding.

(d) WAIER.—The President may waive the application of sanctions under this section if the President determines and reports to the appropriate congressional committees that such waiver is in the national security interest of the United States.

SEC. 4. DEFINITIONS.

In this Act:

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) AGENT OR INSTRUMENTALITY OF A FOREIGN STATE.—The term "agency or instrumentality of a foreign state" has the meaning given that term in section 219 of the United States Code.
The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 9:30 a.m., to conduct a hearing on China and Russia.

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 10 a.m., to conduct a hearing entitled "Exploring the cryptocurrency and blockchain ecosystem."

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 10 a.m., to conduct a hearing.

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 10:30 a.m., to conduct a hearing on the following nominations: John Mark Pommersheim, of Florida, to be Ambassador to the Republic of Tajikistan, William H. Moser, of North Carolina, to be Ambassador to the Republic of Kazakhstan, and Donald Armin Blome, of Illinois, to be Ambassador to the Republic of Tunisia, all of the Department of State.

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 11 a.m., to conduct a business meeting and hearing on the following nominations: Jonathan A. Koses, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, Kenneth D. Bell, to be United States District Judge for the District of Maryland, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Carl J. Nichols, to be United States District Judge for the District of Columbia, John M. O'Conn, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be United States District Judge for the Northern District of Illinois.

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Thursday, October 11, 2018, during the first vote, to conduct a hearing.

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 2 p.m., to conduct a closed hearing.

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

notices of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 9:30 a.m., to conduct a hearing.

The filing date for the 2018 third quarter Mass Mailing report is Thursday, October 25, 2018. An electronic option is available on Webster that will allow you to submit a fillable pdf document. If your office did not use mass mailings during this period, please submit a form that states "none."

Mass mailing registrations or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. (9:00 a.m. to 5:00 p.m. when the Senate is not in session). For further information, please contact the Senate Office of Public Records at (202) 224–0322.

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, October 11, 2018, at 10 a.m., to conduct a hearing.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 376, H.R. 2615.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1037) to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be ordered to be considered.

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1037) was ordered to a third reading, was read the third time, and passed.

GULF ISLANDS NATIONAL SEA-SHORE LAND EXCHANGE ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 376, H.R. 2615.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2615) to authorize the exchange of certain land located within the Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources, with amendment to the act after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gulf Islands National Seashore Land Exchange Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term “Federal land” means the parcel of approximately 1.542 acres of land that is located within the Gulf Islands National Seashore in Jackson County, Mississippi, and identified as “NPS Exchange Area” on the Map.

(2) MAP.—The term “Map” means the map entitled “Gulf Islands National Seashore, Proposed Land Exchange with VFW, Davis Bayou Area—Jackson County, MS”, numbered 655/13309, and dated June 2016.

(3) NON-FEDERAL LAND.—The term “non-Federal land” means the parcel of approximately 2.161 acres of land that is located in Jackson County, Mississippi, and identified as “VFW Exchange Area” on the Map.

(4) POST.—The term “Post” means the Veterans of Foreign Wars Post 5699.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EXCHANGE.

(a) IN GENERAL.—The Secretary may convey to the Post all right, title, and interest of the United States in and to the Federal land in exchange for the conveyance by the Post to the Secretary of the Interior, all of the Post’s right, title, and interest of the non-Federal land.

(b) EQUAL VALUE EXCHANGE.—(1) IN GENERAL.—The values of the Federal land and non-Federal land to be exchanged under this section shall be equal, as determined by an appraisal conducted—

(A) by a qualified and independent appraiser; and

(B) in accordance with nationally recognized appraisal standards.

(2) EQUALIZATION.—If the values of the Federal land and non-Federal land to be exchanged under this section are not equal, the values shall be equalized through—

(A) purchases of, or by, the Post; or

(B) adjustments to the acreage of the Federal land or non-Federal land to be exchanged, as applicable.

(c) PAYMENT OF COSTS OF CONVEYANCE.—(1) PAYMENT REQUIRED.—As a condition of the exchange authorized under this section, the Secretary shall require the Post to pay to the Secretary the costs to be incurred by the Secretary, or to reimburse the Secretary for the costs incurred by the Secretary, to carry out the exchange, including—

(A) survey costs; and

(B) any costs relating to environmental documentation; and

(C) any other administrative costs related to the land exchange.

(2) REFUND.—If the Secretary collects amounts from the Post under paragraph (1) before the Secretary incurs the actual costs and the amount collected by the Secretary exceeds the costs actually incurred by the Secretary to carry out the land exchange under this section, the Secretary shall provide to the Post a refund of the excess amount paid by the Post.

(3) TREATMENT OF CERTAIN AMOUNTS RECEIVED.—No amounts received by the Secretary from the Post as reimbursement for costs incurred under paragraph (1) shall be—

(A) credited to the fund or account from which costs were used to pay the costs incurred by the Secretary in carrying out the land exchange;
Mr. MCCONNELL. I ask unanimous consent that the bill be ordered to the third reading, read the third time, and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6758) was ordered to a third reading, was read the third time, and passed.

IRAQ AND SYRIA GENOCIDE EMERGENCY RELIEF AND ACCOUNTABILITY ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 227, H.R. 390.

The PRESIDING OFFICER. The Senate proceeded to consider the bill, which was read the third time, and passed.
(3) urges all parties to the conflict—
(A) to immediately halt indiscriminate attacks on civilians;
(B) to allow for the delivery of humanitarian and humanitarian assistance; and
(C) to end sieges of civilian populations;
(4) calls on the President to support efforts in Syria, and of the international community, to ensure accountability for war crimes, crimes against humanity, and genocide committed during the conflict; and
(5) authorizes the United Nations Security Council resolutions 2139 (2014), 2165 (2014), and 2191 (2014) for the Secretary-General to regularly report to the Security Council on the implementation of resolutions, including paragraph 2 of Resolution 2139, which “demands that all parties immediately put an end to all forms of violence [and] cease and desist from perpetuating war crimes, crimes against humanity, and violations and abuses of human rights”.

SEC. 3. SENSE OF CONGRESS ON THE URGENT NEED FOR A POLITICAL SOLUTION TO THE CRISIS IN SYRIA.

(a) FINDINGS.—Congress makes the following findings:
(1) The transnational Salafi-jihadi organizations Islamic State in Iraq and Syria (ISIS) and al Qaeda are utilizing the conflict in Syria and the actions of the Assad regime to recruit and mobilize ISIL-style support.
(2) The crisis in Syria has led to the creation of terrorist safe havens controlled by ISIS and al Qaeda, along with other extremist groups, which have become bases from which to engage in direct, and inspire attacks against the United States and its allies and partners.
(3) The spread of violence perpetuated by the civil war in Syria and the flow of refugees is a threat to the security of our allies in the Middle East and Europe, placing immense demand and humanitarian burdens on Syria’s neighbors, most notably Lebanon, Jordan, Turkey, and Iraq.
(4) The Syrian conflict has allowed Iran’s Islamic Revolutionary Guard Corps and its proxies to increase their influence in parts of Syria and potentially threaten Israel’s borders.
(5) The United Nations Security Council resolutions 2132 (2016), 2268 (2016), and 2194 (2014) call for the implementation of a cessation of hostilities in Syria and reaffirm the international community’s support for the immediate, durable, and successful liberation of foreign terrorist workers throughout the Syrian Arab Republic.
(6) The United Nations High Commissioner for Refugees estimates that the conflict in Syria has created over 5,000,000 refugees and 6,300,000 internally displaced persons.
(7) Widespread and systematic attacks on civilians, schools, hospitals, and other civilian infrastructure, in violation of international humanitarian law, continue in Syria, in particular as result of the actions of the Assad regime and its Russian and Iranian supporters.
(8) Amnesty International has documented evidence of mass human rights abuses of detainees at the Assad Regime’s Saydnaya Military Prison, and summary execution by hanging of an estimated 5,000 to 13,000 detainees between September 2011 and December 2015.
(9) The regime of Bashar al-Assad has repeatedly blocked civilian access to or diverted humanitarian assistance, including medical supplies, from besieged and hard-to-reach areas, in violation of United Nations Security Council resolutions.
(11) The Governments of the Russian Federation and Iran have supported the Assad regime, perpetuated the conflict, and deployed tactics and strategies that have caused grave harm to civilians, including their conduct in the siege of eastern Aleppo which may constitute war crimes and crimes against humanity.
(12) The United States Government has provided nearly $6,000,000,000 since 2011 in humanitarian assistance to communities and people directly impacted, including $364,000,000 that will be provided in fiscal year 2017 for refugees and other people displaced by the Syrian conflict.
(13) The United States Armed Forces are leading the Global Coalition to Counter ISIS and are deployed with Coalition allies within the territory of Syria and are working by, with, and through local partners to defeat ISIS and stabilize territory taken from it.

(b) SENSE OF CONGRESS.—Congress—
(1) urges all parties to the conflict in Syria, particularly the Russian Federation, Iran, and Iraqi-backed militias, to immediately halt indiscriminate attacks, the imposition of starvation sieges, and other forms of warfare directed against civilians and civilian infrastructure;
(2) strongly urges all parties to the conflict to respect the safety, security, independence, and impartiality of humanitarian workers and medical professionals, and to contribute to deliver aid, particularly in areas of Syria controlled by opposition forces;
(3) encourages the President to make it the policy of the United States to continue to coordinate a comprehensive and generous response to the humanitarian crisis in Syria, including assistance and development and protection of human rights inside Syria and in the region;
(4) urges all parties in Syria to support the immediate and full implementation of United Nations Security Council Resolution 2268 (2016), which calls for a cessation of hostilities in the conflict, except with respect to ISIS and al Qaeda and their affiliated organizations, and to facilitate the provision of humanitarian assistance and reconstruction of war-affected communities in Syria;
(5) affirms that the elimination of al Qaeda and ISIS safe havens in Syria from which those organizations can plan and launch attacks against the United States and its partners is a vital national security interest of the United States;
(6) affirms that the stability of key European and Middle Eastern partners is vital to the national security of the United States, and preventing the Syrian conflict from undermining that stability is a top priority for the United States;
(7) calls on the international community to continue to support neighboring countries and host communities who are generously supporting refugees and internally displaced persons fleeing the conflict in Syria;
(8) calls on the President to continue the active participation of the United States Government in a robust and effective diplomatic process to achieve a political agreement to the Syrian conflict; and
(9) urges the President to develop and submit to the Committees on Foreign Relations and Armed Services of the House of Representatives, and Committees on Foreign Affairs and Armed Services of the House of Representatives, the report on the status of strategy for providing long-term stability and security in areas freed from ISIS in Syria.

SEC. 4. DEFINITIONS.
In this Act:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—
(A) the Committee on Foreign Relations of the Senate;
(B) the Committee on Armed Services of the Senate;
(C) the Committee on Appropriations of the Senate;
(D) the Committee on Foreign Affairs of the House of Representatives;
(E) the Committee on Armed Services of the House of Representatives; and
(F) the Committee on Appropriations of the House of Representatives.

(2) GENOCIDE.—The term “genocide” means any offense described in section 1051(a) of title 18, United States Code.

(3) HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.—The term “humanitarian, stabilization, and recovery needs” means—
(A) to immediately halt indiscriminate attacks, the imposition of starvation sieges, and other forms of warfare directed against civilians and civilian infrastructure;
(B) the Committee on Appropriations of the House of Representatives.

(4) HYBRID TRIBUNAL.—The term “hybrid tribunal” means a temporary criminal tribunal that involves a combination of domestic and international law, judges, and other professionals to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide.

(5) INTERNATIONALIZED DOMESTIC COURT.—The term “internationalized domestic court” means a domestic court with the support of international adjudicators.

(6) TRANSITIONAL JUSTICE.—The term “transitional justice” means a range of judicial, non-judicial, formal, informal, retributive, and restorative measures employed by countries to deal with a conflict or its aftermath, including transitional justice mechanisms.

(7) WAR CRIME.—The term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

SEC. 5. STATEMENT OF POLICY.
It is the policy of the United States to ensure that assistance for humanitarian, stabilization, and recovery needs of individuals who are or were nationals and residents of Iraq or Syria, and of communities from those countries, is directed toward those individuals and communities with the greatest need, including those individuals from communities of religious and ethnic minorities.

SEC. 6. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ AND SYRIA FOR ACTS OF GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

(a) ASSISTANCE.—The Secretary of State and the Administrator of the United States Agency for International Development, and the Attorney General, the Secretary of Homeland Security, the Attorney General, the Secretary of Homeland Security, and other appropriate officials, in consultation with the government of Iraq, to provide assistance, including financial and technical assistance, as may be necessary and appropriate to support transitional justice efforts, including nongovernmental organizations with expertise in international criminal investigations and law, to undertake the following activities to address crimes of genocide, crimes against humanity, or war crimes in Iraq by ISIS since January 2014:
(1) Conducting criminal investigations.
(2) Developing indigenous investigative and judicial skills, by including partnering, directly mentoring, and providing equipment and infrastructure, as necessary and appropriate, in support of entities, including nongovernmental organizations with expertise in international criminal investigations and law, to undertake the following activities to address crimes of genocide, crimes against humanity, or war crimes in Iraq by ISIS since January 2014:
(3) Establishing and supporting criminal investigative, judicial, and technical assistance, as may be necessary and appropriate, to support transitional justice efforts, including nongovernmental organizations with expertise in international criminal investigations and law, to undertake the following activities to address crimes of genocide, crimes against humanity, or war crimes in Iraq by ISIS since January 2014:
(4) Providing funding, in consultation with the government of Iraq, to internationalized domestic courts, consistent with the activities described in subsection (b), to consider cases of individuals suspected of committing crimes of genocide, crimes against humanity, or war crimes in Iraq by ISIS since January 2014:
(5) Providing technical assistance, as may be necessary and appropriate, to support transitional justice efforts, including nongovernmental organizations with expertise in international criminal investigations and law, to undertake the following activities to address crimes of genocide, crimes against humanity, or war crimes in Iraq by ISIS since January 2014:
(6) FUNDING.—The term “funding” means a domestic court with the support of international legal experts.

(b) PROGRAMS.—The term “program” means a domestic court with the support of international legal experts.

18, United States Code.
against humanity or war crimes in Iraq and Syria since January 2014, and to prosecute such individuals for acts of genocide, crimes against humanity or war crimes, as appropriate.

(c) Assistance—The Secretary of State shall consult, with and consider credible information from, entities described in subsection (a), the Secretary of State shall consult with, and consider credible information from, entities described in such subsection.

SEC. 7. IDENTIFICATION OF AND ASSISTANCE TO ADDRESS HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS OF CERTAIN PERSONS IN IRAQ AND SYRIA.

(a) Identification.—The Secretary of State, in consultation with, and with the concurrence of, the Administrator of the United States Agency for International Development, and the Director of National Intelligence, shall seek to identify—

(1) individuals and groups described in paragraphs (1) and (2), including the assistance provided by the United States and by the United Nations, respectively, to address the humanitarian, stabilization, and recovery needs, and mitigate the risks of forced migration, of individuals and groups described in paragraphs (1) and (2), and assistance provided through the Funding Facility for Immediate Stabilization and Funding Facility for Expanded Stabilization; and

(2) the entities described in paragraph (4) of such subsection.

(b) Assistance.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to the individuals and groups described in paragraphs (1) and (2), and the extent to which the United States is providing assistance to or through such entities.

(c) Additional Consultation.—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from—

(1) individuals and groups described in paragraphs (1) and (2) of such subsection; and

(2) entities described in paragraph (4) of such subsection.

(d) Assistance.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to the individuals and groups described in paragraphs (1) and (2) of such subsection (a) that the Secretary and the Administrator determine have access, and are capable of effectively managing and delivering such assistance, to the individuals and groups described in paragraphs (1) and (2) of such subsection.

SEC. 8. REPORTS.

(a) Implementation Report.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of the efforts taken, and efforts proposed to be taken, to implement the provisions of this Act;

(2) the feasibility and advisability of prosecuting individuals described in subsection (a) for war crimes, crimes against humanity, or genocide in Syria beginning in March 2011; and

(3) recommendations for legislative remedies and administrative actions to facilitate the implementation of this Act.

(b) Support for the Investigation and Prosecution of War Crimes.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of the efforts taken, and efforts proposed to be taken, by the Secretary of State to implement subsections (a) and (b) of section 5; and

(2) an assessment of—

(A) the feasibility and advisability of prosecuting individuals described in subsection (a) for war crimes, crimes against humanity, or genocide in Syria; and

(B) the measures needed—

(i) to effectively collect and preserve evidence and preserve the chain of evidence, for prosecution; and

(ii) to effectively collect and preserve evidence and preserve the chain of evidence, for prosecution;

(c) Identification of and Assistance to Address Humanitarian, Stabilization, and Recovery Needs of Certain Persons in Iraq and Syria.

(g) Additional Consultation.—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from—

(1) individuals and groups described in paragraphs (1) and (2) of such subsection; and

(2) entities described in paragraph (4) of such subsection.

(h) Assistance.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to the individuals and groups described in paragraphs (1) and (2) of such subsection.

(i) Assistance.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to the individuals and groups described in paragraphs (1) and (2) of such subsection.

(j) Assistance.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to the individuals and groups described in paragraphs (1) and (2) of such subsection.

(k) Assistance.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to the individuals and groups described in paragraphs (1) and (2) of such subsection.

SEC. 9. TECHNICAL ASSISTANCE AUTHORIZED.

(a) In General.—The Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice and other appropriate Federal agencies, is authorized to provide appropriate assistance to support entities that, with respect to war crimes, crimes against humanity, and genocide described in section 5, are engaged in efforts to support entities that, with respect to war crimes, crimes against humanity, and genocide described in section 5.
(1) identify suspected perpetrators of war crimes, crimes against humanity, and genocide;
(2) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;
(3) conduct criminal investigations;
(4) build Syria’s investigative and judicial capacities and support prosecutions in the domestic courts, provided that President Bashar al-Assad is no longer in power;
(5) support investigations by third-party states, as appropriate;
(6) protect witnesses that may be helpful to prosecutions or other transitional justice mechanisms.

(b) ADDITIONAL ASSISTANCE.—The Secretary of State, after consultation with appropriate Federal agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 7(d), is authorized to provide assistance to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Syria beginning in March 2011.

(c) REFERRING.—The Secretary of State shall provide detailed, biannual briefings to the appropriate congressional committees describing the assistance provided to entities described in subsection (a).

SEC. 10. DEPARTMENT OF STATE REWARDS FOR JUSTICE PROGRAM.
Section 362(b)(10) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 270b(b)(10)) is amended by inserting “(including war crimes, crimes against humanity, or genocide committed in Syria beginning in March 2011)” after “misdemeanor.”

SEC. 11. 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, who shall be 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 1 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 1 member of the Group to serve as co-chair of the Group.

(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 on the date that is 6 months after the date on which the Group submits the report required under subsection (f)(1).

SEC. 12. INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC.
The Secretary of State, acting through the United States Permanent Representative to the United Nations, should use the voice, vote, and influence of the United States at the United Nations to advocate that the United Nations Human Rights Council, while the United States remains a member, annually extend the mandate of the Independent International Commission of Inquiry in the Syrian Arab Republic until the Commission has completed its investigation of all alleged violations of international human rights laws beginning in March 2011 in the Syrian Arab Republic.

SEC. 13. PROHIBITION ON ADDITIONAL FUNDING.
No additional funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts otherwise authorized and appropriated.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendment be withdrawn; that the motion to reconsider be considered made without objection, it is so ordered.

The amendment (No. 4056) was agreed to; that the bill, as amended, be considered read a third time and passed; that the title amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; that the title amendment at the desk be agreed to; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 4056) was agreed to as follows:

(Purpose: To amend the title)
Amend the title so as to read: “An Act to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.”

RENAMING THE STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012 IN HONOR OF REPRESENTATIVE LOUISE McINTOSH SLAUGHTER
Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 6670 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.
The legislative clerk read as follows:
A bill (H.R. 6870) to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6870) was ordered to a third reading, was read the third time, and passed.

SICKLE CELL DISEASE RESEARCH, SURVEILLANCE, PREVENTION, AND TREATMENT ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 553, S. 2465.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2465) to amend the Public Health Service Act to authorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

Without objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sickle Cell Disease and Other Heritable Blood Disorders Research, Surveillance, Prevention, and Treatment Act of 2018”.

SEC. 2. DATA COLLECTION ON CERTAIN BLOOD DISORDERS.

Part A of title XI of the Public Health Service Act is amended by inserting after section 1105 (42 U.S.C. 300b-4) the following:

SEC. 1106. SICKLE CELL DISEASE RESEARCH, SURVEILLANCE, PREVENTION, AND TREATMENT.

(a) GRANTS.—

(1) IN GENERAL.—The Secretary may award grants related to heritable blood disorders, including sickle cell disease, for one or more of the following purposes:

(A) To conduct a demonstration program by making grants to not more than 15 eligible entities for each fiscal year in which the program is conducted under this section for the purpose of developing and establishing systemic mechanisms to improve the prevention and treatment of Sickle Cell Disease and inserting “shall continue efforts, including by awarding grants, to develop or establish mechanisms to improve the treatment of sickle cell disease and to improve prevention and treatment of complications of sickle cell disease, in populations with a high proportion of individuals with sickle cell disease”;

(B) by striking clause (ii) of subsection (a), and inserting “$4,455,000 for each of fiscal years 2019 through 2023”;

(b) TECHNICAL CHANGES.—Subsection (c) of section 1102 of the American Jobs Creation Act of 2004 (Public Law 108-357; 42 U.S.C. 300b-1 note) is amended by substituting (a), is—

(1) transferred to the Public Health Service Act (42 U.S.C. 201 et seq.);

(2) redesignated as subsection (b); and

(3) inserted at the end of section 1106 of such Act, as added by section 2 of this Act.

SEC. 4. SENSE OF THE SENATE.

It is the Sense of the Senate that further research should be undertaken to expand the understanding of the causes of, and to find cures for, heritable blood disorders, including sickle cell disease.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported substitute be agreed to and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2465), as amended, was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIZBALLAH INTERNATIONAL FINANCING PREVENTION AMENDMENTS ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the House amendment to accompany S. 1955.

The PRESIDING OFFICER. The Chair lays before the Senate the following message from the House.

The legislative clerk read as follows:

Resolved, that the bill from the Senate (S. 1955) entitled “An Act to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes”, do pass with an amendment.

Mr. MCCONNELL. I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ACTION FOR DENTAL HEALTH ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the
Health, Education, Labor, and Pensions Committee be discharged and the Senate proceed to the immediate consideration of H.R. 2422.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2422) to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Alexander substitute amendment be agreed to and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 4057) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the Action for Dental Health Act of 2018.

SEC. 2. ORAL HEALTH EDUCATION.

(a) IN GENERAL.—Section 399LL of the Public Health Service Act (42 U.S.C. 280k) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting "oral health education campaign" after "establishment"; and

(B) by striking "focused on oral health prevention and education" and inserting "focused on oral health education";

(2) in subsection (b), in the matter preceding paragraph (1), by striking "campaign" and inserting "campaign under subsection (a)"; and

(3) by striking subsection (c) and inserting the following:

"(c) ACTION FOR DENTAL HEALTH PROGRAM.—

"(1) IN GENERAL.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention and the Administrator of the Health Resources and Services Administration, may award grants, contracts, or cooperative agreements to eligible entities to collaborate with State or local health officials, tribal health officials, oral health professional organizations, and others, as appropriate, to develop and implement initiatives to improve oral health, including activities to prevent dental disease and reduce barriers to the provision of dental services, including—

"(A) through community-wide dental disease prevention programs; and

"(B) by increasing public awareness and education related to oral health and dental disease prevention.

"(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, an entity shall be—

"(A) a dental association;

"(B) a State or tribal health department or State or tribal oral health program;

"(C) an accredited dental education, dental hygiene, or postdoctoral dental education program; or

"(D) a non-profit community-based organization that partners with public and private non-profit entities such as an academic institution, to facilitate the provision of dental services to underserved populations.");

(b) TECHNICAL AMENDMENT.—Section 399LL-1(d) of the Public Health Service Act (42 U.S.C. 280k-1(d)) is amended—

(1) by striking "shall" and inserting "shall, as practicable and appropriate,": and

(2) by striking "oral health education campaign" and inserting "oral health education campaign and action for dental health program".

(c) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the outcomes and effectiveness of programs and activities conducted under sections 399LL and 399LL-1 of the Public Health Service Act (42 U.S.C. 280k and 280k-1).

SEC. 3. GRANTS FOR INNOVATIVE PROGRAMS.

Section 340G of the Public Health Service Act (42 U.S.C. 256g) is amended—

(1) in subsection (a)—

(A) in subparagraph (B), by striking "and" and adding at the end the following:

"(D) the establishment or development of models for the provision of dental services to children and adults, such as dental homes, including the elderly, individuals with disabilities, and individuals living in long-term care facilities; and

(E) the establishment of initiatives to reduce the use of emergency departments by individuals who seek dental services more appropriately delivered in a dental primary care setting;"; and

(B) by adding the following:

"(2) in subsection (b), in the matter preceding paragraph (1), by striking "$25,000,000 for the 5-fiscal year period beginning with fiscal year 2008" and inserting "$13,905,000 for each of fiscal years 2019 through 2023".

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. McCONNELL. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2422), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

There being no objection, the Committee on Foreign Relations was discharged and the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Corker amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; the title amendment at the desk be agreed to; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4058), in the nature of a substitute, was agreed to.

The amendment (printed in today’s Record under “Text of Amendments.”) The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 3342), as amended was passed.

The amendment (No. 4059) was agreed to, as follows:

(Purpose: To amend the title.)

Amend the title so as to read: “An Act to impose sanctions with respect to foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes.”.

SANCTIONING HIZBALLAH’S ILLEGAL USE OF CIVILIANS AS DEFENSELESS SHIELDS ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 3342 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3342) to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes.

There being no objection, the Committee on Foreign Relations was discharged and the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Corker amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; the title amendment at the desk be agreed to; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4058), in the nature of a substitute, was agreed to.

The amendment (printed in today’s Record under “Text of Amendments.”) The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 3342), as amended was passed.

The amendment (No. 4059) was agreed to, as follows:

(Purpose: To amend the title.)

Amend the title so as to read: “An Act to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes.”.

RBIC ADVISERS RELIEF ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 2765 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2765) to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.
There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2765) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows: S. 2765.

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 “RBIC Adviser Relief Act of 2018”.

SEC. 2. ADVISERS OF RBICS.

Section 203 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(b)) is amended—

(1) in subsection (b)—

(A) in paragraph (6)(B)—

(i) by adding the margins accordingly; and

(ii) by striking the period at the end and inserting a semicolon;

(B) in paragraph (7)(C), by striking the period at the end and inserting the following: “(i) any adviser, other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a-53), who solely advises—

(A) a rural business investment companies (as defined in section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–1)); or

(B) companies that have submitted to the Secretary of Agriculture an application in accordance with section 384D(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–2(b)) that—

(i) have received from the Secretary of Agriculture a letter of conditions, which has not been revoked; or

(ii) are affiliated with 1 or more rural business investment companies described in subparagraph (A);”,

(2) in subsection (1), by adding, at the end the following:

“(3) ADVISERS OF RBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A) or (B) of subsection (b)(8) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a-53)),”,; and

(3) in subsection (m), by adding at the end the following:

“(4) ADVISERS OF RBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A) or (B) of subsection (b)(8) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a-53)) shall be excluded from the limit set forth in paragraph (1).”,

SEC. 3. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80a–3a(b)(1)) is amended—

(1) in subparagraph (C), by striking the period at the end and inserting “; or”; and

(2) by adding at the end following:

“(D) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(8) of such section, or is a supervised person of such person.”.

9/11 HEROES MEDAL OF VALOR ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 3394 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3394) to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3394) was ordered to a third reading, was read the third time, and passed.

RELATIVE TO THE DEATH OF THE HONORABLE JOSEPH D. “JOE” TYDINGS, FORMER UNITED STATES SENATOR FOR THE STATE OF MARYLAND

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 684, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 684) relative to the death of the Honorable Joseph D. “Joe” Tydings, former United States Senator for the State of Maryland.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 684, submitted earlier today.

The PRESIDING OFFICER. The Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 684) was agreed to.

ORDERS FOR FRIDAY, OCTOBER 12, THROUGH TUESDAY, NOVEMBER 13, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until further notice for pro forma session Friday, October 12, at 12 noon; Tuesday, October 16, at 12 noon; Friday, October 19, at 10 a.m.; Tuesday, October 23, at 4:30 p.m.; Friday, October 26, at 5 p.m.; Tuesday, October 30, at 1 p.m.; Friday, November 2, at 2:45 p.m.; Tuesday, November 6, at 4 p.m.; Friday, November 9, at 9 a.m. I further ask that when the Senate adjourns on Friday, November 9, it next convene at 3 p.m. on Tuesday, November 13; and 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; finally, that following leader remarks, the Senate resume consideration of the House message to accompany S. 140 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the provisions of S. Res. 684 and do so as a further mark of respect for the late Joseph D. “Joe” Tydings, former Senator for the State of Maryland.

There being no objection, the Senate, at 9:30 p.m., adjourned until Friday, October 12, 2018, at 12 noon.

NOMINATIONS

Executive nomination received by the Senate:

DEPARTMENT OF JUSTICE

DOUGLAS J. STRIKER, OF IOWA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF IOWA FOR THE TERM OF YEARS. VICE KENNETH JAMES RUND, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 11, 2018:

THE JUDICIARY

WILLIAM M. RAY II, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

LILIS CLIFFTON BUSKE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

MICHAEL JOSEPH JUNEAU, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

MARK SAALFIELD NORRIS, SR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

ELI JEREMY RICHARDSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

DEPARTMENT OF JUSTICE

JEFFREY BOSSERT CLARK, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

AMIR S. DAVI, OF MARYLAND, TO BE MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF YEARS. VICE KENNETH JAMES RUND, TERM EXPIRED.

ERIC S. DREIBAND, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

JEFFREY BOSSERT CLARK, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

AMIR S. DAVI, OF MARYLAND, TO BE MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF YEARS. VICE KENNETH JAMES RUND, TERM EXPIRED.

WILLIAM M. RAY II, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

LILIS CLIFFTON BUSKE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

MICHAEL JOSEPH JUNEAU, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

MARK SAALFIELD NORRIS, SR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

ELI JEREMY RICHARDSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

DEPARTMENT OF JUSTICE

JEFFREY BOSSERT CLARK, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

AMIR S. DAVI, OF MARYLAND, TO BE MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF YEARS. VICE KENNETH JAMES RUND, TERM EXPIRED.

ERIC S. DREIBAND, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

JEFFREY BOSSERT CLARK, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

AMIR S. DAVI, OF MARYLAND, TO BE MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF YEARS. VICE KENNETH JAMES RUND, TERM EXPIRED.
LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2023.

DEPARTMENT OF DEFENSE

JAMES N. STREAT, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

THE JUDICIARY

THOMAS S. KLEISH, OF WEST VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF WEST VIRGINIA.

PETER J. PHIFFS, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

SUSAN RINDFLEICH, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

CHAD F. KENNEY, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

JEREMY D. KERNODLE, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD


THE JUDICIARY

JAMES PATRICK HANLON, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF INDIANA.

LANCE E. WALKER, OF MAINE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MAINE.

DAVID JAMES PORTER, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

DEPARTMENT OF STATE

EDEN L. WASHINGTON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE FOR LEGISLATIVE AFFAIRS.

LUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE FOR LEGISLATIVE AFFAIRS.

DILLON F. HUTCHISON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 24, 2018.

ARMY NOMINATIONS BEGINNING WITH MICAH B. BELL JR. AND ENDING WITH JOHN M. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 28, 2018.

AIR FORCE NOMINATIONS BEGINNING WITH PATRICK C. DEGRAAF AND ENDING WITH CHRISTOPHER L. PRIDGEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 28, 2018.

IN THE ARMY


ARMY NOMINATION OF JOHN J. KAIKKONEN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARC A. PATTERTSON, TO BE COLONEL.

ARMY NOMINATION OF JAMES B. ELLEDGE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICAH B. BELL AND ENDING WITH TANYA R. TROUT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 28, 2018.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH CAPT. MARCUS N. FULTON AND ENDING WITH CAPT. FRANK D. HUTCHISON. WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 11, 2018.

NAVY NOMINATION OF TILFORD L. CLARK, TO BE CIVILIAN.

DEPARTMENT OF STATE

MARY ELIZABETH TAYLOR, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (LEGISLATIVE AFFAIRS).
Chamber Action

Routine Proceedings, pages S6777–S6883

Measures Introduced: Thirty-eight bills and twelve resolutions were introduced, as follows: S. 3572–3609, and S. Res. 673–684. Pages S6815–16

Measures Reported:

H.R. 2196, to amend title 5, United States Code, to allow whistleblowers to disclose information to certain recipients. (S. Rept. No. 115–346)

S. 2679, to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, with an amendment in the nature of a substitute.

S. 3552, to amend the Small Business Act to adjust the real estate appraisal thresholds under the 7(a) program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators.

S. 3553, to amend the Small Business Act to adjust the real estate appraisal thresholds under the section 504 program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators.

S. 3554, to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

S. 3561, to support entrepreneurs serving in the National Guard and Reserve, with amendments.

S. 3562, to amend the Small Business Act to modify the method for prescribing size standards for business concerns. Pages S6814–15

Measures Passed:

United States Parole Commission Extension Act: Committee on the Judiciary was discharged from further consideration of H.R. 6896, to provide for the continued performance of the functions of the United States Parole Commission, and the bill was then passed. Pages S6802–03

National Emergency Medical Services Memorial Foundation: Senate passed H.R. 1037, to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs. Page S6875

Gulf Islands National Seashore Land Exchange Act: Senate passed H.R. 2615, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, after agreeing to the committee amendment in the nature of a substitute. Pages S6875–76

SUCCESS Act: Senate passed H.R. 6758, to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office’s authority to set the amounts for the fees it charges. Page S6876

Iraq and Syria Genocide Emergency Relief and Accountability Act: Senate passed H.R. 390, to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto:

McConnell (for Corker) Amendment No. 4055, in the nature of a substitute. Pages S6876–79

McConnell (for Corker) Amendment No. 4056, to amend the title. Page S6879

Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 6870, to rename the Stop Trading on Congres- sional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter, and the bill was then passed. Pages S6879–80

Sickle Cell Disease Research, Surveillance, Prevention, and Treatment Act: Senate passed S. 2465, to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment
demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment, after agreeing to the committee amendment in the nature of a substitute. Page S6880

Action for Dental Health Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 2422, to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and the bill was then passed, after agreeing to the following amendment proposed thereto:

McConnell (for Alexander) Amendment No. 4057, in the nature of a substitute. Page S6881

National Dyslexia Awareness Month: Senate agreed to S. Res. 680, calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed, and designating October 2018 as “National Dyslexia Awareness Month”.

Page S6881

National Character Counts Week: Senate agreed to S. Res. 681, designating the week beginning October 21, 2018, as “National Character Counts Week”.

Day of Remembrance for Nuclear Weapons Program Workers: Senate agreed to S. Res. 682, designating October 30, 2018, as a national day of remembrance for nuclear weapons program workers.

Bicentennial of the State of Illinois: Senate agreed to S. Res. 683, recognizing and commemorating the bicentennial of the State of Illinois.

Sanctioning Hizballah’s Illicit Use of Civilians as Defenseless Shields Act: Committee on Foreign Relations was discharged from further consideration of H.R. 3342, to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and the bill was then passed, after agreeing to the following amendments proposed thereto:

McConnell (for Corker) Amendment No. 4058, in the nature of a substitute. Page S6881

McConnell (for Corker) Amendment No. 4059, to amend the title.

RBIC Advisers Relief Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 2765, to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and the bill was then passed.

9/11 Heroes Medal of Valor: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 3834, to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and the bill was then passed.


House Messages:

Amending the White Mountain Apache Tribe Water Rights Quantification Act: Senate began consideration of the amendment of the House of Representatives to S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, taking action of the following motions and amendments proposed thereto:

Withdrawn:

McConnell motion to concur in the amendment of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2232 (to the amendment of the House to the bill), in the nature of a substitute.

McConnell motion to refer the message of the House on the bill to the Committee on Commerce, Science, and Transportation, with instructions, McConnell Amendment No. 2234, to change the enactment date.

Pending:

McConnell motion to concur in the amendment of the House to the bill, with McConnell (for Thune) Amendment No. 4054, in the nature of a substitute.

A motion was entered to close further debate on the motion to concur in the amendment of the House to the bill, with McConnell (for Thune) Amendment No. 4054 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, October 10, 2018, a vote on cloture will occur at 5:30 p.m., on Tuesday, November 13, 2018.

Prior to the consideration of this measure, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

During consideration of this measure today, Senate also took the following action:

McConnell Amendment No. 2233 (to Amendment No. 2232), to change the enactment date, fell
when McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2232 (to the amendment of the House to the bill) (listed above) was withdrawn.  

McConnell Amendment No. 2235 (to (the instructions) Amendment No. 2234), of a perfecting nature, fell when McConnell motion to refer the message of the House on the bill to the Committee on Commerce, Science, and Transportation, with instructions, McConnell Amendment No. 2234 (listed above) was withdrawn.

McConnell Amendment No. 2236 (to Amendment No. 2235), of a perfecting nature, fell when McConnell Amendment No. 2235 (to (the instructions) Amendment No. 2234) (listed above) fell.

A unanimous-consent agreement was reached providing that notwithstanding rule XXII, the vote on the motion to invoke cloture occur at 5:30 p.m., on Tuesday, November 13, 2018; provided further that no further amendments or motions be in order and that if cloture is invoked, all post-cloture time expire at 2:15 p.m., on Wednesday, November 14, 2018.

A unanimous-consent agreement was reached providing that Senate resume consideration of the House amendment to the bill, with further amendment, at approximately 3 p.m., on Tuesday, November 13, 2018.

**Hizballah International Financing Prevention Amendments Act**: Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 1595, to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah.  

**Pro Forma Sessions—Agreement**: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, October 12, 2018 at 12 noon; Tuesday, October 16, 2018 at 12 noon; Friday, October 19, 2018 at 10 a.m.; Tuesday, October 23, 2018 at 4:30 p.m.; Friday, October 26, 2018 at 5 p.m.; Tuesday, October 30, 2018 at 1 p.m.; Friday, November 2, 2018 at 2:45 p.m.; Tuesday, November 6, 2018 at 4 p.m.; Friday, November 9, 2018 at 9 a.m.; and that when the Senate adjourns on Friday, November 9, 2018, it next convene at 3 p.m., on Tuesday, November 13, 2018.

**Bowman Nomination—Cloture**: Senate began consideration of the nomination of Michelle Bowman, of Kansas, to be a Member of the Board of Governors of the Federal Reserve System.  

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the motion to concur with respect to S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

Prior to the consideration of this nomination, Senate took the following action:

- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

A unanimous-consent agreement was reached providing that this motion to invoke cloture ripen following disposition of the motion to concur with respect to S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

**Nominations Confirmed**: Senate confirmed the following nominations:

- By 52 yeas to 45 nays (Vote No. EX. 228), Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General.
- By 50 yeas to 47 nays (Vote No. EX. 230), Eric S. Dreiband, of Maryland, to be an Assistant Attorney General.
- During consideration of this nomination today, Senate also took the following action:
  - By 50 yeas to 47 nays (Vote No. EX. 229), Senate agreed to the motion to close further debate on the nomination.
- James N. Stewart, of North Carolina, to be an Assistant Secretary of Defense.
- During consideration of this nomination today, Senate also took the following action:
  - A unanimous-consent agreement was reached providing that the motion to invoke cloture on the nomination, be withdrawn.
- By 50 yeas to 47 nays (Vote No. EX. 231), David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.
- By 51 yeas to 44 nays (Vote No. EX. 232), Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit.
- By 79 yeas to 16 nays (Vote No. EX. 233), Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit.
By 54 yeas to 41 nays (Vote No. EX. 234), William M. Ray II, of Georgia, to be United States District Judge for the Northern District of Georgia.

Pages S6800, S6882

By 55 yeas to 40 nays (Vote No. EX. 235), Liles Clifton Burke, of Alabama, to be United States District Judge for the Northern District of Alabama.

Pages S6800, S6882

By 54 yeas to 41 nays (Vote No. EX. 236), Michael Joseph Juneau, of Louisiana, to be United States District Judge for the Western District of Louisiana.

Pages S6800–01, S6882

By 51 yeas to 44 nays (Vote No. EX. 237), Mark Saalfield Norris, Sr., of Tennessee, to be United States District Judge for the Western District of Tennessee.

Pages S6801, S6882

By 52 yeas to 43 nays (Vote No. EX. 238), Eli Jeremy Richardson, of Tennessee, to be United States District Judge for the Middle District of Tennessee.

Pages S6801, S6882

By 65 yeas to 30 nays (Vote No. EX. 239), Thomas S. Kleeh, of West Virginia, to be United States District Judge for the Northern District of West Virginia.

Pages S6801–02, S6883

Jeremy D. Kernodle, of Texas, to be United States District Judge for the Eastern District of Texas.

Pages S6802, S6883

Peter J. Phipps, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Pages S6802, S6883

Susan Brnovich, of Arizona, to be United States District Judge for the District of Arizona.

Pages S6802, S6883

Chad F. Kenney, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Pages S6802, S6883

James Patrick Hanlon, of Indiana, to be United States District Judge for the Southern District of Indiana.

Pages S6802, S6883

Lance E. Walker, of Maine, to be United States District Judge for the District of Maine.

Pages S6802, S6883

Adam I. Klein, of the District of Columbia, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2024.

Kimberly Breier, of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Dallas L. Carlson, of North Dakota, to be United States Marshal for the District of North Dakota for the term of four years.

Edward W. Felten, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board for the remainder of the term expiring January 29, 2019.

Jane Nitze, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2023.

Denise Natali, of New Jersey, to be an Assistant Secretary of State (Conflict and Stabilization Operations).


Jason R. Dunn, of Colorado, to be United States Attorney for the District of Colorado for the term of four years.

John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large.

Karen L. Williams, of Missouri, to be Ambassador to the Republic of Suriname.

James Morhard, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration.

Kevin K. Sullivan, of Ohio, to be Ambassador to the Republic of Nicaragua.

Donald Y. Yamamoto, of Washington, to be Ambassador to the Federal Republic of Somalia.

Earl Robert Miller, of Michigan, to be Ambassador to the People’s Republic of Bangladesh.

Harold B. Parker, of New Hampshire, to be Federal Cochairperson of the Northern Border Regional Commission.

Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense.

Mary Elizabeth Taylor, of the District of Columbia, to be an Assistant Secretary of State (Legislative Affairs).

1 Air Force nomination in the rank of general.
1 Army nomination in the rank of general.
2 Navy nominations in the rank of admiral.
Routine lists in the Air Force, Army, and Navy.

Nomination Received: Senate received the following nomination:

Douglas J. Strike, of Iowa, to be United States Marshal for the Northern District of Iowa for the term of four years.

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:
Record Votes: Twelve record votes were taken today. (Total—239)

Adjournment: Senate convened at 10 a.m. and adjourned, as a further mark of respect to the memory of the late Joseph D. "Joe" Tydings, former Senator for the State of Maryland, in accordance with S. Res. 684, at 9:39 p.m., until 12 noon on Friday, October 12, 2018. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S6882.)

Committee Meetings

(Committees not listed did not meet)

MILITARY THREAT BY CHINA AND RUSSIA

Committee on Armed Services: Committee received a closed briefing on the military threat posed by near peer adversaries China and Russia from John C. Rood, Under Secretary for Policy, Lieutenant General Anthony R. Ierardi, USA, Director for Force Structure, Resources and Assessment (J8), Joint Chiefs of Staff, and Major General Michael Groen, all of the Department of Defense.

CRYPTOCURRENCY AND BLOCKCHAIN ECOSYSTEM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the cryptocurrency and blockchain ecosystem, including S. 3179, to require the Comptroller General of the United States to carry out a study on how virtual currencies and online marketplaces are used to buy, sell, or facilitate the financing of goods or services associated with sex trafficking or drug trafficking, after receiving testimony from Nouriel Roubini, New York University Stern School of Business, New York, New York; and Peter Van Valkenburgh, Coin Center, Washington, D.C.

FUTURE OF THE FLEETS

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the future of the fleets, focusing on Coast Guard and National Oceanic and Atmospheric Administration ship recapitalization, after receiving testimony from Rear Admiral Michael J. Haycock, Assistant Commandant for Acquisition and Chief Acquisition Officer, Coast Guard, Department of Homeland Security; Marie A. Mak, Director, Contracting and National Security Acquisitions, Government Accountability Office; and Ronald O’Rourke, Specialist in Naval Affairs, Congressional Research Service, Library of Congress.

BLACKSTART

Committee on Energy and Natural Resources: Committee concluded a hearing to examine blackstart and other system restoration plans in the electric utility industry, after receiving testimony from David S. Ortiz, Acting Director, Office of Electric Reliability, Federal Energy Regulatory Commission; Juan Torres, Associate Laboratory Director for Energy Systems Integration, National Renewable Energy Laboratory, Department of Energy; Joy Ditto, Utilities Technology Council, Washington, D.C.; Thomas J. Galloway, Sr., North American Transmission Forum, Charlotte, North Carolina; Andrew L. Ott, PJM Interconnection, L.L.C., Norristown, Pennsylvania; and Timothy M. Yardley, University of Illinois at Urbana-Champaign Information Trust Institute, Urbana.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of John Mark Pommersheim, of Florida, to be Ambassador to the Republic of Tajikistan, William H. Moser, of North Carolina, to be Ambassador to the Republic of Kazakhstan, and Donald Armin Blome, of Illinois, to be Ambassador to the Republic of Tunisia, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2785, to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, with an amendment in the nature of a substitute;

S. 3178, to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, with an amendment in the nature of a substitute; and

The nominations of Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, Kenneth D. Bell, to be United States District Judge for the Western District of North Carolina, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Carl J. Nichols, to be United States District Judge for the District of Columbia, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for the Northern District of Illinois.
BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the following business items:

- S. 2679, to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, with an amendment in the nature of a substitute;
- S. 3552, to amend the Small Business Act to adjust the real estate appraisal thresholds under the 7(a) program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators;
- S. 3553, to amend the Small Business Act to adjust the real estate appraisal thresholds under the section 504 program of the Small Business Administration;
- S. 3554, to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans;
- S. 3561, to support entrepreneurs serving in the National Guard and Reserve; and
- S. 3562, to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

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

The House was not in session today. The House is scheduled to meet in Pro Forma Session at 9:30 a.m. on Friday, October 12, 2018.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1126)

S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals. Signed on October 10, 2018. (Public Law 115–262)

S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees. Signed on October 10, 2018. (Public Law 115–263)

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 12, 2018

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.
Next Meeting of the SENATE
12 noon, Friday, October 12

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
9:30 a.m., Friday, October 12

House Chamber

Program for Friday: The House will meet in Pro Forma session at 9:30 a.m.