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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair asks that the House now observe a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 8, 2018, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 9:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

RECOGNIZING DR. JOSEPH UNDERWOOD AS A FINALIST FOR THE VARKEY FOUNDATION'S 2018 GLOBAL TEACHER PRIZE

The SPEAKER. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize and congratulate Dr. Joseph Underwood, the head of the television production program at Miami Senior High School, located in my congressional district, on being named a finalist for the Varkey Foundation 2018 Global Teacher Prize. Joe is one of 50 finalists chosen from throughout the world. This prestigious award recognizes the fundamental role that teachers play in shaping their students' lives.

Over the course of his 33-year teaching career, Joe has distinguished himself as an exemplary educator and has implemented a number of innovative tools and creative teaching techniques in his classroom. Joe has received numerous awards in his lifetime and was inducted into the National Teachers Hall of Fame in 2007.

As a former Florida certified teacher, it has been a privilege to see so many of my constituents educated under Joe's tutelage.

Once again, congratulations to Dr. Underwood for representing Miami-Dade County Public Schools on the world's stage. You deserve this award, Joe.

THANKS TO DRAKE FOR INSPIRING STUDENTS OF MIAMI SENIOR HIGH SCHOOL AND THE UNIVERSITY OF MIAMI

Ms. ROS-LEHTINEN. Mr. Speaker, speaking of Miami Senior High, students were extremely excited to receive a surprise visit yesterday from hip-hop star Drake.

He was recording his latest music video at the historic school in Little Havana and, afterward, made an unexpected $25,000 donation to Miami High. Drake also promised that every student would receive new uniforms that he designed himself.

Our wonderful superintendent of Miami-Dade Public Schools, Alberto Carvalho, thanked Drake for all that he had done to support public education and for bringing his words of encouragement to south Florida students.

But Drake did not stop there. He made another surprise visit to my alma mater, the University of Miami, where he awarded a $50,000 scholarship to Destiny James, a biology student.

Drake finished the day off by giving an impromptu performance on UM's campus. What a treat for the students.

I would like to thank Drake for his generosity and for inspiring so many students throughout my congressional district. I can safely say that they will not forget yesterday any time soon.

So go Stingarees of Miami High, and go the students of University of Miami. Go Canes.

Thank you, Drake.

BATTLE FOR SERVICE MEMBERS

The SPEAKER pro tempore (Mr. SIMPSON). The Chair recognizes the gentlewoman from Florida (Mrs. MURPHY) for 5 minutes.

Mrs. MURPHY of Florida. Mr. Speaker, today I am introducing a bipartisan bill that seeks to ensure that servicemembers who are leaving the military receive the specific training they need to make a successful transition to civilian life. The BATTLE for Servicemembers Act will better prepare servicemembers to attend college, to learn a technical trade, or to start a small business.

The men and women in our all-voluntary military serve and sacrifice for this Nation. When they decide to leave the Armed Forces, it is our Nation's moral obligation to take all of the steps necessary to help them thrive in the next stage of their lives.

Mr. Speaker, I want to thank the three original cosponsors of this legislation. The first is Congressman JACK BERGMAN, a retired three-star Marine Corps general who recently visited in my central Florida district as part of a program organized by the Bipartisan Policy Center. Congressman BERGMAN joined me on a visit to the local VA hospital and to a meeting of my veterans advisory board.

The other original cosponsors are Congressman CARLOS CURBELO and Congresswoman KYRSTEN SINEMA, who

are the co-chairs of the Congressional Future Caucus. I am proud to serve as a vice chair of this caucus which promotes policies to empower younger generations, including our young men and women in the military.

I also want to thank the outside organizations that have endorsed this bill. Namely, the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, the Student Veterans of America, and the Millennial Action Project.

Let me briefly outline what the bill would do. Over 200,000 servicemembers are honorably discharged from the military each year. Many of them are under age 25, do not have a bachelor's degree, and leave the military without having secured a civilian job. Under current law, the Department of Defense is required to ensure that eligible departing servicemembers participate in the Transition Assistance Program, or TAP.

The content of TAP has evolved over the years and continues to be the subject of vigorous debate in Congress and within DOD. As presently designed, TAP's mandatory core curriculum consists of a 3-day employment workshop, 6 hours of briefing on veterans benefits, and 8 to 10 hours of briefings on topics such as translating military skills to civilian jobs and managing personal finances.

Beyond this mandatory core curriculum, eligible servicemembers are also given the option to participate in a more specialized 2-day workshop in one of the following areas: higher education, technical and skills training, or entrepreneurship.

In my view, the core curriculum is necessary, but not sufficient to enable most departing servicemembers to successfully transition to the civilian world. I believe departing servicemembers should supplement the core curriculum with at least one of these 2-day workshops so they can receive training tailored to their specific personal and professional goals, whether that involves going to school, learning a trade, or starting a business. The problem is that these 2-day workshops, precisely because they are optional, are rarely utilized.

According to a report recently released by the Government Accountability Office, fewer than 15 percent of eligible Active-Duty servicemembers participated in one of the 2-day workshops in fiscal year 2016, including only 4 percent of eligible marines.

Requiring transitioning servicemembers to opt into a 2-day workshop sends a signal to servicemembers and their commanders that the workshops are unnecessary, thereby discouraging participation. Therefore, my bill will require DOD to ensure that all eligible servicemembers participate in the core curriculum and one of the 2-day workshops. As with the core curriculum, participation in a 2-day workshop could be waived for certain departing servicemembers, including servicemembers with specialized skills who are needed to support an imminent deployment.

In addition, the bill would allow servicemembers who do not wish to participate to opt out of the training. However, the ultimate goal is to ensure that more departing servicemembers receive this targeted training and to boost the current 15 percent participation rate.

There is far more that we can do as a country to make certain that our warriors are well equipped, both practically and emotionally, to deal with the challenges of civilian life. I believe passage of this legislation would be a step in the right direction.

Mr. Speaker, I respectfully ask my colleagues on both sides of the aisle to support this bill.

DOMESTIC TERRORISM PREVENTION

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

Mr. SCHNEIDER. Mr. Speaker, I rise today to urge my colleagues to join me in the urgent effort to address the dramatically rising threat of domestic terrorism.

From a church in Charleston where worshippers were engaged in Bible study on a Wednesday night to a peaceful counterdemonstration in Charlottesville, our national consciousness has been seared by the violence of white supremacist and other extremist domestic terrorist groups. In fact, a recent FBI-Department of Homeland Security joint intelligence bulletin found white supremacist organizations were responsible for 49 homicides and 29 attacks from 2000 to 2016, more than any other domestic extremist movement.

In response to this threat, today I am introducing the Domestic Terrorism Prevention Act, which makes smart changes to ensure our Federal agencies are effectively coordinating on monitoring these terrorist organizations and better able to prevent acts of violence. This is companion legislation to the bill introduced by Senator DURBIN in the Senate.

I thank him for his leadership, as well as my colleagues in the House, Ranking Member BENNIE THOMPSON, Representatives ROBIN KELLY, LOU CORREA, and VICENTE GONZALEZ, for joining me in this effort. Working together, we can crack down on these domestic terrorist organizations and ultimately save lives.

RECOGNIZING FEBRUARY AS CTE MONTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, February is Career and Technical Education Month. As co-chair of the Career and Technical Education Caucus and a senior member of the Committee on the Education and the Workforce, I have long been aware of the importance of career and technical education programs that provide learners of all ages career-ready skills.

From agriculture to the arts, from marketing to manufacturing, CTE programs work to develop America's most valuable resources: its people. Together, with Representative JIM LANGEVIN, my CTE Caucus co-chair, we will introduce a resolution officially designating February as CTE Month.

Mr. Speaker, I encourage all of my colleagues to sign on as cosponsors because CTE truly benefits all Americans.

CTE is taught in a range of settings, from high schools and area technical centers to technical and 2-year community colleges. In total, 12.5 million high school and college students are enrolled in CTE programs across the Nation.

Just last week, President Trump expressed his commitment to CTE during his first State of the Union Address. President Trump said: ''Let us invest in workforce development and job training. Let us open great vocational schools so our future workers can learn a craft and realize their full potential.''

Fortunately, the House unanimously passed the Strengthening Career and Technical Education for the 21st Century Act last June. I authored this bill with Representative RAJA KRISHNAMOORTHI. It aims to close the skills gap by modernizing Federal investment in CTE programs and connecting educators with industry stakeholders.

This is the first major overhaul to the Carl D. Perkins Career and Technical Education Improvement Act since 2006. We are currently working with our colleagues in the Senate to bring up this bipartisan bill for consideration so we can get this important reauthorize signed into law.

The Perkins Act is important for educational institutions as well as businesses. Small-business owners rely upon Perkins programs to increase the number of skilled candidates in emerging sectors. Future workers in fields such as manufacturing, information technology, healthcare, and agriculture also rely on career and technical education to obtain the skills necessary for high-skill, high-wage, family-sustaining careers. Essentially, Mr. Speaker, we are providing the education tools to equip a 21st century workforce.

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

Mr. Speaker, we have all met young people who haven't been inspired in a traditional classroom setting. We all know people who have lost jobs or are underemployed and are looking for good-paying, family-sustaining jobs.

We all know people who are aspiring for a promotion but keep falling short year after year. We all know people who are living in poverty. Maybe their families have been living in poverty for generations, for so long they can't even remember what put them there in the first place. A career in technical education is a pathway forward for each and every one of these people. CTE gives people from all walks of life an opportunity to succeed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 14 minutes a.m.), the House stood in recess.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 10 a.m.

PRAYER

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

We give You thanks, O God, for giving us another day.

Bless the Members of the minority party as they prepare to gather these next days. May they, with those who accompany them, travel safely and meet in peace.

Bless, also, the majority party as they return to their constituencies. Give them hearts and ears to listen, to listen well to all those whom they represent.

May the work that needs to be done presently result in progress toward addressing the needs of the Nation to the benefit of all.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. COSTELLO of Pennsylvania led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

IMPORTANCE OF STABILIZING THE INDIVIDUAL HEALTH INSURANCE MARKET

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to reiterate the critical importance of stabilizing the individual health insurance market.

My focus continues to be for Pennsylvanians to have access to affordable and quality healthcare. To this end, I have introduced H.R. 4666, the Premium Relief Act, legislation that would provide funding for cost-sharing reduction payments for 2017, 2019, and 2020. CSR's lower cost sharing for thousands of Pennsylvanians who purchased low-deductible, high-quality health insurance.

My bill includes a patient and state stability fund. Because this fund is guaranteed by the Federal Government, it would provide certainty to insurers when they set their rates. The stability fund can result in lower premiums for my constituents and many across the country by providing funding for copayments, coinsurance, preventative care, maternity care, treatment for mental health and substance disorders, among other needs.

Mr. Speaker, this temporary Federal fallback will provide States with the necessary time to implement a thoughtful, carefully tailored program that best fits the needs of each State's unique patient population.

I urge my colleagues to consider adding their name as a cosponsor to my legislation.

TREASON IS NO LAUGHING MATTER

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

Mr. JEFFRIES. Mr. Speaker, I rise today to make it clear that treason is not a laughing matter. It is a serious crime embedded in the Constitution, punishable by death. But since your Commander in Chief chose to raise it at a political rally, let's have a discussion about treason.

Is it treason for a Presidential campaign to meet with a hostile foreign power to sell out our democracy and rig the election?

Is it treason for a Presidential campaign to meet with Russian spies who promised information that was negative about a political opponent and then failed to report that meeting to law enforcement officials?

Is it treason for your former National Security Adviser to be a Russian asset sitting at 1600 Pennsylvania Avenue doing the bidding of Vladimir Putin?

How dare you lecture us about treason. This is not a dictatorship. It is a democracy, and we do not have to stand for a reality show host masquerading as President of the United States of America.

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

PAKISTAN IS A MENACE TO RELIGIOUS FREEDOM AND A SUPPORTER OF TERROR

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

Mr. POE of Texas. Mr. Speaker, the State Department has announced that it is adding Pakistan to a special watch list for severe violations of religious freedom. The long overdue decision recognizes that Pakistan's shameful policies target and encourage violence against religious minorities, primarily Christians. Pakistan's blasphemy laws declare open season for attacks on these already persecuted communities.

Pakistan also lets radical Islamic terrorist groups like the Afghanistan Taliban Network, Haqqani Network, and al-Qaida go unchallenged in Pakistan. This makes Pakistan one of the most dangerous places in the world for Christians. Just last month, ISIS suicide bombers struck a densely packed church in Pakistan, killing nine and wounding dozens.

I applaud the President's decision to reexamine our relationship with Pakistan and freeze military aid. Pakistan has played the United States for too long. We cannot continue to provide billions of dollars to a country that fosters terrorism and hate.

And that is just the way it is.

CONCERNS REGARDING THE NEW NUCLEAR POSTURE REVIEW

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

Mr. BLUMENAUER. Mr. Speaker, with all that is going on in Washington, D.C., these days, it is really hard to keep up with some things that are amazingly consequential. One item that is flying below the radar screen is the new Nuclear Posture Review from the Trump administration. They are talking about expanding our nuclear arsenal, embarking us on a path of spending $1.2 trillion.

Not only do we have more than we need already that we can't afford to use and pay for; we are talking about other elements here that are disturbing: developing new destabilizing nuclear weapons; being able to use nuclear weapons in nonnuclear situations, for example, responding to cyber attacks when you might not even know who did it.

We still have all these land based ballistic missiles in silos on hair-trigger alert. We just saw the vulnerability there in Hawaii with the recent mistaken threat of an attack send a whole state into panic.

We need to take a hard look at how to do this right before it is too late.

HONORING THE LIFE OF VIETNAM HERO THOMAS COREY

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

Mr. MAST. Mr. Speaker, I dedicate my time today to a man whom I am honored to represent in Congress. His name is Mr. Thomas Corey, a decorated Vietnam hero who proudly served our country as a combat infantryman.

During the 1968 Tet Offensive, he received an enemy round in the neck that struck his spinal cord, leaving him paralyzed, a quadriplegic for life. But with true American grit, that did not stop him from dedicating his life and his work to our veterans and to our country. He was a tireless patient advocate, working on medical research and family support for disabled veterans.

Mr. Corey returned to Vietnam 16 times, promoting reconciliation for individual veterans, accounting for those missing in action, and to study the health effects of Agent Orange. For these extraordinary efforts, he was nominated for the Nobel Peace Prize. He was also the first recipient of the Vietnam Veterans of America Commendation Medal, their highest award for service.

Mr. Corey, your Nation is grateful to you. I am grateful for you. America is proud and blessed to have men like you who never stop fighting for this country on and off the battlefield. And, Mr. Corey, I salute you.

RECOGNIZING THE AFRICAN AMERICAN MUSEUM OF BUCKS COUNTY, PENNSYLVANIA

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

Mr. FITZPATRICK. Mr. Speaker, February is African American History Month, and I rise today to recognize the African American Museum of Bucks County, Pennsylvania, in my district, for the work that they do in our community.

With the mission of promoting an understanding and appreciation for the African-American experience by focusing on history, education, inspiration, and building up the community, they are already having a huge impact.

I had the opportunity to meet with many of the women and men who are responsible for the museum when they came down to Washington, D.C., in December, and I would like to recognize them now:

President Linda Salley; Vice President Bill Reed; Secretary Nancy Bell; Correspondence Secretary Robyn Johnson; Treasurer Nicole Brown; Assistant Treasurer Alonzo Salley; and the founders: Harvey Spencer, Sr.; Millard Mitchel; Natalie Kaye; Merian Frieberg; Carole Johnson; Mechelle Connors; and Deal Wright.

Mr. Speaker, the mission of the African American Museum of Bucks County is an extremely important one. I commend all those involved, and I wish them continued success and continued growth.

I encourage everyone in our community to get involved and to support this outstanding organization.

PROVIDING FOR CONSIDERATION OF H.R. 772, COMMON SENSE NUTRITION DISCLOSURE ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1153, MORTGAGE CHOICE ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 4771, SMALL BANK HOLDING COMPANY RELIEF ACT OF 2018; AND FOR OTHER PURPOSES

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 725 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 725

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 772) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1153) to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4771) to raise the consolidated assets threshold under the small bank holding company policy statement, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-57 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 4. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of February 9, 2018.

SEC. 5. It shall be in order at any time on the legislative day of February 8, 2018, or February 9, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

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

□ 1015

GENERAL LEAVE

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

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

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation. This rule makes in order two bills reported favorably by the Committee on Financial Services and one bill reported favorably by the Committee on Energy and Commerce. I just want to take a moment at the beginning to point out that there are no amendments made in order by this rule because there were no amendments offered to any of these bills.

Both of the Financial Services bills were the subject of hearings in the committee last year. Both bills were reported out of committee with bipartisan support of 75 percent or more of the committee members.

The Energy and Commerce bill was reported favorably by the committee with a large bipartisan vote of 39–14.

The rule also provides us with the necessary tools to ensure that we can bring government funding measures to the floor quickly to prevent a government shutdown.

Mr. Speaker, we have three bills before us today. Each of these bills deals with one underlying problem: Washington overregulation. That is it. These are not bills protecting Americans from some foreign hostile force. These are bills protecting Americans from the overreach of their own government.

It is a sad time in which we find ourselves when we must dedicate legislative effort to undoing the harmful effects of the American government on the American people.

Mr. Speaker, in 2013, the CFPB issued its rule commonly referred to as the qualified mortgage rule, or the QM rule. The QM rule requires creditors to make a good faith effort to determine a customer's ability to repay a loan if the loan is secured by a home. However, the rule creates a legal safe harbor from liability under the rule for qualified mortgages.

One aspect of a qualified mortgage is that it cannot have total points and fees exceeding 3 percent of the total loan amount if the loan amount is at least $100,000. However, some fees may be excluded from the points and fees cap if they are reasonable and the lender or any affiliate of the lender receives no compensation from the service.

This all sounds well and good. We certainly don't want predatory lending institutions referring business to themselves just to pad their bottom line at the expense of unsuspecting borrowers.

But this is a great example of how massive, one-size-fits-all Washington regulation often ends up hurting Americans. The result of the points and fees cap within the QM rule has been to place low- and moderate-income borrowers in a position where they end up spending more money to secure a loan.

Mr. Speaker, my home State of Colorado has been experiencing explosive population growth over the past decade and longer. Between 2009 and 2016, we added a net increase of more than 600,000 people. But home prices also increased significantly over that time, more than 57 percent.

In 2016, according to The Denver Post, we had the lowest growth we have experienced in many years at only a 30,000-person net increase. In part, the slowing growth rate has to do with rising housing costs. This is why it is vitally important that many first-time homeowners and others have access to affordable loans. Government regulation should not be a part of driving up housing costs.

Why does this happen? Why does a Federal regulation result in hurting the very people it is intended to help?

It is simple: Washington regulators cannot take into account the unique circumstances of each individual American. This is a crucial difference between the common sense of Americans across this land and the self-importance of some here in D.C.

Many in D.C. believe firmly that the Federal Government is able to protect every American from every bad experience. They express enormous faith in so-called experts who believe they can effectively govern from afar the lives of Americans.

I reject this notion. I reject the belief that a class of enlightened experts and bureaucrats in Washington can better run the lives of individuals. That philosophy deprives Americans of the freedom to make their own choices. When Washington's power expands, individual liberty retreats. So we have to have bills like the ones before us today.

The Dodd-Frank financial regulatory bill required the CFPB to issue the QM rule. The QM rule was supposed to help low- to moderate-income borrowers save money, but, instead, the QM rule created a situation where low- and moderate-income borrowers cannot take advantage of discounted services offered by their lender.

The rule forces these borrowers to secure these services from third parties which almost always charge more than the lenders would charge for the same services. The negative impact of this rule is so abundantly clear that half of the committee's Democrats voted with all of the Republicans in support of fixing this provision of Dodd-Frank.

Passing this bill will not magically cause housing in Colorado to become more affordable, but it will eliminate an unnecessary regulation that needlessly drives up borrowing costs.

Mr. Speaker, in addition to rolling back Dodd-Frank regulations, the second Financial Services bill that we have before us today protects the ability of small banks to issue debt and raise capital.

The Federal Reserve generally discourages bank holding companies from using debt to finance acquisitions, particularly the purchasing of banks. However, the Federal Reserve carved out certain small bank holding companies.

In order to be considered a small bank holding company, these companies had an asset cap of $150 million. By 2015, the cap had been increased to $1 billion. The bill before us today increases the cap to $3 billion.

As we have heard last night during testimony at the Rules Committee, there is no science or data behind the level of the cap. Think about that for a second. The government has established a cap that has a negative impact on our community banks, and the cap has no basis in anything, not science, not data, not historical financial patterns, nothing. The cap is simply a whim of Washington.

Mr. Speaker, this is absurd. It is time we allow our community banks to have an avenue to continue being locally owned and based in our communities rather than being bought out by Wall Street.

Today we have two Financial Services bills before us that reduce regulations and allow Coloradans and all Americans greater freedom in the choice of banking services. I urge support of these two bills.

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

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

Mr. Speaker, I thank the gentleman from Colorado (Mr. BUCK) for yielding me the customary 30 minutes for debate.

I rise today to debate this rule, the Common Sense Nutrition Disclosure Act, the Mortgage Choice Act of 2017, and the Small Bank Holding Company Relief Act of 2018.

H.R. 772 would amend the labeling requirements for nutrition information displayed by restaurants and other retail food establishments. This measure would unnecessarily complicate and further delay the implementation of nutrition labeling requirements established by the Affordable Care Act.

In what can only be described as a rather astounding attempt to avoid good sense, this bill will make calorie and nutrition information less accessible and less useful to consumers at a time when we are spending $147 billion annually on healthcare measures related to chronic illnesses that are directly tied to obesity. Consumers need more access to this information, not less.

The second measure, H.R. 1153, the Mortgage Choice Act of 2017, would introduce some of the high fees that borrowers faced leading up to the 2008 mortgage and financial crisis. This bill would roll back important home-buyer protection reforms, taking us back to the days when the true cost of a loan could be obscured in mortgage documents to the detriment of home buyers everywhere.

The third measure, the Small Bank Holding Company Relief Act of 2018, would direct the Federal Reserve Board to triple the Small Bank Holding Company Policy Statement from $1 billion to $3 billion, allowing even larger banking institutions to use greater amounts of debt to finance acquisitions, seemingly ignoring the lessons

from the previous financial disaster that we continue to climb out of to this very day.

Indeed, these Financial Services bills would weaken and politicize the policies created after the financial crisis to identify and guard against systemic risk in our financial system; and will allow even larger bank holding companies to leverage themselves with debt when financing the purchase of other banks.

Reviewing this legislation, I had to ask myself: Are the memories of my Republican colleagues really so short that they do not remember the complete breakdown of our financial system only a few short years ago?

Let me remind my friends across the aisle that the financial crisis of 2008 was the worst economic downturn America has faced since the Great Depression. Four million homes went through foreclosure and 9 million Americans lost their jobs.

Yet, instead of supporting efforts to ensure a financial collapse of such magnitude does not happen again, the majority has, instead, chosen to weaken the very protections put in place to prevent it.

With this in mind, we are left with two questions of equal importance: On the one hand, why are the Republicans so set on weakening much-needed and proven economic protections and making it harder for people to knowingly buy healthy food? And, secondly, why are they doing so now?

Mr. Speaker, the government runs out of funding this Thursday at midnight. We, once again, are forced to stare down the very real possibility of another shutdown because the Republican leadership either cannot or will not govern in a mature and reliable manner. Instead, our country is forced to lurch from continuing resolution to continuing resolution for no discernible reason. I think we are coming up on continuing resolution number 5.

Rather than taking the time to address their ever-present inability to govern responsibly, we are here today to debate evidence of that very inability, namely, the three bills we will be asked to vote on shortly.

It strikes me as odd, and is certainly frustrating, that I must, once again, remind the majority that we have yet to pass a budget agreement that provides an equal increase to both defense and nondefense spending.

Caveat right there. Later today, when we take up the CR, it is likely going to be said by a lot of people that our primary responsibility is to provide for the defense of this Nation, and I agree 100 percent. But that does not ignore the secondary responsibility of promoting the general welfare, and there are a variety of measures that are unattended and need to be attended. I might add, military people, veterans, and others find themselves in need of those particular services that are unattended as well.

We have yet to enact disaster aid so that our fellow Americans in Florida, Texas, Puerto Rico, the Virgin Islands, California, and southwest Louisiana can recover from the devastating hurricanes and wildfires.

□ 1030

We have yet to provide funding, and we will be talking about that a little bit later in our previous question request. We haven't provided funding for what we all know is the urgent opioid crisis. We have yet to protect hard-working Americans' pensions, and we have yet to see a serious proposal from Republican leadership to protect DREAMers and those whose temporary protected status will soon run out.

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

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

Mr. Speaker, I just want to point out to my friend from Florida that we were both here on the floor as the House of Representatives passed all 12 appropriations bills in early September.

As we look across to the other side of the Capitol, not much work has been done on those appropriations bills since they left the House and traveled to the Senate.

The answer to the continuing problem that we have with continuing resolutions is to find Members of the Senate who are willing to work as hard as the House has and pass appropriations bills and fund the government.

Unfortunately, that doesn't seem to be happening right now, and I hope we do pass a continuing resolution, I hope we do fund the military, and I hope we give some more stability to this government.

But the finger pointing in this case I don't think is warranted in the House.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Speaker, I rise in support of the rule and in support of the underlying bills: H.R. 772, the Common Sense Nutrition Disclosure Act of 2017; H.R. 1153, the Mortgage Choice Act of 2017; and my bill, H.R. 4771, the Small Bank Holding Company Relief Act of 2018.

Both H.R. 1153 and H.R. 4771 have received strong bipartisan support in the Financial Services Committee, and I urge my colleagues to support this rule.

The goal of H.R. 4771 is one that I have been pushing for the past few years to help our small banks thrive and serve their communities. Since that is a shared goal on both sides of the aisle, I am grateful that Mr. GOTTHEIMER and Mr. MEEKS joined me in cosponsoring this bill.

The Small Bank Holding Company Relief Act of 2018 is a very simple bill that helps small banks and savings and loan companies get the access to capital they need to serve the financial needs of small businesses and individuals in their communities.

This bill would simply raise the consolidated asset threshold under the Federal Reserve's Small Bank Holding Company Policy Statement from $1 billion to $3 billion in assets.

Raising the asset threshold means that hundreds of additional small banks and thrift holding companies around the country will qualify for coverage under the policy statement and, therefore, be exempt from certain regulatory and capital guidelines.

These exemptions make it easier for these small holding companies to raise capital and issue debt. Many holding companies that are above the current threshold face challenges with regard to capital formation, which is particularly of concern for small institutions that are struggling to meet higher capital level demands by regulators.

The Small Bank Holding Company Policy Statement was first issued in 1980 and provides exemptions from certain capital guidelines for small bank institutions. These capital standards were originally established for larger institutions and disproportionately harm small bank holding companies.

The policy statement also makes it easier to form new banks and thrift holding companies and to make the acquisitions by issuing debt at the holding company level.

These are all important tools in ensuring that our smallest institutions can continue to lend to consumers and small businesses in their communities and survive in an environment that continuously challenges our community banks.

The policy statement also contains several safeguards designed to ensure that small bank holding companies that operate with higher levels of debt permitted by the policy statement do not present an undue risk to the safety and the soundness of these subsidiary banks.

Mr. Speaker, this is a simple bill to help our small banks stay strong and continue to support their communities. The last time the threshold was raised in 2014, the effort received widespread bipartisan support.

H.R. 4771 also received strong bipartisan support in the Financial Services Committee during the most recent markup.

Mr. Speaker, I urge my colleagues to give equal support to this rule.

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

Mr. Speaker, every day, more than 115 Americans die from an opioid overdose. In 2016, the opioid epidemic claimed more American lives than car accidents and even breast cancer.

In order to tackle this growing crisis, we need to pass legislation that invests in effective solutions. Even President Donald John Trump agrees. Last year, he said: ''It is a national emergency. We are going to spend a lot of time, a lot of effort, and a lot of money on the opioid crisis.''

Well, Mr. Speaker, we have not spent a lot of time, a lot of effort, or a lot of money on this crisis. Instead, the President and the Republican Party spent most of last year trying to take

away healthcare from millions of Americans and passing a tax cut for billionaires and corporations. And to that, Mr. Speaker, I say: Enough. We need to act now.

For that reason, if we defeat the previous question, I am going to offer an amendment to the rule to bring up Representative KUSTER's bill, H.R. 4938, the Respond to the Needs in the Opioid War Act.

This legislation would create a $25 billion opioid epidemic response fund to invest in programs that will help States respond to the epidemic over the next 5 years.

I happen to live in south Florida, which has an equivalent crisis with everyone around the Nation. The people with addiction problems seem to gravitate to several areas in south Florida, particularly Delray Beach and Palm Beach County, where I live.

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

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from New Hampshire (Ms. KUSTER) to discuss our proposal, who is a true champion on this issue.

Ms. KUSTER of New Hampshire. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, in New Hampshire and all across this country, people are dying every day. Communities have been devastated by the heroin and opioid epidemic. Last year, we lost nearly 500 people to substance abuse disorder in my small State of New Hampshire.

Helping families, first responders, treatment providers, law enforcement officials, and activists in the Granite State confront this crisis has been one of my top priorities in Congress.

Our communities need our help, and there is strong bipartisan commitment here in the House to respond effectively to this crisis.

While we have passed effective legislation over the last 2 years, including the Comprehensive Addiction and Recovery Act, the most important thing that we can do is to provide the funding to help those on the front lines of this crisis do their jobs.

While I and my Democratic colleagues welcome the President's declaration of an opioid public health emergency, the lack of corresponding funding means that this commitment has been little more than empty rhetoric.

We need leadership from Congress and the President to save lives across the country by providing real solutions to the opioid epidemic, and I call on my colleagues to act now.

During the State of the Union, the President, once again, expressed his commitment to working to address the opioid and heroin epidemic, but, unfortunately, his actions have fallen short of his rhetoric.

I have come to the floor today so we can defeat the previous question and bring up for consideration my legislation, the Respond NOW Act.

This critical legislation creates a $25 billion opioid epidemic response fund to provide $5 billion annually over 5 years targeted to numerous key initiatives involving agencies such as the Substance Abuse and Mental Health Services Administration, the Centers for Disease Control and Prevention, and the National Institutes of Health.

This includes $18.5 billion for SAMHSA grants to States, particularly those targeted at expanding medication assistance treatment, which opioid experts agree is among the most critical ways to help those suffering from substance use disorder.

My bill also provides funding to increase the number of substance use treatment providers and to expand medical research related to the opioid epidemic.

Additionally, it provides $2.5 billion for critical CDC initiatives, such as expanding and strengthening evidence-based prevention and education strategies.

Finally, the bill includes funding specifically to support children and families impacted by this opioid epidemic, including $250 million to support the Child Abuse Prevention and Treatment Act, which can help address the risk of adverse childhood experiences, a known driver of this epidemic.

We need to break the cycle, and these programs are ideally suited to support substance abuse treatment services to help families stay together and keep children in safe and stable homes.

The opioid crisis is a multifaceted challenge, and we are fortunate that so many amazing researchers, first responders, law enforcement officials, community activists, and others are doing amazing work in communities all across our country. But they need the resources to effectively meet these challenges. We must stop playing political games and act immediately to provide emergency funding to help stop this crisis in New Hampshire, in Florida, and all across this country.

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

Mr. Speaker, I want to turn now to the final bill made in order under this rule, the Common Sense Nutrition Disclosure Act.

Mr. Speaker, in 2016, I had the privilege to visit with one of my constituents, Lamont Muchmore. Lamont owns a Papa John's pizza franchise and invited me to come to his restaurant. He even taught me how to throw, or how to toss—maybe throw, maybe toss—a pizza. It was a great experience. I got to meet members of his team and hear about their professional goals. I am happy to say that the American Dream is alive within the hearts of the people of Colorado.

However, my visit with Lamont was not without concern. You see, recently, Washington had decided to push a hugely disruptive regulation on our food service industry.

In the interest of ensuring Americans had information on their food choices, Washington crafted a one-size-fits-all mandate that every menu item be labeled with its nutritional content.

As someone who has become extremely aware of the quality of foods that I consume, I certainly understand the do-good intentions behind this kind of regulation. But the impact on businesses like Lamont's has been substantial. In fact, some businesses have no realistic way of complying with the rules.

Further, the law that put these regulations in place, ObamaCare, placed criminal penalties on those who fail to comply. How ridiculous is that? If you mislabel or fail to properly label the calorie count on a menu item, you could be fined and go to jail.

The bill before us today rectifies some of the harm done by this rule. The bill allows multiple avenues for businesses such as Lamont's pizza restaurant to comply with menu labeling requirements in the most cost-effective manner possible.

While I don't believe the Federal Government needs to require the calorie count of a food item on a menu in Colorado, this bill offers a compromise. Americans will still have access to nutrition information about the food they are purchasing, while businesses will be able to provide a variety of prepared and local foods without fear of major penalties if one serving happens to be slightly different in its calorie count than the last serving.

□ 1045

Mr. Speaker, I cannot tell you how frustrating it is to visit with Coloradans who are working hard to build their businesses, provide for their families and community, and employ people, only to be met with the constant headwind that our Federal Government blows in their faces through its Washington-knows-best regulatory schemes. Washington should get out of the way and let Americans do what we do best: cultivate our resources for the good of our family and neighbors.

I think often of Coloradans like Lamont. It is men and women like him all across this great land that are doing the important work. I am committed to ensuring that this Federal Government stops jeopardizing their hard-won success, and that Washington's so-called experts give honor where it is due: to the hardworking American people.

I thank Lamont for taking the time out of his day to visit with me. This bill answers the needs of his team, and I urge its passage.

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

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

I ask the gentleman from Colorado: Does Lamont own more than one establishment?

Mr. BUCK. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Colorado.

Mr. BUCK. He does.

Mr. HASTINGS. Does he own more than 20?

Mr. BUCK. I don't believe he owns more than 20.

Mr. HASTINGS. If he doesn't own more than 20, then he is not affected by this law. I just want you to know that. I am with you. I want Lamont to be successful.

Mr. BUCK. I will pass that information on to Lamont, although I disagree with your reading.

Mr. HASTINGS. Mr. Speaker, reclaiming my time, Democrats do not want to weaken financial protections keeping our economy stable and strong. Democrats do not want to make it harder for Americans to know the nutritional value of their food.

Rather, Democrats are ready to pass a budget that creates jobs and grows the paychecks of hardworking Americans. Democrats are ready to provide relief to our fellow Americans suffering from natural disasters. Democrats are ready to protect American's pensions. Democrats are ready to protect DREAMers; people who have known no other country than the United States; people, who, but for one piece of paper, are just as American as anyone who will walk in this Chamber today; people who served in the United States military, almost 1,000 of them.

Preferably, we would like to do that work in a bipartisan way. All we need is for the Republican Conference to stand up to the extreme faction in their party and to finally work with us.

Mr. Speaker, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

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

Washington is out of step with the vast majority of the American people. It is true that we often do work here that moves our country forward, that protects this great land, but it is also true that there is a competing worldview in this City which seeks to rule over the American people.

In Colorado, we have experienced the negative effects of overreach by the Federal Government.

How is it that regulators living 1,700 miles away from us believe they can create rules that take into account our needs and that respect our way of life?

It is just not possible.

Washington is good at stamping out large Federal programs. The problem is that it usually stamps out individual liberty in the process. This City must stop telling the people of Colorado how to live every detail of their lives. Washington's so-called experts must stop burying Colorado businessmen and -women under piles of rules.

If we truly free our people to grow and pursue their hopes and dreams, we will experience a renaissance of growth unmatched in our history. This Congress has done good work in rolling back the strong arm of the Federal Government, but there is more work to do.

These bills before us continue what should be a never-ending pursuit of giving back to the people their personal liberty which has been confiscated by overreaching Federal Government.

Mr. Speaker, I thank Chairman HENSARLING and Chairman WALDEN for their work on these bills. I thank Chairman SESSIONS for bringing these bills to the floor.

Mr. Speaker, I urge passage of the bills and the rule.

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

AN AMENDMENT TO H. RES. 725 OFFERED BY MR. HASTINGS

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

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4938) to address the opioid epidemic, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4938.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

H. RES. 726

Whereas, on January 30, 2018, Representative Paul Gosar tweeted a series of statements that included ''Today, Congressman Paul Gosar contacted the U.S. Capitol Police, as well as Attorney General Jeff Sessions, asking that they consider checking identification of all attending the State of the Union address and arresting any illegal aliens in attendance.'';

Whereas Representative Gosar went on to tweet ''Any illegal aliens attempting to go through security, under any pretext of invitation or otherwise, should be arrested and deported,'' said Congressman Gosar;

Whereas Representative Gosar's comments explicitly targeted the DACA recipients that Members of Congress brought as their guests to the State of the Union;

Whereas DACA recipients have been granted deferred action, are contributing to this country, and have been thoroughly vetted by the U.S. Citizenship and Immigration Services;

Whereas Representative Gosar's actions to inappropriately pressure the U.S. Capitol Police to detain and deport Dreamers, who are staying in the country according to U.S. Department of Homeland Security regulations, intimidated these young people who are already facing fear and uncertainty;

Whereas Representative Gosar abused the power in an attempt to interfere with and politicize the United States Capitol Police's efforts to provide for a safe, secure, and open environment during the State of the Union;

Whereas Representative Gosar has violated clause 1 of rule XXIII of the Code of Official Conduct which states that ''A Member, Delegate, Resident Commissioner, officer or employee of the House shall behave at all times in a manner that shall reflect creditably on the House'': Now, therefore, be it:

Resolved, That the House of Representatives strongly condemns Representative Paul Gosar for his inappropriate actions that intimidated State of the Union guests and discredited the House of Representatives.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Mr. BUCK. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Buck moves that the resolution be laid on the table.

The SPEAKER pro tempore. The question is on the motion by the gentleman from Colorado.

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

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to lay the resolution on the table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 725; and

Adopting House Resolution 725, if ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 187, not voting 12, as follows:

[Roll No. 53]

YEAS—231

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

NAYS—187

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

NOT VOTING—12

Beyer
Bridenstine
Clay
Cummings
Gutiérrez
Johnson (LA)
Palazzo
Pearce
Rooney, Thomas J.
Walz
Wilson (FL)
Young (AK)

□ 1126

Ms. BROWNLEY of California and Mr. BROWN of Maryland changed their vote from ''yea'' to ''nay.''

Messrs. REED, WEBSTER of Florida, HARRIS, and KATKO changed their vote from ''nay'' to yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 772, COMMON SENSE NUTRITION DISCLOSURE ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1153, MORTGAGE CHOICE ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 4771, SMALL BANK HOLDING COMPANY RELIEF ACT OF 2018; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 725) providing for consideration of the bill (H.R. 772) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority

to bring proceedings under section 403A; providing for consideration of the bill (H.R. 1153) to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction; providing for consideration of the bill (H.R. 4771) to raise the consolidated assets threshold under the small bank holding company policy statement, and for other purposes; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 231, nays 188, not voting 11, as follows:

[Roll No. 54]

YEAS—231

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

NAYS—188

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

NOT VOTING—11

Beyer
Bridenstine
Clay
Cummings
Gutiérrez
Johnson (LA)
Palazzo
Pearce
Rooney, Thomas J.
Walz
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1134

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 231, noes 186, not voting 13, as follows:

[Roll No. 55]

AYES—231

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

NOES—186

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

NOT VOTING—13

Beyer	Gutiérrez	Rooney, Thomas J.
Bridenstine	Johnson (LA)	
Chu, Judy	MacArthur	Walz
Clay	Palazzo	Wilson (FL)
Cummings	Pearce	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1141

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for rollcall votes, 53, 54, and 55 on Tuesday, February 6, 2018. Had I been present, I would have voted "nay" on rollcall votes 53, 54, and 55.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 REFORM ACT

Mr. HARPER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4924) to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4924

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

SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Congressional Accountability Act of 1995 Reform Act''.

(b) REFERENCES IN ACT.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

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

TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

Subtitle A—Reform of Procedures for Initiation, Investigation, and Resolution of Claims

SEC. 101. DESCRIPTION OF PROCEDURES AVAILABLE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

(a) PROCEDURES DESCRIBED.—Section 401 (2 U.S.C. 1401) is amended to read as follows:

''SEC. 401. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

''(a) FILING AND INVESTIGATION OF CLAIMS.—Except as otherwise provided, the procedure for consideration of an alleged violation of part A of title II consists of—

''(1) the filing of a claim by the covered employee alleging the violation, as provided in section 402;

''(2) an investigation of the claim, to be conducted by the General Counsel as provided in section 403; and

''(3) a formal hearing as provided in section 405, subject to Board review as provided in section 406, and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407, but only if, pursuant to an investigation conducted by the General Counsel as provided in section 403, the General Counsel finds either—

''(A) that there is reasonable cause to believe that the employing office involved committed a violation of part A of title II as alleged in the covered employee's claim; or

''(B) that the General Counsel cannot determine whether or not there is reasonable cause to believe that the employing office committed a violation of part A of title II as alleged in the covered employee's claim.

''(b) RIGHT OF EMPLOYEE TO FILE CIVIL ACTION.—

''(1) CIVIL ACTION.—A covered employee who files a claim as provided in section 402 may, during the period described in paragraph (3), file a civil action in a District Court of the United States with respect to the alleged violation involved, as provided in section 408.

''(2) EFFECT OF FILING CIVIL ACTION.—Notwithstanding paragraph (2) or paragraph (3) of subsection (a), if the covered employee files such a civil action—

''(A) the investigation of the claim by the General Counsel as provided in section 403,

or any subsequent formal hearing as provided in section 405, shall terminate upon the filing of the action by the covered employee; and

''(B) the procedure for consideration of the alleged violation shall not include any further investigation of the claim by the General Counsel as provided in section 403 or any subsequent formal hearing as provided in section 405.

''(3) PERIOD FOR FILING CIVIL ACTION.—The period described in this paragraph with respect to a claim is the 45-day period which begins on the date the covered employee files the claim under section 402.

''(4) SPECIAL RULE FOR EMPLOYEES RECEIVING FINDING OF NO REASONABLE CAUSE UNDER INVESTIGATION BY GENERAL COUNSEL.—Notwithstanding paragraph (3), if a covered employee receives a written notice from the General Counsel under section 403(c)(3) that the employee has the right to file a civil action with respect to the claim in accordance with section 408, the covered employee may file the civil action not later than 90 days after receiving such written notice.

''(c) SPECIAL RULE FOR ARCHITECT OF THE CAPITOL AND CAPITOL POLICE.—In the case of an employee of the Office of the Architect of the Capitol or of the Capitol Police, the Office, after receiving a claim filed under section 402, may recommend that the employee use the grievance procedures of the Architect of the Capitol or the Capitol Police for resolution of the employee's grievance for a specific period of time.

''(d) RIGHTS OF PARTIES TO RETAIN PRIVATE COUNSEL.—Nothing in this title may be construed to limit the authority of any individual, including a covered employee, the head of an employing office, or an individual who is alleged to have personally committed an act which consists of a violation of part A of title II to retain counsel to protect the interests of the individual at any point during any of the procedures provided under this title for the consideration of an alleged violation of part A of title II, including as provided under section 415(d)(7) with respect to Members of the House of Representatives and Senators.

''(e) STANDARDS FOR COUNSEL PROVIDING REPRESENTATION.—Any counsel who represents a party in any of the procedures provided under this title shall have an obligation to ensure that, to the best of the counsel's knowledge, information, and belief, as formed after an inquiry which is reasonable under the circumstances, each of the following is correct:

''(1) No pleading, written motion, or other paper is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter.

''(2) The claims, defenses, and other legal contentions the counsel advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

''(3) The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

''(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.''.

(b) CONFORMING AMENDMENT RELATING TO CIVIL ACTION.—Section 408 (2 U.S.C. 1408) is amended—

(1) by striking ''section 404'' and inserting ''section 401'';

(2) by striking ''who has completed counseling under section 402 and mediation under section 403''; and

(3) by striking the second sentence.

(c) OTHER CONFORMING AMENDMENTS.—Title IV is amended—

(1) by striking section 404 (2 U.S.C. 1404); and

(2) by redesignating section 403 (2 U.S.C. 1403) as section 404.

(d) CLERICAL AMENDMENTS.—The table of contents is amended—

(1) by striking the item relating to section 404; and

(2) by redesignating the item relating to section 403 as relating to section 404.

SEC. 102. REFORM OF PROCESS FOR INITIATION OF PROCEDURES.

(a) INITIATION OF PROCEDURES.—Section 402 (2 U.S.C. 1402) is amended to read as follows:

''SEC. 402. INITIATION OF PROCEDURES.

''(a) INTAKE OF CLAIM BY OFFICE.—To commence a proceeding under this title, a covered employee alleging a violation of law made applicable under part A of title II shall file a claim with the Office. The claim shall be made in writing under oath or affirmation, and shall be in such form as the Office requires.

''(b) INITIAL PROCESSING OF CLAIM.—

''(1) INTAKE AND RECORDING; NOTIFICATION TO EMPLOYING OFFICE.—Upon the filing of a claim by a covered employee under subsection (a), the Office shall take such steps as may be necessary for the initial intake and recording of the claim, including providing the employee with all relevant information with respect to the rights of the employee under this title, and shall notify the head of the employing office of the claim.

''(2) SPECIAL NOTIFICATION REQUIREMENTS FOR CLAIMS BASED ON ACTS COMMITTED PERSONALLY BY MEMBERS OF CONGRESS.—

''(A) IN GENERAL.—In the case of a claim alleging a violation described in subparagraph (B) which consists of an act committed personally by an individual who, at the time of committing the act, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, upon the filing of the claim under subsection (a), the Office shall notify such individual of the claim, the possibility that the individual may be required to reimburse the account described in section 415(a) for the amount of any award or settlement in connection with the claim, and the right of the individual under section 415(d)(7) to intervene in any mediation, hearing, or civil action under this title with respect to the claim.

''(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

''(i) a violation of section 201(a); or

''(ii) a violation of section 207 which consists of intimidating, taking reprisal against, or otherwise discriminating against any covered employee because the covered employee has opposed any practice made unlawful by section 201(a).

''(c) USE OF ELECTRONIC REPORTING AND TRACKING SYSTEM.—

''(1) ESTABLISHMENT AND OPERATION OF SYSTEM.—The Office shall establish and operate an electronic reporting system through which a covered employee may initiate a proceeding under this title, and which will keep an electronic record of the date and time at which the proceeding is initiated and will track all subsequent actions or proceedings occurring with respect to the proceeding under this title.

''(2) ACCESSIBILITY TO ALL PARTIES.—The system shall be accessible to all parties to such actions or proceedings, but only until the completion of such actions or proceedings.

''(3) ASSESSMENT OF EFFECTIVENESS OF PROCEDURES.—The Office shall use the information contained in the system to make regular assessments of the effectiveness of the procedures under this title in providing for the timely resolution of claims, and shall submit semi-annual reports on such assessments each year to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

''(d) DEADLINE.—A covered employee may not file a claim under this section with respect to an allegation of a violation of law after the expiration of the 180-day period which begins on the date of the alleged violation.

''(e) NO EFFECT ON ABILITY OF COVERED EMPLOYEE TO SEEK INFORMATION FROM OFFICE OR PURSUE RELIEF.—Nothing in this section may be construed to limit the ability of a covered employee—

''(1) to contact the Office or any other appropriate office prior to filing a claim under this section to seek information regarding the employee's rights under this Act and the procedures available under this title;

''(2) in the case of a covered employee of an employing office of the House of Representatives or Senate, to refer information regarding an alleged violation of part A of title II to the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate (as the case may be); or

''(3) to file a civil action in accordance with section 401(b).''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 402 to read as follows:

''Sec. 402. Initiation of procedures.''.

SEC. 103. INVESTIGATION OF CLAIMS BY GENERAL COUNSEL.

(a) INVESTIGATIONS DESCRIBED.—Title IV (2 U.S.C. 1401 et seq.), as amended by section 101(b), is further amended by inserting after section 402 the following new section:

''SEC. 403. INVESTIGATION OF CLAIMS.

''(a) INVESTIGATION.—Upon the completion of the initial processing of a claim under section 402(b), the General Counsel shall conduct an investigation of the claim involved.

''(b) SUBPOENAS.—To carry out an investigation under this section, the General Counsel may issue subpoenas in the same manner, and subject to the same terms and conditions, as a hearing officer may issue subpoenas to carry out discovery with respect to a hearing under section 405, except that the General Counsel may issue such a subpoena on the General Counsel's own initiative, without regard to whether or not a party requests that the General Counsel issue the subpoena. It is the sense of Congress that the General Counsel should issue subpoenas under this subsection only to the extent that other methods of obtaining information with respect to an investigation are insufficient to enable the General Counsel to conclude the investigation within the deadline described in subsection (e).

''(c) REPORT; FINDINGS.—

''(1) REPORT.—Upon concluding an investigation of a claim under this section, the General Counsel shall transmit a written report on the results of the investigation to the covered employee and the employing office involved.

''(2) INCLUSION OF FINDINGS.—The General Counsel shall include in the report transmitted under paragraph (1) one of the following findings:

''(A) A finding that there is reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee's claim.

''(B) A finding that there is no reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee's claim.

''(C) A finding that the General Counsel cannot determine whether or not there is

reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee's claim.

''(3) NOTICE OF RIGHT TO FILE CIVIL ACTION.—If the General Counsel transmits a finding under subparagraph (B) of paragraph (2), the General Counsel shall also transmit to the covered employee a written notice that the employee has the right to file a civil action with respect to the claim under section 408.

''(4) TRANSMISSION TO EXECUTIVE DIRECTOR.—If the General Counsel transmits a finding under subparagraph (A) or subparagraph (C) of paragraph (2), the General Counsel shall also transmit the report to the Executive Director.

''(5) TRANSMISSION OF REPORT ON INVESTIGATION OF CERTAIN CLAIMS TO CONGRESSIONAL ETHICS COMMITTEES.—

''(A) IN GENERAL.—In the case of a report furnished by the General Counsel under paragraph (1) on the results of an investigation of a claim alleging a violation described in subparagraph (B) which consists of an act committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, the General Counsel shall transmit the report to—

''(i) the Committee on Ethics of the House of Representatives, in the case of a Member of the House (including a Delegate or Resident Commissioner to the Congress); or

''(ii) the Select Committee on Ethics of the Senate, in the case of a Senator.

''(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

''(i) a violation of section 201(a); or

''(ii) a violation of section 207 which consists of intimidating, taking reprisal against, or otherwise discriminating against any covered employee because the covered employee has opposed any practice made unlawful by section 201(a).

''(d) RECOMMENDATION OF MEDIATION.—At any time during the investigation of a claim under this section, the General Counsel may make a recommendation that the covered employee and the employing office pursue mediation under section 404 with respect to the claim.

''(e) DEADLINE FOR CONCLUDING INVESTIGATION.—The General Counsel shall conclude the investigation of a claim under this subsection, and transmit the report on the results of the investigation, not later than 90 days after the claim is filed under section 402, except that the General Counsel may (upon notice to the parties to the investigation) use an additional period of not to exceed 30 days to conclude the investigation.''.

(b) CONFORMING AMENDMENTS RELATING TO HEARINGS CONDUCTED BY OFFICE OF COMPLIANCE.—Section 405 (2 U.S.C. 1405) is amended as follows:

(1) In the heading, by striking ''**COMPLAINT AND**''.

(2) By amending subsection (a) to read as follows:

''(a) REQUIREMENT FOR OFFICE TO CONDUCT HEARINGS.—

''(1) HEARING REQUIRED UPON CERTAIN FINDINGS BY GENERAL COUNSEL.—

''(A) IN GENERAL.—If the General Counsel transmits to the Executive Director a report on the investigation of a claim under section 403 which includes a finding described in subparagraph (B), the Office shall conduct a hearing to consider the claim and render a decision.

''(B) FINDINGS DESCRIBED.—A finding described in this subparagraph is—

''(i) a finding under section 403(c)(2)(A) that there is reasonable cause to believe that an employing office committed a violation of part A of title II, as alleged in a claim filed by a covered employee; or

''(ii) a finding under section 403(c)(2)(C) that the General Counsel cannot determine whether or not there is reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee's claim.''.

(3) In subsection (c)(1), by striking ''complaint'' and inserting ''claim''.

(4) In subsection (d) in the matter preceding paragraph (1), by striking ''complaint'' and inserting ''claim''.

(5) In subsection (d)(2), by striking ''no later than 60 days after filing of the complaint'' and inserting ''no later than 60 days after the Executive Director receives the General Counsel's report on the investigation of the claim''.

(6) In subsection (g), by striking ''complaint'' and inserting ''claim''.

(c) OTHER CONFORMING AMENDMENT.—The heading of section 414 (2 U.S.C. 1414) is amended by striking ''**OF COMPLAINTS**''.

(d) CLERICAL AMENDMENTS.—The table of contents, as amended by section 101(c), is further amended as follows:

(1) By inserting after the item relating to section 402 the following new item:

''Sec. 403. Investigation of claims.''.

(2) By amending the item relating to section 405 to read as follows:

''Sec. 405. Hearing.''.

(3) By amending the item relating to section 414 to read as follows:

''Sec. 414. Settlement.''.

SEC. 104. AVAILABILITY OF MEDIATION DURING INVESTIGATIONS.

(a) OPTION TO REQUEST MEDIATION.—Section 404(a) (2 U.S.C. 1404(a)), as redesignated by section 101(c), is amended to read as follows:

''(a) AVAILABILITY OF MEDIATION DURING INVESTIGATION.—At any time during the investigation of a covered employee's claim under section 403, the covered employee and the employing office may jointly file a request for mediation with the Office.''.

(b) PERIOD OF MEDIATION.—The second sentence of section 404(c) (2 U.S.C. 1404(c)), as redesignated by section 101(c), is amended to read as follows: ''The mediation period may be extended for one additional period of 30 days at the joint request of the covered employee and employing office.''.

(c) REQUIRING PARTIES TO BE SEPARATED DURING MEDIATION AT REQUEST OF EMPLOYEE.—Section 404(b)(2) (2 U.S.C. 1404(b)(2)), as redesignated by section 101(c), is amended by striking ''meetings with the parties separately or jointly'' and inserting ''meetings with the parties during which, at the request of the covered employee, the parties shall be separated,''.

Subtitle B—Other Reforms

SEC. 111. REQUIRING MEMBERS OF CONGRESS TO REIMBURSE TREASURY FOR AMOUNTS PAID AS SETTLEMENTS AND AWARDS IN CASES OF ACTS COMMITTED PERSONALLY BY MEMBERS.

(a) MANDATING REIMBURSEMENT OF AMOUNTS PAID.—Section 415 (2 U.S.C. 1415) is amended by adding at the end the following new subsection:

''(d) REIMBURSEMENT BY MEMBERS OF CONGRESS OF AMOUNTS PAID AS SETTLEMENTS AND AWARDS.—

''(1) REIMBURSEMENT REQUIRED FOR CERTAIN VIOLATIONS.—

''(A) IN GENERAL.—If a payment is made from the account described in subsection (a) for an award or settlement in connection with a claim alleging a violation described in subparagraph (B) which consists of an act committed personally by an individual who, at the time of committing the act, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, the individual shall reimburse the account for the amount of the award or settlement.

''(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

''(i) a violation of section 201(a); or

''(ii) a violation of section 207 which consists of intimidating, taking reprisal against, or otherwise discriminating against any covered employee because the covered employee has opposed any practice made unlawful by section 201(a).

''(2) WITHHOLDING AMOUNTS FROM SALARY.—

''(A) ESTABLISHMENT OF TIMETABLE AND PROCEDURES BY COMMITTEES.—For purposes of carrying out subparagraph (B), the applicable Committee shall establish a timetable and procedures for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

''(B) DEADLINE.—The payroll administrator shall withhold from an individual's compensation and transfer to the account described in subsection (a) (after transferring any amounts to the account of the individual in the Thrift Savings Fund) such amounts as may be necessary to reimburse the account for the payment of an award or settlement described in paragraph (1) if the individual has not reimbursed the account as required under paragraph (1) prior to the expiration of the 90-day period which begins on the date a payment is made from the account for such an award or settlement.

''(C) APPLICABLE COMMITTEE DEFINED.—In this paragraph, the 'applicable Committee' means—

''(i) the Committee on House Administration of the House of Representatives, in the case of an individual who, at the time of the withholding, is a Member of the House; or

''(ii) the Committee on Rules and Administration of the Senate, in the case of an individual who, at the time of the withholding, is a Senator.

''(3) USE OF AMOUNTS IN THRIFT SAVINGS FUND AS SOURCE OF REIMBURSEMENT.—

''(A) IN GENERAL.—If, by the expiration of the 180-day period which begins on the date a payment is made from the account described in subsection (a) for an award or settlement described in paragraph (1), an individual who is a Member of the House of Representatives or a Senator has not reimbursed the account as required under paragraph (1), the Executive Director of the Federal Retirement Thrift Investment Board shall make a transfer, from the account of the individual in the Thrift Savings Fund to the account described in subsection (a), of an amount equal to the award or settlement (reduced by any amount the individual has reimbursed, taking into account any amounts withheld under paragraph (2)).

''(B) INITIATION OF TRANSFER.—Notwithstanding section 8435 of title 5, United States Code, the Executive Director shall make the transfer under subparagraph (A) upon receipt of a written request to the Executive Director from the Secretary of the Treasury, in the form and manner required by the Executive Director, without the consent of the individual or the individual's spouse or former spouse (as the case may be).

''(4) NOTIFICATION TO OFFICE OF PERSONNEL MANAGEMENT AND SECRETARY OF THE TREASURY.—If, at the time an individual is first no longer receiving compensation as a Member or a Senator, the amounts withheld under this subsection have not been sufficient to reimburse the account described in subsection (a) for an award or settlement described in paragraph (1), the payroll administrator—

''(A) shall notify the Director of the Office of Personnel Management, who shall take such actions as the Director considers appropriate to withhold from any annuity payable to the individual under chapter 83 or chapter 84 of title 5, United States Code, and transfer to the account described in subsection (a), such amounts as may be necessary to reimburse the account for the payment; and

''(B) shall notify the Secretary of the Treasury, who (if necessary), notwithstanding section 207 of the Social Security Act (42 U.S.C. 407), shall take such actions as the Secretary of the Treasury considers appropriate to withhold from any payment to the individual under title II of the Social Security Act and transfer to the account described in subsection (a), such amounts as may be necessary to reimburse the account for the payment.

''(5) COORDINATION BETWEEN OPM AND TREASURY.—The Director of the Office of Personnel Management and the Secretary of the Treasury shall carry out paragraph (4) in a manner that ensures the coordination of the withholding and transferring of amounts under such paragraph, in accordance with regulations promulgated by the Director and the Secretary.

''(6) PAYROLL ADMINISTRATOR DEFINED.—In this section, the term 'payroll administrator' means—

''(A) in the case of an individual who is a Member of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this subsection; or

''(B) in the case of an individual who is a Senator, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this subsection.

''(7) RIGHT TO INTERVENE.—An individual who is subject to the reimbursement requirement of this subsection shall have the right to intervene in any mediation, hearing, or civil action under this title to the extent necessary to protect the interests of the individual in the determination of whether an award or settlement described in paragraph (1) should be made, and the amount of any such award or settlement, except that nothing in this paragraph may be construed to require the covered employee who filed the claim to be deposed by counsel for the individual in a deposition which is separate from any other deposition taken from the employee in connection with the hearing or civil action.''.

(b) CONFORMING AMENDMENT RELATING TO THRIFT SAVINGS FUND.—Section 8437(e) of title 5, United States Code, is amended by striking ''or an obligation'' and inserting the following: ''an obligation of the Executive Director to make a transfer under section 415(d)(3) of the Congressional Accountability Act of 1995, or an obligation''.

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

SEC. 112. AUTOMATIC REFERRAL TO CONGRESSIONAL ETHICS COMMITTEES OF DISPOSITION OF CERTAIN CLAIMS ALLEGING VIOLATIONS OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 INVOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.

Section 416(e) (2 U.S.C. 1416(d)) is amended to read as follows:

''(e) AUTOMATIC REFERRALS TO CONGRESSIONAL ETHICS COMMITTEES OF DISPOSITIONS OF CLAIMS INVOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.—

''(1) REFERRAL.—Upon the final disposition under this title (as described in paragraph (4)) of a claim alleging a violation described in section 415(d)(1)(B) which consists of an act committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff of an employing office of the House of Representatives or Senate, the Executive Director shall refer the claim to—

''(A) the Committee on Ethics of the House of Representatives, in the case of a Member or senior staff of the House (including a Delegate or Resident Commissioner to the Congress); or

''(B) the Select Committee on Ethics of the Senate, in the case of a Senator or senior staff of the Senate.

''(2) ACCESS TO RECORDS AND INFORMATION.—If the Executive Director refers a claim to a Committee under paragraph (1), the Executive Director shall provide the Committee with access to the records of any investigations, hearings, or decisions of the hearing officers and the Board under this title, and any information relating to an award or settlement paid, in response to such claim.

''(3) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—If a Committee to which a claim is referred under paragraph (1) issues a report with respect to the claim, the Committee shall ensure that the report does not directly disclose the identity or position of the individual who filed the claim.

''(4) FINAL DISPOSITION DESCRIBED.—In this subsection, the 'final disposition' of a claim means any of the following:

''(A) An order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation under section 404.

''(B) A final decision of a hearing officer under section 405(g).

''(C) A final decision of the Board under section 406(e).

''(D) A final decision in a civil action under section 408.

''(5) SENIOR STAFF DEFINED.—In this subsection, the term 'senior staff' means any individual who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).''.

SEC. 113. AVAILABILITY OF REMOTE WORK ASSIGNMENT OR PAID LEAVE OF ABSENCE DURING PENDENCY OF PROCEDURES.

(a) IN GENERAL.—Title IV (2 U.S.C. 1401 et seq.) is amended by adding at the end the following new section:

''SEC. 417. AVAILABILITY OF REMOTE WORK ASSIGNMENT OR PAID LEAVE OF ABSENCE DURING PENDENCY OF PROCEDURES.

''(a) OPTIONS FOR EMPLOYEES.—

''(1) REMOTE WORK ASSIGNMENT.—At the request of a covered employee who files a claim alleging a violation of part A of title II by the covered employee's employing office, during the pendency of any of the procedures available under this title for consideration of the claim, the employing office may permit the covered employee to carry out the employee's responsibilities from a remote location instead of from the location of the employing office.

''(2) EXCEPTION FOR WORK ASSIGNMENTS REQUIRED TO BE CARRIED OUT ONSITE.—If, in the determination of the covered employee's employing office, a covered employee who makes a request under this subsection cannot carry out the employee's responsibilities from a remote location, the employing office may grant paid leave of absence to a covered employee during the pendency of the procedures available under this title for the covered employee.

''(3) ENSURING NO RETALIATION.—An employing office may not grant a covered employee's request under this subsection in a manner which would constitute reprisal or retaliation under section 207.

''(b) EXCEPTION FOR ARRANGEMENTS SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS.—Subsection (a) does not apply to the extent that it is inconsistent with the terms and conditions of any collective bargaining agreement which is in effect with respect to an employing office.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by adding at the end of the items relating to tile IV the following new item:

''Sec. 417. Availability of remote work assignment or paid leave of absence during pendency of procedures.''.

SEC. 114. MODIFICATION OF RULES ON CONFIDENTIALITY OF PROCEEDINGS.

(a) CLAIMS AND INVESTIGATIONS.—Section 416(a) (2 U.S.C. 1416(a)) is amended to read as follows:

''(a) CLAIMS AND INVESTIGATIONS.—The filing of a claim under section 402 and any investigation of a claim under section 403 shall be confidential. Nothing in this subsection may be construed to prohibit a covered employee or an employing office from disclosing any information related to the claim (including information related to the defense of the claim) in the course of any proceeding under this title.''.

(b) MEDIATION.—Section 416(b) (2 U.S.C. 1416(b)) is amended by striking ''All mediation'' and inserting ''All information discussed or disclosed in the course of any mediation''.

SEC. 115. REIMBURSEMENT BY OTHER EMPLOYING OFFICES OF LEGISLATIVE BRANCH OF PAYMENTS OF CERTAIN AWARDS AND SETTLEMENTS.

(a) REQUIRING REIMBURSEMENT.—Section 415 (2 U.S.C. 1415), as amended by section 111, is further amended by adding at the end the following new subsection:

''(e) REIMBURSEMENT BY EMPLOYING OFFICES.—

''(1) NOTIFICATION OF PAYMENTS MADE FROM ACCOUNT.—As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this chapter has been made from the account described in subsection (a) in connection with a claim alleging a violation of section 201(a) by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director shall notify the head of the employing office that the payment has been made, and shall include in the notification a statement of the amount of the payment.

''(2) REIMBURSEMENT BY OFFICE.—Not later than 180 days after receiving a notification from the Executive Director under paragraph (1), the head of the employing office involved shall transfer to the account described in subsection (a), out of any funds available for operating expenses of the office, a payment equal to the amount specified in the notification.

''(3) TIMETABLE AND PROCEDURES FOR REIMBURSEMENT.—The head of an employing office shall transfer a payment under paragraph (2) in accordance with such timetable and procedures as may be established under regulations promulgated by the Office.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to payments made under section 415 of the Congressional Accountability Act of 1995 on or after the date of the enactment of this Act.

TITLE II—IMPROVING OPERATIONS OF OFFICE OF COMPLIANCE

SEC. 201. REPORTS ON CLAIMS, AWARDS, AND SETTLEMENTS.

(a) SEMIANNUAL REPORTS ON CLAIMS, AWARDS, AND SETTLEMENTS.—

(1) REQUIRING SUBMISSION AND PUBLICATION OF REPORTS.—Section 301 (2 U.S.C. 1381) is amended by adding at the end the following new subsection:

''(l) SEMIANNUAL REPORTS ON CLAIMS, AWARDS, AND SETTLEMENTS.—

''(1) IN GENERAL.—Not later than 45 days after the first 6-month period of each calendar year, and not later than 45 days after the next 6-month period of each calendar year, the Office shall submit to Congress and publish on the Office's public website a report listing each award or settlement which was paid during the previous year from the account described in section 415(a) as the result of a claim alleging a violation of part A of title II, including the employing office involved, the amount of the award or settlement, the provision of part A of title II which was the subject of the claim, and (in the case of an award or settlement resulting from a violation described in section 415(d)(1)(B) which was committed personally by a Member or former Member of Congress), whether the Member or former Member is in compliance with the requirement of section 415(d) to reimburse the account for the amount of the award or settlement.

''(2) PROTECTION OF IDENTITY OF INDIVIDUALS RECEIVING AWARDS AND SETTLEMENTS.—In preparing and submitting the reports required under paragraph (1), the Office shall ensure that the identity or position of any individual who received an award or settlement, or who made an allegation of a violation against an employing office, is not disclosed.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to 2018 and each succeeding year.

(b) REPORT ON AMOUNTS PREVIOUSLY PAID.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Office of Compliance shall submit to Congress and make available to the public on the Office's public website a report on all payments made with public funds prior to the date of the enactment of this Act for awards and settlements in connection with violations of section 201(a)(1) of the Congressional Accountability Act of 1995, and shall include in the report the following information:

(A) The amount paid for each such award or settlement.

(B) The source of the public funds used for the award or settlement, without regard to whether the funds were paid from the account described in section 415(a) of such Act (2 U.S.C. 1415(a)), an account of the House of Representatives or Senate, or any other account of the Federal Government.

(2) RULE OF CONSTRUCTION REGARDING IDENTIFICATION OF HOUSE AND SENATE ACCOUNTS.—Nothing in paragraph (1)(B) may be construed to require or permit the Office to report the account of any specific office of the House of Representatives or Senate as the source of funds used for an award or settlement.

SEC. 202. WORKPLACE CLIMATE SURVEYS OF EMPLOYING OFFICES.

(a) REQUIRING SURVEYS.—Title III (2 U.S.C. 1381 et seq.) is amended by adding at the end the following new section:

''SEC. 307. WORKPLACE CLIMATE SURVEYS OF EMPLOYING OFFICES.

''(a) REQUIREMENT TO CONDUCT SURVEYS.—Not later than 1 year after the date of the enactment of this section, and every 2 years thereafter, the Office shall conduct a survey of employing offices under this Act regarding the workplace environment of such offices.

''(b) SPECIAL INCLUSION OF INFORMATION ON SEXUAL HARASSMENT.—In each survey conducted under this section, the Office shall survey respondents on attitudes regarding sexual harassment.

''(c) METHODOLOGY.—

''(1) IN GENERAL.—The Office shall conduct each survey under this section in accordance with methodologies established by the Office.

''(2) CONFIDENTIALITY.—Under the methodologies established under paragraph (1), all responses to all portions of the survey shall be anonymous and confidential, and each respondent shall be told throughout the survey that all responses shall be anonymous and confidential.

''(d) USE OF RESULTS OF SURVEYS.—The Office shall furnish the information obtained from the surveys conducted under this section to the Committee on House Administration of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(e) CONSULTATION WITH COMMITTEES.—The Office shall carry out this section, including establishment of methodologies and procedures under subsection (c), in consultation with the Committee on House Administration of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(f) INCLUSION OF LIBRARY OF CONGRESS.—For purposes of this section, the Library of Congress shall be considered an employing office.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by adding at the end of the items relating to title III the following new item:

''Sec. 307. Workplace climate surveys of employing offices.''.

SEC. 203. RECORD RETENTION.

Section 301 (2 U.S.C. 1381), as amended by section 201(a), is further amended by adding at the end the following new subsection:

''(m) RECORD RETENTION.—The Office shall establish and maintain a program for the permanent retention of its records, including the records of investigations, mediations, hearings, and other proceedings conducted under title IV.''.

SEC. 204. GAO STUDY OF MANAGEMENT PRACTICES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the management practices of the Office of Compliance.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), and shall include in the report such recommendations as the Comptroller General considers appropriate for improvements to the management practices of the Office of Compliance.

SEC. 205. GAO AUDIT OF CYBERSECURITY.

(a) AUDIT.—The Comptroller General of the United States shall conduct an audit of the cybersecurity systems and practices of the Office of Compliance.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the audit conducted under subsection (a), and shall include in the report such recommendations as the Comptroller General considers appropriate for improvements to the cybersecurity systems and practices of the Office of Compliance.

TITLE III—MISCELLANEOUS REFORMS

SEC. 301. EXTENSION TO UNPAID STAFF OF RIGHTS AND PROTECTIONS AGAINST EMPLOYMENT DISCRIMINATION.

(a) EXTENSION.—Section 201 (2 U.S.C. 1311) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) APPLICATION TO UNPAID STAFF.—

''(1) IN GENERAL.—Subsections (a) and (b) shall apply with respect to any staff of an employing office who carry out official duties of the employing office but who are not paid by the employing office for carrying out such duties, including an intern (including an applicant for an internship and a former intern), an individual detailed to an employing office, and an individual participating in a fellowship program, in the same manner and to the same extent as such subsections apply with respect to an employee.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) may be construed to extend liability for a violation of subsection (a) to an employing office on the basis of an action taken by any person who is not under the supervision or control of the employing office.

''(3) INTERN DEFINED.—The term 'intern' means an individual who performs service for an employing office which is uncompensated by the United States to earn credit awarded by an educational institution or to learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.''.

(b) TECHNICAL CORRECTION RELATING TO OFFICE RESPONSIBLE FOR DISBURSEMENT OF PAY TO HOUSE EMPLOYEES.—Section 101(7) (2 U.S.C. 1301(7)) is amended by striking ''disbursed by the Clerk of the House of Representatives'' and inserting ''disbursed by the Chief Administrative Officer of the House of Representatives''.

SEC. 302. COVERAGE OF EMPLOYEES OF LIBRARY OF CONGRESS.

(a) COVERAGE FOR PURPOSES OF PROTECTIONS AGAINST WORKPLACE DISCRIMINATION.—Section 201 (2 U.S.C. 1311), as amended by section 301(a), is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) COVERAGE OF LIBRARY OF CONGRESS.—For purposes of this section—

''(1) the Library of Congress shall be considered an employing office; and

''(2) the employees of the Library of Congress shall be considered covered employees.''.

(b) AVAILABILITY OF ALTERNATIVE GRIEVANCE PROCEDURES.—Section 401 (2 U.S.C. 1401), as amended by section 101(a), is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f); and

(2) by inserting after subsection (c) the following new subsection:

''(d) SPECIAL RULE FOR LIBRARY OF CONGRESS.—In the case of an employee of the Library of Congress, the employee may use the alternative grievance procedures of the Library of Congress instead of the procedures under this title for consideration and resolution of an alleged violation of part A of title II, except that if the employee files a claim as provided in section 402 with respect to the alleged violation, the employee may not use any of such alternative grievance procedures for consideration and resolution of the alleged violation.''.

(c) OTHER CONFORMING AMENDMENTS.—

(1) CIVIL RIGHTS ACT OF 1964.—Section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16(a)) is amended by striking ''Smithsonian Institution'' and all that follows

through ''Library of Congress'' and inserting the following: ''Smithsonian Institution, and in the Government Publishing Office and the Government Accountability Office''.

(2) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—Section 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a) is amended—

(A) in subsection (a), by striking ''Smithsonian Institution'' and all that follows through ''Library of Congress'' and inserting the following: ''Smithsonian Institution, and in the Government Publishing Office and the Government Accountability Office''; and

(B) in subsection (b), by striking the last sentence.

(3) AMERICANS WITH DISABILITIES ACT OF 1990.—Section 510 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209) is amended—

(A) by amending the matter preceding paragraph (1) to read as follows: ''The Government Accountability Office and the Government Publishing Office shall be covered as follows:''; and

(B) in paragraph (4), by striking ''means the following'' and all that follows and inserting the following: ''means the following: the Government Accountability Office and the Government Publishing Office.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply with respect to claims alleging violations of part A of title II of the Congressional Accountability Act of 1995 which are first made on or after the date of the enactment of this Act.

(2) TREATMENT OF PENDING CLAIMS UNDER EXISTING PROCEDURES.—If, as of the date of the enactment of this Act, an employee of the Library of Congress has or could have filed a charge or complaint pursuant to procedures of the Library of Congress which were available to the employee prior to such date for the resolution of a claim alleging a violation of a provision of law made applicable to the Library under section 201(a) of the Congressional Accountability Act of 1995 (including procedures applicable pursuant to a collective bargaining agreement), the employee may complete, or initiate and complete, all such procedures, and such procedures shall remain in effect with respect to, and provide the exclusive procedures for, that charge or complaint until the completion of all such procedures.

SEC. 303. CLARIFICATION OF COVERAGE OF EMPLOYEES OF HELSINKI AND CHINA COMMISSIONS.

(a) CLARIFICATION OF COVERAGE.—Section 101 (2 U.S.C. 1301) is amended—

(1) by striking ''Except as otherwise'' and inserting ''(a) IN GENERAL.—Except as otherwise''; and

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

''(b) CLARIFICATION OF COVERAGE OF EMPLOYEES OF CERTAIN COMMISSIONS.—

''(1) COVERAGE.—With respect to the China Review Commission, the Congressional-Executive China Commission, and the Helsinki Commission—

''(A) any individual who is an employee of such Commission shall be considered a covered employee for purposes of this Act; and

''(B) the Commission shall be considered an employing office for purposes of this Act.

''(2) AUTHORITY TO PROVIDE LEGAL ASSISTANCE AND REPRESENTATION.—Subject to paragraph (3), legal assistance and representation under this Act, including assistance and representation with respect to the proposal or acceptance of the disposition of a claim under this Act, shall be provided to the China Review Commission, the Congressional-Executive China Commission, and the Helsinki Commission—

''(A) by the House Employment Counsel of the House of Representatives, in the case of assistance and representation in connection with a claim filed under title IV (including all subsequent proceedings under such title in connection with the claim) at a time when the chair of the Commission is a Member of the House; or

''(B) by the Senate Chief Counsel for Employment of the Senate, in the case of assistance and representation in connection with a claim filed under title IV (including all subsequent proceedings under such title in connection with the claim) at a time when the chair of the Commission is a Senator.

''(3) DEFINITIONS.—In this subsection—

''(A) the term 'China Review Commission' means the United States-China Economic and Security Review Commission established under section 1238 of the Floyd D. Spence National Defense Authorization Act of 2001 (Public Law 106–398; 22 U.S.C. 7002);

''(B) the term 'Congressional-Executive China Commission' means the Congressional-Executive Commission on the People's Republic of China established under title III of the U.S.–China Relations Act of 2000 (Public Law 106–286; 22 U.S.C. 6911 et seq.); and

''(C) the term 'Helsinki Commission' means the Commission on Security and Cooperation in Europe established under the Act entitled 'An Act to establish a Commission on Security and Cooperation in Europe' (Public Law 94–304; 22 U.S.C. 3001 et seq.).''.

(b) COVERAGE OF STENNIS CENTER.—

(1) TREATMENT OF EMPLOYEES AS COVERED EMPLOYEES.—Section 101(3) (2 U.S.C. 1301(3)) is amended—

(A) by striking ''or'' at the end of subparagraph (H);

(B) by striking the period at the end of subparagraph (I) and inserting ''; or''; and

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

''(J) the John C. Stennis Center for Public Service Training and Development.''.

(2) TREATMENT OF CENTER AS EMPLOYING OFFICE.—Section 101(9)(D) (2 U.S.C. 1301(9)(D)) is amended by striking ''and the Office of Technology Assessment'' and inserting the following: ''the Office of Technology Assessment, and the John C. Stennis Center for Public Service Training and Development''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Congressional Accountability Act of 1995.

SEC. 304. TRAINING AND EDUCATION PROGRAMS OF OTHER EMPLOYING OFFICES.

(a) REQUIRING OFFICES TO DEVELOP AND IMPLEMENT PROGRAMS.—Title V (2 U.S.C. 1431 et seq.) is amended—

(1) by redesignating section 509 as section 510; and

(2) by inserting after section 508 the following new section:

''SEC. 509. TRAINING AND EDUCATION PROGRAMS OF EMPLOYING OFFICES.

''(a) REQUIRING OFFICES TO DEVELOP AND IMPLEMENT PROGRAMS.—Each employing office shall develop and implement a program to train and educate covered employees of the office in the rights and protections provided under this Act, including the procedures available under title IV to consider alleged violations of this Act.

''(b) REPORT TO COMMITTEES.—

''(1) IN GENERAL.—Not later than 45 days after the beginning of each Congress (beginning with the One Hundred Sixteenth Congress), each employing office shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the program required under subsection (a).

''(2) SPECIAL RULE FOR FIRST REPORT.—Not later than 180 days after the date of the enactment of the Congressional Accountability Act of 1995 Reform Act, each employing office shall submit the report described in paragraph (1) to the Committees described in such paragraph.

''(c) EXCEPTION FOR OFFICES OF CONGRESS.—This section does not apply to an employing office of the House of Representatives or an employing office of the Senate.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended—

(1) by redesignating the item relating to section 509 as relating to section 510; and

(2) by inserting after the item relating to section 508 the following new item:

''Sec. 509. Training and education programs of employing offices.''.

SEC. 305. RENAMING OFFICE OF COMPLIANCE AS OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS.

(a) RENAMING.—Section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381 et seq.) is amended—

(1) in the heading, by striking ''**OFFICE OF COMPLIANCE**'' and inserting ''**OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS**''; and

(2) in subsection (a), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(b) CONFORMING AMENDMENTS TO CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The Congressional Accountability Act of 1995 is amended as follows:

(1) In section 101(1) (2 U.S.C. 1301(1)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(2) In section 101(2) (2 U.S.C. 1301(2)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(3) In section 101(3)(H) (2 U.S.C. 1301(3)(H)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(4) In section 101(9)(D) (2 U.S.C. 1301(9)(D)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(5) In section 101(10) (2 U.S.C. 1301(10)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(6) In section 101(11) (2 U.S.C. 1301(11)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(7) In section 101(12) (2 U.S.C. 1301(12)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(8) In section 210(a)(9) (2 U.S.C. 1331(a)(9)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(9) In section 215(e)(1) (2 U.S.C. 1341(e)(1)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(10) In section 220(e)(2)(G) (2 U.S.C. 1351(e)(2)(G)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(11) In the heading of title III, by striking ''**OFFICE OF COMPLIANCE**'' and inserting ''**OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS**''.

(12) In section 304(c)(4) (2 U.S.C. 1384(c)(4)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(13) In section 304(c)(5) (2 U.S.C. 1384(c)(5)), by striking ''Office of Compliance'' and inserting ''Office of Congressional Workplace Rights''.

(c) CLERICAL AMENDMENTS.—The table of contents is amended—

(1) by amending the item relating to the heading of title III to read as follows:

''TITLE III—OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS'';

and

(2) by amending the item relating to section 301 to read as follows:

''Sec. 301. Office of Congressional Workplace Rights.''.

(d) REFERENCES IN OTHER LAWS, RULES, AND REGULATIONS.—Any reference to the Office of Compliance in any law, rule, regulation, or other official paper in effect as of the effective date of this Act shall be considered to refer and apply to the Office of Congressional Workplace Rights.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided, this Act and the amendments made by this Act shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act.

(b) NO EFFECT ON PENDING PROCEEDINGS.—Nothing in this Act or the amendments made by this Act may be construed to affect any proceeding under title IV of the Congressional Accountability Act of 1995 which is pending as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. HARPER) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, a little more than 3 months ago, you tasked the Committee on House Administration with a great responsibility, to undertake a comprehensive review of the training, policies, and mechanisms to guard against sexual harassment in the congressional workplace.

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I believe that the legislation we are considering today, H.R. 4924, the Congressional Accountability Act of 1995 Reform Act, and, immediately following that, the House resolution, together, respond to this great task.

At the outset, I would like to thank the Speaker of the House, PAUL RYAN, for his leadership on this issue and for the trust he placed on our committee to conduct this important review.

I would also like to thank and appreciate the work done by our Conference Chair, CATHY MCMORRIS RODGERS.

I would also thank every member of the Committee on House Administration, particularly the ranking member, Mr. BRADY. He has been a great friend and colleague over the last decade, and I appreciate being able to work closely on this issue with him.

Both the CAA Reform Act and the House resolution reflect the dedication and commitment of a bipartisan group of Members, including Representatives BYRNE, SPEIER, BROOKS, and DEUTCH, who want to ensure this institution remains worthy of the trust placed in it by the American people. I also want to thank Representatives DESANTIS, LOVE, COMSTOCK, and CHRIS SMITH for their contributions to this bill.

As I have said previously and will state again, unequivocally, there is no place for sexual harassment, or any type of harassment, period, in the U.S. House of Representatives.

It is no secret that the culture on Capitol Hill is unique. While there are hundreds of employing offices, we should all share the common goal of creating effective work environments—environments that are safe, productive, collegial, and, most importantly, responsive, responsive to the needs of our constituents and the public.

During our review, the committee held two hearings, three member listening sessions, a roundtable discussion with stakeholders, and meetings with victims and their advocates to examine how we could improve the workplace for everyone. We found the Congressional Accountability Act of 1995 to be outdated and in need of this comprehensive reform.

We found the House training programs to be inadequate in order to meet the needs of all House employees. Additionally, we found that our House policies and procedures are in need of change as they relate to sexual harassment in the workplace.

Last November, the House took the first step in addressing these issues by passing H. Res. 630, a resolution that, among other things, requires all House employees to take annual, in-person antiharassment and antidiscrimination training. Passage of the CAA Reform Act is the logical next step.

The CAA Reform Act makes a number of reforms to the Congressional Accountability Act that will ensure its future effectiveness, including:

Reforming the dispute resolution process to establish procedures for initiating, investigating, and resolving alleged violations of part A, title II, of the CAA;

Ensuring all claims are filed in writing and are made under oath;

Requiring Members who have engaged in intentional discrimination to reimburse the Department of the Treasury;

Requiring the Office of Compliance, the OOC, to report every 6 months of a calendar year to Congress, and to publish on their website the awards and settlements from the previous year;

Directing the OOC to conduct a climate survey of the legislative branch every 2 years;

Directing the OOC to establish a permanent record retention program;

Expanding the definition of covered employees to include unpaid interns, fellows, and detailees; and

Clarifying certain commissions, such as the Helsinki Commission, are covered by the Congressional Accountability Act and providing the process for disposing of claims.

These are just a few of the reforms that the CAA Reform Act makes.

I am proud of the work of this committee and our bipartisan group of Members who have worked on this so diligently over the last several months.

Mr. Speaker, I encourage all of my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, February 2, 2018.

Hon. SUSAN BROOKS,
Chairwoman, House Committee on Ethics, Washington, DC.

DEAR CHAIRWOMAN BROOKS: I am writing to you concerning H.R. 4924, the Congressional Accountability Act of 1995 Reform Act and H. Res. 724, a resolution making operational changes to the House of Representatives as well as changes to the Code of Official Conduct. There are certain provisions in both pieces of legislation that fall within the jurisdiction of the House Committee on Ethics.

In the interest of permitting the Committee on House Administration to proceed expeditiously for floor consideration of these important bills, I am writing to request a waiver of your committee's right to a referral. I request with the understanding that by waiving consideration of these bills, the Committee on Ethics does not waive any future jurisdictional claim over the subject matters contained in the bills which fall within its Rule X jurisdiction.

I will place this letter into the committee report and into the Congressional Record during consideration of the measures on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

GREGG HARPER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ETHICS,
Washington, DC, February 6, 2018.

Hon. GREGG HARPER,
Chairman, Committee on House Administration, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4924, the Congressional Accountability Act of 1995 Reform Act, and H. Res. 724, a related resolution. As you know, certain provisions of both bills fall within the jurisdiction of the Committee on Ethics and your committee has previously consulted with us regarding provisions of these measures that fall within our committee's jurisdiction. We appreciate the opportunity to work with you, Ranking Member Robert Brady, and your colleagues on the Committee on House Administration in a collegial and bipartisan manner on this important legislation.

The Committee on Ethics has unique and exclusive jurisdiction over the Code of Official Conduct. In addition, the Committee on Ethics takes allegations of sexual harassment and discrimination and other violations of workplace rights extremely seriously. However, in order to expedite Floor consideration of these measures, the Committee on Ethics will forgo action on both measures.

We believe that discharging the Committee on Ethics from further consideration of H.R. 4924 and H. Res. 724 will serve in the best interest of the House of Representatives to ensure their swift consideration. It is our mutual understanding that forgoing action on

H.R. 4924 and H. Res. 724 will not prejudice the Committee on Ethics with respect to appointment of conferees or any future jurisdictional claim over subject matter contained in this or similar legislation. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and ask that you support any such request. We understand that your letter and this response will be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

SUSAN W. BROOKS,
Chairwoman, Committee on Ethics.
THEODORE E. DEUTCH,
Ranking Member, Committee on Ethics.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, February 2, 2018.

Hon. TREY GOWDY,
Chairman, House Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN GOWDY: I am writing to you concerning H.R. 4924, the Congressional Accountability Act of 1995 Reform Act. There are certain provisions in the bill that fall within the jurisdiction of the House Committee on Oversight and Government Reform.

In the interest of permitting the Committee on House Administration to proceed expeditiously for floor consideration of this important bill, I am writing to request a waiver of your committee's right to a referral. I request with the understanding that by waiving consideration of this bill, the Committee on Oversight and Government Reform does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction.

I will place this letter into the committee report and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit.

Sincerely,

GREGG HARPER,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, February 6, 2018.

Hon. GREGG HARPER,
Chairman, Committee on House Administration, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4924. As you know, certain provisions of the bill fall within the Jurisdiction of Committee on Oversight and Government Reform.

I realize that discharging the Committee on House Administration from further consideration of H.R. 4924 will serve in the best interest of the House of Representatives and agree to do so. It is the understanding of the Committee on Oversight and Government Reform that forgoing action on H.R. 4924 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

TREY GOWDY.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, February 5, 2018.

Hon. KEVIN BRADY,
Chairman, House Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN BRADY: I am writing to you concerning H.R. 4924, the Congressional Accountability Act of 1995 Reform Act. There are certain provisions in the legislation that fall within the jurisdiction of the House Committee on Ways and Means.

In the interest of permitting the Committee on House Administration to proceed expeditiously for floor consideration of this important bill, I am writing to request a waiver of your committee's right to a referral. I request with the understanding that by waiving consideration of these bills, the Committee on Ways and Means does not waive any future jurisdictional claim over the subject matter contained in the bill which falls within its Rule X jurisdiction.

I will place this letter into the committee report and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

GREGG HARPER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, February 5, 2018.

Hon. GREGG HARPER,
Chairman, Committee on House Administration, Washington, DC.

DEAR CHAIRMAN HARPER: I am writing with respect to H.R. 4924, the ''Congressional Accountability Act of the 1995 Reform Act,'' on which the Committee on Ways and Means was granted an additional referral.

As a result of your having consulted with us on provisions in H.R. 4924 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive formal consideration of this bill so that it may move expeditiously to the floor. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 4924.

Sincerely,

KEVIN BRADY,
Chairman.

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

Mr. Speaker, since we began this process several months ago, I have met with experts, my colleagues, and, most importantly, the survivors of sexual harassment and assault. Their insight has informed this legislation today.

By passing this proposal, Congress will take a much-needed first step in changing how we do business:

We eliminate counseling;

We eliminate the cooling off period;

We make mediation optional;

We change the system so that we protect the victim and not the perpetrator;

We require more transparency with regular reporting that has meaningful information;

We change the confidentiality rule so that the victim decides what to talk about and when; and

We hold Members accountable for their behavior by referring every case to the Ethics Committee.

This is long overdue.

There is one person who has been championing this work her entire career, the gentlewoman from California, Representative JACKIE SPEIER, and I thank her. Without her, we would not be here. Representative SPEIER's leadership and persistence are the main reasons we are so close to getting this done, and the entire Congress should be grateful for her work.

It is because of the leadership of the chairman that we are here on the floor today. As he has his entire 10 years on the committee, he has been focused on working together in a bipartisan way where we can agree. Because of that commitment, he will certainly be remembered as one of the most consequential chairmen of this committee. I thank him, and I cherish his friendship.

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

Mr. HARPER. Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Speaker, I thank the chairman for yielding.

Prior to coming to Congress, I worked for 30 years as a labor and employment attorney in Alabama. I advised clients on how to prevent sexual harassment and how to navigate the process if a harassment claim was made. Quite frankly, I was shocked to see how complicated the congressional process for handling sexual harassment and other employment law claims was.

Mr. Speaker, this legislation is a shining example of how Congress should work. Chairman HARPER and Ranking Member BRADY engaged a bipartisan group of Members, including Representative JACKIE SPEIER and me, interested in solving this problem. After months of thoughtful negotiation, we come to the floor today with a product that this House and the American people can be proud of.

Under this legislation, we will bring the congressional workplace into the 21st century and ensure that Congress plays by the same rules as the private sector.

There are far too many important reforms to mention all of them, but I want to highlight a few that I think are especially transformative.

First, the bill creates a fair and simpler process for employees to file an employment law claim and for the claim to be resolved. The bill creates

an Office of Employee Advocacy to ensure staff has access to legal counsel just as Member offices are provided. The process is also simplified to make the claims process smoother, faster, and fairer.

Second, the bill increases transparency by requiring that basic information about any sexual harassment or other claims be made public so the American people are fully aware of what is happening in Congress.

Third, the bill will ensure that Members of Congress, not taxpayers, are responsible for paying out sexual harassment settlements that they are responsible for.

Fourth, the related resolution paves the way for every congressional office to have a clearly defined antiharassment and antidiscrimination policy. This reform alone will result in greater awareness.

Fifth, the resolution prohibits Members of Congress from engaging in a sexual relationship with any staff member under their supervision and makes clear that sexual harassment is a violation of the Code of Official Conduct and will not be tolerated.

In closing, I want to again thank Chairman HARPER and Ranking Member BRADY for their leadership on this issue, and I strongly urge my colleagues to support this bipartisan legislation and the related resolution.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), and, again, the main reason we are on the floor today.

Ms. SPEIER. Mr. Speaker, I thank the ranking member for his generosity and for his great leadership.

Mr. Speaker, we are truly here on a historic occasion. It is a rare and crucial moment of bipartisanship. This is the way you can do it—men and women, Republicans and Democrats, conservatives and liberals—coming together to make this place better.

When I first started this work back in 2014, I dreamed, but I did not dare to hope, that we would end up here today. Today, this bipartisan group of legislators is taking a historic step that has plagued this institution for generations.

For years, Members of Congress have gotten away with truly egregious behavior by mistreating their staff. A story that will be etched in my memory forever is a young woman who sat in my office earlier this year and told me her story and who said, as she cried, the process was almost worse than the harassment.

No more, ladies and gentlemen, no more will that be the case. Thanks to the Me Too movement, the American public has made it clear that they have had enough. They expect Congress to lead; and, for once, we are.

Today, I am proud to support the CAA Reform Act. Based on the ME TOO Congress Act, which I introduced last fall, this bill empowers survivors. They will no longer be subject to mandatory mediation. They will be represented by counsel. They will no longer have cooling off periods and periods where they have to be counseled legally, and they have the right to sue.

Most importantly, it creates the kind of transparency that we talk about but rarely ever provide, and Members—yes, Members—are going to be held responsible for their bad behavior. We will require them to pay the settlement in full in 90 days. If they can't do that, we will garnish their wages, we will garnish their thrift saving plans, and we will garnish their Social Security.

We would not be here today were it not for the unwavering commitment of Chairman HARPER, Ranking Member BRADY, Speaker RYAN, Leader PELOSI, Congressman BYRNE—whom I was delighted to work with on this issue—Congresswoman BROOKS, Congressman DEUTCH, and the entire Committee on House Administration.

This would not be here today but for the majority and minority committee staff, especially Jamie Fleet, who has shown extraordinary leadership, as has Kim Betz, for all the late nights and the lost weekends to get this bill over the finish line. And to my staff, who worked just as hard, to Molly Fishman and to Miriam Goldstein, I will forever be grateful for what you have provided.

The SPEAKER pro tempore (Mr. BOST). The time of the gentlewoman has expired.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield the gentlewoman from California an additional 30 seconds.

Ms. SPEIER. But our work is not done. The Me Too movement is driving change from the boardrooms to the break rooms across our great country. I am committed to ensuring that Congress looks beyond itself to improve the lives of all workers in America.

Today, we take a great step forward for the congressional workplace. We show that we can come together across party and geography. Tomorrow, let us continue to work to make sexual harassment and violence in all workplace settings a thing of the past.

Mr. HARPER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. BROOKS), the chairwoman of the Ethics Committee.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in support of the bipartisan Congressional Accountability Act of 1995 Reform Act, introduced by the House Administration chairman, Mr. HARPER, and the ranking member, Mr. BRADY.

I also want to thank my colleagues who have helped lead the effort, Representative BYRNE and Representative SPEIER, along with my colleague, the ranking member of the House Ethics Committee, Representative DEUTCH.

Current law, the CAA, as we call it, was enacted over 20 years ago, and it has become so outdated. The proposed reforms in this CAA Reform Act work to improve our response to harassment and discrimination so that allegations of wrongdoing can be investigated swifter, fairer, and in a more efficient manner. This legislation prioritizes protecting the victims while ensuring due process for the accused.

Congress must be a force for justice in order to ensure all employees have a safe workplace environment that is free of sexual harassment or discrimination of any kind, because it is completely unacceptable to be subjected to harassment or discrimination of any kind at any workplace in our country.

The element of the CAA that allowed for silencing of victims and spending taxpayer dollars to settle claims for Members of Congress must be changed.

The CAA Reform Act will increase transparency and accountability in Congress and create a more victim-friendly process. It ensures sexual harassment and discrimination settlements made, moving forward, will no longer be secret.

This bill will protect taxpayer dollars by requiring Members of Congress who have an award or judgment against them for harassment to personally pay for any settlement.

As chairwoman of the House Ethics Committee, I am proud to work alongside the ranking member, Representative DEUTCH, on this important, bipartisan legislation. I want to thank our colleagues who worked to ensure that, in order for the Ethics Committee to fulfill its obligation of the House to investigate and potentially discipline Members and staff, now the committee must be given information on potential bad actors. The CAA Reform Act ensures the Ethics Committee is given that information.

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

Mr. HARPER. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Mrs. BROOKS of Indiana. It provides an automatic referral to the Ethics Committee upon disposition of claims before the Office of Congressional Workplace Rights, currently known as the Office of Compliance, so now the House Ethics Committee can quickly investigate allegations of wrongdoing while protecting the identity of the accuser and ensuring due process for the accused.

By supporting this Reform Act, we are showing the Nation that Congress is taking strong bipartisan action to improve the workplace called the people's House and the conduct of those who work in it.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I also thank him and Mr. HARPER for their leadership in bringing this legislation to the floor.

Congratulations to the Committee on House Administration. I commend Congresswoman BROOKS and Congressman

DEUTCH for their work on the Ethics Committee in this regard. I thank Mr. RASKIN as well for his work.

Of course I want to thank Congresswoman JACKIE SPEIER from California, who has made this part of her life's work in officialdom in her public service in the California Legislature and here. Today, the fruit of your labor, Madam Congresswoman, comes to fruition. Your strong leadership will ensure that no survivor of discrimination or harassment will face the injustice of having his or her voice silenced.

The ME TOO Congress Act is our promise, in a bipartisan way, to hold every person accountable to the rule of absolutely zero tolerance. No matter someone's contribution to our country, harassment and discrimination are always unacceptable.

With this bill, we are shining a blazing light on the scourge of workplace abuse, which has been allowed to fester in the shadows for too long. We are securing protections for all employees by streamlining and strengthening the resolution and reporting process.

We are holding Members personally responsible for settlements, and we are guaranteeing taxpayer money will never again be used to create a culture of complicity and silence around workplace harassment.

This bill is bipartisan because the fight against workplace harassment and discrimination transcends party or politics. This legislation is about protecting the personal safety of every person who comes to Congress to serve either as a Member or in the workforce. This is about upholding human dignity and the inalienable right to live free from abuse.

Our Nation is at a watershed moment in the fight against sexual harassment and discrimination. Brave men and women from Hollywood to Washington, from Sacramento—I might add, where my daughter has been involved in this campaign—from the boardroom to the newsroom, in the hotels, restaurants, and workplaces, in every corner of the country, people are standing up to say: Time is up.

But the Me Too movement has really made quite a difference. Their voices are correcting the culture around harassment and abuse.

But more needs to be done. The Congress must continue to work with the Equal Employment Opportunity Commission and others to forge a path forward to improve protection for all American workplaces. That is why I am so pleased to bring this bill to the floor.

Over recent times, Members of Congress listened to survivors and advocates, learned from public and private sector experts, and received constructive recommendations from many Members. We will not rest until every person in every workplace has full safeguards against harassment and abuse and discrimination. This is a time for shaking up the status quo, not for bowing to inaction and incrementalism.

Members of Congress are trustees of the people. We have a solemn responsibility to do well by the people, both the people who sent us to Washington, and those who serve by our sides here. Our values and our humanity compel us to take action and to finish this fight so that every woman, man, and child can live free from the fear of abuse.

Again, I thank Mr. BRADY and Mr. HARPER for their leadership on this issue.

Mr. HARPER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), the vice chairman of the Committee on House Administration.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I would like to thank Chairman HARPER for his leadership on this important piece of legislation. And I would be remiss, Mr. Speaker, if I didn't offer my thanks to our House Administration Committee's ranking member, Mr. BRADY. I thank him for his leadership on this important issue, too. I want to thank my fellow colleagues on that committee for their hard work and diligence.

Mr. Speaker, no one should have to worry about sexual harassment when they come to work. This bill is vital to addressing this problem as we work to increase professionalism in the House and establish a workplace that is grounded in respect.

In Congress, we have got to lead by example. As a member of this committee, my colleagues and I held hearings on preventing sexual harassment in the congressional workplace and the effectiveness of the Congressional Accountability Act, which demonstrated the need for reform.

I am pleased to report that this bill continues the House Administration Committee's commitment to increasing transparency in the Federal Government. Last Congress, we worked hard to pass reforms that made House office spending more transparent and accountable than any other area of the Federal Government.

Today we are voting on a bill that will increase transparency of Member conduct by requiring the Office of Compliance to report on awards and settlements every 6 months and by holding Members personally responsible. This strengthens the dispute resolution process, enables employees to speak without fear of retribution, and ensures every House office has an antidiscriminatory and antiharassment policy.

Mr. Speaker, I urge my colleagues to vote ''yes'' and to support this bill.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RASKIN), a valued member of our committee.

Mr. RASKIN. Mr. Speaker, I want to thank our chairman, Mr. HARPER; and the ranking member, Mr. BRADY, for their excellent leadership on this legislation.

I rise as a proud cosponsor and strong supporter of H.R. 4924, the Congressional Accountability Act of 1995 Reform Act; and H. Res. 724, the companion resolution which strengthens antiharassment and antidiscrimination policies and procedures in this institution.

These two bills show how Congress can make dramatic progress on a bipartisan basis when we listen to the people; specifically, the Me Too movement against workplace discrimination and harassment that has swept America into the 21st century by demanding equality and dignity in the workplace for all women as well as all men.

This continuing Women's March Across America for workplace fairness has forced the Members of this body to acknowledge that, here in Congress, sexual harassment has been a serious occupational hazard for thousands of women who only want to come to work to support their families and to contribute to the common good of the country.

We have heard about shameful cases of quid pro quo harassment, hostile workplace environment, groping, forcible kissing, sexual coercion, and reprisal and retaliation for saying no or complaining.

As the representatives of the American people, we have a compelling obligation to lead America to a culture of zero tolerance for sexual harassment and assault in the workplace; and we, in Congress, must lead, not only by strong legislation, but by strong example.

Our current dispute resolution process is stacked against victims, requiring people to go through a protracted and duplicative process. Members are provided legal counsel, while victims are left to navigate this convoluted process on their own. Settlements, if provided, are paid for with taxpayer money instead of the money of the perpetrators of the events.

This legislation eliminates protracted mandatory waiting periods. It empowers victims to move directly to a court proceeding if they so desire. It creates an Office of Employee Advocacy with lawyers on hand to help people understand their rights.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The time of the gentleman has expired.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. RASKIN. It prohibits sexual relationships between Members of Congress and their staffs. It holds offending Members personally responsible for their conduct by requiring that they pay any settlements that are actually made.

I thank Chairman HARPER and Ranking Member BRADY for their leadership. I especially thank Congresswoman JACKIE SPEIER for her untiring and exemplary advocacy over the years on this issue. I am glad that we are being part of this great cultural paradigm shift in America right now.

Mr. HARPER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Virginia (Mrs. COMSTOCK), who continues to work tirelessly on this issue.

Mrs. COMSTOCK. Mr. Speaker, I thank the chairman for his leadership. I also thank all of my colleagues on the committee and all of those who have participated in this process on this bill and this resolution.

I rise in support of both the bill and the resolution.

We know sexual harassment is about power—a misuse of power that impacts careers, lives, and self-esteem. We know most women do not come forward and disclose sexual harassment. We know, often, they leave their desired careers because of that.

We have seen it in all industries: predators such as Harvey Weinstein in Hollywood; Matt Lauer, Roger Ailes, Charlie Rose in the media; John Conyers and Trent Franks in our own body.

So it is so important that this legislation, this historic step, is fundamentally changing that balance of power by creating an office for the victims, the Office of Employee Advocacy. This is the single most important thing in this legislation to restore that balance of power that has been misused by those in power.

When I spoke to Dorena Bertussi, who, 30 years ago, was sexually harassed in this body by Congressman Jim Bates from California, she didn't have an office to go to. She didn't even have one that wasn't very good. So now, 30 years later, we are writing this.

We now have transparency. People can't hide behind the process anymore. The Members' names will be known. Taxpayers will not be on the hook for any of this. The offender themselves will have to pay. We have all types of methods in here to get that money because we want to make sure the victim is made whole.

I appreciate we have also adopted some of the DeSantis provisions to get a full accounting of past cases so we know the amounts and we know exactly what happened. And I am still concerned about those Members who may have used their MRAs, their Member allowances, in an inappropriate way. That is corrected in this bill and is no longer allowed.

Also, we have made it clear that there are no relationships with subordinates. I do want to mention that I still do believe, despite—this is a great bill and I heartily support it and so appreciate all the hard work that the staff and everyone has done, but I still do believe we need to disclose the past names that are still unknown. Some of those names have come forward because of the press, because of victims speaking out.

We need to let the victims know that they can speak out from the past. If they want to speak out, they can; that this body is not going to be using any of our resources to stop a victim from the past from speaking out.

I also do think we still need to disclose all of those names going forward so that we have full accountability, because part of that misuse of power is that they can continue to know they won't be held accountable, and the victims see that. So we need to have a strong message that there is nobody in this body that would ever be allowed to go forward without being held accountable.

I encourage all of my colleagues to support this resolution and this important legislation.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, last year, American culture experienced a moment of reckoning. It doesn't matter what political party; it doesn't matter what industry; it doesn't matter when or where: sexual harassment and sexual violence are unacceptable.

America has been willfully blind to abuses of power for far too long. The bravery of survivors of sexual assault and harassment has changed that, has changed our country, and it is time for Congress to follow their lead.

I am grateful to introduce this bill with my colleagues: House Administration Chairman HARPER and Ranking Member BRADY; my counterpart on the House Ethics Committee, Chairwoman SUSAN BROOKS; all of whom worked so hard to develop these reforms.

I am going to thank Representative BYRNE for his commitment to this effort, sharing his experience. And my colleague and friend, Congresswoman JACKIE SPEIER, deserves particular appreciation and acknowledgment for her strong leadership not just in crafting this bill, but throughout her career in standing up for the rights of women; but, in this case, for crafting a bill that will produce lasting change for the United States Congress.

This bill will allow survivors to speak out, ensure that legal resources are available to them, and offer justice without fear of retribution. This bill will not only strengthen our out-of-date workplace protections, but it will send an important message to the entire country that Members of Congress will be held accountable.

Also with this legislation, the Office of Compliance must provide the House Ethics Committee with all of the information required for the transparent pursuit of full accountability.

□ 1215

It is time to end protections for powerful abusers and to empower survivors. Each survivor must be heard, allegations must be taken seriously, and abusers and harassers must be held accountable.

Every congressional employee and every American deserves an equal chance at success in their careers, free from sexual harassment and free from retaliation for defending themselves and asserting their rights.

Mr. Speaker, it is time to do the work necessary to change our culture. I encourage my colleagues to support this bill and ensure that Congress does its part in that important work.

Mr. HARPER. Mr. Speaker, may I inquire of the time remaining for debate.

The SPEAKER pro tempore. The gentleman from Mississippi has 6 minutes remaining. The gentleman from Pennsylvania has 9½ minutes remaining.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. Mr. Speaker, when news broke that there had been a series of secret sexual harassment payments paid for on behalf of Members of Congress by tax dollars, I think a lot of Americans, even by the low standards that they have for this body, were shocked to hear that. And it was almost as if the rules were set up to incentivize bad behavior by a Member because Members could harass people and they wouldn't be personally liable for it, and they could keep it all secret.

This had to change, and I applaud Chairman HARPER for leading on this bill. And I am happy that the provisions of my bill have been adopted in this because I think it is important. Taxpayers should not bail Members of Congress out for misconduct, and this bill fixes that and makes them personally liable.

We also need a full accounting of any payments that are being made with tax dollars. This bill does that. We have to protect identities of victims.

I think we are making a step in the right direction. I think this starts to foster a culture of respect on Capitol Hill.

Mr. Speaker, I urge my colleagues to support the bill, and I thank Chairman HARPER for his efforts.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, I want to thank both sides for the bipartisan way in which this bill has proceeded.

Today, the House is doing no more than bringing itself in line with what we have long required of the public sector and Federal agencies.

When I became chair of the Equal Employment Opportunity Commission in the late 1970s, sexual harassment was not even recognized as a form of employment discrimination.

We remedied that with sexual harassment guidelines, later ratified by the Supreme Court. In drawing the sexual harassment guidelines, it never occurred to us that Congress would adopt special procedures for themselves, preferential to Members and prejudicial to employees.

The antidiscrimination statutes typically require some kind of conciliation before moving forward to avoid excessive litigation, but the current process creates multiple steps and time frames that exhaust complainants and deter resolution.

It takes courage to file a sexual harassment complaint because most are unwitnessed and they are difficult to corroborate.

The most important provisions of this bill, I believe, are the provisions for legal assistance to complainants, which Members have long had, and personal liability for sexual harassment lying with the Member, not the taxpayers.

This bill marks the Congress holding itself accountable to the public. However, it is another focus on high-profile workplaces.

I ask the House to move next to the workplaces of America where the average woman and man works—hospitality, factories, offices, retail, and the like. Increasingly, we find sexual harassment is still widespread.

Therefore, I hope the House will pass my bill to create a national commission to hear from ordinary workers so that the average worker gets our equal attention and equal time.

Mr. Speaker, again, I thank the sponsors of this bill and for this bipartisan effort.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Speaker, I would like to thank Chairman HARPER and also Ranking Member BRADY for including the STOP Act in the House Administration legislation.

Shockingly, the Office of Compliance confirms that hundreds of thousands of dollars have been paid with taxpayer money to settle sexual harassment cases against Members of Congress.

I am pleased to say that the bill that is before us today incorporates a bill that I introduced last December to stop this practice, H.R. 4674. The Stop Taxpayers Obligations to Perpetrators of Sexual Harassment Act will require Members of Congress to pay back any taxpayer money used to settle sexual harassment cases. Victims will be compensated, but taxpayers won't be footing the bill.

This bill promotes and supports due process. It sends a message that there isn't a set fund out there paid for by the taxpayer ready for someone to access, but it also doesn't encourage a Member who feels that they have done nothing wrong to settle so an issue can just go away.

If a Member of Congress behaves badly, the consequences of those actions are that person's responsibility, not the taxpayers'. I believe that Members should live by the laws that they create and the taxpayers should not be responsible for inappropriate behavior.

Mr. Speaker, I encourage my colleagues to vote for this bill.

Mr. HARPER. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, first of all, let me begin by thanking Chairman HARPER for this outstanding bipartisan legislation, and Mr. BRADY as well. This is what this place can produce when we do come together.

Obviously, it provides congressional employees with comprehensive protection from abuse, including zero tolerance for sexual harassment.

The bill significantly increases transparency on Member conduct by publishing reports on awards and settlements, and it holds Members personally financially responsible, ending the charade of having taxpayers foot the bill for abuses.

Very, very significantly, the new Office of Employee Advocacy, which the legislation creates, will provide free legal services to congressional employees. That is absolutely critical, Mr. Speaker, that House employees have a dedicated advocate to consult, assist, and to represent them.

Mr. Speaker, I want to thank Chairman HARPER for including my bill, H.R. 4393, as section 303 of this bill. This section makes clear that employees of the Helsinki Commission and the China Commission, both of which I co-chair, are covered by the CAA.

In 2011, Mr. Speaker, an employee, a woman employed by the Commission on Security and Cooperation in Europe, filed suit making sexual harassment and workplace retaliation allegations directed to a former chairman of the commission. When I learned that the woman was being told—the woman who lodged the complaint—that the CAA did not apply to her, I immediately, as chairman, changed that policy. I deemed it. Thankfully, I checked with the House counsel, and I had the full backing of the House counsel.

I thought it was unconscionable that this person was told not only did she not have representation, which, again, the Harper bill now provides, but the CAA itself did not cover her. That was a terrible, terrible wrong. That will be rectified forever by this legislation.

Mr. Speaker, again, I want to thank Chairman HARPER for his leadership. This is a remarkable bill, an important bill, and will protect employees from abuse.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the ranking member, Mr. BRADY, and acknowledge his longstanding leadership and friendship, and as well the work that he does with the chairman and for his leadership as well.

This is a highlight on the floor of the House for the bipartisanship that it represents, the tone of which we are speaking, even though we know that this is a matter of urgency and we have seen the telling of situations that none of us would want to see repeated.

And forgive me for using more of a most recent set of circumstances just to capture the intensity of the moment, and that is, of course, the recent trial with a conspicuous and vile sex offender to the 200-plus young women athletes.

Now, this is not the circumstances here in the House of Representatives, but I think it captures the intensity of silence, because those young women had to live or thought that that was what they were obligated to do because they wanted to achieve greatness in their field, and they were stopped by the wall of silence and, therefore, could not find relief. The courts have finally given them relief, but through an enormity of pain.

I think it is important for the congressional standards to be such that it sets a wide net across the Nation to be able to ensure that the wall of silence is broken.

Mr. Speaker, I support H.R. 4924, to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protection against sexual harassment, and for other purposes.

Mr. Speaker, this bill will provide a broader subpoena authority to the Office of Compliance, which adjudicates workplace disputes, and as well it would expand protections in other areas of antidiscrimination.

Let me say that this is a positive statement made by all of us, and I ask my colleagues to support H.R. 4924.

Mr. Speaker, I rise today to express my support for H.R. 4924, the "Congressional Accountability Act of 1995 Reform Act," legislation to amend the Congressional Accountability Act (CAA) of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

Legislative branch employees who allege sexual harassment or other workplace violations could use an accelerated claims process under H.R. 4924.

The bill would amend the 1995 Congressional Accountability Act (CAA; Public Law 104–1).

I celebrate and congratulate JACKIE SPEIER and the women members of Congress who stood up. Thanks again to the Ranking Member and Chairman of the House Administration Committee.

The amendments include:

Eliminating a requirement for counseling and mediation before a legislative staffer could file a civil action in a U.S. district court;

Requiring members of Congress to pay for settlements and awards if they're the alleged offender;

Giving broader subpoena authority to the Office of Compliance (OOC), which adjudicates workplace disputes for most legislative branch offices;

Requiring the OOC to publish more information on claims, awards, and settlement payments and reimbursements from lawmakers;

The measure follows recent accusations that lawmakers sexually harassed or otherwise mistreated employees.

Some of those cases went through the OOC process and resulted in resignations and taxpayer-funded settlements.

The OOC approved more than $17 million in awards and settlements from fiscal 1997 through 2017.

Many of those cases originated outside of member-led congressional offices and didn't involve alleged sexual harassment.

The House is also slated to consider a separate resolution (H. Res. 724) that would apply only to House offices and employees.

That measure would establish an office to provide House employees with free legal assistance during the OOC process, and would bar the Office of Congressional Ethics from investigating an alleged workplace violation once a staffer files a claim with the OOC.

These comprehensive reforms will provide a positive change of culture within the Congress, and improve the overall process of both preventing and reporting any harassment in the future.

The CAA requires congressional and other legislative offices, such as the Congressional Budget Office, to comply with about a dozen workplace protections that apply to private-sector and executive branch employees.

For instance, the 1964 Civil Rights Act bars discrimination based on factors such as race, religion, and sex.

The Supreme Court has held that the law also prohibits sexual harassment in the workplace.

Some CAA provisions don't apply to offices such as the Library of Congress (LOC), whose employees are covered by other laws and procedures.

To seek relief for certain workplace violations specified in the CAA, a legislative employee must go through a multistep OOC process.

Within 180 days of an alleged violation, the employee must bring it to the attention of the OOC to initiate a 30-day counseling phase and be informed of his or her rights.

The OOC doesn't notify the employing office unless the employee waives confidentiality.

An employee can participate by phone and be represented by someone else.

If a claim isn't resolved during the counseling phase and the employee wishes to keep pursuing it, he or she must file a request for mediation, which lasts at least 30 days and can be extended for an additional period.

Materials prepared for mediation are kept confidential, though an employee can still discuss the allegations publicly, according to December 2017 testimony from OOC Executive Director Susan Tsui Grundmann.

If a resolution can't be reached through mediation, the employee can file a confidential administrative complaint with the OOC or a public civil action in a U.S. district court.

Either filing has to be made within 90 days after mediation ends, though the employee must wait at least 30 days during a ''cooling off'' period.

OOC-appointed hearing officers are authorized to issue subpoenas to investigate the allegations.

An employee can appeal a hearing officer's decision to the OOC board and then to the U.S. Court of Appeals for the Federal Circuit.

For most legislative branch offices, including congressional offices, settlements are paid from an account in the Treasury general fund.

The bill would still require employees to file a claim with the OOC within 180 days of an alleged violation. The measure, however, would allow an employee to file a civil action in a U.S. district court within 45 days, which would end the OOC investigation.

Otherwise, the matter would go through a revised OOC process.

At the outset, the OOC would inform the employee of his or her rights and notify the head of the employing office.

Employees could also contact the OOC before filing a claim to learn about their rights.

The OOC general counsel's investigative authority is limited to certain types of claims, such as alleged violations of the Occupational Safety and Health Act.

The bill would expand that authority to cover a wider range of claims, including alleged discrimination or harassment under the Civil Rights Act.

The general counsel could issue subpoenas regardless of whether a party requests one.

The bill would express the sense of Congress that subpoenas should be issued only if other methods are insufficient.

The general counsel would have to finish the investigation within 120 days.

The OOC would have to conduct an administrative hearing if the general counsel finds reasonable cause to believe there was a violation, or if the general counsel is unable to make a determination.

If the general counsel finds no reasonable cause to believe a violation occurred, the employee would be notified that he or she could still file a civil action within 90 days.

The general counsel could also recommend mediation, and the parties could file a joint request for mediation at any time.

The bill would allow an employee to request mediation meetings in which the parties are separated.

Any investigative reports concerning allegations of discrimination or retaliation by members of Congress would be referred to the House and Senate Ethics committees.

The OOC would also refer claims to the committees if there's a final disposition—such as a settlement or final decision by the OOC or a court—in a case involving a lawmaker or a senior staffer.

The bill would require current and former members of Congress to reimburse the government if an employee receives an award or settlement for the member's alleged act of discrimination or retaliation.

Funds could be withheld from the member's salary or retirement account if he or she doesn't meet payment deadlines specified in the bill.

The OOC would have to notify members as soon as a claim is filed that they may be required to provide reimbursement.

The member could intervene in a mediation, hearing, or civil action to contest an award or settlement, though the employee who filed the claim couldn't be subject to an additional deposition.

Non-congressional legislative offices would also have to reimburse the government for certain award or settlement payments.

The filing and investigation of a claim would be kept confidential, though an employee or employing office could disclose claim information during a proceeding.

The bill would also clarify that information discussed or disclosed during mediation would remain confidential, without barring the parties from talking about the underlying allegations.

An office could allow an employee to work remotely or grant the employee a paid leave of absence while a claim is pending.

The provisions wouldn't override the terms of a collective bargaining agreement for the office.

The bill would rename the OOC as the ''Office of Congressional Workplace Rights'' and make other changes to the office.

The office publishes annual reports with statistics on employee contacts with the office, the basis of their claims, and the results of proceedings.

The bill would require the office to publish semiannual reports listing each award and settlement in the previous year related to a wide range of CAA workplace claims if the money comes from the Treasury account.

The reports would have to specify the employing offices, award amounts, and alleged violations.

They would also have to indicate whether members of Congress made reimbursements resulting from cases of alleged discrimination.

Reports couldn't include the names or positions of employees who filed a claim.

Within 30 days of the bill's enactment, the office would have to publish a report on all previous payments related specifically to discrimination claims if the payment involved any public funds.

That report would have to indicate the amount paid and the source of public funds, including a House or Senate office account, though it couldn't identify the specific office.

The OOC would also have to establish an electronic system to receive and keep track of claims, and use the system to provide Congress with semiannual reports on the time required to resolve claims.

The OOC would collect information from employing offices, including the Library of Congress, every two years on their workplace environment and attitudes regarding sexual harassment.

All responses would be anonymous and confidential.

The OOC would consult with Congress on survey procedures and methodologies and share the survey results.

The office would have to create a program to permanently retain records of investigations, mediations, hearings, and other proceedings.

The Government Accountability Office would report to Congress on OOC management practices and cybersecurity.

The bill would expand certain protections—including antidiscrimination provisions—to cover employees at the LOC, as well as unpaid legislative branch interns, detailees, and fellows.

Because of these clarifications and expanded protections included in H.R. 4924, I stand in support of this bill and urge my colleagues to join me.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, as a member of the House Ethics Committee, I rise in strong support of this legislation and resolution combating the scourge of sexual harassment.

I commend the leadership of Chairman HARPER and of Representative JACKIE SPEIER, a national leader on this issue for many years.

From this day forward, if a lawmaker commits an act of sexual harassment

and breaks the trust of the people, that information will be made public and taxpayers will not foot the bill.

I am pleased that this legislation mirrors my bill that would increase governmental transparency and accountability concerning taxpayer-financed harassment settlements in Congress.

The people who come forward to serve this country, particularly young people, need to know that protections are in place and that offenders, no matter how powerful, will face accountability.

Congress must be an exemplar for the Nation on this important issue, and I encourage other institutions in this country—business, labor, Hollywood, and the press—to examine their own practices to ensure a safe workplace.

Mr. Speaker, now is the time for action and results.

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

Mr. Speaker, this is an important day for the House of Representatives. Republicans and Democrats from all different parts of the country have come together to make meaningful change in how Congress operates.

As I conclude, I would like to thank the staff that worked so hard on this, especially Kim Betz, Molly Fishman, and Miriam Goldstein; and members of my staff, Teri Morgan and Jamie Fleet, my staff director.

Mr. Speaker, I thank Chairman HARPER for his leadership, and I urge my colleagues to support this legislation before us now.

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

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

Mr. Speaker, this is a historic moment for the House of Representatives, and I, too, want to thank Kim Betz for her hard work on our staff; as well as Jamie Fleet, the staff director; and particularly I want to give a special thanks to JACKIE SPEIER and BRADLEY BYRNE for the many hours they have spent working through this process for us.

Mr. Speaker, this makes historic and important steps in the House of Representatives. It brings us a step closer to achieving our goal of creating effective and safe work environments—environments that are safe, productive, collegial, and, most importantly, responsive to the needs of our constituents and the public.

□ 1230

There is no place like the House of Representatives. This should be, for every employee, the most special place that they will ever work.

I urge my colleagues to support H.R. 4924.

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

Mr. HARPER. Mr. Speaker, I would like to discuss the background and need for this legislation.

Accounts of sexual harassment revealed in the private sector last fall prompted former and current Members of Congress as well as congressional staff to disclose accounts of sexual harassment in Congress. Moreover, current and former Members and staff were critical of Congress' policies and procedures responding to sexual harassment claims. Criticism included, but was not limited to, the lack of awareness regarding sexual harassment generally in Congressional offices, the lack of mandatory sexual harassment awareness training; the lack of support provided to victims of sexual harassment, and the ineffectiveness of certain aspects of the dispute resolution process set out under the Congressional Accountability Act of 1995 (CAA) as it related to sexual harassment. Reports about the use of taxpayer dollars to settle sexual harassment claims in the past raised additional concerns about the lack of transparency in the process. The accounts of sexual harassment and criticism of the process revealed that it was not only timely, but important Congress review the employment and workplace policies and processes included in the CAA as well as those policies internal to House offices.

To that end, on November 3, 2017, the Speaker of the House of Representatives tasked the Committee on House Administration (Committee) to conduct a review of the ''existing training, policies, and mechanisms to guard against and report sexual harassment.'' The Speaker further ''instructed the Committee to be as thorough as possible,'' and to incorporate Member ideas and feedback.

The Committee responded and its review was methodical. On November 14, 2017, the Committee held its first hearing titled ''Preventing Sexual Harassment in the Congressional Workplace.'' The hearing identified: (1) the gaps in the House's training, policies, and procedures; and (2) solutions to address the gaps. Testifying at the hearing were Representatives JACKIE SPEIER and BRADLEY BYRNE in addition to Barbara Childs Wallace, Chair, Board of Directors, Office of Compliance; and Gloria Lett, Counsel, Office of House Employment Counsel. The witnesses were unified in their recommendation the House should implement a mandatory training program.

On November 29, 2017, the House of Representatives responded to the calls for mandatory training by passing H. Res. 630. H. Res. 630 requires all House employees, including interns, fellows, and detailees, to participate in a mandatory annual training program. In addition, the resolution required all House offices to post a statement of employee rights and protections under the Congressional Accountability Act of 1995 (CAA). The resolution also required the Committee to promulgate regulations within 30 days to implement the House of Representatives' training and education program, which it did on December 19, 2017. Mandatory training will begin on April 2, 2018.

On December 7, 2017, the Committee held a second hearing focused on the CAA and the need to reform certain provisions to ensure the adjudication process contemplated by the CAA protects the rights of all parties to the proceedings. The Committee took testimony from four experts, including Victoria Lipnic, Acting Chair, Equal Employment Opportunity Commission; Susan Grundmann, Executive Director, Office of Compliance; Gloria Lett, Counsel, Office of House Counsel; and Dan Crowley, former General Counsel, Committee on House Administration.

The Committee also held a roundtable discussion with organizations reflecting the interests of both employees and employers to discuss best practices in preventing harassment and discrimination in the workplace. In addition, stakeholders discussed potential reforms to the CAA's dispute resolution process to protect employers and employees.

Congress passed the CAA in 1995 to bring Congress, the Architect of the Capitol, the U.S. Capitol Police, the Office of Congressional Accessibility Services, the Congressional Budget Office, the Office of Attending Physician, and the Office of Compliance under the same employment and workplace safety laws and standards as the federal government and the private sector. The CAA incorporates the prohibitions against discrimination contained in Title VII of the 1964 Civil Rights Act (42 U.S.C. 2000e et seq.). In addition to incorporating employment and safety laws, the CAA establishes the adjudication process for resolving claims filed under the CAA. For discrimination claims, the adjudication process includes counseling, mediation, and either an administrative hearing overseen by the OOC or proceeding to federal court.

In addition to the dispute resolution process, the CAA authorizes remedies for successful claims of discrimination, including sex discrimination and harassment. The remedies are similar to those available under Title VII, with the exception of punitive damages. Successful claims under the CAA are paid from an account within the Department of Treasury of the United States authorized for the payment of awards and settlements under the CAA. Rule X of House Rules specifies that employing offices of the House may only enter into settlements providing for the payment of claims filed under the CAA only after receiving the approval of the Chair and Ranking Member of the Committee.

The CAA established the Office of Compliance (OOC) as the independent non-partisan agency to implement the adjudication process for claims filed under the CAA. The OOC is responsible for, among other things, to compile and publish statistics ''on the use of the Office by covered employees, including the number and type of contact made with the Office, on the reason for such contacts, on the number of covered employees who initiated proceedings with the Office under this chapter and the result of such proceedings and on the number of covered employees who filed a complaint, the basis for the complaint, and the action taken on the complaint.''

The CAA has not been comprehensively examined since its passage in 1995. The Committee's review revealed frustration and criticism of the initial stages of adjudication process as it related to sexual harassment claims; concerns with OOC's management policies, including its record management, and the need for additional reporting by the OOC beyond its current statutory obligations. Relatedly, the Committee believes there should be greater transparency around the use of the Settlement and Award account authorized under section 1415 for section 201(a) and 207 claims for discrimination and retaliation. Furthermore, the Committee believes in cases of harassment and discrimination where a Member of Congress' conduct is intentional, reimbursement to the Treasury account should be

required. To that end, the Committee recommends the reforms contained in H.R. 4924 to ensure the CAA's future effectiveness in preventing discrimination and harassment in the Congressional Workplace and adjudicating claims in a fair and expeditious manner.

The Committee found the current requirements for counseling and mediation to be ineffective and burdensome. Specifically, the Committee took testimony revealing the ''counseling phase'' was not counseling but more akin to claim intake. The Committee further found the mandated 30-day counseling period to be unnecessary. The Committee recommends eliminating the counseling phase altogether and replacing it with a more simplistic process. Under H.R. 4924, proceedings set out under section 1401 are initiated as soon as a claim is filed. Relatedly, the Committee heard concerns about frivolous claims being filed under the CAA and potential abuses of the adjudication process. The Committee recommends strengthening the requirements for filing a claim under the CAA as well as imposing standards and responsibilities on all attorneys involved in a CAA proceeding similar to those found in Rule 11 of the Federal Rules of Civil Procedure. H.R. 4924 requires claims filed under the CAA to be in writing and under oath. Moreover, attorneys involved in a CAA proceeding must ensure all filings with the OOC are made in a manner consistent with their ethical obligations in federal court.

In addition to concerns about the counseling phase, the Committee heard testimony criticizing mandatory mediation. The Committee agrees the mandate only prolongs a proceeding—particularly in cases where one party does not want to settle. The Committee recommends making mediation available when both parties agree that it is in their joint interest.

Apart from the reforms to counseling and mediation, the Committee recommends granting investigative authority to the OOC General Counsel. The Committee supports incorporating a similar investigative process as is currently conducted by the Equal Employment Opportunity Commission (EEOC) in the private sector and executive branch. Given the OOC General Counsel already has investigative authority under the CAA in certain other claims, the Committee recommends extending limited investigative authority to claims, including those of discrimination and harassment. The Committee believes investigations early on will help facilitate the resolution of cases. The Committee further believes the OOC General Counsel should have limited subpoena authority during its investigation. However, this authority should not be construed to be any broader than the authority granted to hearing officers pursuant to section 1405(f). Further, as noted in the text of H.R. 4924, the Committee believes subpoenas should only be issued as a last resort and primarily to keep the investigation on schedule.

As noted above, during the Committee's review, reports surfaced of settlements of sexual harassment claims involving taxpayer dollars, including the use of the Member Representational Allowance (MRA). The Committee heard from Members, constituents and the public that taxpayer dollars should not be available to settle claims of sexual harassment. While the Committee agrees, it recognizes victims need to be made whole. Not victims a second time.

To that end, H.R. 4924 requires a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress), a Senator, or a former Member of the House of Representatives or Senator to reimburse the Department of Treasury account authorized under section 1415 for certain settlements and awards. H.R. 4924 sets out a structure to compel reimbursement if voluntary reimbursement is not made.

The Committee is mindful that personal liability for employment law claims does not exist in federal law and has worked to strike a balance between protecting taxpayers from being responsible for bad actions conducted by elected officials, protecting the due process rights of those accused, and not making the provision so broad as to discourage the settlement of meritorious claims.

With this in mind, the Committee intends the reimbursement obligation to be triggered only when three conditions are met: (1) the claimant alleges (and, unless the claim is settled, ultimately proved to the trier of fact) that the Member or Senator personally engaged in an intentional act of harassment, discrimination, or retaliation with animus covered by section (d)(1)(B); (2) the alleged act resulted in a settlement or award for the claimant; and (3) payment is made from the section 1415 account to compensate the claimant for the specific claim requiring reimbursement under this section. If in contention, the trier of fact should make an express finding, separate from the underlying claim, that the Member or Senator engaged in an intentional act of harassment, discrimination, or retaliation covered by section (d)(1)(B) with animus.

A reimbursement obligation is not triggered if the claimant does not allege an intentional act of harassment or discrimination or retaliation committed by a Member or Senator with animus and covered by this section. For example, the Committee does not intend the reimbursement obligation to be triggered if an act of discrimination or harassment was alleged against a supervising employee of a congressional office, such as the chief of staff. The provision would also not apply in the case of an omission, such as a failure to properly supervise an employee with hiring authority. The provision would not apply in the case of a disparate impact or other theory of unintentional discrimination. The provision would not be triggered if the claimant alleges a violation occurred but does not name a Member or Senator as the individual who committed an act leading to the violation. In the case of a discrimination claim, the provision would not apply if there was no discriminatory animus on the part of the Member or Senator.

Concerned with its day-to-day management, Congress requested the Government Accountability Office (GAO) to audit OOC in 2004. The Committee has similar concerns today. H.R. 4924 directs the Government Accountability Office to update its 2004 review of OOC's management practices. In addition to its management operations, the Committee is also concerned with the lack of record retention policies adopted by OOC. H.R. 4924 requires OOC to establish a permanent record retention program to ensure that general questions about OOC case management may be answered in a timely manner.

Relatedly, the Committee's review brought to light the use of the Department of Treasury account established in Section 1415 to pay for the settlement of claims including claims of sexual harassment. In addition to settlements and awards constructed under the CAA, it was brought to the Committee's attention that the Member Representational Allowance (MRA) was used to settle claims of sexual harassment, including for claims filed under the CAA. While not specifically prohibited by statute or by the Committee's Member Handbook, the use of the MRA for these purposes is of concern and is addressed in separate legislation.

The Committee is concerned with the use of taxpayer dollars to settle claims, particularly for claims of discrimination and harassment. H.R. 4924 directs the OOC to report within 30 days on all settlements and awards under the CAA in which public funds were used over the last 20 years. This includes any House or Senate account. The OOC is directed to identify the claim, the award or settlement and the source of funding. In putting together its report, the OOC should take care not to disclose any identifying information about any party to a legally binding agreement or proceeding who has an expectation of privacy. The Committee understands there may be victims to agreements which may be unenforceable. To that end, the Committee recommends working with the new Office of Employee Advocacy authorized in separate legislation.

Notwithstanding OOC's responsibility to issue its comprehensive report looking backward, H.R. 4924 directs the OOC to report to Congress every six months on the payment of awards and settlements for claims filed under Part A, title II of the CAA, the name of the employing office, the amount of the award or settlement, and in cases where a Member or Senator is responsible for reimbursement—whether the Member is in compliance with the reimbursement obligation.

Notwithstanding its new reporting requirements, the Committee takes this opportunity to clarify its expectation of OOC's current reporting requirements. The Committee encourages the OOC to include in its existing reporting the following: (1) number of Complaints listed by their protected categories under the CAA (ie. race, sex, national origin, religion, disability, age) as opposed to title VII; (2) summary of general information requests listed by the groups of people contacting the OOC (ie. number of covered employees, number of public inquiries, media, union, employing offices); (3) the specific information requested by protected category for issues under section 201 and 207 (race/color, sex/gender, disability, age, national origin, retaliation, religion); (4) the number of requests for counseling and mediation broken down by their protected classes; and (5) workplace issues raised with the OOC (ADA, compensation, demotion, disparate treatment, equal pay, harassment/hostile work environment, promotion, overtime, etc).

Mr. Speaker, I include in the RECORD a section-by-section analysis of this legislation:

SECTION-BY-SECTION OF THE LEGISLATION

TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

Subtitle A—Reform of Procedures for Initiation, Investigations and Resolution of Claims

Sec. 101 (a). Description of Procedures Available for Consideration of Alleged Violations. Section 101 sets out the procedures for initiating, investigating and resolving alleged violation(s) of Part A, Title II of the Congressional Accountability Act (CAA). The procedures require a covered employee to file a claim with the Office of Compliance

(OOC). Once a claim is filed, an investigation is initiated by the OOC General Counsel. The section specifies at the conclusion of the investigation, the covered employee may proceed to a hearing before the OOC hearing officer in two instances: (1) the investigation results in a finding of reasonable cause a violation occurred, or (2) the General Counsel is unable to determine whether reasonable cause exists on the merits of the claim. The procedures allow for a covered employee to file in federal court within 45 days of filing a claim. The decision to file in federal court stops the investigation and any further ability to seek an investigation. The section further authorizes a covered employee to file in federal court within 90 days upon receiving a right to sue letter from the OOC General Counsel. Finally, the section specifies that any party may retain counsel to protect their respective interests. The section also imposes FRCP Rule 11 obligations on all parties to the proceedings including OHEC, the new Office of Employee Advocate and any party that intervenes on behalf of a party.

Sec. 101 (b). Conforming Amendments. The section makes conforming amendments.

Sec. 102 (a). Reform of Process for Initiation of Procedures. Section 102 specifies a claim must be filed with the OOC to initiate the process. The claim must be in writing and under oath or affirmation. (The bill eliminates mandatory counseling and mediation). The employing office is notified once a claim is filed. The section also sets out a special notification requirement to Members whose conduct is the focus of a section 201(a) or 207 allegation. The special notification requirement specifies OOC must notify the Member of the potential repayment obligation associated with claim and the opportunity to intervene in the proceedings. The section directs the OOC to establish an electronic reporting and tracking system that will be used to report and track claims. The system will be accessible by both parties, taking into consideration the covered employee's need for confidentiality. In addition, the section imposes a reporting requirement on OOC to provide the Committees of jurisdiction with semi-annual reports on the effectiveness of the system to facilitate the resolution of cases. Under section 102, all claims must be filed within 180 days of alleged violation. The section reaffirms the ability of a covered employee to: contact OOC or any other office (i.e. Office of Employee Advocate) for information; refer a matter to the respective Committees on Ethics; as well as to file in federal court.

Sec. 103 (a). Investigations of Claims by General Counsel. Section 103 authorizes the OOC General Counsel to initiate an investigation of a claim under Part A, Title II once a claim is filed. The OOC General Counsel has subpoena authority to compel production of documents and testimony from witnesses during the pendency of the investigation. The subpoena authority is consistent with existing subpoena authority held by the hearing officers under Section 1405(f). Subpoenas may be enforced in same manner as provided in Section 1405 (f). The OOC General Counsel is required to make one of three findings at the end of the investigation: (1) a finding of reasonable cause that a violation of Part A, Title II occurred; (2) a finding that there is no reasonable cause to believe a violation of Part A, Title II occurred; or (3) a finding indicating the General Counsel cannot determine cause based on the facts. In the event there is a finding no reasonable cause exists to believe a violation occurred, the General Counsel will issue a letter to the covered employee authorizing their right to sue in federal court. The section authorizes the General Counsel to transmit the findings to the parties. With respect to section 201(a) and/or 207 claims involving Member conduct, the General Counsel is authorized to transmit the report to the Committees on Ethics. The section authorizes the General Counsel to recommend mediation to the parties at any time. The General Counsel has 90 days to investigate and issue findings. The General Counsel can extend investigation for an additional 30 days with notice to the parties.

Sec. 103 (b). Conforming Amendments. This section makes conforming amendments.

Sec. 104. Availability of Mediation during Investigations. Section 104 allows the parties to request mediation while the investigation is proceeding. The request for mediation must be made by both parties and may be for a period of 30 days. The parties may jointly agree to extend for another 30 days. The section allows the parties to be separated during mediation if requested by the covered employee.

Part B—Other Reforms

Sec. 111. Requiring Members of Congress to Reimburse Treasury for Amounts Paid as Settlements and Awards in Cases of Acts Committed Personally by Members. The section requires Members of Congress (including former Members who were in office at the time of the allegation) to repay the Settlement and Award Account authorized under section 1415 of the CAA. Members are responsible for repayment in cases in which the allegation of an act or violation under section 201(a) (discrimination and harassment) and section 207 (retaliation resulting from a 201(a) violation) involves a Member personally. The section authorizes the appropriate Committees to establish a plan to withhold compensation if the account is not repaid within 90 days. If the account is not repaid within 180 days, section 111 authorizes the transfer of funds from the Member's Thrift Savings Plan. The section clarifies that spouses' rights are not applicable when TSP is accessed. In the event, the Member is no longer receiving compensation (i.e. former Member), the section authorizes withholding annuities and transferring amount to the account. The section reiterates a Member's right to intervene in his or her personal capacity during mediation, hearing or civil action to protect the Member's interest. The section ensures the covered employee is not unduly burdened in depositions resulting from the intervention. The Committees on House Administration and Senate Rules are charged with promulgating regulations to implement this section.

Sec. 112. Automatic Referral to Congressional Ethics Committees of allegations involving Members and Senior Staff. Section 112 authorizes an automatic referral to the House Committee on Ethics (and Senate Select Committee on Ethics) with respect to claims filed under section 201(a) (harassment and discrimination) and/or 207 involving Member and senior staff conduct. The referral occurs when there is: an order to pay an award or settlement (including agreements resulting from mediation outlined in section 104); a final decision of a hearing officer; a final decision by the Board under Section 406(e); and a final decision in a civil action. The section authorizes the Committees on Ethics to have access to records and information relating to any investigation, hearing, or settlement. The section prohibits the Committee on Ethics from releasing the identity or position of an individual making allegation.

Sec. 113. Availability of Remote Work Assignment or Paid Leave of Absence during Pendency of Procedures. The section allows a covered employee to work remotely if requested. If a covered employee's responsibilities require on-site presence, an employee may request paid leave. The section prohibits an employing office from using requests as a method of retaliation. The section protects any collective bargaining agreements that are in place.

Sec. 114. Modification of Rules on Confidentiality. The section makes technical changes to sections 1416(a) and (b) regarding confidentiality as it relates to filing a claim and the subsequent investigation as well as information relating to mediation. The section includes a rule of construction indicating nothing in the section precludes a covered employee or employing office from disclosing information related to a claim.

Sec. 115. Reimbursement by Other Employing Offices of the Legislative Branch of Payments of Certain Awards and Settlements. Section 115 requires the Legislative Branch agencies under the CAA to repay the Settlement and Award account as result of awards and settlements issued under section 201(a). Repayment shall be made from the operating expenses of agency within 180 days. The section directs the OOC to establish procedures and timetables for repayment.

TITLE II—IMPROVING OPERATIONS OF OFFICE OF COMPLIANCE

Sec. 201. Semiannual Reporting on Allegations, Awards, and Settlements. In addition to their current reporting requirements, section 201 requires the OOC to report every six months of a calendar year to Congress and to publish on their website the awards and settlements from the previous year. The report to Congress must include: the employing office; the provision of Part A, Title II that was the subject of the allegation or violation; and the amount of the award or settlement resulting from an allegation or violation. In cases where the Member is personally responsible for repayment, the report will identify whether the Member has complied with repayment obligations. In addition, the section requires the OOC to submit a report within 30 days of enactment on all payments made with public funds, including MRAs, used to settle section 201(a) claims. The report is to include the amount paid and the source of funding.

Sec. 202. Workplace Climate Survey. The section directs the OOC to conduct a climate survey of all employing offices covered under the CAA regarding the workplace environment each Congress. The survey will also collect data on sexual harassment in congressional employment. The section requires the OOC to ensure all responses to the survey are anonymous and confidential and to consult with the respective House and Senate Committees on the survey including collecting and analyzing data. The section requires OOC to maintain confidentiality during the process and with the results. The section directs the survey results to be sent to the Committees.

Sec. 203. Record Retention. The section requires the OOC to establish and maintain a permanent recordkeeping program.

Sec. 204. GAO Study of Management Practices. The section requires the GAO to update its review of the OOC's management practices and effectiveness within 180 days. The last GAO study was conducted in 2004.

Sec. 205. GAO Study of Cybersecurity. The section requires GAO to conduct an audit of the OOC's cyber security systems and practices within 180 days.

TITLE III—MISCELLANEOUS REFORMS TO THE CAA

Sec. 301. Extension to Unpaid Staff of Rights and Protections against Employment Discrimination. The section extends coverage of the rights and protections established under the CAA to unpaid interns, fellows and detailees.

Sec. 302. Coverage for Purposes of Protections against Workplace Discrimination. The

section extends coverage of Part A, Title II of the CAA to the Library of Congress. The section acknowledges the existing process utilized by covered employees of the Library and gives those employees choice of whether to continue to use the LOC internal grievance procedures if they choose.

Sec. 303. Clarification of Coverage of Employees of Helsinki and China Commissions. The section extends covered employee status to employees of the above Commissions. The section establishes employing office status for the Commissions, which is contingent on whether the House or Senate maintains the Chairmanship. Section 303 also sets out the process for approving the disposition of claims against the Commissions as employing offices. The section also extends coverage to the Office of Technology Assistance and the John C. Stennis Public Service Training and Development Center.

Sec. 304. Training and Education Programs of Other Employing Offices. Section 304 directs the legislative branch agencies to establish programs of training and education for covered employees on the rights and protections under the CAA.

Sec. 305. Renaming Office of Compliance as Office of Congressional Workplace Rights. This section renames OOC as the Office of Congressional Workplace Rights.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective Date. The section specifies the amendments made in this Act are effective 180 days after enactment. In addition, the bill specifies that nothing in the Act or amendment is intended to impact current proceedings.

INTRODUCTION AND REFERRAL

On February 5, 2018, Representative Gregg Harper of Mississippi introduced H.R. 4924, the Congressional Accountability Act of 1995 Reform Act, which was referred to the Committee on House Administration.

HEARINGS

On November 14, 2017 and December 7, 2017, the Committee held an oversight hearing to review the policies, procedures, and mechanisms to address sexual harassment in the Congressional workplace.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with House Rule XIII, clause 3(c)(1), the Committee states that the findings and recommendations of the Committee, based on oversight activities under House Rule X, clause 2(b)(1), are incorporated into the general discussion section of this report.

Ms. LOFGREN. Mr. Speaker, I rise today in strong support of H.R. 4924, the Congressional Accountability Act of 1995 Reform Act.

This bill would bring much-needed reforms to the process available to congressional employees for filing workplace complaints and ensure a more equitable and transparent process.

Under the new process, employees who file a complaint would have the choice to enter into mediation instead of being required to do so, as is currently the case. Employees should not be forced into mandatory mediation, especially with an employer against whom they have raised allegations of sexual harassment or other types of discrimination. This bill also eliminates the thirty-day ''cooling off'' period currently mandated by the CAA.

Filing a workplace complaint can be harrowing for employees, and having no choice but to face the employer or colleague against whom they have filed the complaint may deter employees from going through with it. That is why the protections in this bill from retaliation by the employing office for requesting remote work or paid leave by an employee who has a filed a complaint are so important.

Unpaid interns, fellows, and detailees in Congressional offices should not be more vulnerable to workplace harassment and discrimination than their congressional staff colleagues. This bill would extend coverage of the rights and protections established under the CAA to these groups.

The bill also requires that a climate survey be conducted of all offices covered by the CAA, each Congress, regarding the workplace environment, including sexual harassment. Collecting information, anonymously, from staff will help us determine whether the reforms we hope in this bill are serving their purpose or if modifications are needed.

H.R. 4924 is the culmination of bipartisan work on the part of House Administration Committee Chairman HARPER and Ranking Member BRADY, and my fellow members on the Committee, as well as the leadership of my colleague Rep. JACKIE SPEIER, who has championed the issue of fighting sexual harassment on the Hill. I want to thank them all for working collaboratively on this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and pass the bill, H.R. 4924.

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

A motion to reconsider was laid on the table.

REQUIRING ADOPTION OF ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES FOR HOUSE OFFICES

Mr. HARPER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 724) requiring each employing office of the House of Representatives to adopt an anti-harassment and anti-discrimination policy for the office's workplace, establishing the Office of Employee Advocacy to provide legal assistance and consultation to employees of the House regarding procedures and proceedings under the Congressional Accountability Act of 1995, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 724

Resolved,

SECTION 1. MANDATORY ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES FOR HOUSE OFFICES.

(a) REQUIRING OFFICES TO ADOPT POLICY.—Each employing office of the House of Representatives under the Congressional Accountability Act of 1995 shall adopt an anti-harassment and anti-discrimination policy for the office's workplace.

(b) REGULATIONS.—Not later than June 1, 2018, the Committee on House Administration shall promulgate regulations to carry out this section, and shall ensure that such regulations are consistent with the requirements of the Congressional Accountability Act of 1995, the Code of Official Conduct under rule XXIII of the Rules of the House of Representatives, and other relevant laws, rules, and regulations.

SEC. 2. OFFICE OF EMPLOYEE ADVOCACY.

(a) ESTABLISHMENT.—There is established in the Office of the Chief Administrative Officer of the House of Representatives the Office of Employee Advocacy (hereafter in this section referred to as the ''Office'').

(b) FUNCTIONS.—

(1) LEGAL ASSISTANCE, CONSULTATION, AND REPRESENTATION.—Subject to subsection (c), the Office shall carry out the following functions:

(A) Providing legal assistance and consultation to covered employees of the House under the Congressional Accountability Act of 1995 regarding the procedures of such Act and the procedures applicable to civil actions arising under such Act, including—

(i) the roles and responsibilities of the Office of Compliance, the Office of the House Employment Counsel, and similar authorities;

(ii) any proceedings conducted under such Act;

(iii) the authority of the Office of Compliance to compel cooperation and testimony under investigations and proceedings conducted under title IV of such Act; and

(iv) the employee's duties relating to such proceedings, including the responsibility to testify.

(B) Providing legal assistance and representation—

(i) in personal civil legal matters related to a covered employee's initiation of or participation in proceedings under title IV of such Act (other than a civil action filed under section 408 of such Act); and

(ii) in any proceedings of the Office of Compliance, the Committee on Ethics of the House of Representatives (including the Office of Congressional Ethics), or any other administrative or judicial body related to the alleged violations of such Act which are the subject of the proceedings initiated by the covered employee, or the proceedings in which the covered employee participates, under title IV of such Act.

(C) Operating a hotline through which covered employees of the House under such Act may contact the Office.

(2) AUTHORITY TO PROVIDE ASSISTANCE IN ANY JURISDICTION.—Notwithstanding any law regarding the licensure of attorneys, an attorney who is employed by the Office and is authorized to provide legal assistance and representation under this section is authorized to provide that assistance and representation in any jurisdiction, subject to such regulations as may be prescribed by the Office.

(3) NATURE OF RELATIONSHIP.—The relationship between the Office and an employee to whom the Office provides legal assistance, consultation, and representation under this section shall be the relationship between an attorney and client.

(4) PROHIBITING ACCEPTANCE OF AWARD OF ATTORNEY FEES OR OTHER COSTS.—The Office may not accept any award of attorney fees or other litigation expenses and costs under any hearing or civil action brought under the Congressional Accountability Act of 1995.

(5) PROHIBITING ASSISTANCE IN OTHER MATTERS OR PROCEEDINGS.—The Office may not provide any legal assistance, consultation, or representation with respect to any matter or proceeding which does not arise under the Congressional Accountability Act of 1995.

(c) PROHIBITING PROVISION OF ASSISTANCE UPON FILING OF CIVIL ACTION.—If a covered employee of the House files a civil action with respect to an alleged violation of the Congressional Accountability Act of 1995, as provided in section 408 of such Act, the Office

may not provide assistance under this section to the employee with respect to investigations or proceedings under such Act in connection with such alleged violation at any time after the employee files such action.

(d) DIRECTOR.—

(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Chief Administrative Officer of the House of Representatives.

(2) QUALIFICATIONS; NONPARTISANSHIP OF POSITION.—The individual appointed as Director shall be a lawyer who is admitted to practice before the United States District Court for the District of Columbia and who has experience in representing employees in workplace discrimination cases.

(3) COMPENSATION.—The Director shall be paid at an annual rate established by the Chief Administrative Officer.

(4) REMOVAL.—The Director may be removed by the Chief Administrative Officer only for cause.

(e) OTHER PERSONNEL.—Subject to regulations of the Committee on House Administration and with the approval of the Chief Administrative Officer, the Director may appoint and fix the compensation of such additional personnel as the Director determines to be necessary to carry out the functions of the Office.

(f) NONPARTISANSHIP OF POSITIONS.—The Director and the other personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

SEC. 3. FUNCTIONS OF OFFICE OF HOUSE EMPLOYMENT COUNSEL.

(a) FUNCTIONS DESCRIBED.—The Office of the House Employment Counsel established under the Office of the Clerk of the House of Representatives shall carry out all of the functions which the Office carried out as of the date of the enactment of this Act, including the following:

(1) Providing legal assistance and representation to employing offices of the House with respect to proceedings under the Congressional Accountability Act of 1995 which are brought by covered employees of the House under such Act.

(2) Providing employing offices of the House with confidential advice and counseling regarding compliance with employment laws.

(3) Providing training to managers and employees regarding employment law compliance.

(b) NO EFFECT ON PENDING PROCEEDINGS.—Nothing in this section may be construed to affect any proceeding to which the Office is a party that is pending on the date of the enactment of this Act, including any suit to which the Office is a party that is commenced prior to such date.

SEC. 4. REQUIRING INCLUSION OF CERTIFICATIONS ON PAYROLL AUTHORIZATION FORMS OF HOUSE OF REPRESENTATIVES OF NO CONNECTION BETWEEN PAYROLL ACTIONS AND AWARDS AND SETTLEMENTS UNDER CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.

(a) REQUIRING INCLUSION OF CERTIFICATION ON FORMS.—The Chief Administrative Officer of the House of Representatives shall incorporate, as part of the Payroll Authorization Form used by an office of the House to register the appointment of an employee to the office or a salary adjustment or title change with respect to an employee of the office—

(1) a certification to be made by the authorizing official of the office that the appointment, salary adjustment, or title change is not made to pay a settlement or award in connection with conduct prohibited under the Congressional Accountability Act of 1995; and

(2) in the case of an office of a Member of the House, a certification by the Member that any amounts in the Members' Representational Allowance for the office which may be used to carry out the appointment, salary adjustment, or title change are not being used to pay a settlement or award in connection with conduct prohibited under such Act.

(b) REQUIRING CERTIFICATION AS CONDITION OF PROCESSING PAYROLL ACTION.—The Chief Administrative Officer may not process any Payroll Authorization Form with respect to an office of the House if the Form does not include the certifications required with respect to that office under subsection (a).

SEC. 5. SEXUAL HARASSMENT AS VIOLATION OF HOUSE CODE OF OFFICIAL CONDUCT.

Clause 9 of rule XXIII of the Rules of the House of Representatives is amended by striking ''such individual,'' and inserting ''such individual, including by committing an act of sexual harassment against such individual,''.

SEC. 6. SEXUAL RELATIONSHIPS BETWEEN HOUSE MEMBERS AND EMPLOYEES AND UNWELCOME SEXUAL ADVANCES AS VIOLATION OF HOUSE CODE OF OFFICIAL CONDUCT.

Rule XXIII of the Rules of the House of Representatives is amended—

(1) by redesignating clause 18 as clause 19; and

(2) by inserting after clause 17 the following new clause:

''18.(a) A Member, Delegate, or Resident Commissioner may not engage in a sexual relationship with any employee of the House who works under the supervision of the Member, Delegate, or Resident Commissioner. This paragraph does not apply with respect to any relationship between two people who are married to each other.

''(b) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not engage in unwelcome sexual advances or conduct towards another Member, Delegate, Resident Commissioner, officer, or employee of the House.

''(c) In this clause, the term 'employee' includes an applicant for employment, a paid or unpaid intern (including an applicant for an internship), a detailee, and an individual participating in a fellowship program.''.

SEC. 7. EFFECT OF INITIATION OF PROCEEDINGS UNDER CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 ON AUTHORITY OF OFFICE OF CONGRESSIONAL ETHICS TO CONSIDER ALLEGATIONS.

The Office of Congressional Ethics may not initiate or continue any investigation of an allegation of a violation of law made applicable to employing offices of the House of Representatives under part A of title II of the Congressional Accountability Act of 1995, or make any recommendations regarding such an allegation, if a covered employee initiates proceedings with respect to the alleged violation under title IV of such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. HARPER) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

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

Mr. Speaker, this is the second measure before us today. The House resolution makes a number of administrative reforms to the House, including requiring each employing office of the House to adopt antiharassment and antidiscrimination policies for the office's workplace; establishing within the Chief Administrative Officer an Office of Employee Advocacy who will provide legal consultation, representation, and assistance to House employees; and directing Members to certify that the Members' Representational Allowance is not being used to settle or pay an award under the Congressional Accountability Act.

In addition, the resolution makes a number of changes to the Code of Official Conduct that, together, will strengthen the House's policies on sexual harassment.

The House resolution is a critical piece of the comprehensive reform package needed to strengthen the policies, procedures, and mechanisms to guard against and respond to sexual harassment claims in the congressional workplace. I encourage my colleagues to support this important resolution.

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

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

Mr. Speaker, this resolution continues the work we started and the legislation we just considered. It makes much-needed improvements to how the House operates.

It requires every office to have an antiharassment and antidiscrimination policy. It provides legal counsel for our House employees who need assistance in fighting harassment in their offices. It strengthens our Code of Conduct, the ethics rules we live by, to make clear that this kind of behavior will not be tolerated, and it bans the use of the MRA for paying settlements.

I encourage my colleagues to support this legislation.

Again, I would like to thank my chairman for his cooperation. As always, we work together. As you can see, when we work together, we get things done.

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

Mr. HARPER. Mr. Speaker, I want to certainly thank the ranking member, Mr. BRADY, for the great bipartisan work and his friendship in making this possible to get these important things done.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and agree to the resolution, H. Res. 724.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE 200TH ANNIVERSARY OF THE BIRTH OF FREDERICK DOUGLASS

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 102, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 102

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE 200TH ANNIVERSARY OF BIRTH OF FREDERICK DOUGLASS.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on February 14, 2018, for an event to celebrate the 200th anniversary of the birth of Frederick Douglass.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMON SENSE NUTRITION DISCLOSURE ACT OF 2017

Mr. UPTON. Mr. Speaker, pursuant to House Resolution 725, I call up the bill (H.R. 772) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 725, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 772

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 ''Common Sense Nutrition Disclosure Act of 2017''.

SEC. 2. AMENDING CERTAIN DISCLOSURE REQUIREMENTS FOR RESTAURANTS AND SIMILAR RETAIL FOOD ESTABLISHMENTS.

(a) IN GENERAL.—Section 403(q)(5)(H) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343(q)(5)(H)) is amended—

(1) in subclause (ii)—

(A) in item (I)(aa), by striking ''the number of calories contained in the standard menu item, as usually prepared and offered for sale'' and inserting ''the number of calories contained in the whole standard menu item, or the number of servings (as reasonably determined by the restaurant or similar retail food establishment) and number of calories per serving, or the number of calories per the common unit division of the standard menu item, such as for a multiserving item that is typically divided before presentation to the consumer'';

(B) in item (II)(aa), by striking ''the number of calories contained in the standard menu item, as usually prepared and offered for sale'' and inserting ''the number of calories contained in the whole standard menu item, or the number of servings (as reasonably determined by the restaurant or similar retail food establishment) and number of calories per serving, or the number of calories per the common unit division of the standard menu item, such as for a multiserving item that is typically divided before presentation to the consumer''; and

(C) by adding at the end the following flush text:

''In the case of restaurants or similar retail food establishments where the majority of orders are placed by customers who are off-premises at the time such order is placed, the information required to be disclosed under items (I) through (IV) may be provided by a remote-access menu (such as a menu available on the internet) as the sole method of disclosure instead of on-premises writings.'';

(2) in subclause (iii)—

(A) by inserting ''either'' after ''a restaurant or similar retail food establishment shall''; and

(B) by inserting ''or comply with subclause (ii)'' after ''per serving'';

(3) in subclause (iv)—

(A) by striking ''For the purposes of this clause'' and inserting the following:

''(I) IN GENERAL.—For the purposes of this clause'';

(B) by striking ''and other reasonable means'' and inserting ''or other reasonable means''; and

(C) by adding at the end the following:

''(II) PERMISSIBLE VARIATION.—If the restaurant or similar food establishment uses such means as the basis for its nutrient content disclosures, such disclosures shall be treated as having a reasonable basis even if such disclosures vary from actual nutrient content, including but not limited to variations in serving size, inadvertent human error in formulation or preparation of menu items, variations in ingredients, or other reasonable variations.'';

(4) by amending subclause (v) to read as follows:

''(v) MENU VARIABILITY AND COMBINATION MEALS.—The Secretary shall establish by regulation standards for determining and disclosing the nutrient content for standard menu items that come in different flavors, varieties, or combinations, but which are listed as a single menu item, such as soft drinks, ice cream, pizza, doughnuts, or children's combination meals. Such standards shall allow a restaurant or similar retail food establishment to choose whether to determine and disclose such content for the whole standard menu item, for a serving or common unit division thereof, or for a serving or common unit division thereof accompanied by the number of servings or common unit divisions in the whole standard menu item. Such standards shall allow a restaurant or similar retail food establishment to determine and disclose such content by using any of the following methods: ranges, averages, individual labeling of flavors or components, or labeling of one preset standard build. In addition to such methods, the Secretary may allow the use of other methods, to be determined by the Secretary, for which there is a reasonable basis (as such term is defined in subclause (iv)(II)).'';

(5) in subclause (x)—

(A) by striking ''Not later than 1 year after the date of enactment of this clause, the Secretary shall promulgate proposed regulations to carry out this clause.'' and inserting ''Not later than 1 year after the date of enactment of the Common Sense Nutrition Disclosure Act of 2017, the Secretary shall issue proposed regulations to carry out this clause, as amended by such Act. Final regulations to carry out this clause, including any regulations promulgated before the date of enactment of the Common Sense Nutrition Disclosure Act of 2017, shall not take effect until such compliance date as shall be specified by the Secretary in the regulations promulgated pursuant to the Common Sense Nutrition Disclosure Act of 2017.''; and

(B) by adding at the end the following:

''(IV) CERTIFICATIONS.—Restaurants and similar retail food establishments shall not be required to provide certifications or similar signed statements relating to compliance with the requirements of this clause.'';

(6) by amending subclause (xi) to read as follows:

''(xi) DEFINITIONS.—In this clause:

''(I) MENU; MENU BOARD.—The term 'menu' or 'menu board' means the one listing of items which the restaurant or similar retail food establishment reasonably believes to be, and designates as, the primary listing from which customers make a selection in placing an order. The ability to order from an advertisement, coupon, flyer, window display, packaging, social media, or other similar writing does not make the writing a menu or menu board.

''(II) PRESET STANDARD BUILD.—The term 'preset standard build' means the finished version of a menu item most commonly ordered by consumers.

''(III) STANDARD MENU ITEM.—The term 'standard menu item' means a food item of the type described in subclause (i) or (ii) of subparagraph (5)(A) with the same recipe prepared in substantially the same way with substantially the same food components that—

''(aa) is routinely included on a menu or menu board or routinely offered as a self-service food or food on display at 20 or more locations doing business under the same name; and

''(bb) is not a food referenced in subclause (vii).''; and

(7) by adding at the end the following:

''(xii) OPPORTUNITY TO CORRECT VIOLATIONS.—Any restaurant or similar retail food establishment that the Secretary determines is in violation of this clause shall have 90 days after receiving notification of the violation to correct the violation. The Secretary shall take no enforcement action, including the issuance of any public letter, for violations that are corrected within such 90-day period.''.

(b) NATIONAL UNIFORMITY.—Section 403A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343–1(b)) is amended by striking ''may exempt from subsection (a)'' and inserting ''may exempt from subsection (a) (other than subsection (a)(4))''.

SEC. 3. LIMITATION ON LIABILITY FOR DAMAGES ARISING FROM NONCOMPLIANCE WITH NUTRITION LABELING REQUIREMENTS.

Section 403(q)(5)(H) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343(q)(5)(H)), as amended by section 2, is further amended by adding at the end the following:

''(xiii) LIMITATION ON LIABILITY.—A restaurant or similar retail food establishment shall not be liable in any civil action in Federal or State court (other than an action brought by the United States or a State) for any claims arising out of an alleged violation of—

''(I) this clause; or

''(II) any State law permitted under section 403A(a)(4).''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and

ranking minority member of the Committee on Energy and Commerce.

The gentleman from Michigan (Mr. UPTON) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 772.

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

There was no objection.

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

Mr. Speaker, this bill, H.R. 772, is a bipartisan piece of legislation introduced by Representatives CATHY MCMORRIS RODGERS and TONY CÁRDENAS to amend the Food and Drug Administration's menu labeling rule that was issued in November of 2014.

The goal of the bill was to make implementation of the nutrition disclosure law useful for consumers and workable for food service establishments. The existing regulatory framework, which has not yet been implemented, is not only cumbersome for the food industry, but it also impedes businesses' ability to provide meaningful information that customers can use to make nutrition decisions.

The Common Sense Nutrition Disclosure Act is critical to avoid harming consumers' choices, jobs, and, certainly, small businesses. This bill was drafted to address the challenges of an overly prescriptive, one-size-fits-all approach to regulation affecting a very, very diverse industry.

We need to ensure that the law works for all food establishments: convenience stores, supermarkets, grocery stores, pizza shops. All have enormous challenges complying with the regulations as written.

This bill is going to provide those entities with the flexibility and, frankly, the certainty that they need to comply without compromising consumers' access to nutrition information. The Common Sense Nutrition Disclosure Act will establish a more reasonable standard for Federal regulations and allow nutritional information to be provided by a remote access menu for establishments where the majority of orders, in fact, are placed off premises.

□ 1245

Consumers should have this information when they are placing an order. A menu board may work for some businesses where customers order at the counter where they also pay, but for an establishment where most people now order online or from a phone, having the calorie information when they pick up their order won't be very helpful to that consumer.

This legislation also takes steps to preserve local foods and fresh items that might be sold at just a few locations. To do so, the bill clarifies that menu labeling regulations are intended for standard menu items, defined as those items with substantially the same recipe prepared in substantially the same way with substantially the same food components that are routinely included on a menu or menu board or are routinely offered as a self-service food or food on display at 20 or more locations.

This bill also eliminates draconian penalties that are required in current law by removing criminal felony penalties for store managers and allowing restaurants and retailers to take corrective actions. This shields small-business owners and their employees from frivolous lawsuits based on inadvertent human error. No one ought to be criminalized for putting too many pickles on a sandwich or maybe not enough olives. This bill further clarifies that establishments will have 90 days to correct a violation before FDA brings enforcement action.

The food retail sector employs—let's face it—millions of Americans and provides access to affordable, healthy options. The Federal Government shouldn't impose arbitrary regulations that are going to cause unnecessary harm to businesses and consumers.

The businesses impacted by this bill widely support providing consumers with nutritional information to better inform their food decisions, but they want to do it in a practical and a commonsense way. This legislation provides clear guidance to small-business owners, ensuring compliance and, at the same time, delivering critical information.

Mr. Speaker, I want to thank my Energy and Commerce Committee colleagues for their work on both sides of the aisle. I urge its passage today, and I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to H.R. 772.

This bill is completely unnecessary, overly prescriptive, and would deny consumers critical information about the food that they eat.

At a time when our country is facing an obesity epidemic—I would say, really, crisis—we should not be undermining efforts to educate consumers about the nutritional value of foods, including calories.

As a country, we pay a high price for obesity. It is estimated that medical costs for obesity top $190.2 billion, annually. Childhood obesity alone is responsible for $14 billion in direct medical costs. We should be embracing efforts to reduce this enormous cost to our healthcare system. A Harvard study found restaurant menu labeling could prevent up to 41,000 cases of childhood obesity and could save over $4.6 billion in healthcare costs over 10 years.

So if you want to eat pizza and fries, that is great, but why not have the opportunity to know how many calories are in that pizza and fries? You should be able to have that information. More information for consumers is a good thing.

The menu labeling law that passed in 2010 requires chain restaurants with 20 or more locations to provide consumers with basic nutritional information like calorie content for standard food and beverage items on menus. Since then, the FDA has been working to implement this rule only to face numerous delays along the way.

Research has shown that calorie information can help people make healthier choices, and 80 percent of Americans support providing this type of calorie information on the menu. But far from common sense, the legislation we are considering today would undermine the law. H.R. 772 takes us backwards by undermining the law and further delaying consumer protections.

This is not about flexibility. This bill just gives cover to bad actors and special interests that do not want to comply with the law.

First, it would allow food establishments to display calorie information in ways that would only serve to confuse and mislead customers. It allows the food establishment to set arbitrary serving sizes and cut the calorie count way below what a normal person would eat. Without standardized calorie reporting for menu items, people will have a tough time figuring out and computing nutrition information and comparing across items. It is deceptive to label an entree or a muffin as multiple servings because we all know that they are mostly consumed by one person in one sitting.

Second, it would deny consumers the opportunity to view calorie information and other nutritional information regardless of how or where they purchase food from a chain restaurant. Not only does it allow deceptive serving size manipulation, this bill would allow food establishments to make that information difficult to find. Calorie labeling is not useful if it is posted somewhere that it will not be seen.

Provisions in this bill would deny customers nutritional information from not only inside a pizza chain, but inside fast-food and other chain restaurants if the majority of their orders are placed offsite, like on the telephone or online.

For example, under this bill, a restaurant or similar retail food establishment could have the option to only list nutritional information online or via some other remote-access menu, thereby denying consumers who order in a brick-and-mortar location access to the information. Speed limits are not useful if they are hidden on a highway, and calorie counts cannot help if they are concealed from the public.

Finally, it has been nearly 8 years since the original menu labeling requirements were passed, but this bill would once again delay the final menu labeling rules and send the FDA back

to the drawing board. The FDA has already put forth a proposed rule, solicited comments, and worked with stakeholders to finalize the menu labeling rule.

In fact, just this past November, FDA published new draft guidance intended to help answer any of the outstanding questions regarding compliance. This guidance included sample menus and pictures to help food establishments tackle how to label for a variety of ingredients like multiple pizza toppings.

This rule has been delayed long enough. The final menu labeling regulations should go into effect as scheduled in May of this year. Countless businesses, restaurants, and other retail food establishments have already invested time and money into compliance with the current menu labeling rules, and it would be irresponsible to further delay implementation of this important rule.

This bill is another handout to businesses and an affront to consumers. It will keep consumers in the dark about the nutritional information that they need and create consumer and industry confusion.

H.R. 772 would weaken an important tool intended to help Americans make informed food choices at a time when obesity and other nutrition-related health problems are at crisis levels. That is why countless consumer and public health organizations oppose this bill, including the American Cancer Society Cancer Action Network, the American Diabetes Association, the American Heart Association, the American Nurses Association, Center for Science in the Public Interest, Consumers Union, and the Trust for America's Health. All of these health organizations oppose this legislation because it is not good for the health of our country or for consumers.

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

Mr. UPTON. Mr. Speaker, I know that I have other speakers, so I am going to stall a little bit for time here. I am told that some of them may be at Jimmy John's trying to get through that menu wondering if they should have olives or pickles or Dijon mustard or mayonnaise, but they are on their way.

I want to say we all want consumer information—we do—but we ought to be able to agree that food service establishments shouldn't face Federal criminal penalties for inadvertent failures to comply with the FDA's framework.

Under the Food, Drug, and Cosmetic Act, food labeling has to be truthful and non-misleading. Food labeling that doesn't meet FDA's standard for truthful and non-misleading is deemed misbranded. Under U.S. Code, introducing misbranded food into commerce is, in fact, a prohibited act, and the liable party shall be imprisoned for up to a year, fined not more than $1,000, or both.

Food to which these menu labeling requirements apply is deemed misbranded if the FDA's rule requirement is not met, so it is not necessary that the person intentionally misleads customers. Under FDA's framework, merely adding that extra olive or pepperoni is going to render the calorie content on the menu misleading and the chef then becomes criminal.

Come on. People say that the FDA won't put people in jail over this, so I don't think there ought to be an issue codifying that in statute. The Common Sense Nutrition Disclosure Act will give folks an opportunity to correct inadvertent mistakes so long as they were acting in good faith, and they are going to make standards far more reasonable.

Mr. Speaker, I yield 2 minutes to the gentleman from the great State of Michigan (Mr. WALBERG), who is a member of the committee.

Mr. WALBERG. Mr. Speaker, I join my colleagues in supporting the Common Sense Nutrition Disclosure Act.

Under the Obama administration, the FDA put forward an unworkable, one-size-fits-all mandate on restaurants and retail food establishments for providing calorie and nutrition information to customers. As written, many businesses cannot comply with these rules and would be subject to onerous, arbitrary penalties.

H.R. 772 is a bipartisan solution that makes compliance possible by providing small businesses with greater flexibility to provide nutrition information in a way that best serves their customers. It ensures customers receive the nutrition information they want, but does so in a way that takes into account the diversity of restaurants and food products.

This commonsense bill takes a flexible approach that will actually increase access to information for customers and allow good, hardworking Michigan restaurants, grocers, and convenience stores to continue meeting the needs of consumers.

Mr. Speaker, I urge its passage.

Ms. SCHAKOWSKY. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman from Illinois has 23 minutes remaining.

Ms. SCHAKOWSKY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentlewoman from Illinois for yielding the time.

Let me, first, dispel a couple of myths that have been suggested on the floor of the House.

One myth has been that small businesses are negatively impacted by the menu labeling requirements. Small businesses are unilaterally exempt from menu labeling requirements. The rule only applies to ''covered establishments,'' meaning those that have 20 or more locations. This rule does not and never was intended to apply to small businesses. That is misinformation being given out by the majority.

The second item which I just heard momentarily about, penalties, menu labeling will be subject to the exact same mechanisms and penalties as those for packaged food. The FDA has maintained its commitment to compliance, outreach, and education and has waived enforcement for the first year.

Additionally, numerous State and local governments have menu labeling requirements, and not one chain restaurant has faced criminal liability—once again, misinformation being distributed by the majority.

□ 1300

Mr. Speaker, I rise in opposition to this special interest-driven attack on popular and necessary menu labeling rules.

When we crafted the health reforms in the Affordable Care Act, we kept several critical goals in mind. We aimed to slow the staggering growth of healthcare spending, make preventive and wellness care more central to our health system, and give Americans access to more data so that they can make their own informed healthcare decisions.

Menu labeling is an essential tool to meet all three of those goals. That is why I have been a longtime champion of menu labeling, and I fought hard to secure its inclusion in the Affordable Care Act.

Congress passed standardized menu labeling in 2010. The goal was to arm Americans with the information they need to make informed nutritional decisions for themselves and their families.

The language was built on consensus and compromise. It was worked out between a variety of interests, including industry partners and the National Restaurant Association.

Industry has already had nearly 8 years of input for the implementation of the labeling rule, yet, with this misguided bill, certain sectors of the industry will tear down the progress that we have made. This bill would roll back and weaken this crucial step to combat the obesity epidemic in the United States. This is obstruction. American families are paying the price in their healthcare costs.

In 2015, sales at restaurants and bars surpassed spending at grocery stores for the first time. In a typical day, one-third of our children, 4 in 10 adolescents, and one-third of adults eat at a fast food restaurant. Americans are eating, on average, one-third of their calories outside of the home. Nutritional information must be made readily available where the consumer is at the point of purchase.

A health impact assessment from Los Angeles County found that menu labeling could avert 40 percent of the 6.75 million-pound average weight gain in the country. You think of that in terms of healthcare costs and the impact that decrease would have.

Our children are especially at risk. Today, more than one-third of our kids

and adolescents are overweight or obese. Children eat more than twice as many calories at a restaurant than they do at home. They consume less nutrients and more saturated fats. The impact on our kids alone should be reason enough to oppose a measure that undermines a consumer's ability to make informed, nutritious choices at mealtimes.

Menu labeling is popular. In a national poll, over 80 percent of Americans support menu labeling in chain restaurants. Over 100 nutrition and health organizations support menu labeling. Chains from Starbucks to Panera Bread to McDonald's are already implementing menu labeling. The rest of the industry must follow suit.

Consumers have a right to make an informed decision. It is disrespectful for the industry and their partners to argue that the American people cannot understand menu labeling. Give people the ability to make their choice.

You go in to eat, it has been a great day, you look at the board, you see something that you want, you look at the calories and say: Today, I think I will watch my calories. You order accordingly.

Other days, it is a bad day. You go in and you throw caution to the wind. You say: I am going to order whatever I can, no matter what the calorie count is.

This is about the right to choose and freedom of choice. That is what we are talking about here today. This bill denies consumers the right to nutritional information at that point of purchase. Even if 49 percent of orders are placed from in-store menus, food establishments could bury menu labeling online.

Multiple studies have shown that providing calorie menu labeling information can help Americans make lower calorie choices, but they cannot do this if they do not have the information they need.

This bill increases consumer confusion and allows restaurants to list deceptive portion sizes, listing an entree as multiple servings even though these items are most often consumed by one person.

It weakens enforcement and consumer protection, completely removes an establishment's incentive to comply with the menu labeling requirements, and removes the ability of individuals to hold retail food establishments accountable for violations to the food labeling law.

The existing law is already extremely flexible. I said restaurants with less than 20 locations. Mom-and-pop small businesses are excluded. I don't believe my colleagues on the other side of the aisle understand that. Read the legislation.

Let me mention something which has been very interesting, and that is about pizza companies. I come from New Haven, Connecticut, an Italian-American neighborhood. I know something about pizza.

What we have done with the industry is to work with them. The FDA opened the door to allow them what they asked for: to give a range of calories on a slice of pizza. They have done it.

These are FDA charts which demonstrate how easily you can put a label on the food so that people understand what the calories are. I will show this one. Calories are listed per slice. That is what the industry wanted. That is what we did. They have the ranges that they have for their various toppings.

Don't let the other side sell you a bill of goods. The FDA has conceded that they can list the calories in a single slice rather than an entire pizza.

This all illustrates that the Food and Drug Administration has already been working closely with the industry to address their concerns. We should let them work through this process, rather than complicating it with legislation that, in fact, would harm what we have been doing, what we have worked on all these years: meaningful, impactful work on menu labeling with a single stroke.

This is a special interest-driven bill. It is not the answer. I urge my colleagues to oppose it.

Mr. Speaker, I include in the RECORD a document that outlines the myths that are perpetrated by the majority and what the underlying facts are.

BUSTING THE MYTHS OF MENU LABELING

The Menu Labeling Rule provides consumers with nutritional information on the foods they purchase. This crucial information would give Americans a tool to make healthy choices. Nevertheless, the lobbying of special interest groups has resulted in H.R. 772, a bill based on nothing more than misleading myths.

MYTH No. 1: Small businesses are negatively impacted.

Small businesses are unilaterally exempt from menu labeling requirements. The rule only applies to ''covered establishments,'' meaning those that have 20 or more locations. The rule does not, and never was intended, to apply to small businesses.

MYTH No. 2: Labeling requirements are burdensome and difficult to comply with.

In reality, nutritional labeling requirements are straightforward and easy to implement, which is why numerous food retailers are already labeling calories on their menus. Furthermore, FDA has sought eight years of industry input which has resulted in the most flexible disclosure requirements to date. Nutritional information for complex menu items can be disclosed in ranges, without the need to estimate exact calories for various combinations.

MYTH No. 3: Labeling requirements only create consumer confusion.

The Menu Labeling Rule actually reduces consumer confusion by providing nutritional information at the point of purchase, and ensures that portion sizes are listed realistically. The rule will allow for a standard nutritional information format which will facilitate consumer understanding. Without it, consumers will be subject to deceptive portion sizes which can lead to them making misinformed decisions based on misleading information.

MYTH No. 4: Enforcements and penalties for noncompliance are harsh and unreasonable.

Menu labeling will be subject to the exact same mechanisms and penalties as those for packaged food. FDA has maintained its commitment to compliance outreach and education, and has waived enforcement for the first year. Additionally, numerous state and local governments have menu labeling requirements, and not one chain restaurant has faced a lawsuit.

MYTH No. 5: Menu Labeling Requirements are unpopular among American consumers.

Consumers have unequivocally maintained their support for menu labeling, with a recent poll showing support as high as 80 percent among Democrats, Republicans and Independents. Moreover, more than 100 public health organizations and health professionals have voiced their opposition to H.R. 772 because it would ''undermine congressional intent to provide access to calorie labeling in a broad range of chain food service establishments.''

Congressional Republicans have yet again bowed to special interest and created a carve-out for big food corporations who do not have the best interests of Americans at heart. Overwhelmingly, consumers want to know the nutritional information of the foods they are eating.

Please oppose H.R. 772—as well as any efforts that seek to undermine consumers.

Mr. UPTON. Mr. Speaker, might I ask how much time each side has remaining on this bill?

The SPEAKER pro tempore (Mr. LAMBORN). The gentleman from Michigan has 23 minutes remaining. The gentlewoman from Illinois has 14½ minutes remaining.

Mr. UPTON. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I might say the previous speaker, my friend, asked about what the original stakeholders had in mind before these regs were written.

I was one of those. This was my bill. This was a bipartisan bill offered by Jim Matheson and FRED UPTON a lot of years ago. It was never our intent to put people behind bars for having some misinformation based on the number of olives or pickles or Dijon or mayonnaise. It is just wrong. It was not our intent to do what the FDA has now done.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS), the author of this bill and a member of our committee, where it passed 39–14.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today with legislation to address one of the most burdensome rules in the Obama administration.

When the FDA announced its final rule implementing a national menu labeling standard in 2014, the intent was twofold: deliver customers increased access to nutrition information and establish a uniform, single national standard.

However, in trying to establish this uniform standard, the FDA's 400-page rule attempts a one-size-fits-all approach to an industry as diverse as its ingredients.

Under the current rule, every deli and salad bar offering, every possible pizza topping combination will have to be calculated and their calorie count displayed on physical menus.

Last week, I was home in Spokane and visited My Fresh Basket. This newly opened grocery store is also a great place to eat lunch, with fresh, local options and made-to-order food. This rule would mean new physical signage every time this locally owned grocer changes the options they offer, which is just about every day.

This bill is not about the merits of calorie counts. This bill does not remove the requirement of calorie counts on menus. This bill certainly does not make it more difficult for customers to receive nutritional information.

This bill, at its very core, is about flexibility for businesses to meet the requirements of the rule and present this calorie information in a way that makes sense for them and their customers.

The one-size-fits-all approach proposed by the FDA is problematic for two reasons. First, the made-to-order portion of the food industry offers endless, constantly changing combinations of ingredients. For some sandwich shops and pizzerias, the possible variations are in the tens of millions.

The FDA wants these restaurants to put on paper all of these variations and their calorie counts and have it publicly displayed in the restaurant. It is unrealistic and it is not a good use of the businessowner's time.

Second, digital and online ordering is customers' preferred method for ordering. Nearly 90 percent of orders in some restaurants are placed without an individual ever stepping foot into the restaurant.

So tell me, how does it make sense to force a restaurant to have a physical menu with calorie listings when 90 percent of your customers aren't going to see it? How does it make sense to force a customer to navigate millions of combinations to find the nutrition information that matches their order?

This legislation provides flexibility in how restaurants provide the nutritional information. It makes it easier for customers to actually see and understand the information because it is displayed where customers actually place orders, including by phone, online, or through mobile apps.

By bringing this rule into the 21st century, customers can trust that they are getting reliable information in a way that is easy to access and is customer-friendly.

I also want to take this opportunity to clarify that this bill does not change the preemption provision in the underlying statute. This ensures that no State or political subdivision of a State may directly or indirectly establish or enforce any requirement for nutrition labeling of food that is not identical to the requirement laid out in the final regulations.

While some States may disagree, I am committed now and moving forward to ensuring that we have one unified menu labeling requirement.

Before I close, I want to thank all my colleagues and the stakeholders for their hard work on this bipartisan legislation. This has been a team effort over a number of years now, and I appreciate their support.

Finally, I encourage my colleagues on both sides of the aisle to support this important amendment and to ultimately vote ''yes'' for the bipartisan Common Sense Nutrition Disclosure Act.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank my friend from Illinois for yielding and for the good work she is doing on this and so many other bills.

Mr. Speaker, I rise in opposition to this bill.

In today's world, when technology allows us to constantly be logged into the workplace, it is understandable that Americans often find themselves seeking more convenient meals outside of the home.

But dining out should not be about sacrificing nutrition. I believe Americans should have all the tools necessary to make informed choices about what they eat and what they feed their families.

Why wouldn't we want that? Why wouldn't we let the consumer decide? Why would we try to rob some tools and take things away from them?

Menu labeling gives Americans those tools, and we have been making progress towards more transparent labeling for consumers. It is a good thing.

This bill, H.R. 772, would undo that process. It delays much-needed transparency and will cause confusion for both consumers and businesses, many of which have already started implementing existing menu labeling requirements.

So let's not turn back the clock. Menu labeling is both a vital public health tool and an important consumer protection. People are smart enough to make their own choices. If you want to make it impossible for them to know everything, then you are not allowing the consumer to make the final choice in an informed way. I don't see why we would want to do that.

Mr. Speaker, I urge my colleagues to vote ''no.''

□ 1315

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), a member of the Energy and Commerce Committee.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of my good friend Mrs. MCMORRIS RODGERS' bill, the Common Sense Nutrition Disclosure Act. This legislation would make commonsense reforms to menu labeling and help ease the burden on businesses, while providing consumers with the information that they need.

The regulations, finalized by the Obama administration in 2014, presented incredible challenges to businesses and would cause some insurmountable challenges for them to be in compliance with the law. This bill would allow for a more targeted approach and provide relief, while ensuring people have the nutritional information they need to make educated decisions about their health.

Let's take a second to look at how exactly this bill benefits people across the country. This directs restaurants and food establishments to disclose visible information on calorie counts, the number of calories per serving, and accounts for online ordering with remote-access labeling directions. Self-service establishments will need to place signage with nutritional information for each food item.

Finally, it ensures that the nutritional disclosure of food contents would need to comply with current standards, ensuring that restaurants will adhere to a guideline that they know they can trust.

While this is good for consumers, it also makes important reforms for the establishments. It sets out protections to prevent frivolous lawsuits. It puts forth a good faith threshold so that businesses aren't ultimately penalized for what could be a small error from one of their employees. It gives establishments the flexibility in labeling that may not maintain the same item list at all of their locations.

This legislation is about ensuring integral parts of our communities aren't subjected to unfeasible regulatory expectations while providing transparency to customers.

I am proud to cosponsor this legislation, and I urge my colleagues to support the underlying legislation.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, I thank the gentlewoman from Illinois for yielding me this time, and I also want to thank her so much for her diligence, her efforts, and her sincerity in trying to make this issue and this bill, and many bills on this issue, as good as possible.

Although we may disagree on the final version of this bill, again, it is my sincere wish that we will continue to work together as this issue will never go away because nutrition and the understanding of that for every American is paramount for our individual health and for communities as a whole.

Mr. Speaker, I rise in support of H.R. 772, the Common Sense Nutrition Disclosure Act of 2017. I am proud to colead this bill with my colleague, Congresswoman MCMORRIS RODGERS. Americans increasingly realize the importance of having access to accurate nutritional information about the food we eat, and we need to make sure that businesses are providing this information.

However, no two food establishments, convenience stores, or grocery stores are identical, and the government

should take that into account as we implement guidelines on making nutritional information available.

As a former small-business owner myself, I know the costs and challenges associated with regulatory compliance. Not all businesses can afford a legal department to help them stay within the rules, despite their best intentions. This legislation would help businesses help consumers be smart about what they are eating.

The FDA's 2014 rule on nutrition disclosures is set to take effect in May of this year, though some issues remain unresolved. This bill will give FDA the authority to fix these issues and hold businesses to tough standards they can and shall meet.

Right now, the FDA rule exempts small businesses, but not those that sell to large suppliers. Those small businesses would have to undertake expensive nutritional analysis in order to comply with the law, even if they don't have the resources.

Another example is, right now, the FDA rule would require delivery restaurants to post nutritional information in their brick-and-mortar establishment instead of online, even though nobody would see it, especially those who go online to order their food. This bill fixes that.

Finally, this bill reins in out-of-proportion penalties in the current rule that would have severe, unintended consequences. No one should have to worry about losing their business if they mistakenly make sandwiches with too much meat or cheese.

Importantly, this bill makes sure the FDA is still able to enforce the law in situations in which businesses are misleading their customers. This bill doesn't include a time delay, meaning the FDA would be able to implement the nutrition disclosure rules sooner than later.

I urge my colleagues to join me in supporting this bill to help the businesses in districts like mine to help our constituents eat healthier.

Mr. UPTON. Mr. Speaker, I have no further speakers. I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume while I am waiting for an additional speaker.

I want to hold up this board. This is an example that the FDA gave to businesses on how they could easily—we see all kinds of signs like this. Sometimes it is the price at the end of the item, and, in this case, it would be the calories.

So it talks about a slice of pizza. Now, I am feeling kind of chunky today, and I go into the pizza parlor, and it says that for cheese pizza, for the original, it is about 200 to 240 calories; for the thin and crispy, 150 to 190 calories; and for pan—now, we love our pan pizza, our deep-dish pizza in Chicago, but that is 260 to 300 calories.

So I am thinking: Yeah, I want pizza, but I think I am going to go with the thin and crispy, which is going to save me at least 110 calories.

Now, what do I want on top? I am looking now at all the things, the meats and the veggies that can go on top, and each one of them has calories per slice listed there. Simple. I am a pretty good—you know, I can do math pretty well, and I can also compare. Do I want something that is up to 50 calories or something that is 20 calories? And I can look at this sign and make a decision for myself.

This is not too cumbersome. This is something that could easily be displayed. I go to a lot of restaurants that already are in compliance and have the calories, and if I am like between the pasta and the salmon—and, again, I want to make that decision. It is good for me to know what is the real difference in calories.

I want to say, I started out as an activist in the grocery store. I was a very, very young housewife many years ago, 1970, when a small group of women got together. We called ourselves National Consumers United because we wanted to know how old our food was in the grocery store.

Everything was code dated. You couldn't tell how old the food was, and we were actually told that if we didn't like it, we could shop somewhere else. Well, we started cracking the codes like detectives, pushing the stock boys—and they were all boys—against the shelf, and they were telling us how they put the old stuff in front and the new stuff in the back.

Finally, we were able to get one of our retailers to say: Come to Jewel; our food has freshness dates. And people loved it. And it turned out that, even over the initial opposition from the retailers, it was good for them, because people appreciated that and went to their stores.

Now, those dates on food are ubiquitous. Customers like it, retailers like it, it is better, and this would be yet another thing that we could do.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member on the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, I want to thank my colleague from Illinois for all her work on this and so much other good legislation—not the bill that is on the floor today, though.

I rise in strong opposition to H.R. 772. This bill would undo years of progress towards implementing menu label requirements and only lead to greater consumer and industry confusion.

We included a requirement in the Affordable Care Act that certain restaurants and other retail food establishments with 20 or more locations display calorie and other nutritional information in order to give consumers access to the information they need to make healthy choices in a way that would be consistent and easy to understand.

Now, GOP efforts to sabotage the Affordable Care Act continue with this legislation today, which also undermines the ACA's prevention goals. Unfortunately, H.R. 772 would weaken the current menu labeling requirements and lead to extended compliance delays, putting those establishments who have already begun complying at a disadvantage.

While proponents of this bill claim it will increase flexibility for covered entities, in reality, this bill would allow restaurants and other retail food establishments to determine their own serving sizes and what would be the one designated menu or menu board for the purposes of disclosing caloric information. It would also permit establishments to disclose nutritional content for certain food items through a choice of methods instead of utilizing a standardized format.

H.R. 772 also would limit the civil liability of covered entities, impeding private citizens' ability to take legal recourse should an establishment fail to comply with the menu labeling requirements.

And as I noted when we considered a similar version of this bill in the last Congress, I continue to believe that legislation is not the right approach to address the concerns raised by some industry groups regarding the menu labeling rule.

The FDA has been diligently working with stakeholders, since the law was passed, to find a workable approach that provides consumers with transparency when eating out, while also ensuring covered establishments have the tools they need to implement the rule.

Just this past November, FDA issued new supplemental draft guidance to help answer any outstanding questions still posed by industry.

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

Ms. SCHAKOWSKY. Mr. Speaker, I yield an additional 30 seconds to the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, the FDA has demonstrated that it is best positioned to address specific concerns with the regulation, and this new guidance is an example that FDA is taking the necessary steps to make compliance attainable.

Again, we have a new FDA Administrator appointed by the Trump administration, and he is trying to work with industry to get this done. So we shouldn't roll back the clock and undo the progress we have made.

Instead, we should be moving forward with the menu labeling requirements as they currently stand and are set to go into effect in May of this year. H.R. 772, unfortunately, would do the opposite; and, for this reason, I oppose the bill and urge my colleagues to oppose the bill as well.

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

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

Mr. Speaker, I wanted to—you know, your friends at Jimmy John's are not

going to go to jail. In fact, just this past November, in new supplemental draft guidance, FDA explained that the agency, ''does not intend to penalize or recommend the use of criminal penalties for minor violations.'' The FDA went on to explain that minor violations would include inadvertently missing a calorie declaration for a standard menu item on the buffet; minor discrepancies in the type, size, color, contrast of calorie declarations; minimal variations or inadvertent error that would only minimally impact the calorie declaration, such as adding extra slices of pepperoni or an extra dollop of ketchup. This is just not going to happen.

Let me just say, in closing, the law that Congress passed almost 8 years ago—so the calls for more time is just ridiculous—should be allowed to go into effect. It is long past due. This is about freedom, about freedom of consumers to make informed choices.

I know my friends across the aisle talk about freedom all the time. This is about freedom to make choices that will help you. Empowering consumers to make informed decisions that benefit their health is exactly what the current law allows. H.R. 772 would undermine that important goal.

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

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

Mr. Speaker, I would just remind my colleagues that this bill is supported by literally hundreds of national State and local organizations, including the National Grocers Association, the National Association of Convenience Stores, the Food Marketing Institute, the American Pizza Community, the National Association of Truck Stop Operators, amongst many, many others.

□ 1330

I want to also reiterate that this bill, again, is bipartisan and has passed the Energy and Commerce Committee 39–14, in this Congress, and last year in the House, where it passed 266–144.

The bottom line is this: it clarifies that establishments acting in good faith will not be penalized, particularly in a criminal way, for inadvertent human error in reasonable variations in serving sizes and ingredients, giving them 90 days to correct a violation before enforcement action is brought by the FDA.

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

Mr. DESAULNIER. I rise to express my strong opposition to H.R. 772, the so-called Common Sense Nutrition Disclosure Act.

I have worked at every level of the restaurant business, starting as a dishwasher and busboy, and eventually managing and owning various restaurants in the San Francisco Bay area. As a former restaurateur and a member of the California Restaurant Association, I have a deep appreciation for the value American consumers place on nutritional information when determining their food purchases.

Numerous studies, like the International Food Information Council and elsewhere, suggest that nutritional information is second only to taste when choosing what to eat from a menu. Other peer-reviewed studies have found that consumers make healthier choices when nutrition information is placed directly on the menu.

Making nutrition information readily available and standardized is an important step in fighting the growing epidemic of obesity and chronic disease. According to the CDC, more than two-thirds of American adults are overweight or obese, nearly a third of American children are overweight, and the prevalence of childhood obesity children has more than tripled since 1971.

That is why, as a California State Senator, I co-authored the first-in-the-nation menu labeling law. This bipartisan legislation was passed with industry support and cooperation, and signed by a Republican governor.

In contrast, the bill before us today creates giant loopholes in the ACA's national menu labeling provisions and allows selected establishments to arbitrarily determine serving sizes, and obscure the total number of servings per item. For example, if this bill would become law pizza chains, supermarkets, and convenience stores would be exempt from having to provide information to consumers at the point-of-sale. The bill would also further delay the implementation of our existing nationwide menu labeling efforts that are supported by more than 75 percent of American consumers.

Particularly harmful for my constituents, H.R. 772 would preempt state efforts to address the obesity epidemic locally. The bill also undermines state and local efforts to enforce or enact their own food labeling laws, and extends to food labelling in general, not simply menu labeling as the bill's title would lead us to believe.

This misguided legislation unravels all of the cooperative work being done by the restaurant industry and government agencies across the nation. I urge my colleagues to oppose this effort to undermine local transparency efforts and vote No on H.R. 772.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 725, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Ms. SCHAKOWSKY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 1 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1508

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALMER) at 3 o'clock and 8 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1892, HONORING HOMETOWN HEROES ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–547) on the resolution (H. Res. 727) providing for consideration of the Senate amendment to the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1892, HONORING HOMETOWN HEROES ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 727 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 727

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115–58 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER), my dear friend and ranking member of the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I rise today in support of this rule and the underlying legislation. The rule provides for consideration of the Senate amendment to H.R. 1892, the Further Extension of Continuing Appropriations Act of 2018.

Mr. Speaker, the House amendment will extend government funding until March 23, 2018, while simultaneously funding the Department of Defense for a full year. This will ensure our Nation's defense and pay for our proud servicemen and -women who will no longer be in jeopardy during ongoing discussions on funding for the long-term spending caps, until we agree to that.

Mr. Speaker, we just have come out of Rules Committee where we had a hearing for several hours where we detailed not only the parts of this bill, but also the agreement and disagreement between the two parties. I want you to know that I am pleased to report today the Rules Committee favorably reported out this bill, and we will be talking about the substance of that today.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume. I thank my friend for yielding me the customary 30 minutes.

Mr. Speaker, I am sorry I can't support this continuing resolution today.

The great government of the United States of America that has been called ''the last best hope of man'' cannot be funded in tranches of maybe 2 weeks to 3 weeks. This is the fifth continuing resolution that we have done since the 30th of September. That is an atrocity. I mean, I can't think of any legislative body anywhere totally unable to do its job. And as sorry as I am to say it because of my great respect and affection for my fellow Members, I don't believe that this majority is capable of governing.

We are 2 days before the shutdown of the government of the United States, before it closes for business. Late last night, about 10 p.m., they finally released the details of this short-term spending bill. And we will be back here as soon as this one expires doing yet another one.

We are 5 months into the fiscal year, and this is the majority's fifth continuing resolution. We are virtually in the same position today as we were on September 8, December 7, December 21, and January 18 when this Chamber passed the prior continuing resolutions.

The majority isn't learning from any of this. They just keep repeating those mistakes. Like the bill before it, the proposal was written by and for the majority.

Let me repeat. The Democrats had virtually no say in this.

And once again, it ignores many of the priorities that we all agree need to be addressed: providing additional disaster relief after a storm season that saw historic wildfires, hurricanes, and mudslides; three rail wrecks in 2 weeks with fatalities, certainly proving to us, if we didn't know it already, that our neglect of the railroads, the bridges, the infrastructure in the United States is a mess. Saving America's endangered pensions is also a priority, and extending additional health access for our veterans certainly is not just a priority, but an obligation.

□ 1515

What is included here is woefully inadequate. This bill pays for extending community health centers—which is very important to me, let me hasten to add—by eviscerating funding for one of the most important parts of the Affordable Care Act that helps keep people well: the Prevention Fund. This fund focuses on children's health by expanding access to lifesaving vaccines and reducing the risk of lead poisoning, among many other things. The majority is paying for opening the centers by gutting the Prevention Fund while we are experiencing the worst flu epidemic in nearly a decade.

Now, I have heard a lot of talk about prioritizing the national defense. We don't take a back seat on our side to anybody who loves and respects the people who defend us, who every day—an all-volunteer military—stands on the line for us.

But we also believe that this bill does not raise the Budget Control Act sequester level of spending caps for nondefense. That is a shame, and it is also the Budget Control Act.

Mr. Speaker, one-third of the nondefense domestic budget that we are trying to get parity for goes to national security, part of our defense: to our veterans, to homeland security, the State Department, the Justice Department, and counterterrorism initiatives.

Refusing to equally raise the defense and nondefense caps is irresponsible. Secretary of Defense General Mattis has said: No enemy is more harmful than unpredictable funding from Congress.

But it isn't just defense that has had undependable funding. Not a single agency of the Federal Government knows from one week to another whether they will be funded or what they can do. We have cut down on almost everything that they can do, including travel to places that they absolutely need to be. It is pretty awful.

We have had the warnings, yet here we are today with a fifth short-term continuing resolution. The majority has 238 seats in the Chamber, but it only holds 51 seats in the Senate. They have the ability to draft a partisan agenda, and routinely do.

And we just saw that spectacle coming from the Intelligence Committee in the House, when a memo, governed by the majority—and one was acted on and put out for the public—but we are waiting and hoping that the one for the minority will be given the approval by the President of the United States.

But for anything, including this bill, to have a chance of getting 60 votes in the Senate and becoming law, you have to involve the Democrats. They don't have enough over there. Fifty-one is not 60. This is simple math.

The minority leader in the Senate has said this proposal is a nonstarter. He added that moving forward with this plan would ''jeopardize the positive discussions going on right now about the budget, immigration, disaster aid, and more.'' So we know, standing here today, that we are wasting our time.

We should finally bring an end to the continuing resolutions and the failed my-way-or-the-highway approach to governing. That is the only way the majority can fulfill what Speaker RYAN pledged when he took the gavel and said: ''Only a fully functioning House can truly represent the people. And If there were ever a time for us to step up, this would be that time.''

Mr. Speaker, the American people and the world have watched for months as the greatest democracy ever devised has been defined by its dysfunction. If ever there was one, this is the time for the majority to step up.

I am very much concerned, Mr. Speaker, that we are reaching the tipping point. That the dysfunction and chaos displayed not just with the actions of the stock market in the past 3 days, but our inability to really know whether or not we are going to keep the lights on has cost us dearly with respect to the rest of the world. And I need to point out as well, just a few minutes ago, the President of the United States thought that a government shutdown would be a good idea.

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

Mr. SESSIONS. Mr. Speaker, I appreciate my colleague for being here so that we may move forward on this important funding for the government.

Mr. Speaker, from time to time, there are Members of Congress who distinguish themselves in ways that draw not only attention upon an organization more than just themselves, but also distinction. Our next speaker is a gentleman who served for 14 years in the United States Air Force. He holds the record for the fastest nonstop flight ever in the world in one of the United States Air Force planes that is called a B–1 bomber. This gentleman not only served with distinction and honor but is here today to speak about the importance of funding our United States military.

Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank the gentleman for those kind words. Chairman SESSIONS is a hero of mine. There are a lot of reasons why I hold

him in such high regard. One of the reasons is that he understands a couple of very important things.

I think the first thing he understands is that the primary responsibility of the Federal Government is to keep Americans safe in a chaotic world. The second thing he understands is that nothing is more important than thing one.

It is for these reasons that I rise in strong support of the rule and the underlying legislation to fund our military. Our inability to constantly fund our Federal Government has real consequences, but it has no greater consequence than it has for our military members.

Nothing impacts our military with more devastating effect than the lack of sustained, predictable funding. We need to do what is right for the men and women in uniform charged with defending our country, including, I might add, members of my own family who are deployed, even as we speak.

The uncertainty of funding creates problems in the supply chain with regard to everything from large acquisitions to the smallest repair part. It impacts training as funding is needed to lock in major events to include logistical support, movement of personnel and equipment, and access to sufficient types and quantities of munitions. I have spoken with military members, as recently as the last few weeks, who told me about their funding and their training being canceled because of the threat of a government shutdown. It has implications for their safety and their well-being.

In a letter to Congress last September, Secretary Mattis warned of the consequences: funding through a CR cannot be reprogrammed; training impacts begin immediately, as I have said; and hiring actions and recruiting is curtailed.

The bottom line is this: governing by crisis has had an enormous impact on our military, and it is time we do what is right and fully fund our country's defense.

Funding the Department of Defense in the year 2018 will keep Americans safe by boosting our national defense and give a much-needed pay raise to our troops and an increase in end strength for the Active Duty, Guard, and the Reserve.

Let me end with a personal observation. These wings that I proudly wear are my father's Air Force wings. He was an Air Force pilot in World War II. He had five sons who served in the military. I am proud to say that I was one of them, as Chairman SESSIONS has indicated. As I indicated as well, I have members of my own family who are deployed now, or will deploy in the next year. These young men and women put their lives on the line to serve and to protect our country. For heaven's sake, let's give them the funding to do that. Let's do the right thing. That is why I support this rule and the underlying legislation.

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

Mr. Speaker, President Trump said to reporters earlier today that if Congress can't reach a deal on immigration: ''I'd love to see a shutdown if we can't get this stuff taken care of. If we have to shut it down because the Democrats don't want safety . . . let's shut it down.''

We are also the people who were accused last week at the State of the Union—because we didn't show great enthusiasm for his speech—that we were treasonous. It is really pretty frightening to me, Mr. Speaker, what is going on here, and I can't avoid talking about it. I said earlier in the Rules Committee that I think we are reaching a tipping point, and I honestly do believe that.

But this isn't the first time that President Trump encouraged a government shutdown, which would be devastating. The last one we had was for 16 days and took $24 billion out of this economy. This is remarkable and, I think, pretty sad.

The President keeps injecting uncertainty into what already is a chaotic process from the majority. No one in this Chamber is against safety. We are asking them to take action on the bipartisan priorities that have languished while they passed tax cuts for millionaires.

In 2016, during an interview with CBS This Morning, President Trump said: ''I'm the king of debt. I'm great with debt. Nobody knows the debt better than me.''

Well, Mr. Speaker, according to this article from The Washington Post from February 3: ''The U.S. Treasury expects to borrow $955 billion this fiscal year. . . . It's the highest amount of borrowing in 6 years, and a big jump from the $519 billion the Federal Government borrowed last year.''

He is definitely the king of debt.

Mr. Speaker, I include in the RECORD the article from The Washington Post titled: ''The U.S. Government is set to borrow nearly $1 trillion this year, an 84 percent jump from last year.''

[From the Washington Post, February 3, 2018.]

THE U.S. GOVERNMENT IS SET TO BORROW NEARLY $1 TRILLION THIS YEAR, AN 84 PERCENT JUMP FROM LAST YEAR

(By Heather Long)

It was another crazy news week, so it's understandable if you missed a small but important announcement from the Treasury Department: The federal government is on track to borrow nearly $1 trillion this fiscal year—Trump's first full year in charge of the budget.

That's almost double what the government borrowed in fiscal 2017.

Here are the exact figures: The U.S. Treasury expects to borrow $955 billion this fiscal year, according to documents released Wednesday. It's the highest amount of borrowing in six years, and a big jump from the $519 billion the federal government borrowed last year.

Treasury mainly attributed, the increase to the ''fiscal outlook.'' The Congressional Budget Office was more blunt. In a report this week, the CBO said tax receipts are going to be lower because of the new tax law.

The uptick in borrowing is yet another complication in the heated debates in Congress over whether to spend more money on infrastructure, the military, disaster relief and other domestic programs. The deficit is already up significantly, even before Congress allots more money to any of these areas.

''We're addicted to debt,'' says Marc Goldwein, senior policy director at Committee for a Responsible Federal Budget. He blames both parties for the situation.

What's particularly jarring is this is the first time borrowing has jumped this much (as a share of GDP) in a non-recession time since Ronald Reagan was president, says Ernie Tedeschi, a former senior adviser to the U.S. Treasury who is now head of fiscal analysis at Evercore ISI. Under Reagan, borrowing spiked because of a buildup in the military, something Trump is advocating again.

Trump didn't mention the debt—or the ongoing budget deficits—in his State of the Union address. The absence of any mention of the national debt was frustrating for Goldwein and others who warn that America has a major economic problem looming.

''It is terrible. Those deficits and the debt that keeps rising is a serious problem, not only in the long run, but right now,'' Harvard economist Martin Feldstein, a former Reagan adviser, told Bloomberg News.

The White House got a taste this week of just how problematic this debt situation could get. Investors are concerned about all the additional borrowing and the likelihood of higher inflation, which is why the interest rates on U.S. government bonds hit the highest level since 2014. That, in turn, partly drove the worst weekly sell-off in the stock market in two years.

The belief in Washington and on Wall Street has long been that the U.S. government could just keep issuing debt because people around the world are eager to buy up this safe-haven asset. But there may be a limit to how much the market wants, especially if inflation starts rising and investors prefer to ditch bonds for higher-returning stocks.

''Some of my Wall Street clients are starting to talk recession in 2019 because of these issues. Fiscal policy is just out of control,'' says Peter Davis, a former tax economist in Congress who now runs Davis Capital Investment Ideas.

The Federal Reserve was also buying a lot of U.S. Treasury debt since the crisis, helping to beef up demand. But the Fed recently decided to stop doing that now that the economy has improved. It's another wrinkle as Treasury has to look for new buyers.

Tedeschi, the former Treasury adviser to the Obama administration, calls it ''concerning, but not a crisis.'' Still, he says it's a ''big risk'' to plan on borrowing so much in the coming years.

Trump's Treasury forecasts borrowing more than $1 trillion in 2019 and more than $1.1 trillion in 2020. Before taking office, Trump described himself as the ''king of debt,'' although he campaigned on reducing the national debt.

The Committee for a Responsible Federal Budget predicts the U.S. deficit will hit $1 trillion by 2019 and stay there for a while. The latest borrowing figure—$955 billion—released this week was determined from a survey of bond market participants, who tend to be even faster to react to the changing policy landscape and change their forecasts.

Both parties claim they want to be ''fiscally responsible,'' but Goldwein says they both pass legislation that adds to the debt.

Politicians argue this is the last time they'll pass a bill that makes the deficit worse, but so far, they just keep going.

The latest example of largesse is the GOP tax bill. It's expected to add $1 trillion or more to the debt, according to nonpartisan analysis from the Joint Committee on Taxation (and yes, that's after accounting for some increased economic growth).

But even before that, Goldwein points to the 2015 extension of many tax cuts and the 2014 delays in Medicare reimbursement cuts.

''Every time you feed your addiction, you grow your addiction,'' says Goldwein.

There doesn't seem to be any appetite for budgetary restraint in Washington, but the market may force Congress's hand.

Ms. SLAUGHTER. Mr. Speaker, we did hear in the State of the Union that we will be asking for $1.5 trillion for infrastructure. Given the $1.5 trillion that we have already started borrowing for to give the top 1 percent a great tax cut that would be permanent, I am not sure anybody will finance that request. And, frankly, taking on that amount of debt would mean that almost everything else that we do in the country would take a back seat, or even further behind than back.

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

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

Mr. Speaker, I would like to acknowledge, also, Mr. STEWART's service to the United States Air Force and this country.

Mr. Speaker, I had an opportunity to talk with a security officer from Pearl Harbor, Lieutenant Kevin Fahland. Lieutenant Fahland essentially told me: We are out in the middle of the Pacific faced with danger every day, and we represent the greatest Nation in the history of the world. Please do us a favor and recognize that we need the funding to continue what is an aggressive race against us.

He is a lieutenant in the Navy, a security officer, who sees firsthand the attack, all sorts of ways, at Pearl Harbor that happens every day, and it is his job to protect this great Nation. I want to thank the lieutenant and other members of the United States Navy and the United States military for their service.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BURGESS) from the Rules Committee.

Mr. BURGESS. Mr. Speaker, we are here today considering a continuing resolution that will provide dollars for the Federal Government and our national defense, but it also will finally accomplish reauthorization of funding for several important healthcare programs. These extensions are long overdue, and I urge Members to support this legislation so that our Nation's healthcare providers will have stability to continue their normal operations.

The House passed many of these provisions last November. That is when we passed the Championing Healthy Kids Act. However, since House passage, the legislation has been stalled without action in the Senate. Fortunately, the Children's Health Insurance Program was reauthorized in the last continuing resolution. It seems like a long time ago, but it was only 3 weeks ago. However, we did not complete the public health or Medicare extenders. The continuing resolution that we are debating today includes funding for other important healthcare programs, such as community health centers, the National Health Service Corps, and Teaching Health Center Graduate Medical Education, all of which expired at the end of September.

□ 1530

The continuing resolution provides a 2-year extension of funding for federally qualified health centers. One in 13 individuals nationwide relies upon a community health center to receive necessary healthcare services. The Community Health Center Fund plays an important role in supplementing the services that the federally qualified health centers are able to deliver to underserved communities by providing care to all Americans, regardless of their income or their ability to pay.

The legislation we are considering also includes a 2-year extension of other important public health programs, including funding for the National Health Service Corps, the Family-to-Family Information Centers, the Personal Responsibility Education Program, the Special Diabetes Program for Type 1 Diabetes, and the Special Diabetes Program for American Indians.

The package also delays the $5 billion in cuts to many hospitals in many of our districts across the country from the Affordable Care Act-mandated Medicaid disproportionate share hospital reductions for the fiscal years 2018 and 2019. I am certain that other Members have heard from their hospitals, as have I; hospitals in our districts whose ability to remain open and operational and continue to provide care could be jeopardized by these cuts in the so-called DSH payments.

This delays but does not fix a problem that ObamaCare created for safety net hospitals that provide care to citizens of our country who most need this care. The committee is committed to continuing to work on this, but this 2-year extension is important.

The bill also includes important Medicare extenders. The extension of the ground ambulance services and cost reporting requirements will allow our emergency responders in urban, rural, and superrural areas another 5 years of certainty in receiving their add-on payments.

Similarly, home health providers will receive a 5-year extension of their rural add-on Medicare payments, and certain low-volume hospitals will continue to receive the payment adjustment for an additional 2 years.

This health extenders package permanently repeals a provision in the Balanced Budget Act of 1997. This provision sought to cap Medicare-covered outpatient therapy services, physical therapy, occupational therapy, and speech-language pathology. The cap was never fully put into effect, but repealing the therapy caps will allow for certainty and stability for Medicare beneficiaries and providers of these services. Many of us have heard about the importance of repealing the cap.

One of my priorities as chairman of the Health Subcommittee has been to improve the value of our electronic health records for doctors and for patients. Electronic health records have promise to streamline the sharing of data amongst patients and their doctors, but they have not yet fully lived up to this promise.

Adoption of electronic health records is growing, but the meaningful use program, as established in the Health Information Technology for Economic and Clinical Health Act, has burdened providers with stringent requirements. In an effort to reduce that burden, this bill we are considering today removes the mandate that the Secretary of Health and Human Services make the meaningful use standards more stringent over time.

I believe we have squeezed all the blood we can out of this turnip, and it is time to let our doctors be doctors. This will permit the Department to evaluate in other ways.

Lastly, this package contains important provisions that aim to improve care for individuals suffering from chronic diseases. The Senate has already passed these provisions in their CHRONIC Care Act.

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

Mr. SESSIONS. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Texas.

Mr. BURGESS. One of the most important pieces of this package is the extension of the Independence At Home Medical Practice Demonstration Program, which allows participating high-need Medicare beneficiaries who have multiple chronic conditions to receive Medicare coverage for home-based primary care. This program is currently in its fifth year and has been found to save Medicare dollars, but Medicare needs more time to evaluate the overall effectiveness of the program.

This health extenders package has responsible offsets. One of these offsets would allow for Medicare reimbursement of outpatient physical therapy or occupational therapy services provided by a therapy assistant. These providers are reimbursed at 85 percent of the physician rate, and therapy assistants must have a State license and abide by Medicare supervision requirements.

Additionally, lottery winnings and other lump sum income of over $80,000 would count toward income eligibility under Medicaid's modified adjusted gross income rules. In certain cases, individuals could remain eligible if being ineligible would lead to undue medical or financial hardship.

Similar to the Championing Healthy Kids Act, this bill modifies the level of funding in the Prevention and Public

Health Fund. By law, this fund is required to receive $2.5 billion in annual appropriations, which must be used for prevention, wellness, and public health initiatives administered by the Department of Health and Human Services.

If Congress does not direct the funds toward specific efforts, the Secretary of Health and Human Services has the authority to spend the dollars however he or she deems fit. While we are redirecting these taxpayer dollars, the overarching purpose of the fund is still there to improve the health and wellness of Americans through existing mechanisms, and community health centers will do just that. With this spending offset, we are using the Prevention and Public Health Fund for what is intended: investing in America's well-being.

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

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 3440, the Dream Act. This bipartisan, bicameral legislation would help hundreds of thousands of young people who are American in every way except on paper.

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

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO) to discuss our proposal.

Mrs. NAPOLITANO. Mr. Speaker, DREAMers embody our American ideals, our values, and everything we hold dear. They are proud servicemembers, students, teachers, healthcare workers, first responders, and entrepreneurs.

The DACA program has allowed many of them to build a life here and make positive, significant contributions to the U.S. economy and their communities. DACA recipients, in fact, earn higher wages and will contribute an estimated $460 billion to the U.S. GDP over the next decade. It is no wonder employers and corporate America are demanding a solution.

The economic case for passing the Dream Act is strong. It is not just the right thing to do for our economy, though; it is the right thing to do, period.

H.R. 3440, the Dream Act, builds on these great successes and honors our history and our heritage, as we are a proud nation of immigrants from all over the world.

Poll after poll reflects overwhelming support for allowing the DREAMers to remain permanently in the United States. Nearly 8 out of 10 voters, including almost three-quarters of Trump voters, agree on this. Only 14 percent believe they should be forced to leave.

The faith community is also imploring Congress to do what is the right, compassionate, and just thing. Just this morning, I met with the Archdiocese of Los Angeles, who said this is about human dignity and how we treat people. They understand the weight of our inaction and indecisiveness. Anxiety and hopelessness continue to grow as the President dithers.

We are now less than 1 month away from the end of the 6-month period set by President Trump to fix the mess he created. No more delaying. No more inaction. DREAMers kept their promise to the only Nation they know and love. Our government must honor its commitment to protect them and their families.

Mr. Speaker, this is the 20th time we have asked for a vote on the clean Dream Act. All we are asking for is a vote. Give us a vote so we can give young immigrants, their families, their employers, their teachers, their coworkers, and friends some certainty and peace of mind.

I ask my colleagues to vote against the previous question so that we can immediately bring DREAMers and the Dream Act to the floor and finally do what is right for our young people and for our country.

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

It is amazing how the President, by honing the message and focusing his ideas on Congress, has brought this entire issue to a forefront.

Last year, the President said: I am calling on Congress to please resolve this issue with the DACA people who are in this country. I am asking Congress to please do this by next March.

Now he is being treated—instead of like a firefighter, he is being treated like an arsonist; and he is not. He is the person who has the ability and the desire to lead Congress, on a bipartisan basis; lots of meetings down at the White House. For months now that has been happening, with the date of March.

What happens?

Somebody gets frustrated and they want not what we agreed to do in March, but they want it in January—actually, December, rather than attempting to work with the President, who, I believe, forthrightly, has held lots of meetings.

So, Mr. Speaker, what I would say to you is that it is a moving target. There is never something that this President can do that will satisfy our colleagues on the other side. If it is not DACA, it is going to be the caps issue. If it is not the caps issue, it is going to be the military issue. If it is not the military issue, it is going to be Children's Health Insurance Program.

Mr. Speaker, we are addressing those. We are trying to bring those issues professionally, on a bipartisan basis. Just a week ago—10 days ago, we respectfully did not include yearlong funding for the United States military.

What did we hear back over and over and over from the other body?

They said: Well, I would have voted for this bill, but the funding for the military is not in there for a 1-year basis for the remainder of the year.

So that is what we have done. We are trying to bring forth ideas of agreement that say we need to find a deal. We need to come to an agreement. We recognize this is not the last funding agreement for the year, but what we are trying to do is to avoid a government shutdown. The way you do that is by voting ''yes,'' and that is what we are asking people to do today.

That is why we had Dr. BURGESS. That is why we had Major CHRIS STEWART, the United States Congressman from Utah. That is also why we have the gentleman from Waterford Township, Michigan, here, a member of the Republican leadership, a bright, young, thoughtful, articulate man.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I think everyone can agree here that continuing resolutions—CRs—are bad policy.

For the folks in the gallery, it is simple. CRs are whether we keep the lights on or not. They are whether you can call Social Security and get assistance. They are whether you can figure out what is going on with your taxes, call the IRS. They are whether or not we actually function.

Yes, it is going to be our fifth CR. Shame on all of us, and I do mean all of us.

However, the people on the other side of the aisle, they talk about all their legislative agenda they want put in the package and passed or they are going to vote against keeping the lights on. Think about that.

They say: If we don't get DACA, we are shutting the lights off. If we don't get this, we will shut the lights off.

That is what happened in the Senate the last shutdown.

They say: If we don't get full-year funding for the military, we are shutting the lights off. If we don't get DACA, we are shutting the lights off. If we don't get permanent funding for CHIP, we are shutting the lights off.

It didn't work out very well, did it?

Our fundamental responsibility is to keep the lights on. There is nothing in this bill that is objectionable. In fact, they have all passed. This bill supports full-year funding for the Department of Defense appropriations. This isn't the first time we passed the appropriations bill for the Department of Defense. We have passed it three times. And we sent it to the Senate to die a cruel and horrible death.

Why?

Not because, as was noted by my colleague, that we can't get 51 votes.

We can't get 60 votes.

And where do those votes come from?

On the other side of the aisle, who will do anything to get their agenda,

including putting our military at risk. People die when we make those decisions, and they have.

□ 1545

The funding is fully consistent with the NDAA, National Defense Authorization Act, something that was a bipartisan vote. It provides a 2.4 percent increase to the men and women in the military who put their lives on the line for our Nation, well deserved, something we also voted for and supported.

The bill provides full extensions for popular health programs that, in fact, both sides of the aisle supported, a 2-year extension of community health centers.

In Michigan, federally qualified health centers serve nearly 650,000 individuals. There are 11 health centers located in my congressional district. They need the funding. That is why I support it. In all of your districts, you have community health centers.

But you will argue: Unless we get DACA, we won't fund the military; we won't fund the health centers. This bill also extends Medicare policies, providing options for people receiving home care. Again, it was a bipartisan vote, but now we don't want to support it.

I believe we shouldn't continue the habit of short-term spending bills. They are offensive to me; they truly are. We passed, in September, in this House, all 12 appropriations bills and sent them to the Senate. My suggestion to my colleagues on the other side of the aisle is, rather than lecture us about math—I can count to 60. I can get between 51 and 60. I suggest you make a phone call to some of your colleagues in the Senate and tell them to do their job and bring up the appropriations bills. If they don't like what they are, amend them, go to conference, rather than just obstruct the functioning of our government.

The most fundamental responsibility we have is to keep the lights on, is to defend this Nation. If we are not doing that, I have to wonder what we are doing for a job.

So I suggest we pass this bill here, we send it to the Senate. And may I suggest that someone on the other side of the aisle make a phone call and ask if they want to see how Schumer shutdown part 2 goes—their choice.

The SPEAKER pro tempore (Mr. BERGMAN). Members are reminded to refrain from referring to occupants in the gallery and also reminded to direct their remarks to the Chair.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to say that I would not come to the floor if I were in the majority and lecture the minority when the majority runs the House, the Senate, and the White House and accuse us of shutting down the House or not producing the votes. We don't have enough votes in the first place. That is why we are the minority.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), the distinguished ranking member of the Ways and Means Subcommittee on Tax Policy.

Mr. DOGGETT. Mr. Speaker, it was all only a dream, a dream that Speaker RYAN would permit this House to work its will and have a vote to secure the future of our DREAMers, America DREAMers, who Trump one day condemns as ''illegal,'' then says he ''loves,'' and then goes off on some racist rant.

Congress, in fact, has been hijacked by 28 percent of the Members who sit here. Applying the rule that the only thing this House can vote on is whatever a majority of the majority want us to vote on and blocking everything else is what creates the problem that we face today. A minority of this House can say we will not ever get to vote on the DREAMers or any other number of other issues under the procedures that are being applied here. And even if 72 percent of this body want to seek a bipartisan resolution to a matter, we cannot do it under the rules that are being applied.

So what has happened since the Trump shutdown three weeks ago? What has been done to secure the future of our DREAMers? What has been done to fulfill the promise that was made of action on our DREAMers? Absolutely nothing, zero, zilch—nothing to resolve this problem, and not even the prospect of action here in the House.

Last week I met again with DREAMers in Texas: a county prosecutor who enforces our local and state laws, a teacher, a nurse, students—powerful, emotional stories that they tell—and their employers who are uncertain about their ability to continue providing the services that they provide.

Just as Congress has been hijacked by a few Republican extremists, these DREAMers have been hijacked, and the only question is: What is the price to solve their problem, our problem?

That price grows by the day. The ransom that is being demanded day-by-day goes up a little bit higher amidst all of the anti-immigrant hysteria. It is not difficult to resolve this issue. It could have been resolved before President Trump ever issued his ill-begotten proclamation in September.

And since I represent a city that is proud to call itself ''Military City,'' San Antonio, Texas, I find particularly obnoxious the attempt to pit the security of our DREAMers against the security of our country. It ignores, for example, the fact that a number of DREAMers are putting their lives on the line for us in the United States military.

And what could be more harmful to taxpayers and the future of our country than to continue to budget week-by-week, month-by-month? Of course, I am impressed by the number of Republicans who get up here and tell us: Oh, we just hate these continuing resolutions.

Well, if they hate them, why do they keep doing them? We are on number five.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

Ms. SLAUGHTER. Mr. Speaker, I yield the gentleman from Texas an additional 1 minute.

Mr. DOGGETT. Mr. Speaker, what we have is an incredible amount of bungling, no fiscal responsibility in doing this week by week, month by month. And the discussion of there being a government shutdown, turning the lights out, well, the only person who has called for a government shutdown was Donald Trump back in May, and then he reiterated his call this afternoon for a government shutdown.

I think he and the Republican intransigents, the ability to block votes here in the House by a minority—28 percent, almost one-fourth of the people who are here to block a vote—is what led to the last Trump shutdown.

And by casting our vote ''no'' today, it is not only about the DREAMers, but it is the only way that we who do not have a majority can speak out and say that this fiscal mismanagement has to stop once and for all. We are tired of taxpayers being charged more money for all kinds of services and products the government procures just because this problem is not solved.

Fulfill the dream. Fulfill responsibility for the taxpayers. Vote against this resolution.

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

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

Mr. Speaker, a year or so ago, I received a rather urgent phone call from Dr. Shelley Hall from Baylor University Medical Center in Dallas and Dr. Rick Snyder from Medical City in Dallas, which are hospitals, and they spoke with me about a change in the law some year and some ago that would change infusion therapy.

What is infusion therapy? It involves administering medication through a needle or a catheter, which is prescribed when a patient's condition is so severe that it cannot be treated effectively by oral medications, meaning, through this needle or the opportunity for a catheter. What happened was there was a change in the law that did not fully fund this effort.

''Home infusion'' means, instead of having to receive this in the hospital, which is more expensive, they would be able to do this at home, and the doctor would manage that. As a result of the change in some law and funding levels, that stopped the patients from being able to do this at home.

I want to congratulate KEVIN BRADY, the chairman of the Ways and Means Committee, for working not only with these doctors, but also with me on this insistence that we go and review this,

an opportunity for more effective healthcare and cost effective from the perspective of not only the patient, but also to make sure that physicians would stay involved in the health of their patients.

I would like to thank Dr. Shelley Hall of Baylor University Medical Center and Dr. Rick Snyder, both from Dallas, Texas, for working with me to make sure that this change happened today.

This is one of the pages of the changes that we are making today, to go in and offer some corrections and to update and extend the privileges that we have in this country to have the greatest healthcare system in the world.

I want to thank Chairman BRADY for his work, and his staff, to make sure this was involved in this change today.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentlewoman for yielding me time.

Mr. Speaker, I associate myself, and I think it is important for my colleagues and the American people to know, that this body, this government, this Congress, is controlled by one party: the Presidency, the House, and the Senate. Just a few minutes ago, the President of the United States called for a shutdown. I am shocked. I am not calling for anything but relief.

I am delighted that the gentleman from Dallas was able to craft a support system for infusion therapy, but it goes to show you who controls this place. I don't know what Democrat could get any additions to this particular CR. It is not an appropriation. It is not an authorization bill.

I am just on the floor begging for what my colleagues, both Republicans and Democrats from Texas, have been asking for but my Republican House has not been able to produce, or the Senate. When I say that, we have not been able to produce a disaster supplemental bill that is going to respond to the needs of those who are still suffering.

Harris County covers 1,778 square miles. It can fit New York City, Philadelphia, Boston, Chicago, Seattle, Austin, and Dallas, with room still to spare; 41,500 square miles of land mass impacted by Hurricane Harvey and the subsequent flooding that covered an area larger than the States of Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont, combined. This is not puffery. It is to show you the depth of devastation.

Hurricane Harvey dropped 21 trillion gallons of water on Texas and Louisiana, most of it on the Houston metroplex. 51.88 inches of rain fell near Cedar Bayou, and at the peak, on September 1, one-third of Houston was underwater.

Our headlines: Hurricane Harvey Recovery Goes Ignored in Washington Yet Again; Republicans Controlling Every Phase of Government; After Harvey, Houstonians Eye Long Road to Recovery; After Harvey, Houstonians Have Long Road; Houses Down on the Ground; Long Road to Recovery; Senior Citizens Suffering; Suffering from Health Conditions.

And you can see, here is the basic point: There is no reason why Republicans joining with Democrats cannot, one, have an $81 billion supplemental that goes up. It is not enough. But it is the administration that has cut into our very life by giving us a skinny disaster aid supplemental. I am looking for the Senate to plus it up because this is not enough.

In this bill, if you want to know why we are voting ''no,'' it doesn't exist. Where is the disaster emergency supplemental money that is needed?

I left my office with six members of local officials in my office. They were telling me about the depression of so many in Texas who do not have the resources. They don't have the housing money. The infrastructure money has not come. Mold is there. They have bad health.

And these are examples of their situation. This is what the rescues look like. This is, of course, what the water looked like. And this gentleman was walking in the water.

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

Ms. SLAUGHTER. Mr. Speaker, I yield the gentlewoman from Texas an additional 2 minutes.

Ms. JACKSON LEE. This is a house that is evidenced by those impacted by the hurricane. This is a house of someone who is still waiting for that house to be rebuilt.

Finally, the city council, wanting to be responsive—and I thank them—has lifted the permitting to allow trailers. Our people are begging now for trailers. Most people don't beg for trailers. We are begging for trailers in urban Houston because people have nowhere to live.

This is a disgrace. I am not making this personal, but we flooded on August 27. It is now, today, February 6. There is no reason why this Republican administration has not been able to work. And all these additional addendums on this CR should have been done in a bipartisan effort.

We support infusion therapy. We support federally qualified health clinics. But you are taking money from prevention. We support CHIP, but you are taking money from prevention and other things. This is not the way to do, one, spending; it is not the way to provide for national security; it is not the way to provide for the Environmental Protection Agency, the Department of State, Department of Justice, law enforcement. We are not doing any of that.

□ 1600

And then there are 140,000 DREAMers in my State. Some of them are impacted by Hurricane Harvey. And let me make mention of the Virgin Islands, Puerto Rico, Florida, and California. I am not in any way diminishing their pain. They are likewise suffering.

So if the American people want to know what the ''noes'' are about, the ''noes'' are because those who are in charge are not doing anything.

By the way, DREAMers are part of those who sought to rescue many who were stranded in Houston. We lost a DREAMer who traveled all the way from Dallas to provide rescue and he died. He died because he loved this country. He died because he loved his neighbors.

Yet we cannot get that fixed, but we cannot help our neighbors get the dollars that they need. If you want to know why there is a ''no'' vote, it is because it is long overdue for our friends to do the real work that needs to be done, and to do disaster supplemental funding and do it right.

Mr. Speaker, I include in the RECORD two articles from the Houston Chronicle.

[From the Houston Chronicle, Oct. 26, 2017]

HOUSTON ISD SCHOOLS WITH MOST DISPLACED STUDENTS AFTER HURRICANE HARVEY

(By Shelby Webb)

More than 1300 Houston ISD students are displaced or homeless after Hurricane Harvey, according to records the district submitted to the Texas Education Agency.

That number is likely to change after the TEA changed how districts should categorize displaced students and as Houston ISD shores up its own internal estimates. But initial data shows four of the 10 schools with the largest numbers of displaced students are located in Southwest Houston, three in Meyerland alone.

Two magnet schools—Carnegie Vanguard High School and Lamar High School—also saw large numbers of their students affected by Harvey's floods.

Houston ISD Superintendent Richard Carranza required that all teachers go through crisis and trauma training during the first semester of the year to better help students who are dealing with Harvey-related fears and losses.

Across the Houston area, more than 10,700 students have been displaced by Hurricane Harvey, according to data reported to the TEA and given to the Chronicle by 16 local school districts. But that number does not include estimates for how many students are displaced in some of the area's largest school districts, including the Cypress-Fairbanks, Spring and Pearland ISDs.

Katy ISD had the most students affected by the storm with 2,862. Tiny Stafford MSD had the least, with 32 students displaced by the storm.

[From the Houston Chronicle, Dec. 6, 2017]

TOP HEALTH OFFICIAL VIEWS HARVEY RECOVERY EFFORTS

(By Mike Hixenbaugh)

Dr. Brenda Fitzgerald, the head of the federal Centers for Disease Control and Prevention, spent most of the day receiving briefings from officials at Harris County Public Health, which has been on the front lines helping residents cope following the historic flooding.

Later, Fitzgerald visited a mobile wellness unit in Galena Park, where county health

workers provided residents of the flood-ravaged community in southeast Harris County with free immunizations, cleaning supplies, bug spray, canned food and other services.

Now Playing: Level of help to expect for Harvey flood recovery

Harris County dispatched the mobile health units to more 3o locations in the weeks following the hurricane, part of a broader effort to help residents care for themselves in the midst of the devastation. Fitzgerald said she's been monitoring the county's efforts closely and wanted to see them firsthand.

''I wanted to come and see how it's going,'' Fitzgerald said, ''and also to see what else we can do to make sure Houston recovers totally.''

Although Harvey's true toll on public health is still being calculated, Fitzgerald said the CDC is committed to providing Texas with whatever resources are needed to grapple with the aftermath.

The visit comes days after the Kaiser Family Foundation released a sweeping survey that found 17 percent of those who had houses damaged or suffered income loss reported that someone in their household has developed a new or worsening health condition.

Chronic respiratory ailments resulting from mold and stress-related mental health struggles are of particular concern after flooding, health officials said, as well as the threat of mosquito-borne illnesses and other infectious diseases.

Fitzgerald said she was impressed by the resiliency of residents and public health workers she met, some of whom manned mobile health clinics just days after losing their homes to flooding.

''The work goes on,'' Fitzgerald said.

Mr. Speaker, I rise to speak in opposition to Rules Committee Print 115–58, legislation extending the Continuing Resolution now in effect for an additional five weeks, or until March 23, 2018.

But before I proceed further, I want to note—and Americans needs to know—that this is not a spending bill; it is instead an affirmation of the House Republicans' inability to govern.

This is the fifth time House Republicans have chosen to kick the can down the road rather than work with Democrats to come to a necessary bipartisan agreement to lift the Budget Control Act (BCA) spending caps, giving appropriators the direction they need for full-year funding bills.

The reason given for passing each of the prior Continuing Resolutions was that the extra time was needed to reach a comprehensive agreement to fund government operations in a fair and balanced way.

Yet, even with the extra time, House Republicans made no progress during any of the previous extensions.

This should not be surprising; the House GOP is carrying the water for the president, who a few months ago said ''we need a big beautiful shutdown.''

Mr. Speaker, I cannot support a CR that does not include full funding for disaster recovery, extends additional health access for veterans, provides funding to combat the opioid epidemic, and protects pensions.

Most important, it is outrageous that House Republicans would bring to the floor and request support for a fifth CR extension that does not address and resolve the crisis the Republican Administration has inflicted on 800,000 Dreamers and their families, including 124,000 Dreamers in my home state of Texas.

Instead of acting responsibly to address these issues and fund the government for the remainder of the fiscal year, House Republicans continue wasting time.

This is not appropriations; this is a stop-gap funding measure to save ourselves from collapse.

Although the funding bill before us makes a feeble attempt to address numerous expired or expiring health priorities, it fails to reauthorize several key programs including the Maternal Infant and Early Childhood Home Visiting (MIECHV) and Health Professional Opportunity Grant (HPOG) programs.

Just as bad, this legislation is paid for the package with partisan offsets, such as cuts to the Prevention and Public Health Fund before ending the Prevention and Public Health Fund in 2027.

Mr. Speaker, another reason that this bill should be passed in its present form is that it includes the same Department of Defense appropriations bill that the House passed on January 30, 2018, which increases defense spending by $73 billion more than the $549 billion allowed under the current BCA defense cap and provides $75 billion in additional discretionary funding designated for Overseas Contingency Operations (OCO).

As a consequence, if this bill becomes law it would eliminate any chance for a bipartisan budget cap agreement for this year.

For months, Democrats have sought an agreement on the discretionary spending caps that provides parity for both defense and non-defense appropriations bills, both of which are critical to our nation's security.

Rather than negotiate a cap agreement that would pave the way for a defense appropriations bill to become law, Republicans are placing a bill on the floor that will exempt itself from the BCA defense cap's sequestration.

This bill is the fifth example of Republicans rejecting bipartisan compromise.

Mr. Speaker, despite controlling the House, Senate, and the White House, Republicans have not funded the government for the entire year, even though we are already four months into the fiscal year.

Democrats, meanwhile, have done the work with which we were tasked.

I am a member of the Budget committee and we Democrats proposed a budget that:

1. Respected the needs of all Americans, including those who serve bravely in the Department of Defense;

2. Honored the sacrifice of our heroes in uniform;

3. Protected programs like CHIP, made investments in infrastructure and ensured that Americans have access to quality healthcare.

Because Republicans refuse to work with Democrats and compromise on how to provide relief from the BCA's sequester level spending caps, they are lurching from CR to CR—degrading the readiness of our military and preventing government agencies from properly serving the American people.

This is not a responsible way to govern; therefore, I cannot support this bill, especially when there still remains millions of Americans still coping with the devastating effects of Hurricanes Harvey, Irma, and Maria in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands, and wildfires in California.

The nine-county Houston metro area impacted by Hurricane Harvey covers 9,444 square miles, an area larger than five states, including New Hampshire, New Jersey and Connecticut.

Harris County covers 1,778 square miles, enough space to fit New York City, Philadelphia, Boston, Chicago, Seattle, Austin and Dallas, with room still to spare.

There was over 41,500 square miles of land mass impacted by Hurricane Harvey and the subsequent flooding that covered an area larger than the States of Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont combined.

Hurricane Harvey dropped 21 trillion gallons of water on Texas and Louisiana, most of it on the Houston Metroplex and the 51.88 inches of rain that fell near Cedar Bayou is the highest total ever recorded for a single U.S. weather event.

At its peak on September 1, 2017, one-third of Houston was underwater.

At the peak on August 31, there were 34,575 evacuees in shelters across Texas.

Hurricane Harvey is the largest housing disaster to strike the U.S. in our nation's history.

Hurricane Harvey damaged 203,000 homes, of which 12,700 were destroyed.

Mr. Speaker, people are living in homes with mold.

As recently as this past November, nearly 19,000 hotel rooms in over 1,500 hotels were still occupied by persons displaced by Hurricane Harvey.

Thousands of others with severe damage to their homes are living with family or friends.

889,425 people have registered for assistance with the Federal Emergency Management Agency.

As of December 5, 2017, more than 632,000 individuals or households in metro Houston had submitted valid registrations for FEMA's Individual and Households Program (IHP) and 249,259 registrations were approved for $1.0 billion in assistance.

And because of Republican unwillingness to compromise or govern competently, disaster victims in my congressional district and all across the affected areas are still waiting for the disaster funding assistance they desperately need.

House Republicans need to work across the aisle with Democrats and get our work done—including. upholding the long-standing precedent of agreeing to parity when providing relief from sequester caps.

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

I appreciate the gentlewoman's advocacy because, in many respects, I feel the same way. But I would offer, in speaking to you, Mr. Speaker, that you made sure this House passed the $81 billion spending bill on October 12 last year. The House of Representatives, through the leadership of not only Speaker RYAN, but also the gentleman from New Jersey (Mr. FRELINGHUYSEN) were tasked with the duty of making sure that we would take feedback from States, from cities, and came up with a figure of $81 billion. That is not in any way not living up to our responsibility, Mr. Speaker.

We are the ones who did this—this whole body. It is stuck in the United States Senate, and the President and this administration have not been authorized to spend more than what has been appropriated.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. The gentleman, we have worked together.

Mr. SESSIONS. And continue to right now.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

I think the important point is that this has to be a collective effort of the administration and the bodies of the House and the Senate. The only point that I would make is that the administration has not sent forward—yes, the $81 billion—but we are not moving it in the Senate.

The administration has not been engaged actively to say that they want to help the people who are impacted, and they have a skinny impact or skinny impression of what we need of $81 billion for all of the disaster areas.

And, of course, Mr. SESSIONS, my good friend, understands that $1 trillion tax cut does not help us in getting the increased disaster money.

Mr. SESSIONS. Mr. Speaker, reclaiming my time because the gentlewoman is going to switch subjects.

I would tell the gentlewoman that the House, respectfully, before we got to any tax cut bill, made sure that we did a constitutionally responsible thing, and that was to make sure that we measured three times, sawed once, came up with the $81 billion. It is, in my opinion, something that the United States Senate needs to solve.

I would also add that I don't know what the Democratic Party is doing over there to push this issue. I think it needs to be an important attribute. But we are waiting for the Senate, Mr. Speaker. And for us to blame both houses, I think, is not fair to the leadership that PAUL RYAN has provided, to the leadership that RODNEY FRELINGHUYSEN has contributed to this effort, and most of all, Mr. Speaker, to the people who voted for the bill in the House. They did the responsible action. And I think that if we are going to do anything, we need to look to the United States Senate, which is constitutionally required.

President Trump and Vice President PENCE not only visited the ravaged areas, but they tried to provide the leadership. But it is up to the constitutional provisions of the United States Senate, and that is where the problem lies.

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

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

Mr. Speaker, I have heard the majority speak with great urgency today about the need to pass the continuing resolution. But where was this urgency from the majority for the last 5 months of this fiscal year?

They were so consumed with providing tax breaks to the wealthy and corporations that they ignored virtually everything else.

This was a bill that was sold as a middle class tax cut. But 83 percent of the tax cuts go to the wealthiest 1 percent; and for corporations, the tax breaks are permanent. For individuals, they are sunsetted.

Speaker RYAN, over the weekend, promoted the fact that a secretary in Pennsylvania received an extra $1.50 a week under the tax scam. That is $78 a year for her. You can see what the middle class actually got.

But compare that with the wealthy. One analysis found that the Koch brothers and their corporate empire could save between $1 billion and $1.4 billion combined in income taxes every year as a result of the tax law. It is important to remember that this is a permanent cut.

It was a bill written for the rich to help the rich. It spends money we don't have, while adding $1.5 trillion to the deficit. That is such a staggering amount that the Congressional Budget Office said last week that because of this tax bill, our government now is expected to run out of money sooner than anticipated.

The deadline to raise the debt ceiling has now been moved from early April to mid-March. Only during the Second World War was our debt as a percentage of gross domestic product higher than it is today. I hope we can forever end the myth that the majority is the party of fiscal discipline. The situation we are in today is a direct result of the majority prioritizing the wealthy over doing the most basic functions of keeping the government running.

And now, after ignoring Democrats as this bill was drafted, they expect us to fall in line and support a flawed proposal. That is not how it works. If they want our support, they need to work with us. And Democrats have been clear: We cannot afford to keep kicking the can down the road. It is past time for a long-term bill that addresses urgent national priorities.

Mr. Speaker, I urge a ''no'' vote on the previous question, on the rule, and the bill.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Texas has 4½ minutes remaining.

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

I thank the gentlewoman, my dear friend from Rochester, New York, not only for her working together, but for her long hours that are a requirement of being on the Rules Committee; for her leadership not only of her team, but each of the individuals who represent not only her team, but, really, Members of Congress, and the collegial activity that she brings to the table. I thank the gentlewoman very much for that.

Mr. Speaker, we have an obligation to ensure our Nation's servicemen and -women are adequately trained for missions and to support this great Nation. We have talked about several members of the military today. My son is at Pearl Harbor also and is on duty as we speak today. He is proud of his service to the United States Navy.

There are proud parents all over the country, patriots, veterans, people who deeply believe in our military. We have got to get this funding done. That is what we are doing here today.

This rule and the underlying legislation provides funding for the Federal Government and fully funds our Nation's military. But I will tell you that the discussions we have had here today are similar to what we had at the Rules Committee.

The gentlewoman gave us credit. The Republican Party is the party of fiscal responsibility. But also, I would say to you, we are trying to do the right thing across the board, not just what we do today. But what we are faced with is similar to a changing viewpoint about how someone justifies a ''no'' vote; a ''no'' vote that they know means that while they are for something, they can't vote for it because of an issue.

Just an hour ago at the Rules Committee, we had a Democratic Member who came and wanted more money for a specific project. And I asked that Member how much money were we going to spend in the budget this year. They didn't know. I asked: How much do you want to add to that?

They said: Well, I don't know.

It is a continuing drumbeat that we, as Republicans, are puzzled by. And that is: Why do we fund the government fully for the entire year?

Let's know how much we have agreed to, and then let's make a determination if we are not meeting the needs.

Mr. Speaker, this Congress must ask the tough questions, but this Congress must be up to tough decisionmaking also. I was sent to Congress to make tough decisions, not just popular decisions. So I think I would recalculate each of us today and say the bill that we have on the floor today and the rule are designed to fund the government for the remainder of the fiscal year.

We would ask that all Members really look deep within them and let's end this mess that we are in. Let's fund this effort and let's look to March 23, when we can finalize all that we have done.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

Mr. SESSIONS. Mr. Speaker, when the Committee on Rules filed its report (H. Rept. 115–547) to accompany House Resolution 727) the Committee was unaware that the waiver of all points of order against consideration of the motion to concur in the Senate Amendment to H.R. 1892 included:

A waiver of section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) allocation of such authority.

A waiver of section 311 of the Congressional Budget Act, which prohibits consideration of legislation that would cause the level

of total new budget authority for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided.

A waiver of clause 10 of rule XXI, which prohibits the consideration of a bill if it has the net effect of increasing mandatory spending over the five-year or ten-year period.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 727 OFFERED BY MS. SLAUGHTER

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

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

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Passage of H.R. 772;

Ordering the previous question on House Resolution 727; and

Adopting House Resolution 727, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

COMMON SENSE NUTRITION DISCLOSURE ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 772) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 266, nays 157, answered ''present'' 1, not voting 6, as follows:

[Roll No. 56]

YEAS—266

Abraham	Dent	Jones
Aderholt	DeSantis	Jordan
Aguilar	DesJarlais	Joyce (OH)
Allen	Diaz-Balart	Katko
Amash	Dingell	Keating
Amodei	Donovan	Kelly (MS)
Arrington	Doyle, Michael F.	Kelly (PA)
Babin	Duffy	Kennedy
Bacon	Duncan (SC)	Kind
Banks (IN)	Duncan (TN)	King (IA)
Barletta	Dunn	King (NY)
Barr	Emmer	Kinzinger
Barton	Estes (KS)	Knight
Bergman	Farenthold	Kustoff (TN)
Biggs	Faso	Labrador
Bilirakis	Ferguson	LaHood
Bishop (GA)	Fitzpatrick	LaMalfa
Bishop (MI)	Fleischmann	Lamborn
Bishop (UT)	Flores	Lance
Black	Fortenberry	Latta
Blackburn	Foxx	Lewis (MN)
Blum	Frelinghuysen	Lipinski
Bost	Gaetz	LoBiondo
Brady (TX)	Gallagher	Long
Brat	Garrett	Loudermilk
Bridenstine	Gianforte	Love
Brooks (AL)	Gibbs	Lucas
Brooks (IN)	Gohmert	Luetkemeyer
Buchanan	Gonzalez (TX)	MacArthur
Buck	Goodlatte	Marchant
Bucshon	Gosar	Marino
Budd	Gottheimer	Marshall
Burgess	Gowdy	Mast
Bustos	Granger	Matsui
Butterfield	Graves (GA)	McCarthy
Byrne	Graves (LA)	McCaul
Calvert	Graves (MO)	McClintock
Cárdenas	Griffith	McHenry
Carter (GA)	Grothman	McKinley
Carter (TX)	Guthrie	McMorris Rodgers
Chabot	Hanabusa	McSally
Cheney	Handel	Meadows
Coffman	Harper	Meehan
Cole	Harris	Messer
Collins (GA)	Hartzler	Mitchell
Collins (NY)	Hensarling	Moolenaar
Comer	Herrera Beutler	Mooney (WV)
Comstock	Hice, Jody B.	Mullin
Conaway	Higgins (LA)	Murphy (FL)
Cook	Hill	Neal
Correa	Holding	Newhouse
Costa	Hollingsworth	Noem
Costello (PA)	Hudson	Norman
Cramer	Huizenga	Nunes
Crawford	Hultgren	O'Halleran
Cuellar	Hunter	Olson
Culberson	Hurd	Palazzo
Curbelo (FL)	Issa	Palmer
Curtis	Jenkins (KS)	Paulsen
Davidson	Jenkins (WV)	Pearce
Davis, Rodney	Johnson (LA)	Perry
DeFazio	Johnson (OH)	Pittenger
Demings	Johnson, Sam	Poe (TX)
Denham		

Poliquin	Schneider	Turner
Posey	Schweikert	Upton
Ratcliffe	Scott, Austin	Valadao
Reed	Scott, David	Vela
Reichert	Sensenbrenner	Wagner
Renacci	Sessions	Walberg
Rice (SC)	Shimkus	Walden
Roby	Simpson	Walker
Roe (TN)	Sinema	Walorski
Rogers (KY)	Sires	Walters, Mimi
Rohrabacher	Smith (MO)	Weber (TX)
Rokita	Smith (NE)	Webster (FL)
Rooney, Francis	Smith (NJ)	Welch
Rooney, Thomas J.	Smith (TX)	Wenstrup
	Smucker	Westerman
Ros-Lehtinen	Stefanik	Williams
Roskam	Stewart	Wilson (SC)
Ross	Stivers	Wittman
Rothfus	Taylor	Womack
Rouzer	Tenney	Woodall
Royce (CA)	Thompson (CA)	Yoder
Ruppersberger	Thompson (PA)	Yoho
Russell	Thornberry	Young (AK)
Rutherford	Tipton	Young (IA)
Sanford	Tonko	Zeldin
Scalise	Trott	

NAYS—157

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

ANSWERED ''PRESENT''—1

Yarmuth

NOT VOTING—6

Beyer	Cummings	Shuster
Clay	Rogers (AL)	Walz

□ 1636

Messrs. TONKO, NEAL, RODNEY DAVIS of Illinois, DAVID SCOTT of Georgia, MICHAEL F. DOYLE of Pennsylvania, WELCH, and BUTTERFIELD changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

RESOLUTION

Raising a question of the privileges of the House pursuant to rule IX.

Whereas the first duty of Members of Congress is to uphold their constitutional duty to protect and defend the American people, and the House Majority and its leadership have abdicated that duty by permitting actions that give Russia a clearer view of our intelligence capabilities;

Whereas the integrity of the legislative process of the House has been seriously damaged by the Majority's failure to properly adhere to the procedures of clause 11 (g) of rule X, of the Rules of the House of Representatives in seeking to release highly classified information contained in a memo by the Permanent Select Committee on Intelligence Chair Devin Nunes to assist the President in attacking the Federal Bureau of Investigation and undermining ongoing investigations into Russia's meddling in America's elections;

Whereas the Department of Justice on January 24, 2018 warned Chairman Nunes that releasing his memo without affording the FBI and the Department an opportunity to review and advise the Intelligence Committee of risks to our national security and ongoing investigations would be ''extraordinarily reckless'';

Whereas on January 29, 2018 after Chairman Nunes refused to allow the FBI and the Department of Justice to advise the Intelligence Committee of risks to our national security and intelligence, the Committee voted on a party-line vote to release the Nunes memo pursuant to clause 11 (g) of rule x;

Whereas during the business meeting of January 29, 2018, the Intelligence Committee on a party-line vote refused to release a memo by the Ranking Member, thereby providing only a misleading perspective for Members and the public about the propriety of the FISA court's actions described in the Nunes Memo;

Whereas on January 31, 2018, the FBI publicly indicated that the Nunes memo is based upon the distortion of highly classified information and contains ''material omissions of fact that fundamentally impact the memo's accuracy'';

Whereas on January 31, 2018, Chairman Nunes transmitted a memo to the President that contained material changes from the version that the Intelligence Committee approved on January 29, 2018, and did so without a vote of the Intelligence Committee to authorize that particular memo's release, thereby failing to adhere to the procedures outlined in clause 11 (g) of rule X and calling into question the integrity of the legislative and committee process;

Whereas the President's decision to declassify the Nunes Memo on February 2, 2018 and allow the release of this highly misleading memo was ''an unprecedented action,'' according to the Department of Justice;

Whereas House Intelligence Committee Republicans refused to answer whether Republican Members or staff consulted or coordinated with the White House in the preparation of the Nunes memo;

Whereas Administration officials, members of the national security community and experts across the political spectrum have debunked and denounced the Nunes memo since its publication;

Whereas on February 5, 2018 during the Intelligence Committee's business meeting, a full week after voting to release only the Committee Republicans' memo and not to release a separate memo prepared by the Committee's Ranking Member, the Committee finally voted unanimously to release the memo by the Ranking Member;

Whereas the record must be set straight by releasing for public view after appropriate classification review the memo prepared by the Ranking Member of the Intelligence Committee; and

Whereas this House must defend our national security and intelligence before that of any political party or any President's personal interest: Now, therefore, be it

Resolved, That—

(1) the House of Representatives disapproves of Chairman Nunes transmitting a memo to the President over the objection from the Federal Bureau of Investigation that it was misleading and inaccurate and that contained material changes from the version that the Permanent Select Committee on Intelligence approved on January 29, 2018, without a vote of that committee to authorize that particular memo's release, in violation of clause 11 (g) of rule X of the Rules of the House of Representatives; and

(2) it is imperative that the House vote to call upon the President to expeditiously seek review, by the Department of Justice and the Federal Bureau of Investigation, and process and release the memo by the Ranking Member of the Permanent Select Committee on Intelligence, and that the President declassify such memo without any redactions based on political considerations, for the sake of America's national security, the public interest, and the integrity of the legislative process and ongoing investigations.

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question of whether the resolution presents a question of the privileges of the House?

Ms. PELOSI. Mr. Speaker, I do.

The SPEAKER pro tempore. The gentlewoman is recognized on the question of order.

□ 1645

Ms. PELOSI. Mr. Speaker, I wish to explain why the House should consider this privileged resolution.

Mr. Speaker, Members of Congress take an oath to support and defend the Constitution of the United States and protect the American people. The House majority and its leadership have abandoned that duty.

It is imperative that the House vote to release the Democratic memo to set the record straight on Republicans' attempts to undermine the Russian investigation. It is also important to note that who knows what they have next.

The majority's decision to release highly classified and distorted intelligence is profoundly dangerous and gives a bouquet to Putin. As the Department of Justice warned, the public

release of the memo is an unprecedented action and extraordinarily reckless.

The FBI also expressed grave concerns about the material omissions of fact that fundamentally impact the memo's accuracy. The memo prepared by the House Intelligence Committee's Democrats must be expeditiously released after review and appropriate redaction of sources and methods by law enforcement officials: the Justice Department, the intelligence community.

The President must declassify the memo without any redactions based on any political considerations. This is an urgent matter of national security and intelligence.

The SPEAKER pro tempore. The Chair has heard arguments on the question of order. The Chair is prepared to rule.

The gentlewoman from California seeks to offer a resolution as a question of the privileges of the House under rule IX. The resolution resolves, in part, that the House take a certain vote and ''process and release'' a memo prepared by a Member of the House.

In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects ''the rights of the House collectively and its safety, dignity, and the integrity of its proceedings.''

As the Chair has ruled in analogous circumstances, including, for example, on November 4, 1999, and on December 13, 2011, a resolution expressing the sentiment that the House should act on a specified item of business does not constitute a question of the privileges of the House.

Accordingly, the resolution offered by the gentlewoman from California does not constitute a question of the privileges of the House under rule IX.

For what purpose does the gentleman from Maryland seek recognition?

Mr. RASKIN. Mr. Speaker, I have a parliamentary inquiry relating to the powers of the chairman of the House Intelligence Committee.

Do the House rules in rule X, clause 11(g), which define——

The SPEAKER pro tempore. The gentleman will suspend.

For what purpose does the gentlewoman from California seek recognition?

Ms. PELOSI. Mr. Speaker, I was hoping to hear the gentleman's parliamentary inquiry, but if the Chair is not going to allow that to be heard, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. McCarthy moves that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 727, and

Adopting House Resolution 727, if ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 190, not voting 4, as follows:

[Roll No. 57]

AYES—236

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

NOES—190

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

NOT VOTING—4

Beyer
Cummings
Shuster
Walz

□ 1703

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BEYER. Mr. Speaker, had I been present, I would have voted ''nay'' on rollcall No. 53, ''nay'' on rollcall No. 54, ''nay'' on rollcall No. 55, ''nay'' on rollcall No. 56, and ''nay'' on rollcall No. 57.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1892, HONORING HOMETOWN HEROES ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 727) providing for consideration of the Senate amendment to the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 189, not voting 6, as follows:

[Roll No. 58]

YEAS—235

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

NAYS—189

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

NOT VOTING—6

Beyer
Blackburn
Cummings
Pascrell
Shuster
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1711

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 236, nays 188, not voting 6, as follows:

[Roll No. 59]

YEAS—236

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

NAYS—188

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

NOT VOTING—6

Beyer	Cummings	Shuster
Blackburn	Johnson (GA)	Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1718

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BEYER. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 58 and "nay" on rollcall No. 59.

PARLIAMENTARY INQUIRIES

Mr. RASKIN. Mr. Speaker, I have a parliamentary inquiry related to the powers of the chairman of the House Intelligence Committee.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. RASKIN. Mr. Speaker, do the House rules in rule X, clause 11(g), which define the conditions for public disclosure of classified documents, authorize the chairman of the Intelligence Committee to unilaterally make substantially and material changes to the document after the committee has already voted to approve and release it in its original form?

The SPEAKER pro tempore. The Chair will not issue an advisory opinion. Members may consult the standing rules.

Mr. RASKIN. Further parliamentary inquiry then, Mr. Speaker.

What exactly is an advisory opinion? Because this relates, not to a hypothetical situation, but to an actual situation before the House of Representatives.

The SPEAKER pro tempore. The gentleman's inquiry does not relate to any pending proceedings in the House.

HONORING HOMETOWN HEROES ACT

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of the Senate amendment to H.R. 1892.

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

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 727, I call up the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

On page 3, line 6 through 8, strike [''section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b)''] and insert ''*section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281)*''.

MOTION TO CONCUR

Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Frelinghuysen moves that the House concur in the Senate amendment to H.R. 1892 with an amendment consisting of the text of Rules Committee Print 115–58 as modified by the amendment printed in House Report 115–547.

The text of the House amendment to the Senate amendment to the text is as follows:

At the end of the matter inserted by the Senate amendment, insert the following:

DIVISION B—FURTHER EXTENSION OF CONTINUING APPROPRIATIONS ACT, 2018

SEC. 1001. The Continuing Appropriations Act, 2018 (division D of Public Law 115–56) is further amended—

(1) by striking the date specified in section 106(3) and inserting ''March 23, 2018''; and

(2) by adding after section 155 the following:

''SEC. 156. Notwithstanding section 101, amounts are provided for 'Department of Commerce—Bureau of the Census—Periodic Censuses and Programs' at a rate for operations of $1,251,000,000, and such amounts may be apportioned up to the rate for operations necessary to maintain the schedule and deliver the required data according to statutory deadlines in the 2020 Decennial Census Program.

''SEC. 157. Notwithstanding section 101, the matter preceding the first proviso and the first proviso under the heading 'Power Marketing Administrations—Operation and Maintenance, Southeastern Power Administration' in division D of Public Law 115–31 shall be applied by substituting '$6,379,000' for '$1,000,000' each place it appears.

''SEC. 158. As authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed $350,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2018: *Provided*, That the proceeds from such drawdown and sale shall be deposited into the 'Energy Security and Infrastructure Modernization Fund' (in this section referred to as the 'Fund') during fiscal year 2018: *Provided further*, That in addition to amounts otherwise made available by section 101, and notwithstanding section 104, any amounts deposited in the Fund shall be made available and shall remain available until expended at a rate for operations of $350,000,000, for necessary expenses in carrying out the Life Extension II project for the Strategic Petroleum Reserve.

''SEC. 159. Amounts made available by section 101 for 'The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Fees of Jurors and Commissioners' may be apportioned up to the rate for operations necessary to accommodate increased juror usage.

''SEC. 160. (a) In addition to amounts otherwise made available by section 101, there is appropriated for an additional amount for the 'Small Business Administration—Disaster Loans Program Account' $225,000,000, to remain available until expended, for the cost of direct loans authorized by section 7(b) of the Small Business Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(b) The amount designated in subsection (a) by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.''.

This division may be cited as the ''Further Extension of Continuing Appropriations Act, 2018''.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,427,054,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,707,918,000 (reduced by $2,000,000) (increased by $2,000,000).

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $13,165,714,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,738,320,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,721,128,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,987,662,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $762,793,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,808,434,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $8,252,426,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,406,137,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, $38,483,846,000 (reduced by $5,000,000) (reduced by $5,600,000) (reduced by $6,000,000): *Provided*, That not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, $45,980,133,000 (reduced by $598,000) (reduced by $7,000,000): *Provided*, That not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $6,885,884,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, $38,592,745,000: *Provided*, That not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $33,771,769,000 (increased by $5,000,000) (reduced by $10,000,000) (reduced by $100,000) (increased by $100,000) (reduced by $194,897,000) (increased by $194,897,000) (reduced by $26,200,000) (reduced by $20,000,000) (reduced by $6,000,000) (reduced by $4,000,000) (reduced by $20,000,000) (reduced by $1,000,000) (reduced by $10,000,000) (reduced by $2,500,000) (reduced by $2,000,000) (reduced by $8,000,000) (reduced by $6,250,000) (reduced by $10,000,000) (reduced by $10,000,000) (reduced by $30,000,000) (reduced by $34,734,000) (reduced by $60,000,000): *Provided*, That not more than $15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $38,458,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $9,385,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary

of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That of the funds provided under this heading, $415,000,000, of which $100,000,000 to remain available until September 30, 2019, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,870,163,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,038,507,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $282,337,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,233,745,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $7,275,820,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,735,930,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $14,538,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $215,809,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $288,915,000 (increased by $34,734,000) (increased by $30,000,000), to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $308,749,000 (increased by $30,000,000), to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $9,002,000 (increased by $10,000,000), to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $233,673,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title

10, United States Code), $107,900,000, to remain available until September 30, 2018.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, $324,600,000, to remain available until September 30, 2019.

OPERATION AND MAINTENANCE, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $5,000,000,000, for the ''Operation and Maintenance, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,456,533,000, to remain available for obligation until September 30, 2020.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,581,600,000, to remain available for obligation until September 30, 2020.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,556,175,000, to remain available for obligation until September 30, 2020.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,811,808,000, to remain available for obligation until September 30, 2020.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $6,356,044,000 (increased by $30,000,000), to remain available for obligation until September 30, 2020.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $17,908,270,000, to remain available for obligation until September 30, 2020.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,387,826,000 (increased by $26,200,000), to remain available for obligation until September 30, 2020.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $735,651,000, to remain available for obligation until September 30, 2020.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Ohio Replacement Submarine (AP), $842,853,000;

Carrier Replacement Program, $1,869,646,000;

Carrier Replacement Program (AP), $2,561,058,000;

Virginia Class Submarine, $3,305,315,000;

Virginia Class Submarine (AP), $1,920,596,000;

CVN Refueling Overhauls, $1,569,669,000;

CVN Refueling Overhauls (AP), $75,897,000;

DDG–1000 Program, $164,976,000;

DDG–51 Destroyer, $3,499,079,000;

DDG–51 Destroyer (AP), $90,336,000;

Littoral Combat Ship, $1,566,971,000;

Expeditionary Sea Base, $635,000,000;

LHA Replacement, $1,695,077,000;

TAO Fleet Oiler, $449,415,000;

TAO Fleet Oiler (AP), $75,068,000;

Ship to Shore Connector, $390,554,000;

Service Craft, $23,994,000;

Towing, Salvage, and Rescue Ship, $76,204,000;

LCU 1700, $31,850,000;

For outfitting, post delivery, conversions, and first destination transportation, $542,626,000; and

Completion of Prior Year Shipbuilding Programs, $117,542,000.

In all: $21,503,726,000, to remain available for obligation until September 30, 2022: *Provided*, That additional obligations may be incurred after September 30, 2022, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or

conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: *Provided further*, That funds appropriated or otherwise made available by this Act for production of the common missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328)).

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $7,852,952,000, to remain available for obligation until September 30, 2020.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,818,846,000 (increased by $20,000,000), to remain available for obligation until September 30, 2020.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $16,553,196,000 (increased by $16,000,000), to remain available for obligation until September 30, 2020.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,203,101,000, to remain available for obligation until September 30, 2020.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $3,210,355,000, to remain available for obligation until September 30, 2020.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,316,977,000, to remain available for obligation until September 30, 2020.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $19,318,814,000, to remain available for obligation until September 30, 2020.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $5,239,239,000 (reduced by $10,000,000), to remain available for obligation until September 30, 2020.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533), $67,401,000, to remain available until expended.

PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $12,622,931,000, for the ''Procurement, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to procurement accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act, except for missile defense requirements resulting from urgent or emergent operational needs: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $9,674,222,000 (increased by $6,000,000) (increased by $4,000,000) (increased by $12,000,000) (increased by $5,000,000), to remain available for obligation until September 30, 2019.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,196,521,000 (increased by $598,000) (increased by $20,000,000) (reduced by $2,500,000) (increased by $24,000,000), to remain available for obligation until September 30, 2019: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $33,874,980,000 (increased by $5,000,000) (increased by $6,000,000) (increased by $10,000,000) (reduced by $30,000,000)

(increased by $30,000,000), to remain available for obligation until September 30, 2019.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,698,353,000 (reduced by $16,000,000) (reduced by $12,000,000) (reduced by $2,500,000) (reduced by $12,500,000) (increased by $20,000,000) (reduced by $20,000,000) (reduced by $4,135,000) (increased by $4,135,000) (reduced by $27,500,000) (increased by $10,000,000), to remain available for obligation until September 30, 2019: *Provided*, That, of the funds made available in this paragraph, $250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $210,900,000, to remain available for obligation until September 30, 2019.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $1,000,000,000, for the ''Research, Development, Test and Evaluation, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to research, development, test and evaluation accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act, except for missile defense requirements resulting from urgent or emergent operational needs: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,586,596,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $33,931,566,000 (increased by $7,000,000) (increased by $1,000,000) (increased by $10,000,000) (increased by $2,000,000) (increased by $2,000,000) (increased by $10,000,000) (increased by $5,000,000) (increased by $10,000,000); of which $31,735,923,000 (increased by $2,000,000) (increased by $5,000,000) shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2019, and of which up to $15,349,700,000 may be available for contracts entered into under the TRICARE program; of which $895,328,000, to remain available for obligation until September 30, 2020, shall be for procurement; and of which $1,300,315,000 (increased by $7,000,000) (increased by $1,000,000) (increased by $10,000,000) (increased by $2,000,000) (increased by $10,000,000) (increased by $10,000,000), to remain available for obligation until September 30, 2019, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for research, development, test and evaluation, not less than $627,100,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $961,732,000, of which $104,237,000 shall be for operation and maintenance, of which no less than $49,401,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $21,045,000 for activities on military installations and $28,356,000, to remain available until September 30, 2019, to assist State and local governments; $18,081,000 shall be for procurement, to remain available until September 30, 2020, of which $18,081,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $839,414,000, to remain available until September 30, 2019, shall be for research, development, test and evaluation, of which $750,700,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $854,814,000, of which $532,648,000 shall be for counter-narcotics support; $120,813,000 shall be for the drug demand reduction program; and $201,353,000 shall be for the National Guard counter-drug program: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $336,887,000, of which $334,087,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $2,800,000, to remain available until September 30, 2019, shall be for research, development, test and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $522,100,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 1101. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 1102. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a

rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 1103. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 1104. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 1105. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 1106. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 1107. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2018: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement: *Provided*, That this subsection shall not apply to transfers from the following appropriations accounts:

(1) ''Environmental Restoration, Army'';

(2) ''Environmental Restoration, Navy'' ;

(3) ''Environmental Restoration, Air Force'';

(4) ''Environmental Restoration, Defense-Wide''

(5) ''Environmental Restoration, Formerly Used Defense Sites''; and

(6) ''Drug Interdiction and Counter-drug Activities, Defense''.

(TRANSFER OF FUNDS)

SEC. 1108. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: *Provided further*, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 1109. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 1110. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used, subject to section 2306b of title 10 , United States Code, for multiyear procurement contracts as follows: V–22 Osprey aircraft variants; up to 13 SSN Virginia Class Submarines and Government-furnished equipment; and DDG–51 Arleigh Burke class Flight III guided missile destroyers, the MK 41 Vertical Launching Systems, and associated Government-furnished systems and subsystems.

SEC. 1111. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic

Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 1112. (a) During the current fiscal year, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2019 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2019 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2019.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 1113. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 1114. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 1115. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 1116. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 1117. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 1118. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 1119. Of the funds made available in this Act, $20,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 1120. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 1121. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 1122. (a) Of the funds made available in this Act, not less than $43,100,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $30,800,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) $10,600,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $1,700,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 1123. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2018, not more than 6,000 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That, of the specific amount referred to previously in this subsection, not more than 1,180 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2019 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in

this Act for FFRDCs is hereby reduced by $210,000,000.

SEC. 1124. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 1125. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 1126. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 1127. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2018. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term Buy American Act means chapter 83 of title 41, United States Code.

SEC. 1128. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 1129. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term Indian tribe means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 1130. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 1131. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled ''Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria'', dated January 27, 2014.

SEC. 1132. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: *Provided*, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 1133. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2019 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2019 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2019 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 1134. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2019: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2019.

SEC. 1135. Notwithstanding any other provision of law, funds made available in this Act and hereafter for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 1136. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 1137. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term Buy American Act means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress

that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 1138. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 1139. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 1140. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

''Aircraft Procurement, Navy'', 2016/2018, $274,000,000;

''Aircraft Procurement, Air Force'', 2016/2018, $82,700,000;

''Missile Procurement, Army'', 2017/2019, $19,319,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army'', 2017/2019, $9,764,000;

''Other Procurement, Army'', 2017/2019, $10,000,000;

''Aircraft Procurement, Navy'', 2017/2019, $105,600,000;

''Weapons Procurement, Navy'', 2017/2019, $54,122,000;

''Shipbuilding and Conversion, Navy'', 2017/2021, $45,116,000;

''Aircraft Procurement, Air Force'', 2017/2019, $63,293,000;

''Missile Procurement, Air Force'', 2017/2019, $31,639,000;

''Space Procurement, Air Force'', 2017/2019, $15,000,000;

''Other Procurement, Air Force'', 2017/2019, $105,000,000;

''Research, Development, Test and Evaluation, Navy'', 2017/2018, $34,128,000;

''Research, Development, Test and Evaluation, Air Force'', 2017/2018, $41,700,000.

SEC. 1141. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 1142. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 1143. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 1144. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 1145. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 1146. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: *Provided*, That the award shall be made to the provider that offers the best value to the government.

SEC. 1147. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 1148. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made

in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 1149. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program setasides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 1150. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1151. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 1152. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 1153. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 1154. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House and Senate Appropriations Committees: *Provided further*, That the proposed modification may be implemented 30 days after the notification unless an objection is received from either the House or Senate Appropriations Committees: *Provided further*, That any proposed modification shall not preclude the ability of the commander of United States Pacific Command to meet operational requirements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1155. Of the funds appropriated in this Act under the heading ''Operation and Maintenance, Defense-Wide'', $25,000,000 (increased by $10,000,000) shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 1156. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 1157. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 1158. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 1159. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 1160. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 1161. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 1162. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a centerfire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either:

(1) rendered incapable of reuse by the demilitarization process; or

(2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 1163. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1164. Of the amounts appropriated in this Act under the heading ''Operation and

Maintenance, Army'', $66,881,780 shall remain available until expended: *Provided*, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 1165. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P–1, R–1, and O–1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

SEC. 1166. In addition to amounts provided elsewhere in this Act, $5,000,000 (increased by $5,000,000) is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1167. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $705,800,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $92,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; $221,500,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $120,000,000 shall be for co-production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for SRBMD, as amended; $205,000,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which $120,000,000 shall be for co-production activities of Arrow 3 Upper Tier missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for Arrow 3 Upper Tier, as amended; $105,000,000 shall be for testing of the upper-tier component to the Israeli Missile Defense Architecture in the United States; and $82,300,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1168. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $117,542,000 shall be available until September 30, 2018, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2018: Carrier Replacement Program $20,000,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy'', 2008/2018: DDG–51 Destroyer $19,436,000;

(3) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2018: Littoral Combat Ship $6,394,000;

(4) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2018: LHA Replacement $14,200,000;

(5) Under the heading ''Shipbuilding and Conversion, Navy'', 2013/2018: DDG–51 Destroyer $31,941,000;

(6) Under the heading ''Shipbuilding and Conversion, Navy'', 2014/2018: Litoral Combat Ship $20,471,000; and

(7) Under the heading ''Shipbuilding and Conversion, Navy'', 2015/2018: LCAC $5,100,000.

SEC. 1169. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for Fiscal Year 2018.

SEC. 1170. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 1171. The budget of the President for fiscal year 2018 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 1172. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 1173. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by $289,000,000.

SEC. 1174. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 1175. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 1176. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 1177. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which

shall remain available until September 30, 2019.

SEC. 1178. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 1179. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2018: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 1180. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command—New Jersey or make disproportionate personnel reductions at any Army Contracting Command—New Jersey sites without 30-day prior notification to the congressional defense committees.

(RESCISSION)

SEC. 1181. Of the unobligated balances available to the Department of Defense, the following funds are permanently rescinded from the following accounts and programs in the specified amounts to reflect excess cash balances in the Department of Defense Acquisition Workforce Development Fund:

From ''Department of Defense Acquisition Workforce Development Fund, Defense'', $10,000,000.

SEC. 1182. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 1183. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 1184. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 1185. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1186. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1187. Not to exceed $500,000,000 appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 1188. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 1189. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1190. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $115,519,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-

Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 1191. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

SEC. 1192. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1193. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $1,500,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017.

SEC. 1194. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 1195. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 1196. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) and section 1034 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

SEC. 1197. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 1198. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 1199. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 1200. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the ''Foreign Claims Act''); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 1201. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 1202. The Secretary of Defense shall post grant awards on a public Website in a searchable format.

SEC. 1203. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 1204. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 1205. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 1206. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act unless explicity provided for in a Defense Appropriations Act: *Provided*, That this limitation

shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 1207. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112–81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided*, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 1208. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 1209. None of the funds provided in this Act for the T–AO Fleet Oiler or the Towing, Salvage, and Rescue Ship programs shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 1210. The amount appropriated in title II of this Act for ''Operation and Maintenance, Army'' is hereby reduced by $75,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 1211. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by $1,007,267,000.

SEC. 1212. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 1213. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 1214. Of the amounts appropriated in this Act for ''Operation and Maintenance, Navy'', $289,255,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): *Provided*, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

SEC. 1215. None of the funds made available by this Act for the Joint Surveillance Target Attack Radar System recapitalization program may be obligated or expended for pre-milestone B activities after March 31, 2018, except for source selection and other activities necessary to enter the engineering and manufacturing development phase.

SEC. 1216. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1217. Additional readiness funds made available in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', ''Operation and Maintenance, Marine Corps'', and ''Operation and Maintenance, Air Force'' may be transferred to and merged with any appropriation of the Department of Defense for activities related to the Zika virus in order to provide health support for the full range of military operations and sustain the health of the members of the Armed Forces, civilian employees of the Department of Defense, and their families, to include: research and development, disease surveillance, vaccine development, rapid detection, vector controls and surveillance, training, and outbreak response: *Provided*, That the authority provided in this section is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 1218. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities, or for any activity necessary for the national defense, including intelligence activities.

SEC. 1219. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center pursuant to section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 1220. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to:

(1) the Rapid Prototyping Fund established under section 804(d) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note); or

(2) credited to a military-department specific fund established under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (as amended by section 897 of the National Defense Authorization Act for Fiscal Year 2017).

(INCLUDING TRANSFER FUND)

SEC. 1221. In addition to amounts provided elsewhere in this Act for military personnel pay, including active duty, reserve and National Guard personnel, $206,400,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: *Provided*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 1222. In addition to amounts provided elsewhere in this Act, there is appropriated $235,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That as a condition of receiving funds under this section a local educational agency or State shall provide a matching share as described in the notice titled ''Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations'' published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55883 et seq.): *Provided further*, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools to the extent such funds remain unobligated on the date of enactment of this section.

SEC. 1223. None of the funds made available by this Act may be used to carry out the changes to the Joint Travel Regulations of the Department of Defense described in the memorandum of the Per Diem Travel and Transportation Allowance Committee titled ''UTD/CTD for MAP 118–13/CAP 118–13 - Flat Rate Per Diem for Long Term TDY'' and dated October 1, 2014.

SEC. 1224. In carrying out the program described in the memorandum on the subject of ''Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members'' issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such memorandum, the Secretary of Defense shall apply such policy and guidance, except that—

(1) the limitation on periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(2) the term ''assisted reproductive technology'' shall include embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $2,635,317,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $377,857,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $103,800,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $912,779,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $24,942,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $9,091,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $2,328,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $20,569,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $184,589,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $5,004,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $1,000,000,000, for the ''Military Personnel, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to military personnel accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $16,126,403,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $5,875,015,000, of which up to $161,885,000 may be transferred to the Coast Guard ''Operating Expenses'' account: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,116,640,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $10,266,295,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $6,944,201,000: *Provided*, That of the funds provided under this heading, not to exceed $900,000,000, to remain available until September 30, 2019, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That funds provided under this heading may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant, and 15 days following notification to the appropriate congressional committees: *Provided further*, That funds provided under this heading may be used to support the Government of Jordan, in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: *Provided further*, That of the funds provided under this heading, not to exceed $750,000,000, to remain available until September 30, 2019, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $24,699,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $23,980,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $3,367,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $58,523,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $108,111,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $15,400,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $2,000,000,000, for the ''Operation and Maintenance, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $4,937,515,000 (reduced by $12,000,000), to remain available until September 30, 2019: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: *Provided further*, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading ''Afghanistan Infrastructure Fund'' in prior Acts: *Provided further*, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: *Provided further*, That the Secretary may not use more than $50,000,000 under the authority provided in this section: *Provided further*, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That of the funds provided under this heading, not less than $10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTER-ISIL TRAIN AND EQUIP FUND

For the ''Counter-Islamic State of Iraq and the Levant Train and Equip Fund'', $1,769,000,000, to remain available until September 30, 2019: *Provided*, That such funds shall be available to the Secretary of Defense in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair and renovation; and sustainment, to foreign security forces, irregular forces, groups, or individuals participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant, and their affiliated or associated groups: *Provided further*, That these funds may be used in such amounts as the Secretary of Defense may determine to enhance the border security of nations adjacent to conflict areas including Jordan, Lebanon, Egypt, and Tunisia resulting from actions of the Islamic State of Iraq and the Levant: *Provided further*, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, in coordination with the Secretary of State, as having a security mission to counter the Islamic State of Iraq and the Levant, and following written notification to the congressional defense committees of such designation: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces or individuals, such elements or individuals are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: *Provided further*, That contributions of funds for the purposes provided herein from any foreign government or other entity may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines that such provision of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That the United States may accept equipment procured using funds provided under this heading, or under the heading, ''Iraq Train and Equip Fund'' in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant and returned by such forces or groups to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That equipment procured using funds provided under this heading, or under the heading, ''Iraq Train and Equip Fund'' in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: *Provided further*, That such amount is

designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $424,686,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $557,583,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,191,139,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $193,436,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $405,575,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $157,300,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $130,994,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $223,843,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $207,984,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $64,071,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $510,836,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $381,700,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SPACE PROCUREMENT, AIR FORCE

For an additional amount for ''Space Procurement, Air Force'', $2,256,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $501,509,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $3,998,887,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $510,741,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2020: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $6,000,000,000, for the ''Procurement, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to procurement accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $119,368,000 (increased by $6,000,000), to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $124,865,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air

Force'', $144,508,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $226,096,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $1,000,000,000, for the ''Research, Development, Test and Evaluation, National Defense Restoration Fund'': *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That the Secretary of Defense may transfer these funds only to research, development, test and evaluation accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $148,956,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $395,805,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $196,300,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED-THREAT DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised-Threat Defeat Fund'', $483,058,000, to remain available until September 30, 2020: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised-Threat Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $24,692,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 1301. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2018.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1302. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $2,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 1303. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 1304. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility:

(1) passenger motor vehicles up to a limit of $75,000 per vehicle; and

(2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 1305. Not to exceed $5,000,000 of the amounts appropriated by this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commanders' Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $2,000,000: *Provided further*, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 1306. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 1307. None of the funds appropriated or otherwise made available by this or any

other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 1308. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 1309. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 1310. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 1311. Up to $500,000,000 of funds appropriated by this Act for the Defense Security Cooperation Agency in ''Operation and Maintenance, Defense-Wide'' may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 1312. None of the funds made available by this Act under the heading ''Counter-ISIL Train and Equip Fund'' may be used to procure or transfer man-portable air defense systems.

SEC. 1313. For the ''Ukraine Security Assistance Initiative'', $150,000,000 is hereby appropriated, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal weapons of a defensive nature; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or defensive articles provided to the Government of Ukraine from the inventory of the United States: *Provided further*, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1314. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9013 of this Act.

SEC. 1315. None of the funds made available by this Act under section 9013 for ''Assistance and Sustainment to the Military and National Security Forces of Ukraine'' may be used to procure or transfer man-portable air defense systems.

SEC. 1316. (a) None of the funds appropriated or otherwise made available by this Act under the heading ''Operation and Maintenance, Defense-Wide'' for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1317. In addition to amounts otherwise made available in this Act, $500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: *Provided*, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: *Provided further*, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the authority to provide funding under this section shall terminate on September 30, 2018.

SEC. 1318. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

(RESCISSIONS)

SEC. 1319. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

''Other Procurement, Air Force'', 2017/2019, $25,100,000;

''Afghanistan Security Forces Fund'', 2017/2018, $100,000,000; and

''Counter-ISIL Train and Equip Fund'', 2017/2018, $112,513,000.

''Operation and Maintenance, Defense-Wide, DSCA Coalition Support Fund'', 2017/2018, $350,000,000.

SEC. 1320. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1321. (a) Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on the United States strategy to defeat Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria (ISIS), and their associated forces and co-belligerents.

(b) The report required under subsection (a) shall include the following:

(1) An analysis of the adequacy of the existing legal framework to accomplish the strategy described in subsection (a), particularly with respect to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C. 1541 note).

(2) An analysis of the budgetary resources necessary to accomplish the strategy described in subsection (a).

(c) Not later than 30 days after the date on which the President submits to the appropriate congressional committees the report required by subsection (a), the Secretary of State and the Secretary of Defense shall testify at any hearing held by any of the appropriate congressional committees on the report and to which the Secretary is invited.

(d) In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 1322. (a) In addition to amounts provided elsewhere in this Act, there is hereby appropriated $1,184,112,000, for the following accounts and programs in the specified amounts for costs associated with Operation Freedom's Sentinel:

(1) ''Military Personnel, Army'', $48,377,000;

(2) ''Military Personnel, Marine Corps'', $179,000;

(3) ''Military Personnel, Air Force'', $1,340,000;

(4) ''Operation and Maintenance, Army'', $872,491,000;

(5) ''Operation and Maintenance, Navy'', $76,274,000;

(6) ''Operation and Maintenance, Marine Corps'', $24,734,000;

(7) ''Operation and Maintenance, Defense-Wide'', $81,164,000;

(8) ''Procurement of Ammunition, Navy and Marine Corps'', $10,853,000, to remain available until September 30, 2020;

(9) ''Other Procurement, Navy'', $31,500,000, to remain available until September 30, 2020; and

(10) ''Research, Development, Test and Evaluation, Navy'', $37,200,000, to remain available until September 30, 2019.

(b) Amounts provided pursuant to this section are hereby designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X—ADDITIONAL GENERAL PROVISIONS

REFERENCES TO REPORT

SEC. 1401. Any reference to a ''report accompanying this Act'' contained in this Act shall be treated as a reference to House Report 115–219. Such report shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this Act.

SPENDING REDUCTION ACCOUNT

SEC. 1402. $0.

SEC. 1403. None of the funds appropriated or otherwise made available under the heading ''Afghanistan Security Forces Fund'' may be used to procure uniforms for the Afghan National Army.

SEC. 1404. None of the funds made available in this Act may be used for the closure of a biosafety level 4 laboratory.

SEC. 1405. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

SEC. 1406. None of the finds made available by this Act may be used to purchase heavy water from Iran.

SEC. 1407. None of the funds appropriated by this Act may be used to plan for, begin, continue, complete, process, or approve a public-private competition under the Office of Management and Budget Circular A-76.

SEC. 1408. Notwithstanding any other provision of law, with respect to the revised security category (as that term is defined in section 250(c)(4)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985), any sequestration order issued under such Act for fiscal year 2018 shall have no force or effect.

This division may be cited as the ''Department of Defense Appropriations Act, 2018''.

DIVISION D—MISCELLANEOUS

SEC. 1501. (a) Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa-2) is amended by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT.—During each of the 2002 through 2019 fiscal years, the Secretary shall provide payments to producers that enter into contracts with the Secretary under the program.''.

(b) Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''2018'' and inserting ''2018 (and fiscal year 2019 in the case of the program specified in paragraph (5))''; and

(B) in paragraph (5)(E), by striking ''fiscal year 2018'' and inserting ''each of fiscal years 2018 through 2019''; and

(2) in subsection (b), by striking ''2018'' and inserting ''2018 (and fiscal year 2019 in the case of the program specified in subsection (a)(5))''.

DIVISION E—TAX MATTERS

SEC. 1601. REPEAL OF SHIFT IN TIME OF PAYMENT OF CORPORATE ESTIMATED TAXES.

The Trade Preferences Extension Act of 2015 is amended by striking section 803 (relating to time for payment of corporate estimated taxes).

DIVISION F—HEALTH PROVISIONS

SEC. 2100. SHORT TITLE.

This division may be cited as the ''Strengthening and Underpinning the Safety-net to Aid Individuals Needing Care Act of 2018'' or the ''SUSTAIN Care Act of 2018''.

TITLE I—MEDICARE EXTENDERS AND RELATED POLICIES

Subtitle A—Medicare Part A

SEC. 2101. EXTENSION OF THE MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.

(a) IN GENERAL.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking ''October 1, 2017'' and inserting ''October 1, 2019'';

(2) in clause (ii)(II), by striking ''October 1, 2017'' and inserting ''October 1, 2019''; and

(3) in clause (iv)—

(A) by amending subclause (I) to read as follows:

''(I) that—

''(aa) is located in a rural area; or

''(bb) for discharges occurring on or after October 1, 2017, is located in a State with no rural area (as defined in paragraph (2)(D)) and satisfies any of the criteria in subclause (I), (II), (III), or (IV) of paragraph (8)(E)(ii),''; and

(B) by adding at the end, after and below subclause (IV), the following flush sentence:

''For purposes of applying subclause (II) of paragraph (8)(E)(ii) under subclause (I)(bb), such subclause (II) shall be applied by inserting 'as of January 1, 2018,' after 'such State' each place it appears.''.

(b) CONFORMING AMENDMENTS.—

(1) EXTENSION OF TARGET AMOUNT.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking ''October 1, 2017'' and inserting ''October 1, 2019''; and

(B) in clause (iv), by striking ''through fiscal year 2017'' and inserting ''through fiscal year 2019''.

(2) PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking ''through fiscal year 2017'' and inserting ''through fiscal year 2019''.

SEC. 2102. EXTENSION OF INCREASED INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR CERTAIN LOW-VOLUME HOSPITALS.

Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking ''fiscal year 2018'' and inserting ''fiscal year 2020'';

(2) in subparagraph (C)(i), by striking ''fiscal years 2011 through 2017'' and inserting ''fiscal years 2011 through 2019'' each place it appears; and

(3) in subparagraph (D), by striking ''fiscal years 2011 through 2017'' and inserting ''fiscal years 2011 through 2019''.

SEC. 2103. STUDIES RELATING TO HOSPITAL PROGRAMS PAID OUTSIDE OF PROSPECTIVE PAYMENT SYSTEMS.

(a) MEDPAC REPORT.—Using data from hospital programs with respect to which hospitals receive payment outside of the prospective payment systems under sections 1833 and 1886 of the Social Security Act (42 U.S.C. 1395l; 42 U.S.C. 1395ww) (such programs referred to in this subsection as ''PPS carve-out programs'') or other data, as available, not later than June 30, 2019, the Medicare Payment Advisory Commission shall submit to Congress a report that evaluates and recommends changes to PPS carve-out programs, including with respect to amendments made by sections 2101 and 2102 of this Act, sections 1814, 1820, 1886(d)(5)(D)(iii), and 1115(A) of the Social Security Act, and such other sections of title XVIII of the Social Security Act deemed appropriate. To the extent feasible, such report shall make recommendations on a payment methodology under the Medicare program for hospital payments, including with respect to PPS carve-out programs, that differs from the payment methodology applicable to such programs as of September 30, 2017.

(b) MEDPAC RECOMMENDATIONS FOR POSSIBLE ALTERNATIVE PAYMENTS.—Not later than 2 years after the date by which the Secretary of Health and Human Services has collected 2 years of data under sections 1886(d)(5)(G) and 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G); 42 U.S.C. 1395ww(d)(12)), as extended pursuant to sections 2101 and 2102 of this Act, the Medicare Payment Advisory Commission shall submit to Congress a report, including—

(1) recommendations on payments, including a technical prototype for payments for PPS carve-out programs, if warranted;

(2) recommendations, if any, on which Medicare fee-for-service regulations for hospital payments under title XVIII of the Social Security Act should be altered (such as the critical access hospital 96-hour rule);

(3) an analysis of the impact of the recommended payments described in paragraph (1) on Medicare beneficiary cost-sharing, access to care, and choice of setting;

(4) a projection of any potential reduction in expenditures under title XVIII of the Social Security Act that may be attributable to the application of the recommended payments described in paragraph (1);

(5) a review of the value of hospitals participating in PPS carve-out programs collecting and reporting to the Secretary standardized patient assessment data with respect to inpatient hospital services;

(6) the types of rural hospital classifications and payment methodologies under the Medicare program, including information on each special payment structure such as eligibility criteria, and any areas of overlap between such special payment programs;

(7) Medicare spending on each PPS carve-out program;

(8) the financial aspects of hospitals participating in such PPS carve-out programs, such as the share of discharges under the Medicare and Medicaid programs; and

(9) whether such payment programs are empirically justified to support Medicare beneficiary access to care.

SEC. 2104. EXTENSION OF HOME HEALTH RURAL ADD-ON.

(a) EXTENSION.—

(1) IN GENERAL.—Section 421 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2283; 42 U.S.C. 1395fff note), as amended by section 5201(b) of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 46), section 3131(c) of the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 428), and section 210 of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10; 129 Stat. 151) is amended—

(A) in subsection (a), by striking ''January 1, 2018'' and inserting ''January 1, 2019'' each place it appears;

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(C) in each of subsections (c) and (d), as so redesignated, by striking ''subsection (a)'' and inserting ''subsection (a) or (b)''; and

(D) by inserting after subsection (a) the following new subsection:

''(b) SUBSEQUENT TEMPORARY INCREASE.—

''(1) IN GENERAL.—The Secretary shall increase the payment amount otherwise made under such section 1895 for home health services furnished in a county (or equivalent area) in a rural area (as defined in such section 1886(d)(2)(D)) that, as determined by the Secretary—

''(A) is in the highest quartile of all counties (or equivalent areas) based on the number of Medicare home health episodes furnished per 100 individuals who are entitled to, or enrolled for, benefits under part A of title XVIII of the Social Security Act or enrolled for benefits under part B of such title (but not enrolled in a plan under part C of such title)—

''(i) in the case of episodes and visits ending during 2019, by 1.5 percent; and

''(ii) in the case of episodes and visits ending during 2020, by 0.5 percent;

''(B) has a population density of 6 individuals or fewer per square mile of land area and is not described in subparagraph (A)—

''(i) in the case of episodes and visits ending during 2019, by 4 percent;

''(ii) in the case of episodes and visits ending during 2020, by 3 percent;

''(iii) in the case of episodes and visits ending during 2021, by 2 percent; and

''(iv) in the case of episodes and visits ending during 2022, by 1 percent; and

''(C) is not described in either subparagraph (A) or (B)—

''(i) in the case of episodes and visits ending during 2019, by 3 percent;

''(ii) in the case of episodes and visits ending during 2020, by 2 percent; and

''(iii) in the case of episodes and visits ending during 2021, by 1 percent.

''(2) RULES FOR DETERMINATIONS.—

''(A) NO SWITCHING.—For purposes of this subsection, the determination by the Secretary as to which subparagraph of paragraph (1) applies to a county (or equivalent area) shall be made a single time and shall apply for the duration of the period to which this subsection applies.

''(B) UTILIZATION.—In determining which counties (or equivalent areas) are in the highest quartile under paragraph (1)(A), the following rules shall apply:

''(i) The Secretary shall use data from 2015.

''(ii) The Secretary shall exclude data from the territories (and the territories shall not be described in such paragraph).

''(iii) The Secretary may exclude data from counties (or equivalent areas) in rural areas with a low volume of home health episodes (and if data is so excluded with respect to a county (or equivalent area), such county (or equivalent area) shall not be described in such paragraph).

''(C) POPULATION DENSITY.—In determining population density under paragraph (1)(B), the Secretary shall use data from the 2010 decennial Census.

''(3) LIMITATIONS ON REVIEW.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise of determinations under paragraph (1).''.

(2) REQUIREMENT TO SUBMIT COUNTY DATA ON CLAIM FORM.—Section 1895(c) of the Social Security Act (42 U.S.C. 1395fff(c)) is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) in the case of home health services furnished on or after January 1, 2019, the claim contains the code for the county (or equivalent area) in which the home health service was furnished.''.

(b) OIG REVIEW.—The Office of the Inspector General shall submit to Congress, not later than January 1, 2020, and annually thereafter through January 1, 2024, a report containing—

(1) an analysis of payments made under section 1895 of the Social Security Act (42 U.S.C. 1395fff) increased under section 421 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2283; 42 U.S.C. 1395fff note), as amended by section 5201(b) of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 46), section 3131(c) of the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 428), section 210 of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10; 129 Stat. 151), and subsection (a); and

(2) a recommendation on whether such payments should continue to be made based on county data.

Subtitle B—Medicare Part B

SEC. 2111. GROUND AMBULANCE SERVICES COST REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 1121 of the Social Security Act (42 U.S.C. 1320a) is amended—

(1) in subsection (a)—

(A) by striking ''For the purposes of'' and inserting ''Subject to subsection (d), for the purposes of'';

(B) by inserting ''suppliers of ground ambulance services,'' after ''health maintenance organizations,''; and

(C) in the matter following paragraph (5), by adding the following new sentence: ''Not later than December 31, 2019, the Secretary shall modify the uniform reporting systems for providers of services with respect to ground ambulance services to ensure that such systems contain information similar (as determined by the Secretary) to information required under the uniform reporting system for suppliers of ground ambulance services.''; and

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

''(d) In the case of a provider or supplier of ground ambulance services, the Secretary may modify the requirements for the inclusion of any data element specified in subsection (a) in reports made in accordance with the uniform reporting system established under this section with respect to such services for such provider or supplier.''.

(b) SUSPENSION OF PAYMENT FOR GROUND AMBULANCE SERVICES; DEEMING CERTAIN PAYMENTS OVERPAYMENTS.—Section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)) is amended by adding at the end the following new paragraph:

''(17) REQUIREMENT TO SUBMIT COST REPORT AND AUTHORITY TO SUSPEND PAYMENTS AND DEEM CERTAIN PAYMENTS OVERPAYMENTS FOR GROUND AMBULANCE SERVICES.—

''(A) IN GENERAL.—With respect to ground ambulance services furnished by a supplier of such services during cost reporting periods (as defined in subparagraph (I)) beginning on or after January 1, 2020, such supplier shall make reports to the Secretary of information described in section 1121(a) in accordance with the uniform reporting system established under such section for such suppliers and, as may be required by the Secretary, of any of the information described in subparagraph (B).

''(B) ADDITIONAL INFORMATION.—The Secretary may, with respect to a supplier of ground ambulance services, require the following information (to be reported to the extent practicable under the uniform reporting system established under section 1121(a) for such suppliers):

''(i) Whether the supplier is part of an emergency services department, a governmental organization, or another type of entity (as described by the Secretary).

''(ii) The number of hours in a week during which the supplier is available for furnishing ground ambulance services.

''(iii) The average number of volunteer hours a week used by the supplier.

''(C) SUSPENSION OF PAYMENT.—Subject to subparagraph (E), in the case that the Secretary determines that a supplier of ground ambulance services has not made to the Secretary a timely report described in subparagraph (A) with respect to a cost reporting period beginning on or after January 1, 2020, and before January 1, 2022, the Secretary may suspend payments made under this subsection, in whole or in part, to such supplier until the Secretary determines that such supplier has made such a report.

''(D) DEEMING CERTAIN PAYMENTS OVERPAYMENTS.—Subject to subparagraphs (E) and (F), in the case that the Secretary determines that a supplier of ground ambulance services has not made to the Secretary a complete, accurate, and timely report described in subparagraph (A) with respect to a cost reporting period beginning on or after January 1, 2022, the Secretary may either—

''(i) deem payments made under this subsection to such supplier for such period to be

overpayments and recoup such overpayments; or

''(ii) suspend payments made under this subsection to such supplier for such period.

''(E) HARDSHIP DELAY.—The Secretary shall establish a process whereby a supplier of ground ambulance services may request a delay in making a report described in subparagraph (A) with respect to a cost reporting period for reason of significant hardship (as determined by the Secretary).

''(F) AUTHORITY TO MODIFY COST REPORTING ELEMENTS AND ENFORCEMENT.—Not earlier than January 1, 2024, the Secretary may provide that subparagraph (D) no longer applies to suppliers of ground ambulance services or a category of such suppliers after—

''(i) taking into account the recommendation of the Medicare Payment Advisory Commission in the most recent report available to the Secretary submitted under section 2111(g) of the SUSTAIN Care Act of 2018 whether cost reports made by suppliers or a category of suppliers (as specified for purposes of the report submitted under such section) of ground ambulance services should be required or modified; and

''(ii) undertaking notice and comment rulemaking.

''(G) AUDIT OF COST REPORTS.—The Secretary shall audit reports described in subparagraph (A) made with respect to cost reporting periods beginning on or after January 1, 2021.

''(H) APPEALS.—The Secretary shall establish a process whereby a supplier of ground ambulance services may appeal a determination described in subparagraph (C) or (D) made with respect to a cost report required to be made by such supplier under subparagraph (A).

''(I) DEFINITION.—In this paragraph, the term 'cost reporting period' means, with respect to a year, the 12-month period beginning on January 1 of such year.''.

(c) STAKEHOLDER FEEDBACK.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall implement the provisions of this section, including the amendments made by this section, through notice and comment rulemaking and seek input from stakeholders.

(2) NONAPPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply with respect to—

(A) the development and implementation of the uniform reporting system required under section 1121(a) of the Social Security Act (42 U.S.C. 1320a(a)) for suppliers of ground ambulance services and reports required to be made under section 1834(l)(17) of such Act (42 U.S.C. 1395m(l)(17)); and

(B) the modification of the uniform reporting systems under such section 1121(a) of such Act for providers of such services and reports required to be made under section 1861(v)(1)(F) of such Act (42 U.S.C. 1395x(v)(1)(F)).

(d) IMPLEMENTATION RESOURCES.—In addition to funds otherwise available, there are appropriated to the Centers for Medicare & Medicaid Services Program Management Account from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) $8,000,000 and from the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) $137,000,000 (of which not less than $15,000,000 shall be used to fulfill the auditing requirement under section 1834(l)(17)(G) of such Act, as added by subsection (b) of this section) to carry out the provisions of this section, including the amendments made by this section, to remain available through December 31, 2022. Of the amounts appropriated under the previous sentence, the Secretary shall use such sums as may be necessary to hire not less than 2 full-time employees for purposes of carrying out such provisions, including such amendments.

(e) EXTENSION OF RURAL ADD-ON PAYMENTS.—Section 1834(l) of the Social Security Act (42. U.S.C. 1395m(l)) is amended—

(1) in paragraph (12)(A), by striking ''2018'' and inserting ''2023''; and

(2) in paragraph (13)(A), by striking ''2018'' each place it appears and inserting ''2023''.

(f) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a cost report made by a supplier of ground ambulance services with respect to a cost reporting period beginning before January 1, 2022, may not contain complete and accurate information on ground ambulance services furnished during such a period by the supplier; and

(2) the Secretary should take into account only the timeliness of such a report made with respect to such a period when determining whether to suspend payments to a supplier under section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)).

(g) GROUND AMBULANCE SERVICES COST REPORTING STUDY.—

(1) IN GENERAL.—Not later than March 15, 2023, and as determined necessary by the Medicare Payment Advisory Commission thereafter, such Commission shall assess and submit to Congress a report on cost reports of suppliers and providers of ground ambulance services carried out in accordance with sections 1121(a) and 1834(l) of the Social Security Act (42 U.S.C. 1320a(a), 1395m(l)), the adequacy of payments for such services made under section 1834(l) of such Act, and geographic variations in the cost of providing such services.

(2) CONTENTS.—The report described in paragraph (1) shall contain the following:

(A) An analysis of cost report data submitted in accordance with such sections.

(B) An analysis of any burden on providers and suppliers of such services associated with reporting such data.

(C) A recommendation on whether or not cost reports of ground ambulance services made by suppliers or a category of suppliers (as specified by the Secretary) of such services, or the ground ambulance portion of cost reports made by providers of such services, should be required or modified, taking into account the analyses described in subparagraphs (A) and (B).

SEC. 2112. EXTENSION OF WORK GPCI FLOOR.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''January 1, 2018'' and inserting ''January 1, 2020''.

SEC. 2113. REPEAL OF MEDICARE PAYMENT CAP FOR THERAPY SERVICES; REPLACEMENT WITH LIMITATION TO ENSURE APPROPRIATE THERAPY.

Section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)) is amended—

(1) in paragraph (1)—

(A) by striking ''Subject to paragraphs (4) and (5)'' and inserting ''(A) Subject to paragraphs (4) and (5)'';

(B) in the subparagraph (A), as inserted and designated by subparagraph (A) of this paragraph, by adding at the end the following new sentence: ''The preceding sentence shall not apply to expenses incurred with respect to services furnished after December 31, 2017.''; and

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

''(B) With respect to services furnished during 2018 or a subsequent year, in the case of physical therapy services of the type described in section 1861(p), speech-language pathology services of the type described in such section through the application of section 1861(ll)(2), and physical therapy services and speech-language pathology services of such type which are furnished by a physician or as incident to physicians' services, with respect to expenses incurred in any calendar year, any amount that is more than the amount specified in paragraph (2) for the year shall not be considered as incurred expenses for purposes of subsections (a) and (b) unless the applicable requirements of paragraph (7) are met.'';

(2) in paragraph (3)—

(A) by striking ''Subject to paragraphs (4) and (5)'' and inserting ''(A) Subject to paragraphs (4) and (5)'';

(B) in the subparagraph (A), as inserted and designated by subparagraph (A) of this paragraph, by adding at the end the following new sentence: ''The preceding sentence shall not apply to expenses incurred with respect to services furnished after December 31, 2017.''; and

(C) by adding at the end the following new subparagraph:.

''(B) With respect to services furnished during 2018 or a subsequent year, in the case of occupational therapy services (of the type that are described in section 1861(p) through the operation of section 1861(g) and of such type which are furnished by a physician or as incident to physicians' services), with respect to expenses incurred in any calendar year, any amount that is more than the amount specified in paragraph (2) for the year shall not be considered as incurred expenses for purposes of subsections (a) and (b) unless the applicable requirements of paragraph (7) are met.'';

(3) in paragraph (5)—

(A) by redesignating subparagraph (D) as paragraph (8) and moving such paragraph to immediately follow paragraph (7), as added by paragraph (4) of this section; and

(B) in subparagraph (E)(iv), by inserting '', except as such process is applied under paragraph (7)(B)'' before the period at the end; and

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

''(7) For purposes of paragraphs (1)(B) and (3)(B), with respect to services described in such paragraphs, the requirements described in this paragraph are as follows:

''(A) INCLUSION OF APPROPRIATE MODIFIER.—The claim for such services contains an appropriate modifier (such as the KX modifier described in paragraph (5)(B)) indicating that such services are medically necessary as justified by appropriate documentation in the medical record involved.

''(B) TARGETED MEDICAL REVIEW FOR CERTAIN SERVICES ABOVE THRESHOLD.—

''(i) IN GENERAL.—In the case where expenses that would be incurred for such services would exceed the threshold described in clause (ii) for the year, such services shall be subject to the process for medical review implemented under paragraph (5)(E).

''(ii) THRESHOLD.—The threshold under this clause for—

''(I) a year before 2028, is $3,000;

''(II) 2028, is the amount specified in subclause (I) increased by the percentage increase in the MEI (as defined in section 1842(i)(3)) for 2028; and

''(III) a subsequent year, is the amount specified in this clause for the preceding year increased by the percentage increase in the MEI (as defined in section 1842(i)(3)) for such subsequent year;

except that if an increase under subclause (II) or (III) for a year is not a multiple of $10, it shall be rounded to the nearest multiple of $10.

''(iii) APPLICATION.—The threshold under clause (ii) shall be applied separately—

''(I) for physical therapy services and speech-language pathology services; and

''(II) for occupational therapy services.

''(iv) FUNDING.—For purposes of carrying out this subparagraph, the Secretary shall provide for the transfer, from the Federal Supplementary Medical Insurance Trust Fund under section 1841 to the Centers for Medicare & Medicaid Services Program Management Account, of $5,000,000 for each fiscal year beginning with fiscal year 2018, to remain available until expended. Such funds may not be used by a contractor under section 1893(h) for medical reviews under this subparagraph.''.

Subtitle C—Miscellaneous

SEC. 2121. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS.

(a) EXTENSION.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking ''and for periods before January 1, 2019''.

(b) INCREASED INTEGRATION OF DUAL SNPS.—

(1) IN GENERAL.—Section 1859(f) of the Social Security Act (42 U.S.C. 1395w–28(f)) is amended—

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

''(F) The plan meets the requirements applicable under paragraph (8).''; and

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

''(8) INCREASED INTEGRATION OF DUAL SNPS.—

''(A) DESIGNATED CONTACT.—The Secretary, acting through the Federal Coordinated Health Care Office established under section 2602 of Public Law 111–148, shall serve as a dedicated point of contact for States to address misalignments that arise with the integration of specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) under this paragraph and, consistent with such role, shall establish—

''(i) a uniform process for disseminating to State Medicaid agencies information under this title impacting contracts between such agencies and such plans under this subsection; and

''(ii) basic resources for States interested in exploring such plans as a platform for integration, such as a model contract or other tools to achieve those goals.

''(B) UNIFIED GRIEVANCES AND APPEALS PROCESS.—

''(i) IN GENERAL.—Not later than April 1, 2020, the Secretary shall establish procedures, to the extent feasible as determined by the Secretary, unifying grievances and appeals procedures under sections 1852(f), 1852(g), 1902(a)(3), 1902(a)(5), and 1932(b)(4) for items and services provided by specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) under this title and title XIX. With respect to items and services described in the preceding sentence, procedures established under this clause shall apply in place of otherwise applicable grievances and appeals procedures. The Secretary shall solicit comment in developing such procedures from States, plans, beneficiaries and their representatives, and other relevant stakeholders.

''(ii) PROCEDURES.—The procedures established under clause (i) shall be included in the plan contract under paragraph (3)(D) and shall—

''(I) adopt the provisions for the enrollee that are most protective for the enrollee and, to the extent feasible as determined by the Secretary, are compatible with unified timeframes and consolidated access to external review under an integrated process;

''(II) take into account differences in State plans under title XIX to the extent necessary;

''(III) be easily navigable by an enrollee; and

''(IV) include the elements described in clause (iii), as applicable.

''(iii) ELEMENTS DESCRIBED.—Both unified appeals and unified grievance procedures shall include, as applicable, the following elements described in this clause:

''(I) Single written notification of all applicable grievances and appeal rights under this title and title XIX. For purposes of this subparagraph, the Secretary may waive the requirements under section 1852(g)(1)(B) when the specialized MA plan covers items or services under this part or under title XIX.

''(II) Single pathways for resolution of any grievance or appeal related to a particular item or service provided by specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) under this title and title XIX.

''(III) Notices written in plain language and available in a language and format that is accessible to the enrollee, including in non-English languages that are prevalent in the service area of the specialized MA plan.

''(IV) Unified timeframes for grievances and appeals processes, such as an individual's filing of a grievance or appeal, a plan's acknowledgment and resolution of a grievance or appeal, and notification of decisions with respect to a grievance or appeal.

''(V) Requirements for how the plan must process, track, and resolve grievances and appeals, to ensure beneficiaries are notified on a timely basis of decisions that are made throughout the grievance or appeals process and are able to easily determine the status of a grievance or appeal.

''(iv) CONTINUATION OF BENEFITS PENDING APPEAL.—The unified procedures under clause (i) shall, with respect to all benefits under parts A and B and title XIX subject to appeal under such procedures, incorporate provisions under current law and implementing regulations that provide continuation of benefits pending appeal under this title and title XIX.

''(C) REQUIREMENT FOR UNIFIED GRIEVANCES AND APPEALS.—For 2021 and subsequent years, the contract of a specialized MA plan for special needs individuals described in subsection (b)(6)(B)(ii) with a State Medicaid agency under paragraph (3)(D) shall require the use of unified grievances and appeals procedures as described in subparagraph (B).

''(D) REQUIREMENTS FOR INTEGRATION.—

''(i) IN GENERAL.—For 2021 and subsequent years, a specialized MA plan for special needs individuals described in subsection (b)(6)(B)(ii) shall meet one or more of the following requirements, to the extent permitted under State law, for integration of benefits under this title and title XIX:

''(I) The specialized MA plan must meet the requirements of contracting with the State Medicaid agency described in paragraph (3)(D) in addition to coordinating long-term services and supports or behavioral health services, or both, by meeting an additional minimum set of requirements determined by the Secretary through the Federal Coordinated Health Care Office established under section 2602 of the Patient Protection and Affordable Care Act based on input from stakeholders, such as notifying the State in a timely manner of hospitalizations, emergency room visits, and hospital or nursing home discharges of enrollees, assigning one primary care provider for each enrollee, or sharing data that would benefit the coordination of items and services under this title and the State plan under title XIX. Such minimum set of requirements must be included in the contract of the specialized MA plan with the State Medicaid agency under such paragraph.

''(II) The specialized MA plan must meet the requirements of a fully integrated plan described in section 1853(a)(1)(B)(iv)(II) (other than the requirement that the plan have similar average levels of frailty, as determined by the Secretary, as the PACE program), or enter into a capitated contract with the State Medicaid agency to provide long-term services and supports or behavioral health services, or both.

''(III) In the case of a specialized MA plan that is offered by a parent organization that is also the parent organization of a Medicaid managed care organization providing long term services and supports or behavioral services under a contract under section 1903(m), the parent organization must assume clinical and financial responsibility for benefits provided under this title and title XIX with respect to any individual who is enrolled in both the specialized MA plan and the Medicaid managed care organization.

''(ii) SUSPENSION OF ENROLLMENT FOR FAILURE TO MEET REQUIREMENTS DURING INITIAL PERIOD.—During the period of plan years 2021 through 2025, if the Secretary determines that a specialized MA plan for special needs individuals described in subsection (b)(6)(B)(ii) has failed to comply with clause (i), the Secretary may provide for the application against the Medicare Advantage organization offering the plan of the remedy described in section 1857(g)(2)(B) in the same manner as the Secretary may apply such remedy, and in accordance with the same procedures as would apply, in the case of an MA organization determined by the Secretary to have engaged in conduct described in section 1857(g)(1). If the Secretary applies such remedy to a Medicare Advantage organization under the preceding sentence, the organization shall submit to the Secretary (at a time, and in a form and manner, specified by the Secretary) information describing how the plan will come into compliance with clause (i).

''(E) STUDY AND REPORT TO CONGRESS.—

''(i) IN GENERAL.—Not later than January 1, 2022, and, subject to clause (iii), biennially thereafter through 2032, the Medicare Payment Advisory Commission established under section 1805, in consultation with the Medicaid and CHIP Payment and Access Commission established under section 1900, shall conduct (and submit to the Secretary and the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on) a study to determine how specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) perform among each other based on data from Healthcare Effectiveness Data and Information Set (HEDIS) quality measures, reported on the plan level, as required under section 1852(e)(3) (or such other measures or data sources that are available and appropriate, such as encounter data and Consumer Assessment of Healthcare Providers and Systems data, as specified by such Commissions as enabling an accurate evaluation under this subparagraph). Such study shall include, as feasible, the following comparison groups of specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii):

''(I) A comparison group of such plans that are described in subparagraph (D)(i)(I).

''(II) A comparison group of such plans that are described in subparagraph (D)(i)(II).

''(III) A comparison group of such plans operating within the Financial Alignment Initiative demonstration for the period for which such plan is so operating and the demonstration is in effect, and, in the case that an integration option that is not with respect to specialized MA plans for special needs individuals is established after the conclusion of the demonstration involved.

''(IV) A comparison group of such plans that are described in subparagraph (D)(i)(III).

''(V) A comparison group of MA plans, as feasible, not described in a previous subclause of this clause, with respect to the performance of such plans for enrollees who are special needs individuals described in subsection (b)(6)(B)(ii).

''(ii) DISCRETIONARY ADDITIONAL REPORTS.—Beginning with 2033 and every five years thereafter, the Medicare Payment Advisory Commission, in consultation with the Medicaid and CHIP Payment and Access Commission shall, at the discretion of the Secretary, conduct a study described in clause (i).''.

(2) CONFORMING AMENDMENT TO RESPONSIBILITIES OF FEDERAL COORDINATED HEALTH CARE OFFICE.—Section 2602(d) of Public Law 111–148 (42 U.S.C. 1315b(d)) is amended by adding at the end the following new paragraphs:

''(6) To act as a designated contact for States under subsection (f)(8)(A) of section 1859 of the Social Security Act (42 U.S.C. 1395w–28) with respect to the integration of specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) of such section.

''(7) To be responsible, subject to the final approval of the Secretary, for developing regulations and guidance related to the implementation of a unified grievance and appeals process as described in subparagraphs (B) and (C) of section 1859(f)(8) of the Social Security Act (42 U.S.C. 1395w–28(f)(8)).

''(8) To be responsible, subject to the final approval of the Secretary, for developing regulations and guidance related to the integration or alignment of policy and oversight under the Medicare program under title XVIII of such Act and the Medicaid program under title XIX of such Act regarding specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) of such section 1859.''.

(c) IMPROVEMENTS TO SEVERE OR DISABLING CHRONIC CONDITION SNPS.—

(1) CARE MANAGEMENT REQUIREMENTS.—Section 1859(f)(5) of the Social Security Act (42 U.S.C. 1395w–28(f)(5)) is amended—

(A) by striking ''ALL SNPS.—The requirements'' and inserting ''ALL SNPS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the requirements'';

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

(C) in clause (ii), as redesignated by subparagraph (B), by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting appropriately; and

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

''(B) IMPROVEMENTS TO CARE MANAGEMENT REQUIREMENTS FOR SEVERE OR DISABLING CHRONIC CONDITION SNPS.—For 2020 and subsequent years, in the case of a specialized MA plan for special needs individuals described in subsection (b)(6)(B)(iii), the requirements described in this paragraph include the following:

''(i) The interdisciplinary team under subparagraph (A)(ii)(III) includes a team of providers with demonstrated expertise, including training in an applicable specialty, in treating individuals similar to the targeted population of the plan.

''(ii) Requirements developed by the Secretary to provide face-to-face encounters with individuals enrolled in the plan not less frequently than on an annual basis.

''(iii) As part of the model of care under clause (i) of subparagraph (A), the results of the initial assessment and annual reassessment under clause (ii)(I) of such subparagraph of each individual enrolled in the plan are addressed in the individual's individualized care plan under clause (ii)(II) of such subparagraph.

''(iv) As part of the annual evaluation and approval of such model of care, the Secretary shall take into account whether the plan fulfilled the previous year's goals (as required under the model of care).

''(v) The Secretary shall establish a minimum benchmark for each element of the model of care of a plan. The Secretary shall only approve a plan's model of care under this paragraph if each element of the model of care meets the minimum benchmark applicable under the preceding sentence.''.

(2) REVISIONS TO THE DEFINITION OF A SEVERE OR DISABLING CHRONIC CONDITIONS SPECIALIZED NEEDS INDIVIDUAL.—

(A) IN GENERAL.—Section 1859(b)(6)(B)(iii) of the Social Security Act (42 U.S.C. 1395w–28(b)(6)(B)(iii)) is amended—

(i) by striking ''who have'' and inserting ''who—

''(I) before January 1, 2022, have'';

(ii) in subclause (I), as added by clause (i), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new subclause:

''(II) on or after January 1, 2022, have one or more comorbid and medically complex chronic conditions that is life threatening or significantly limits overall health or function, have a high risk of hospitalization or other adverse health outcomes, and require intensive care coordination and that is listed under subsection (f)(9)(A).''.

(B) PANEL OF CLINICAL ADVISORS.—Section 1859(f) of the Social Security Act (42 U.S.C. 1395w–28(f)), as amended by subsection (b), is amended by adding at the end the following new paragraph:

''(9) LIST OF CONDITIONS FOR CLARIFICATION OF THE DEFINITION OF A SEVERE OR DISABLING CHRONIC CONDITIONS SPECIALIZED NEEDS INDIVIDUAL.—

''(A) IN GENERAL.—Not later than December 31, 2020, and every 5 years thereafter, subject to subparagraphs (B) and (C), the Secretary shall convene a panel of clinical advisors to establish and update a list of conditions that meet each of the following criteria:

''(i) Conditions that meet the definition of a severe or disabling chronic condition under subsection (b)(6)(B)(iii) on or after January 1, 2022.

''(ii) Conditions that require prescription drugs, providers, and models of care that are unique to the specific population of enrollees in a specialized MA plan for special needs individuals described in such subsection on or after such date and—

''(I) as a result of access to, and enrollment in, such a specialized MA plan for special needs individuals, individuals with such condition would have a reasonable expectation of slowing or halting the progression of the disease, improving health outcomes and decreasing overall costs for individuals diagnosed with such condition compared to available options of care other than through such a specialized MA plan for special needs individuals; or

''(II) have a low prevalence in the general population of beneficiaries under this title or a disproportionally high per-beneficiary cost under this title.

''(B) INCLUSION OF CERTAIN CONDITIONS.—The conditions listed under subparagraph (A) shall include HIV/AIDS, end stage renal disease, and chronic and disabling mental illness.

''(C) REQUIREMENT.—In establishing and updating the list under subparagraph (A), the panel shall take into account the availability of varied benefits, cost-sharing, and supplemental benefits under the model described in paragraph (2) of section 1859(h), including the expansion under paragraph (1) of such section.''.

(d) QUALITY MEASUREMENT AT THE PLAN LEVEL FOR SNPS AND DETERMINATION OF FEASABILITY OF QUALITY MEASUREMENT AT THE PLAN LEVEL FOR ALL MA PLANS.—Section 1853(o) of the Social Security Act (42 U.S.C. 1395w–23(o)) is amended by adding at the end the following new paragraphs:

''(6) QUALITY MEASUREMENT AT THE PLAN LEVEL FOR SNPS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may require reporting of data under section 1852(e) for, and apply under this subsection, quality measures at the plan level for specialized MA plans for special needs individuals instead of at the contract level.

''(B) CONSIDERATIONS.—Prior to applying quality measurement at the plan level under this paragraph, the Secretary shall—

''(i) take into consideration the minimum number of enrollees in a specialized MA plan for special needs individuals in order to determine if a statistically significant or valid measurement of quality at the plan level is possible under this paragraph;

''(ii) take into consideration the impact of such application on plans that serve a disproportionate number of individuals dually eligible for benefits under this title and under title XIX;

''(iii) if quality measures are reported at the plan level, ensure that MA plans are not required to provide duplicative information; and

''(iv) ensure that such reporting does not interfere with the collection of encounter data submitted by MA organizations or the administration of any changes to the program under this part as a result of the collection of such data.

''(C) APPLICATION.—If the Secretary applies quality measurement at the plan level under this paragraph—

''(i) such quality measurement may include Medicare Health Outcomes Survey (HOS), Healthcare Effectiveness Data and Information Set (HEDIS), Consumer Assessment of Healthcare Providers and Systems (CAHPS) measures and quality measures under part D; and

''(ii) the Secretary shall consider applying administrative actions, such as remedies described in section 1857(g)(2), at the plan level.

''(7) DETERMINATION OF FEASIBILITY OF QUALITY MEASUREMENT AT THE PLAN LEVEL FOR ALL MA PLANS.—

''(A) DETERMINATION OF FEASIBILITY.—The Secretary shall determine the feasibility of requiring reporting of data under section 1852(e) for, and applying under this subsection, quality measures at the plan level for all MA plans under this part.

''(B) CONSIDERATION OF CHANGE.—After making a determination under subparagraph (A), the Secretary shall consider requiring such reporting and applying such quality measures at the plan level as described in such subparagraph''.

(e) GAO STUDY AND REPORT ON STATE-LEVEL INTEGRATION BETWEEN DUAL SNPS AND MEDICAID.—

(1) STUDY.—The Comptroller General of the United States (in this subsection referred to as the ''Comptroller General'') shall conduct a study on State-level integration between specialized MA plans for special needs individuals described in subsection (b)(6) (B)(ii) of section 1859 of the Social Security Act (42 U.S.C. 1395w–28) and the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.). Such study shall include an analysis of the following:

(A) The characteristics of States in which the State agency responsible for administering the State plan under such title XIX

has a contract with such a specialized MA plan and that delivers long-term services and supports under the State plan under such title XIX through a managed care program, including the requirements under such State plan with respect to long-term services and supports.

(B) The types of such specialized MA plans, which may include the following:

(i) A plan described in section 1853(a)(1)(B)(iv)(II) of such Act (42 U.S.C. 1395w–23(a)(1)(B)(iv)(II)).

(ii) A plan that meets the requirements described in subsection (f)(3)(D) of such section 1859.

(iii) A plan described in clause (ii) that also meets additional requirements established by the State.

(C) The characteristics of individuals enrolled in such specialized MA plans.

(D) As practicable, the following with respect to State programs for the delivery of long-term services and supports under such title XIX through a managed care program:

(i) Which populations of individuals are eligible to receive such services and supports.

(ii) Whether all such services and supports are provided on a capitated basis or if any of such services and supports are carved out and provided through fee-forservice.

(E) As practicable, how the availability and variation of integration arrangements of such specialized MA plans offered in States affects spending, service delivery options, access to community-based care, and utilization of care.

(F) The efforts of State Medicaid programs to transition dually-eligible beneficiaries receiving long-term services and supports (LTSS) from institutional settings to home and community-based settings and related financial impacts of such transitions.

(G) Barriers and opportunities for making further progress on dual integration, as well as recommendations for legislation or administrative action to expedite or refine pathways toward fully integrated care.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 2122. EXTENSION OF CERTAIN MIPPA FUNDING PROVISIONS; STATE HEALTH INSURANCE ASSISTANCE PROGRAM REPORTING REQUIREMENTS.

(a) FUNDING EXTENSIONS.—Section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note) is amended—

(1) in subsection (a)(1)(B)—

(A) in clause (vi), by striking ''and'' at the end;

(B) in clause (vii), by striking the period at the end and inserting ''; and''; and

(C) by inserting after clause (vii) the following new clause:

''(viii) for each of fiscal years 2018 and 2019, of $13,000,000.'';

(2) in subsection (b)(1)(B)—

(A) in clause (vi), by striking ''and'' at the end;

(B) in clause (vii), by striking the period at the end and inserting ''; and''; and

(C) by inserting after clause (vii) the following new clause:

''(viii) for each of fiscal years 2018 and 2019, of $7,500,000.'';

(3) in subsection (c)(1)(B)—

(A) in clause (vi), by striking ''and'' at the end;

(B) in clause (vii), by striking the period at the end and inserting ''; and''; and

(C) by inserting after clause (vii) the following new clause:

''(viii) for each of fiscal years 2018 and 2019, of $5,000,000.''; and

(4) in subsection (d)(2)—

(A) in clause (vi), by striking ''and'' at the end;

(B) in clause (vii), by striking the period at the end and inserting ''; and''; and

(C) by inserting after clause (vii) the following new clause:

''(viii) for each of fiscal years 2018 and 2019, of $12,000,000.''.

(b) STATE HEALTH INSURANCE ASSISTANCE PROGRAM REPORTING REQUIREMENTS.—Beginning not later than April 1, 2019, and biennially thereafter, the Agency for Community Living shall electronically post on its website the following information, with respect to grants to States for State health insurance assistance programs, (such information to be presented by State and by entity receiving funds from the State to carry out such a program funded by such grant):

(1) The amount of Federal funding provided to each such State for such program for the period involved and the amount of Federal funding provided by each such State for such program to each such entity for the period involved.

(2) Information as the Secretary may specify, with respect to such programs carried out through such grants, consistent with the terms and conditions for receipt of such grants.

SEC. 2123. EXTENSION OF FUNDING FOR QUALITY MEASURE ENDORSEMENT, INPUT, AND SELECTION; REPORTING REQUIREMENTS.

(a) IN GENERAL.—Section 1890(d) of the Social Security Act (42 U.S.C. 1395aaa(d)) is amended—

(1) in paragraph (2), by adding at the end the following new sentence: ''Any of such amounts remaining available as of the date of the enactment of the SUSTAIN Care Act of 2018 shall be used only for purposes under this section that are purposes other than funding a contract entered into under subsection (a).''; and

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

''(3) For purposes of carrying out this section, the Secretary shall provide for the transfer, from the Federal Hospital Insurance Trust Fund under section 1817 and the Federal Supplemental Medical Insurance Trust Fund under 1841, in such proportion as Secretary deems appropriate, to the Centers for Medicare & Medicaid Services Program Management Account of $7,500,000 for each of fiscal years 2018 and 2019. Of the amount transferred under the previous sentence for a fiscal year, there shall be used for the purpose of funding a contract entered into under subsection (a) with respect to carrying out section 1890A (other than subsections (e) and (f)) for such fiscal year an amount that is not less than the amount used for such purpose for fiscal year 2017.''.

(b) ANNUAL REPORT BY SECRETARY TO CONGRESS.—Section 1890 of the Social Security Act (42 U.S.C. 1395aaa) is amended by adding at the end the following new subsection:

''(e) ANNUAL REPORT BY SECRETARY TO CONGRESS.—By not later than March 1 of each year (beginning with 2018), the Secretary shall submit to Congress a report containing the following:

''(1) A comprehensive plan that identifies the quality measurement needs of programs and initiatives of the Secretary and provides a strategy for using the work performed by the entity with a contract under subsection (a) and the work of any other entity the Secretary has contracted with to perform work associated with this section or section 1890A to help meet those needs, specifically with respect to the programs under this title and title XIX.

''(2) The amount of mandatory funding provided under subsection (d) for purposes of carrying out this section and section 1890A that has been obligated by the Secretary, the amount of funding provided that has been expended, and the amount of funding provided that remains unobligated.

''(3) A description of how the funds provided that are obligated have been allocated, including how much of that funding has been allocated for work performed by the Secretary, the entity with a contract under subsection (a), and any other entity the Secretary has contracted with to perform work related to this section or section 1890A, respectively.

''(4) A description of the activities for which the obligated funds have been or will be used, including any activities performed by the Secretary, task orders, specific projects, and activities assigned to the entity with a contract under subsection (a), and task orders, specific projects, and activities assigned to any other entity the Secretary has contracted with to perform work related to carrying out this section or section 1890A.

''(5) The amount of funding allocated to each of the activities described in paragraph (4).

''(6) Estimates for, and descriptions of, obligations and expenditures that the Secretary anticipates will be needed in the succeeding two year period to carry out each of the quality measurement activities required under this section and section 1890A, including any obligations that will require funds to be expended in a future year.''.

(c) REVISIONS TO ANNUAL REPORT FROM CONSENSUS-BASED ENTITY TO CONGRESS AND THE SECRETARY.—

(1) IN GENERAL.—Section 1890(b)(5)(A) of the Social Security Act (42 U.S.C. 1395aaa(b)(5)(A)) is amended—

(A) by redesignating clauses (i) through (vi) as subclauses (I) through (VI), respectively, and moving the margins accordingly;

(B) in the matter preceding subclause (I), as redesignated by clause (i), by striking ''containing a description of—'' and inserting ''containing the following:

''(i) A description of—''; and

(C) by adding at the end the following new clauses:

''(ii) An itemization of financial information for the fiscal year ending September 30 of the preceding year, including—

''(I) annual revenues of the entity (including any government funding, private sector contributions, grants, membership revenues, and investment revenue);

''(II) annual expenses of the entity (including grants paid, benefits paid, salaries or other compensation, fundraising expenses, and overhead costs); and

''(III) a breakdown of the amount awarded per contracted task order and the specific projects funded in each task order assigned to the entity.

''(iii) Any updates or modifications of internal policies and procedures of the entity as they relate to the duties of the entity under this section, including—

''(I) specifically identifying any modifications to the disclosure of interests and conflicts of interests for committees, work groups, task forces, and advisory panels of the entity; and

''(II) information on external stakeholder participation in the duties of the entity under this section (including complete rosters for all committees, work groups, task forces, and advisory panels funded through government contracts, descriptions of relevant interests and any conflicts of interest for members of all committees, work groups, task forces, and advisory panels, and the total percentage by health care sector of all

convened committees, work groups, task forces, and advisory panels.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to reports submitted for years beginning with 2018.

(d) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on health care quality measurement efforts funded under sections 1890 and 1890A of the Social Security Act (42 U.S.C. 1395aaa; 1395aaa–1). Such study shall include an examination of the following:

(A) The extent to which the Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') has set and prioritized objectives to be achieved for each of the quality measurement activities required under such sections 1890 and 1890A.

(B) The efforts that the Secretary has undertaken to meet quality measurement objectives associated with such sections 1890 and 1890A, including division of responsibilities for those efforts within the Department of Health and Human Services and through contracts with a consensus-based entity under subsection (a) of such section 1890 (in this subsection referred to as the ''consensus-based entity'') and other entities, and the extent of any overlap among the work performed by the Secretary, the consensus-based entity, the Measure Application Partnership (MAP) convened by such entity to provide input to the Secretary on the selection of quality and efficiency measures, and any other entities the Secretary has contracted with to perform work related to carrying out such sections 1890 and 1890A.

(C) The total amount of mandatory funding provided to the Secretary for purposes of carrying out such sections 1890 and 1890A, the amount of such funding that has been obligated by the Secretary, and the amount of such funding that remains unobligated.

(D) How the obligated funds have been allocated, including how much of the obligated funding has been allocated for work performed by the Secretary, the consensus-based entity, and any other entity the Secretary has contracted with to perform work related to carrying out such sections 1890 and 1890A, respectively, and descriptions of such work.

(E) The extent to which the Secretary has developed a comprehensive and long-term plan to ensure that it can achieve quality measurement objectives related to carrying out such sections 1890 and 1890A in a timely manner and with efficient use of available resources, including the roles of the consensus-based entity, the Measure Application Partnership (MAP), and any other entity the Secretary has contracted with to perform work related to such sections 1890 and 1890A in helping the Secretary achieve those objectives.

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

TITLE II—ADDITIONAL MEDICARE POLICIES RELATING TO EXTENDERS

SEC. 2201. HOME HEALTH PAYMENT REFORM.

(a) BUDGET NEUTRAL TRANSITION TO A 30-DAY UNIT OF PAYMENT FOR HOME HEALTH SERVICES.—Section 1895(b) of the Social Security Act (42 U.S.C. 1395fff(b)) is amended—

(1) in paragraph (2)—

(A) by striking ''PAYMENT.—In defining'' and inserting ''PAYMENT.—

''(A) IN GENERAL.—In defining''; and

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

''(B) 30-DAY UNIT OF SERVICE.—For purposes of implementing the prospective payment system with respect to home health units of service furnished during a year beginning with 2020, the Secretary shall apply a 30-day unit of service as the unit of service applied under this paragraph.'';

(2) in paragraph (3)—

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

''(iv) BUDGET NEUTRALITY FOR 2020.—With respect to payments for home health units of service furnished that end during the 12-month period beginning January 1, 2020, the Secretary shall calculate a standard prospective payment amount (or amounts) for 30-day units of service (as described in paragraph (2)(B)) for the prospective payment system under this subsection. Such standard prospective payment amount (or amounts) shall be calculated in a manner such that the estimated aggregate amount of expenditures under the system during such period with application of paragraph (2)(B) is equal to the estimated aggregate amount of expenditures that otherwise would have been made under the system during such period if paragraph (2)(B) had not been enacted. The previous sentence shall be applied before (and not affect the application of) paragraph (3)(B). In calculating such amount (or amounts), the Secretary shall make assumptions about behavior changes that could occur as a result of the implementation of paragraph (2)(B) and the case-mix adjustment factors established under paragraph (4)(B) and shall provide a description of such assumptions in the notice and comment rulemaking used to implement this clause.''; and

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

''(D) BEHAVIOR ASSUMPTIONS AND ADJUSTMENTS.—

''(i) IN GENERAL.—The Secretary shall annually determine the impact of differences between assumed behavior changes (as described in paragraph (3)(A)(iv)) and actual behavior changes on estimated aggregate expenditures under this subsection with respect to years beginning with 2020 and ending with 2026.

''(ii) PERMANENT ADJUSTMENTS.—The Secretary shall, at a time and in a manner determined appropriate, through notice and comment rulemaking, provide for one or more permanent increases or decreases to the standard prospective payment amount (or amounts) for applicable years, on a prospective basis, to offset for such increases or decreases in estimated aggregate expenditures (as determined under clause (i)).

''(iii) TEMPORARY ADJUSTMENTS FOR RETROSPECTIVE BEHAVIOR.—The Secretary shall, at a time and in a manner determined appropriate, through notice and comment rulemaking, provide for one or more temporary increases or decreases to the payment amount for a unit of home health services (as determined under paragraph (4)) for applicable years, on a prospective basis, to offset for such increases or decreases in estimated aggregate expenditures (as determined under clause (i)). Such a temporary increase or decrease shall apply only with respect to the year for which such temporary increase or decrease is made, and the Secretary shall not take into account such a temporary increase or decrease in computing such amount under this subsection for a subsequent year.''; and

(3) in paragraph (4)(B)—

(A) by striking ''FACTORS.—The Secretary'' and inserting ''FACTORS.—

''(i) IN GENERAL.—The Secretary''; and

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

''(ii) TREATMENT OF THERAPY THRESHOLDS.—For 2020 and subsequent years, the Secretary shall eliminate the use of therapy thresholds (established by the Secretary) in case mix adjustment factors established under clause (i) for calculating payments under the prospective payment system under this subsection.''.

(b) TECHNICAL EXPERT PANEL.—

(1) IN GENERAL.—During the period beginning on January 1, 2018, and ending on December 31, 2018, the Secretary of Health and Human Services shall hold at least one session of a technical expert panel, the participants of which shall include home health providers, patient representatives, and other relevant stakeholders. The technical expert panel shall identify and prioritize recommendations with respect to the prospective payment system for home health services under section 1895(b) of the Social Security Act (42 U.S.C. 1395fff(b)), on the following:

(A) The Home Health Groupings Model, as described in the proposed rule ''Medicare and Medicaid Programs; CY 2018 Home Health Prospective Payment System Rate Update and Proposed CY 2019 Case-Mix Adjustment Methodology Refinements; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements'' (82 Fed. Reg. 35294 through 35332 (July 28, 2017)).

(B) Alternative case-mix models to the Home Health Groupings Model that were submitted during 2017 as comments in response to proposed rule making, including patient-focused factors that consider the risks of hospitalization and readmission to a hospital, improvement or maintenance of functionality of individuals to increase the capacity for self-care, quality of care, and resource utilization.

(2) INAPPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the technical expert panel under paragraph (1).

(3) REPORT.—Not later than April 1, 2019, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the recommendations of such panel described in such paragraph.

(4) NOTICE AND COMMENT RULEMAKING.—Not later than December 31, 2019, the Secretary of Health and Human Services shall pursue notice and comment rulemaking on a case-mix system with respect to the prospective payment system for home health services under section 1895(b) of the Social Security Act (42 U.S.C. 1395fff(b)).

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than March 15, 2022, the Medicare Payment Advisory Commission shall submit to Congress an interim report on the application of a 30-day unit of service as the unit of service applied under section 1895(b)(2) of the Social Security Act (42 U.S.C. 1395fff(b)(2)), as amended by subsection (a), including an analysis of the level of payments provided to home health agencies as compared to the cost of delivering home health services, and any unintended consequences, including with respect to behavioral changes and quality.

(2) FINAL REPORT.—Not later than March 15, 2026, such Commission shall submit to Congress a final report on such application and any such consequences.

SEC. 2202. INFORMATION TO SATISFY DOCUMENTATION OF MEDICARE ELIGIBILITY FOR HOME HEALTH SERVICES.

(a) PART A.—Section 1814(a) of the Social Security Act (42 U.S.C. 1395f(a)) is amended

by inserting before ''For purposes of paragraph (2)(C),'' the following new sentence: ''For purposes of documentation for physician certification and recertification made under paragraph (2) on or after January 1, 2019, and made with respect to home health services furnished by a home health agency, in addition to using documentation in the medical record of the physician who so certifies or the medical record of the acute or post-acute care facility (in the case that home health services were furnished to an individual who was directly admitted to the home health agency from such a facility), the Secretary may use documentation in the medical record of the home health agency as supporting material, as appropriate to the case involved.''.

(b) PART B.—Section 1835(a) of the Social Security Act (42 U.S.C. 1395n(a)) is amended by inserting before ''For purposes of paragraph (2)(A),'' the following new sentence: ''For purposes of documentation for physician certification and recertification made under paragraph (2) on or after January 1, 2019, and made with respect to home health services furnished by a home health agency, in addition to using documentation in the medical record of the physician who so certifies or the medical record of the acute or post-acute care facility (in the case that home health services were furnished to an individual who was directly admitted to the home health agency from such a facility), the Secretary may use documentation in the medical record of the home health agency as supporting material, as appropriate to the case involved.''.

SEC. 2203. VOLUNTARY SETTLEMENT OF HOME HEALTH CLAIMS.

(a) SETTLEMENT PROCESS FOR HOME HEALTH CLAIMS.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a settlement process under which a home health agency entitled to an eligible administrative appeal has the option to enter into a settlement with the Secretary that is reached in a manner consistent with the succeeding paragraphs of this subsection.

(2) PROCESS AND CONSIDERATION OF HOME HEALTH CLAIMS.—A settlement under paragraph (1) with a home health agency that is with respect to an eligible administrative appeal may only be reached in accordance with the following process:

(A) A settlement under such paragraph with the home health agency shall be with respect to all claims by such agency, subject to paragraph (4), that, as of the date of such settlement, are under an eligible administrative appeal.

(B) For the duration of the settlement process with such agency, an eligible administrative appeal that is with respect to any such claim by such agency shall be suspended.

(C) Under the settlement process, the Secretary shall determine an aggregate amount to be paid to the home health agency with respect to all claims by such agency that are under an eligible administrative appeal in the following manner:

(i) The Secretary shall, for purposes of applying clause (ii) with respect to all settlements under paragraph (1), select a percentage. In selecting such percentage, the Secretary shall consider the percentage used under the Centers for Medicare & Medicaid Services hospital appeals settlement that began on August 29, 2014.

(ii) The Secretary shall, with respect to each denied claim for such agency that is under an eligible administrative appeal, calculate an amount (referred to in this subparagraph as an ''individual claim amount'') by multiplying the net payable amount for such claim by the percentage selected under clause (i).

(iii) Such aggregate amount with respect to such agency shall be determined by calculating the total sum of all the individual claim amounts calculated under clause (ii) with respect to such agency.

(3) EFFECT OF PROCESS.—

(A) EFFECT OF SETTLEMENT.—

(i) FURTHER APPEAL.—As part of any settlement under paragraph (1) between a home health agency and the Secretary, such home health agency shall be required to forego the right to an administrative appeal under section 1869 of the Social Security Act (42 U.S.C. 1395ff) or section 1878 of such Act (42 U.S.C. 1395oo) (including any redetermination, reconsideration, hearing, or review) with respect to any claims for home health services that are subject to the settlement.

(ii) JUDICIAL REVIEW.—There shall be no administrative or judicial review under such section 1869 or otherwise of a settlement under paragraph (1) and the claims covered by the settlement.

(B) EFFECT OF NO SETTLEMENT.—In the event that the process described in paragraph (2) does not, with respect to a home health agency, result in a settlement under paragraph (1) with such agency, any appeal under such section 1869 that is with respect to a claim by such agency that was suspended pursuant to paragraph (2)(B) shall resume under such section.

(4) COORDINATION WITH LAW ENFORCEMENT.—The Secretary of Health and Human Services shall establish a process to coordinate with appropriate law enforcement agencies in order to avoid the inadvertent settlement of cases that involve fraud or other criminal activity.

(b) NO ENTITLEMENT TO SETTLEMENT PROCESS.—Nothing in this section shall be construed as creating an entitlement to enter into a settlement process established pursuant to subsection (a).

(c) ELIGIBLE ADMINISTRATIVE APPEAL DEFINED.—For purposes of this section, the term ''eligible administrative appeal'' means an appeal under section 1869 of the Social Security Act (42 U.S.C. 1395ff) (including any redetermination, reconsideration, hearing, or review)—

(1) that is with respect to one or more claims that—

(A) are for home health services that were furnished on or after January 1, 2011, and before January 1, 2015; and

(B) were timely filed consistent with section 1814(a)(1) of such Act (42 U.S.C. 1395f(a)(1)) or sections 1835(a)(1) and 1842(b)(3) of such Act (42 U.S.C. 1395n(a)(1), 1395u(b)(3)); and

(2) either—

(A) was timely filed consistent with section 1869 of such Act (42 U.S.C. 1395ff) and is pending; or

(B) for which the applicable time frame to file an appeal has not expired.

(d) CONFORMING AMENDMENT.—Section 1869 of the Social Security Act (42 U.S.C. 1395ff) is amended by adding at the end the following new subsection:

''(j) APPLICATION WITH RESPECT TO CERTAIN HOME HEALTH CLAIMS.—For the application of the provisions of this section with respect to certain claims for home health services that were furnished on or after January 1, 2011, and before January 1, 2015, see section 106 of the Healthcare Extension, Reauthorization, and Opportunities Act of 2017.''.

SEC. 2204. EXTENSION OF ENFORCEMENT INSTRUCTION ON MEDICARE SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS.

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

''(v) EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS.—For calendar year 2017, the Secretary shall continue to apply the enforcement instruction described in the notice of the Centers for Medicare & Medicaid Services entitled 'Enforcement Instruction on Supervision Requirements for Outpatient Therapeutic Services in Critical Access and Small Rural Hospitals for CY 2013', dated November 1, 2012 (providing for an exception to the restatement and clarification under the final rulemaking changes to the Medicare hospital outpatient prospective payment system and calendar year 2009 payment rates (published in the Federal Register on November 18, 2008, 73 Fed. Reg. 68702 through 68704) with respect to requirements for direct supervision by physicians for therapeutic hospital outpatient services), as previously extended under section 1 of Public Law 113-198, as amended by section 1 of Public Law 114-112 and section 16004(a) of the 21st Century Cures Act (Public Law 114-255).''.

SEC. 2205. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

(a) MIPS TRANSITION.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (q)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''items and services'' and inserting ''covered professional services (as defined in subsection (k)(3)(A))''; and

(ii) in subparagraph (C)(iv)—

(I) by amending subclause (I) to read as follows:

''(I) The minimum number (as determined by the Secretary) of—

''(aa) for performance periods beginning before January 1, 2018, individuals enrolled under this part who are treated by the eligible professional for the performance period involved; and

''(bb) for performance periods beginning on or after January 1, 2018, individuals enrolled under this part who are furnished covered professional services (as defined in subsection (k)(3)(A)) by the eligible professional for the performance period involved.'';

(II) in subclause (II), by striking ''items and services'' and inserting ''covered professional services (as defined in subsection (k)(3)(A))''; and

(III) by amending subclause (III) to read as follows:

''(III) The minimum amount (as determined by the Secretary) of—

''(aa) for performance periods beginning before January 1, 2018, allowed charges billed by such professional under this part for such performance period; and

''(bb) for performance periods beginning on or after January 1, 2018, allowed charges for covered professional services (as defined in subsection (k)(3)(A)) billed by such professional for such performance period.'';

(B) in paragraph (5)(D)—

(i) in clause (i)(I), by inserting ''subject to clause (iii),'' after ''clauses (i) and (ii) of paragraph (2)(A),''; and

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

''(iii) TRANSITION YEARS.—For each of the second, third, fourth, and fifth years for which the MIPS applies to payments, the

performance score for the performance category described in paragraph (2)(A)(ii) shall not take into account the improvement of the professional involved.'';

(C) in paragraph (5)(E)—

(i) in clause (i)(I)(bb)—

(I) in the heading by striking ''FIRST 2 YEARS'' and inserting ''FIRST 5 YEARS''; and

(II) by striking ''the first and second years'' and inserting ''each of the first through fifth years'';

(ii) in clause (i)(II)(bb)—

(I) in the heading, by striking ''2 YEARS'' and inserting ''5 YEARS''; and

(II) by striking the second sentence and inserting the following new sentences: ''For each of the second, third, fourth, and fifth years for which the MIPS applies to payments, not less than 10 percent and not more than 30 percent of such score shall be based on performance with respect to the category described in clause (ii) of paragraph (2)(A). Nothing in the previous sentence shall be construed, with respect to a performance period for a year described in the previous sentence, as preventing the Secretary from basing 30 percent of such score for such year with respect to the category described in such clause (ii), if the Secretary determines, based on information posted under subsection (r)(2)(I) that sufficient resource use measures are ready for adoption for use under the performance category under paragraph (2)(A)(ii) for such performance period.'';

(D) in paragraph (6)(D)—

(i) in clause (i), in the second sentence, by striking ''Such performance threshold'' and inserting ''Subject to clauses (iii) and (iv), such performance threshold'';

(ii) in clause (ii)—

(I) in the first sentence, by inserting ''(beginning with 2019 and ending with 2024)'' after ''for each year of the MIPS''; and

(II) in the second sentence, by inserting ''subject to clause (iii),'' after ''For each such year,'';

(iii) in clause (iii)—

(I) in the heading, by striking ''2'' and inserting ''5''; and

(II) in the first sentence, by striking ''two years'' and inserting ''five years''; and

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

''(iv) ADDITIONAL SPECIAL RULE FOR THIRD, FOURTH AND FIFTH YEARS OF MIPS.—For purposes of determining MIPS adjustment factors under subparagraph (A), in addition to the requirements specified in clause (iii), the Secretary shall increase the performance threshold with respect to each of the third, fourth, and fifth years to which the MIPS applies to ensure a gradual and incremental transition to the performance threshold described in clause (i) (as estimated by the Secretary) with respect to the sixth year to which the MIPS applies.'';

(E) in paragraph (6)(E)—

(i) by striking ''In the case of items and services'' and inserting ''In the case of covered professional services (as defined in subsection (k)(3)(A))''; and

(ii) by striking ''under this part with respect to such items and services'' and inserting ''under this part with respect to such covered professional services''; and

(F) in paragraph (7), in the first sentence, by striking ''items and services'' and inserting ''covered professional services (as defined in subsection (k)(3)(A))'';

(2) in subsection (r)(2), by adding at the end the following new subparagraph:

''(I) INFORMATION.—The Secretary shall, not later than December 31st of each year (beginning with 2018), post on the Internet website of the Centers for Medicare & Medicaid Services information on resource use measures in use under subsection (q), resource use measures under development and the time-frame for such development, potential future resource use measure topics, a description of stakeholder engagement, and the percent of expenditures under part A and this part that are covered by resource use measures.''; and

(3) in subsection (s)(5)(B), by striking ''section 1833(z)(2)(C)'' and inserting ''section 1833(z)(3)(D)''.

(b) PHYSICIAN-FOCUSED PAYMENT MODEL TECHNICAL ADVISORY COMMITTEE PROVISION OF INITIAL PROPOSAL FEEDBACK.—Section 1868(c)(2)(C) of the Social Security Act (42 U.S.C. 1395ee(c)(2)(C)) is amended to read as follows:

''(C) COMMITTEE REVIEW OF MODELS SUBMITTED.—The Committee, on a periodic basis—

''(i) shall review models submitted under subparagraph (B);

''(ii) may provide individuals and stakeholder entities who submitted such models with—

''(I) initial feedback on such models regarding the extent to which such models meet the criteria described in subparagraph (A); and

''(II) an explanation of the basis for the feedback provided under subclause (I); and

''(iii) shall prepare comments and recommendations regarding whether such models meet the criteria described in subparagraph (A) and submit such comments and recommendations to the Secretary.''.

SEC. 2206. REVISED REQUIREMENTS FOR MEDICARE INTENSIVE CARDIAC REHABILITATION PROGRAMS.

(a) IN GENERAL.—Section 1861(eee)(4)(B) of the Social Security Act (42 U.S.C. 1395x(eee)(4)(B)) is amended—

(1) in clause (v), by striking ''or'' at the end;

(2) in clause (vi), by striking the period at the end and inserting a semicolon; and

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

''(vii) stable, chronic heart failure (defined as patients with left ventricular ejection fraction of 35 percent or less and New York Heart Association (NYHA) class II to IV symptoms despite being on optimal heart failure therapy for at least 6 weeks); or

''(viii) any additional condition for which the Secretary has determined that a cardiac rehabilitation program shall be covered, unless the Secretary determines, using the same process used to determine that the condition is covered for a cardiac rehabilitation program, that such coverage is not supported by the clinical evidence.''.

(b) ENSURING FUTURE SUPERVISION LEVEL PARITY WITH CARDIAC REHABILITATION PROGRAMS.—Section 1861(eee)(4)(A) of the Social Security Act (42 U.S.C. 1395x(eee)(4)(A)) is amended, in the matter preceding clause (i), by striking ''physician-supervised program (as described in paragraph (2))'' and inserting ''program (supervised as described in paragraph (2))''.

TITLE III—CREATING HIGH-QUALITY RESULTS AND OUTCOMES NECESSARY TO IMPROVE CHRONIC (CHRONIC) CARE

Subtitle A—Receiving High Quality Care in the Home

SEC. 2301. EXTENDING THE INDEPENDENCE AT HOME DEMONSTRATION PROGRAM.

(a) IN GENERAL.—Section 1866E of the Social Security Act (42 U.S.C. 1395cc–5) is amended—

(1) in subsection (e)—

(A) in paragraph (1)—

(i) by striking ''An agreement'' and inserting ''Agreements''; and

(ii) by striking ''5-year'' and inserting ''7-year''; and

(B) in paragraph (5)—

(i) by striking ''10,000'' and inserting ''15,000''; and

(ii) by adding at the end the following new sentence: ''An applicable beneficiary that participates in the demonstration program by reason of the increase from 10,000 to 15,000 in the preceding sentence pursuant to the amendment made by section 2301(a)(1)(B) of the SUSTAIN Care Act of 2018 shall be considered in the spending target estimates under paragraph (1) of subsection (c) and the incentive payment calculations under paragraph (2) of such subsection for the sixth and seventh years of such program.'';

(2) in subsection (g), in the first sentence, by inserting '', including, to the extent practicable, with respect to the use of electronic health information systems, as described in subsection (b)(1)(A)(vi)'' after ''under the demonstration program''; and

(3) in subsection (i)(1)(A), by striking ''will not receive an incentive payment for the second of 2'' and inserting ''did not achieve savings for the third of 3''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(3) shall take effect as if included in the enactment of Public Law 111–148.

SEC. 2302. EXPANDING ACCESS TO HOME DIALYSIS THERAPY.

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

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

(2) in clause (ii), as redesignated by paragraph (1), by striking ''on a comprehensive'' and insert ''subject to subparagraph (B), on a comprehensive'';

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

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

''(B)(i) For purposes of subparagraph (A)(ii), subject to clause (ii), an individual determined to have end stage renal disease receiving home dialysis may choose to receive monthly end stage renal disease-related clinical assessments furnished on or after January 1, 2019, via telehealth.

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

''(I) in the case of the initial 3 months of home dialysis of such individual, at least monthly; and

''(II) after such initial 3 months, at least once every 3 consecutive months.''.

(b) ORIGINATING SITE REQUIREMENTS.—

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

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

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

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

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

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

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

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subparagraph (A), by striking ''clause (i) or

this clause'' and inserting ''subclause (I) or this subclause'';

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

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

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

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

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

(1) in subparagraph (H), by striking ''or'' at the end;

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

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

''(J) the provision of telehealth technologies (as defined by the Secretary) on or after January 1, 2019, by a provider of services or a renal dialysis facility (as such terms are defined for purposes of title XVIII) to an individual with end stage renal disease who is receiving home dialysis for which payment is being made under part B of such title, if—

''(i) the telehealth technologies are not offered as part of any advertisement or solicitation;

''(ii) the telehealth technologies are provided for the purpose of furnishing telehealth services related to the individual's end stage renal disease; and

''(iii) the provision of the telehealth technologies meets any other requirements set forth in regulations promulgated by the Secretary.''.

(d) CONFORMING AMENDMENT.—Section 1881(b)(1) of the Social Security Act (42 U.S.C. 1395rr(b)(1)) is amended by striking ''paragraph (3)(A)'' and inserting ''paragraph (3)(A)(i)''.

Subtitle B—Expanding Innovation and Technology

SEC. 2311. ADAPTING BENEFITS TO MEET THE NEEDS OF CHRONICALLY ILL MEDICARE ADVANTAGE ENROLLEES.

Section 1859 of the Social Security Act (42 U.S.C. 1395w–28) is amended by adding at the end the following new subsection:

''(h) NATIONAL TESTING OF MEDICARE ADVANTAGE VALUE-BASED INSURANCE DESIGN MODEL.—

''(1) IN GENERAL.—In implementing the Medicare Advantage Value-Based Insurance Design model that is being tested under section 1115A(b), the Secretary shall revise the testing of the model under such section to cover, effective not later than January 1, 2020, all States.

''(2) TERMINATION AND MODIFICATION PROVISION NOT APPLICABLE UNTIL JANUARY 1, 2022.—The provisions of section 1115A(b)(3)(B) shall apply to the Medicare Advantage Value-Based Insurance Design model, including such model as revised under paragraph (1), beginning January 1, 2022, but shall not apply to such model, as so revised, prior to such date.

''(3) FUNDING.—The Secretary shall allocate funds made available under section 1115A(f)(1) to design, implement, and evaluate the Medicare Advantage Value-Based Insurance Design model, as revised under paragraph (1).''.

SEC. 2312. EXPANDING SUPPLEMENTAL BENEFITS TO MEET THE NEEDS OF CHRONICALLY ILL MEDICARE ADVANTAGE ENROLLEES.

(a) IN GENERAL.—Section 1852(a)(3) of the Social Security Act (42 U.S.C. 1395w–22(a)(3)) is amended—

(1) in subparagraph (A), by striking ''Each'' and inserting ''Subject to subparagraph (D), each''; and

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

''(D) EXPANDING SUPPLEMENTAL BENEFITS TO MEET THE NEEDS OF CHRONICALLY ILL ENROLLEES.—

''(i) IN GENERAL.—For plan year 2020 and subsequent plan years, in addition to any supplemental health care benefits otherwise provided under this paragraph, an MA plan, including a specialized MA plan for special needs individuals (as defined in section 1859(b)(6)), may provide supplemental benefits described in clause (ii) to a chronically ill enrollee (as defined in clause (iii)).

''(ii) SUPPLEMENTAL BENEFITS DESCRIBED.—

''(I) IN GENERAL.—Supplemental benefits described in this clause are supplemental benefits that, with respect to a chronically ill enrollee, have a reasonable expectation of improving or maintaining the health or overall function of the chronically ill enrollee and may not be limited to being primarily health related benefits.

''(II) AUTHORITY TO WAIVE UNIFORMITY REQUIREMENTS.—The Secretary may, only with respect to supplemental benefits provided to a chronically ill enrollee under this subparagraph, waive the uniformity requirements under this part, as determined appropriate by the Secretary.

''(iii) CHRONICALLY ILL ENROLLEE DEFINED.—In this subparagraph, the term 'chronically ill enrollee' means an enrollee in an MA plan that the Secretary determines—

''(I) has one or more comorbid and medically complex chronic conditions that is life threatening or significantly limits the overall health or function of the enrollee;

''(II) has a high risk of hospitalization or other adverse health outcomes; and

''(III) requires intensive care coordination.''.

(b) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States (in this subsection referred to as the ''Comptroller General'') shall conduct a study on supplemental benefits provided to enrollees in Medicare Advantage plans under part C of title XVIII of the Social Security Act, including specialized MA plans for special needs individuals (as defined in section 1859(b)(6) of such Act (42 U.S.C. 1395w–28(b)(6))). To the extend data are available, such study shall include an analysis of the following:

(A) The type of supplemental benefits provided to such enrollees, the total number of enrollees receiving each supplemental benefit, and whether the supplemental benefit is covered by the standard benchmark cost of the benefit or with an additional premium.

(B) The frequency in which supplemental benefits are utilized by such enrollees.

(C) The impact supplemental benefits have on—

(i) indicators of the quality of care received by such enrollees, including overall health and function of the enrollees;

(ii) the utilization of items and services for which benefits are available under the original Medicare fee-for-service program option under parts A and B of such title XVIII by such enrollees; and

(iii) the amount of the bids submitted by Medicare Advantage Organizations for Medicare Advantage plans under such part C.

(2) CONSULTATION.—In conducting the study under paragraph (1), the Comptroller General shall, as necessary, consult with the Centers for Medicare & Medicaid Services and Medicare Advantage organizations offering Medicare Advantage plans.

(3) REPORT.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 2313. INCREASING CONVENIENCE FOR MEDICARE ADVANTAGE ENROLLEES THROUGH TELEHEALTH.

(a) IN GENERAL.—Section 1852 of the Social Security Act (42 U.S.C. 1395w–22) is amended—

(1) in subsection (a)(1)(B)(i), by inserting '', subject to subsection (m),'' after ''means''; and

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

''(m) PROVISION OF ADDITIONAL TELEHEALTH BENEFITS.—

''(1) MA PLAN OPTION.—For plan year 2020 and subsequent plan years, subject to the requirements of paragraph (3), an MA plan may provide additional telehealth benefits (as defined in paragraph (2)) to individuals enrolled under this part.

''(2) ADDITIONAL TELEHEALTH BENEFITS DEFINED.—

''(A) IN GENERAL.—For purposes of this subsection and section 1854:

''(i) DEFINITION.—The term 'additional telehealth benefits' means services—

''(I) for which benefits are available under part B, including services for which payment is not made under section 1834(m) due to the conditions for payment under such section; and

''(II) that are identified for the year involved by the Secretary as clinically appropriate to furnish using electronic information and telecommunications technology when a physician (as defined in section 1861(r)) or practitioner (described in section 1842(b)(18)(C)) providing the service is not at the same location as the plan enrollee.

''(ii) EXCLUSION OF CAPITAL AND INFRASTRUCTURE COSTS AND INVESTMENTS.—The term 'additional telehealth benefits' does not include capital and infrastructure costs and investments relating to such benefits.

''(B) PUBLIC COMMENT.—Not later than November 30, 2018, the Secretary shall solicit comments on—

''(i) what types of items and services (including those provided through supplemental health care benefits, such as remote patient monitoring, secure messaging, store and forward technologies, and other non-face-to-face communication) should be considered to be additional telehealth benefits; and

''(ii) the requirements for the provision or furnishing of such benefits (such as licensure, training, and coordination requirements).

''(3) REQUIREMENTS FOR ADDITIONAL TELEHEALTH BENEFITS.—The Secretary shall specify requirements for the provision or furnishing of additional telehealth benefits, including with respect to the following:

''(A) Physician or practitioner qualifications (other than licensure) and other requirements such as specific training.

''(B) Factors necessary for the coordination of such benefits with other items and services, including those furnished in-person.

''(C) Such other areas as determined by the Secretary.

''(4) ENROLLEE CHOICE.—If an MA plan provides a service as an additional telehealth benefit (as defined in paragraph (2))—

''(A) the MA plan shall also provide access to such benefit through an in-person visit (and not only as an additional telehealth benefit); and

''(B) an individual enrollee shall have discretion as to whether to receive such service through the in-person visit or as an additional telehealth benefit.

''(5) TREATMENT UNDER MA.—For purposes of this subsection and section 1854, if a plan provides additional telehealth benefits, such additional telehealth benefits shall be treated as if they were benefits under the original Medicare fee-for-service program option.

''(6) CONSTRUCTION.—Nothing in this subsection shall be construed as affecting the requirement under subsection (a)(1) that MA plans provide enrollees with items and services (other than hospice care) for which benefits are available under parts A and B, including benefits available under section 1834(m).''.

(b) CLARIFICATION REGARDING INCLUSION IN BID AMOUNT.—Section 1854(a)(6)(A)(ii)(I) of the Social Security Act (42 U.S.C. 1395w–24(a)(6)(A)(ii)(I)) is amended by inserting '', including, for plan year 2020 and subsequent plan years, the provision of additional telehealth benefits as described in section 1852(m)'' before the semicolon at the end.

SEC. 2314. PROVIDING ACCOUNTABLE CARE ORGANIZATIONS THE ABILITY TO EXPAND THE USE OF TELEHEALTH.

(a) IN GENERAL.—Section 1899 of the Social Security Act (42 U.S.C. 1395jjj) is amended by adding at the end the following new subsection:

''(l) PROVIDING ACOS THE ABILITY TO EXPAND THE USE OF TELEHEALTH SERVICES.—

''(1) IN GENERAL.—In the case of telehealth services for which payment would otherwise be made under this title furnished on or after January 1, 2020, for purposes of this subsection only, the following shall apply with respect to such services furnished by a physician or practitioner participating in an applicable ACO (as defined in paragraph (2)) to a Medicare fee-for-service beneficiary assigned to the applicable ACO:

''(A) INCLUSION OF HOME AS ORIGINATING SITE.—Subject to paragraph (3), the home of a beneficiary shall be treated as an originating site described in section 1834(m)(4)(C)(ii).

''(B) NO APPLICATION OF GEOGRAPHIC LIMITATION.—The geographic limitation under section 1834(m)(4)(C)(i) shall not apply with respect to an originating site described in section 1834(m)(4)(C)(ii) (including the home of a beneficiary under subparagraph (A)), subject to State licensing requirements.

''(2) DEFINITIONS.—In this subsection:

''(A) APPLICABLE ACO.—The term 'applicable ACO' means an ACO participating in a model tested or expanded under section 1115A or under this section—

''(i) that operates under a two-sided model—

''(I) described in section 425.600(a) of title 42, Code of Federal Regulations; or

''(II) tested or expanded under section 1115A; and

''(ii) for which Medicare fee-for-service beneficiaries are assigned to the ACO using a prospective assignment method, as determined appropriate by the Secretary.

''(B) HOME.—The term 'home' means, with respect to a Medicare fee-for-service beneficiary, the place of residence used as the home of the beneficiary.

''(3) TELEHEALTH SERVICES RECEIVED IN THE HOME.—In the case of telehealth services described in paragraph (1) where the home of a Medicare fee-for-service beneficiary is the originating site, the following shall apply:

''(A) NO FACILITY FEE.—There shall be no facility fee paid to the originating site under section 1834(m)(2)(B).

''(B) EXCLUSION OF CERTAIN SERVICES.—No payment may be made for such services that are inappropriate to furnish in the home setting such as services that are typically furnished in inpatient settings such as a hospital.''.

(b) STUDY AND REPORT.—

(1) STUDY.—

(A) IN GENERAL.—The Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall conduct a study on the implementation of section 1899(l) of the Social Security Act, as added by subsection (a). Such study shall include an analysis of the utilization of, and expenditures for, telehealth services under such section.

(B) COLLECTION OF DATA.—The Secretary may collect such data as the Secretary determines necessary to carry out the study under this paragraph.

(2) REPORT.—Not later than January 1, 2026, the Secretary shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 2315. EXPANDING THE USE OF TELEHEALTH FOR INDIVIDUALS WITH STROKE.

Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)), as amended by section 2302(b), is amended—

(1) in paragraph (4)(C)(i), in the matter preceding subclause (I), by striking ''The term'' and inserting ''Except as provided in paragraph (6), the term''; and

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

''(6) TREATMENT OF STROKE TELEHEALTH SERVICES.—

''(A) NON-APPLICATION OF ORIGINATING SITE REQUIREMENTS.—The requirements described in paragraph (4)(C) shall not apply with respect to telehealth services furnished on or after January 1, 2021, for purposes of diagnosis, evaluation, or treatment of symptoms of an acute stroke, as determined by the Secretary.

''(B) INCLUSION OF CERTAIN SITES.—With respect to telehealth services described in subparagraph (A), the term 'originating site' shall include any hospital (as defined in section 1861(e)) or critical access hospital (as defined in section 1861(mm)(1)), any mobile stroke unit (as defined by the Secretary), or any other site determined appropriate by the Secretary, at which the eligible telehealth individual is located at the time the service is furnished via a telecommunications system.

''(C) NO ORIGINATING SITE FACILITY FEE FOR NEW SITES.—No facility fee shall be paid under paragraph (2)(B) to an originating site with respect to a telehealth service described in subparagraph (A) if the originating site does not otherwise meet the requirements for an originating site under paragraph (4)(C).''.

Subtitle C—Identifying the Chronically Ill Population

SEC. 2321. PROVIDING FLEXIBILITY FOR BENEFICIARIES TO BE PART OF AN ACCOUNTABLE CARE ORGANIZATION.

Section 1899(c) of the Social Security Act (42 U.S.C. 1395jjj(c)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking ''ACOS.—The Secretary'' and inserting ''ACOS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary''; and

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

''(2) PROVIDING FLEXIBILITY.—

''(A) CHOICE OF PROSPECTIVE ASSIGNMENT.—For each agreement period (effective for agreements entered into or renewed on or after January 1, 2020), in the case where an ACO established under the program is in a Track that provides for the retrospective assignment of Medicare fee-for-service beneficiaries to the ACO, the Secretary shall permit the ACO to choose to have Medicare fee-for-service beneficiaries assigned prospectively, rather than retrospectively, to the ACO for an agreement period.

''(B) ASSIGNMENT BASED ON VOLUNTARY IDENTIFICATION BY MEDICARE FEE-FOR-SERVICE BENEFICIARIES.—

''(i) IN GENERAL.—For performance year 2018 and each subsequent performance year, if a system is available for electronic designation, the Secretary shall permit a Medicare fee-for-service beneficiary to voluntarily identify an ACO professional as the primary care provider of the beneficiary for purposes of assigning such beneficiary to an ACO, as determined by the Secretary.

''(ii) NOTIFICATION PROCESS.—The Secretary shall establish a process under which a Medicare fee-for-service beneficiary is—

''(I) notified of their ability to make an identification described in clause (i); and

''(II) informed of the process by which they may make and change such identification.

''(iii) SUPERSEDING CLAIMS-BASED ASSIGNMENT.—A voluntary identification by a Medicare fee-for-service beneficiary under this subparagraph shall supersede any claims-based assignment otherwise determined by the Secretary.''.

Subtitle D—Empowering Individuals and Caregivers in Care Delivery

SEC. 2331. ELIMINATING BARRIERS TO CARE COORDINATION UNDER ACCOUNTABLE CARE ORGANIZATIONS.

(a) IN GENERAL.—Section 1899 of the Social Security Act (42 U.S.C. 1395jjj), as amended by section 2314(a), is amended—

(1) in subsection (b)(2), by adding at the end the following new subparagraph:

''(I) An ACO that seeks to operate an ACO Beneficiary Incentive Program pursuant to subsection (m) shall apply to the Secretary at such time, in such manner, and with such information as the Secretary may require.'';

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

''(m) AUTHORITY TO PROVIDE INCENTIVE PAYMENTS TO BENEFICIARIES WITH RESPECT TO QUALIFYING PRIMARY CARE SERVICES.—

''(1) PROGRAM.—

''(A) IN GENERAL.—In order to encourage Medicare fee-for-service beneficiaries to obtain medically necessary primary care services, an ACO participating under this section under a payment model described in clause (i) or (ii) of paragraph (2)(B) may apply to establish an ACO Beneficiary Incentive Program to provide incentive payments to such beneficiaries who are furnished qualifying services in accordance with this subsection. The Secretary shall permit such an ACO to establish such a program at the Secretary's discretion and subject to such requirements, including program integrity requirements, as the Secretary determines necessary.

''(B) IMPLEMENTATION.—The Secretary shall implement this subsection on a date determined appropriate by the Secretary. Such date shall be no earlier than January 1, 2019, and no later than January 1, 2020.

''(2) CONDUCT OF PROGRAM.—

''(A) DURATION.—Subject to subparagraph (H), an ACO Beneficiary Incentive Program established under this subsection shall be conducted for such period (of not less than 1 year) as the Secretary may approve.

''(B) SCOPE.—An ACO Beneficiary Incentive Program established under this subsection shall provide incentive payments to all of the following Medicare fee-for-service beneficiaries who are furnished qualifying services by the ACO:

''(i) With respect to the Track 2 and Track 3 payment models described in section

425.600(a) of title 42, Code of Federal Regulations (or in any successor regulation), Medicare fee-for-service beneficiaries who are preliminarily prospectively or prospectively assigned (or otherwise assigned, as determined by the Secretary) to the ACO.

''(ii) With respect to any future payment models involving two-sided risk, Medicare fee-for-service beneficiaries who are assigned to the ACO, as determined by the Secretary.

''(C) QUALIFYING SERVICE.—For purposes of this subsection, a qualifying service is a primary care service, as defined in section 425.20 of title 42, Code of Federal Regulations (or in any successor regulation), with respect to which coinsurance applies under part B, furnished through an ACO by—

''(i) an ACO professional described in subsection (h)(1)(A) who has a primary care specialty designation included in the definition of primary care physician under section 425.20 of title 42, Code of Federal Regulations (or any successor regulation);

''(ii) an ACO professional described in subsection (h)(1)(B); or

''(iii) a Federally qualified health center or rural health clinic (as such terms are defined in section 1861(aa)).

''(D) INCENTIVE PAYMENTS.—An incentive payment made by an ACO pursuant to an ACO Beneficiary Incentive Program established under this subsection shall be—

''(i) in an amount up to $20, with such maximum amount updated annually by the percentage increase in the consumer price index for all urban consumers (United States city average) for the 12-month period ending with June of the previous year;

''(ii) in the same amount for each Medicare fee-for-service beneficiary described in clause (i) or (ii) of subparagraph (B) without regard to enrollment of such a beneficiary in a medicare supplemental policy (described in section 1882(g)(1)), in a State Medicaid plan under title XIX or a waiver of such a plan, or in any other health insurance policy or health benefit plan;

''(iii) made for each qualifying service furnished to such a beneficiary described in clause (i) or (ii) of subparagraph (B) during a period specified by the Secretary; and

''(iv) made no later than 30 days after a qualifying service is furnished to such a beneficiary described in clause (i) or (ii) of subparagraph (B).

''(E) NO SEPARATE PAYMENTS FROM THE SECRETARY.—The Secretary shall not make any separate payment to an ACO for the costs, including incentive payments, of carrying out an ACO Beneficiary Incentive Program established under this subsection. Nothing in this subparagraph shall be construed as prohibiting an ACO from using shared savings received under this section to carry out an ACO Beneficiary Incentive Program.

''(F) NO APPLICATION TO SHARED SAVINGS CALCULATION.—Incentive payments made by an ACO under this subsection shall be disregarded for purposes of calculating benchmarks, estimated average per capita Medicare expenditures, and shared savings under this section.

''(G) REPORTING REQUIREMENTS.—An ACO conducting an ACO Beneficiary Incentive Program under this subsection shall, at such times and in such format as the Secretary may require, report to the Secretary such information and retain such documentation as the Secretary may require, including the amount and frequency of incentive payments made and the number of Medicare fee-for-service beneficiaries receiving such payments.

''(H) TERMINATION.—The Secretary may terminate an ACO Beneficiary Incentive Program established under this subsection at any time for reasons determined appropriate by the Secretary.

''(3) EXCLUSION OF INCENTIVE PAYMENTS.—Any payment made under an ACO Beneficiary Incentive Program established under this subsection shall not be considered income or resources or otherwise taken into account for purposes of—

''(A) determining eligibility for benefits or assistance (or the amount or extent of benefits or assistance) under any Federal program or under any State or local program financed in whole or in part with Federal funds; or

''(B) any Federal or State laws relating to taxation.'';

(3) in subsection (e), by inserting '', including an ACO Beneficiary Incentive Program under subsections (b)(2)(I) and (m)'' after ''the program''; and

(4) in subsection (g)(6), by inserting ''or of an ACO Beneficiary Incentive Program under subsections (b)(2)(I) and (m)'' after ''under subsection (d)(4)''.

(b) AMENDMENT TO SECTION 1128B.—Section 1128B(b)(3) of the Social Security Act (42 U.S.C. 1320a–7b(b)(3)) is amended—

(1) by striking ''and'' at the end of subparagraph (I);

(2) by striking the period at the end of subparagraph (J) and inserting ''; and''; and

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

''(K) an incentive payment made to a Medicare fee-for-service beneficiary by an ACO under an ACO Beneficiary Incentive Program established under subsection (m) of section 1899, if the payment is made in accordance with the requirements of such subsection and meets such other conditions as the Secretary may establish.''.

(c) EVALUATION AND REPORT.—

(1) EVALUATION.—The Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall conduct an evaluation of the ACO Beneficiary Incentive Program established under subsections (b)(2)(I) and (m) of section 1899 of the Social Security Act (42 U.S.C. 1395jjj), as added by subsection (a). The evaluation shall include an analysis of the impact of the implementation of the Program on expenditures and beneficiary health outcomes under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(2) REPORT.—Not later than October 1, 2023, the Secretary shall submit to Congress a report containing the results of the evaluation under paragraph (1), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 2332. GAO STUDY AND REPORT ON LONGITUDINAL COMPREHENSIVE CARE PLANNING SERVICES UNDER MEDICARE PART B.

(a) STUDY.—The Comptroller General shall conduct a study on the establishment under part B of the Medicare program under title XVIII of the Social Security Act of a payment code for a visit for longitudinal comprehensive care planning services. Such study shall include an analysis of the following to the extent such information is available:

(1) The frequency with which services similar to longitudinal comprehensive care planning services are furnished to Medicare beneficiaries, which providers of services and suppliers are furnishing those services, whether Medicare reimbursement is being received for those services, and, if so, through which codes those services are being reimbursed.

(2) Whether, and the extent to which, longitudinal comprehensive care planning services would overlap, and could therefore result in duplicative payment, with services covered under the hospice benefit as well as the chronic care management code, evaluation and management codes, or other codes that already exist under part B of the Medicare program.

(3) Any barriers to hospitals, skilled nursing facilities, hospice programs, home health agencies, and other applicable providers working with a Medicare beneficiary to engage in the care planning process and complete the necessary documentation to support the treatment and care plan of the beneficiary and provide such documentation to other providers and the beneficiary or the beneficiary's representative.

(4) Any barriers to providers, other than the provider furnishing longitudinal comprehensive care planning services, accessing the care plan and associated documentation for use related to the care of the Medicare beneficiary.

(5) Potential options for ensuring that applicable providers are notified of a patient's existing longitudinal care plan and that applicable providers consider that plan in making their treatment decisions, and what the challenges might be in implementing such options.

(6) Stakeholder's views on the need for the development of quality metrics with respect to longitudinal comprehensive care planning services, such as measures related to—

(A) the process of eliciting input from the Medicare beneficiary or from a legally authorized representative and documenting in the medical record the patient-directed care plan;

(B) the effectiveness and patient-centeredness of the care plan in organizing delivery of services consistent with the plan;

(C) the availability of the care plan and associated documentation to other providers that care for the beneficiary; and

(D) the extent to which the beneficiary received services and support that is free from discrimination based on advanced age, disability status, or advanced illness.

(7) Stakeholder's views on how such quality metrics would provide information on—

(A) the goals, values, and preferences of the beneficiary;

(B) the documentation of the care plan;

(C) services furnished to the beneficiary; and

(D) outcomes of treatment.

(8) Stakeholder's views on—

(A) the type of training and education needed for applicable providers, individuals, and caregivers in order to facilitate longitudinal comprehensive care planning services;

(B) the types of providers of services and suppliers that should be included in the interdisciplinary team of an applicable provider; and

(C) the characteristics of Medicare beneficiaries that would be most appropriate to receive longitudinal comprehensive care planning services, such as individuals with advanced disease and individuals who need assistance with multiple activities of daily living.

(9) Stakeholder's views on the frequency with which longitudinal comprehensive care planning services should be furnished.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

(c) DEFINITIONS.—In this section:

(1) APPLICABLE PROVIDER.—The term ''applicable provider'' means a hospice program (as defined in subsection (dd)(2) of section 1861 of the Social Security Act (42 U.S.C. 1395ww)) or other provider of services (as defined in subsection (u) of such section) or supplier (as defined in subsection (d) of such section) that—

(A) furnishes longitudinal comprehensive care planning services through an interdisciplinary team; and

(B) meets such other requirements as the Secretary may determine to be appropriate.

(2) COMPTROLLER GENERAL.—The term ''Comptroller General'' means the Comptroller General of the United States.

(3) INTERDISCIPLINARY TEAM.—The term ''interdisciplinary team'' means a group that—

(A) includes the personnel described in subsection (dd)(2)(B)(i) of such section 1861;

(B) may include a chaplain, minister, or other clergy; and

(C) may include other direct care personnel.

(4) LONGITUDINAL COMPREHENSIVE CARE PLANNING SERVICES.—The term ''longitudinal comprehensive care planning services'' means a voluntary shared decisionmaking process that is furnished by an applicable provider through an interdisciplinary team and includes a conversation with Medicare beneficiaries who have received a diagnosis of a serious or life-threatening illness. The purpose of such services is to discuss a longitudinal care plan that addresses the progression of the disease, treatment options, the goals, values, and preferences of the beneficiary, and the availability of other resources and social supports that may reduce the beneficiary's health risks and promote self-management and shared decisionmaking.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

Subtitle E—Other Policies to Improve Care for the Chronically Ill

SEC. 2341. GAO STUDY AND REPORT ON IMPROVING MEDICATION SYNCHRONIZATION.

(a) STUDY.—The Comptroller General of the United States (in this section referred to as the ''Comptroller General'') shall conduct a study on the extent to which Medicare prescription drug plans (MA–PD plans and stand alone prescription drug plans) under part D of title XVIII of the Social Security Act and private payors use programs that synchronize pharmacy dispensing so that individuals may receive multiple prescriptions on the same day to facilitate comprehensive counseling and promote medication adherence. The study shall include a analysis of the following:

(1) The extent to which pharmacies have adopted such programs.

(2) The common characteristics of such programs, including how pharmacies structure counseling sessions under such programs and the types of payment and other arrangements that Medicare prescription drug plans and private payors employ under such programs to support the efforts of pharmacies.

(3) How such programs compare for Medicare prescription drug plans and private payors.

(4) What is known about how such programs affect patient medication adherence and overall patient health outcomes, including if adherence and outcomes vary by patient subpopulations, such as disease state and socioeconomic status.

(5) What is known about overall patient satisfaction with such programs and satisfaction with such programs, including within patient subpopulations, such as disease state and socioeconomic status.

(6) The extent to which laws and regulations of the Medicare program support such programs.

(7) Barriers to the use of medication synchronization programs by Medicare prescription drug plans.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 2342. GAO STUDY AND REPORT ON IMPACT OF OBESITY DRUGS ON PATIENT HEALTH AND SPENDING.

(a) STUDY.—The Comptroller General of the United States (in this section referred to as the ''Comptroller General'') shall, to the extent data are available, conduct a study on the use of prescription drugs to manage the weight of obese patients and the impact of coverage of such drugs on patient health and on health care spending. Such study shall examine the use and impact of these obesity drugs in the non-Medicare population and for Medicare beneficiaries who have such drugs covered through an MA–PD plan (as defined in section 1860D–1(a)(3)(C) of the Social Security Act (42 U.S.C. 1395w–101(a)(3)(C))) as a supplemental health care benefit. The study shall include an analysis of the following:

(1) The prevalence of obesity in the Medicare and non-Medicare population.

(2) The utilization of obesity drugs.

(3) The distribution of Body Mass Index by individuals taking obesity drugs, to the extent practicable.

(4) What is known about the use of obesity drugs in conjunction with the receipt of other items or services, such as behavioral counseling, and how these compare to items and services received by obese individuals who do not take obesity drugs.

(5) Physician considerations and attitudes related to prescribing obesity drugs.

(6) The extent to which coverage policies cease or limit coverage for individuals who fail to receive clinical benefit.

(7) What is known about the extent to which individuals who take obesity drugs adhere to the prescribed regimen.

(8) What is known about the extent to which individuals who take obesity drugs maintain weight loss over time.

(9) What is known about the subsequent impact such drugs have on medical services that are directly related to obesity, including with respect to subpopulations determined based on the extent of obesity.

(10) What is known about the spending associated with the care of individuals who take obesity drugs, compared to the spending associated with the care of individuals who do not take such drugs.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 2343. HHS STUDY AND REPORT ON LONG-TERM RISK FACTORS FOR CHRONIC CONDITIONS AMONG MEDICARE BENEFICIARIES.

(a) STUDY.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall conduct a study on long-term cost drivers to the Medicare program, including obesity, tobacco use, mental health conditions, and other factors that may contribute to the deterioration of health conditions among individuals with chronic conditions in the Medicare population. The study shall include an analysis of any barriers to collecting and analyzing such information and how to remove any such barriers (including through legislation and administrative actions).

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate. The Secretary shall also post such report on the Internet website of the Department of Health and Human Services.

TITLE IV—MEDICARE PART B MISCELLANEOUS POLICIES

Subtitle A—Medicare Part B Improvement Act

SEC. 2401. HOME INFUSION THERAPY SERVICES TEMPORARY TRANSITIONAL PAYMENT.

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

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

''(A) TEMPORARY TRANSITIONAL PAYMENT.—

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

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

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

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

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

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

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

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

''(C) PAYMENT CATEGORIES.—

''(i) PAYMENT CATEGORY 1.—The Secretary shall create a payment category 1 and assign to such category drugs which are covered under the Local Coverage Determination on External Infusion Pumps (LCD number L33794) and billed with the following HCPCS codes (as identified as of January 1, 2018, and as subsequently modified by the Secretary): J0133, J0285, J0287, J0288, J0289, J0895, J1170, J1250, J1265, J1325, J1455, J1457, J1570, J2175, J2260, J2270, J2274, J2278, J3010, or J3285.

''(ii) PAYMENT CATEGORY 2.—The Secretary shall create a payment category 2 and assign

to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified as of January 1, 2018, and as subsequently modified by the Secretary): J1555 JB, J1559 JB, J1561 JB, J1562 JB, J1569 JB, or J1575 JB.

''(iii) PAYMENT CATEGORY 3.—The Secretary shall create a payment category 3 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified as of January 1, 2018, and as subsequently modified by the Secretary): J9000, J9039, J9040, J9065, J9100, J9190, J9200, J9360, or J9370.

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

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

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

''(D) PAYMENT AMOUNTS.—

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

''(ii) PAYMENT AMOUNT FOR CATEGORY 1.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 1 described in subparagraph (C)(i), are one unit of HCPCS code 96365 plus three units of HCPCS code 96366 (as identified as of January 1, 2018, and as subsequently modified by the Secretary).

''(iii) PAYMENT AMOUNT FOR CATEGORY 2.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 2 described in subparagraph (C)(i), are one unit of HCPCS code 96369 plus three units of HCPCS code 96370 (as identified as of January 1, 2018, and as subsequently modified by the Secretary).

''(iv) PAYMENT AMOUNT FOR CATEGORY 3.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 3 described in subparagraph (C)(i), are one unit of HCPCS code 96413 plus three units of HCPCS code 96415 (as identified as of January 1, 2018, and as subsequently modified by the Secretary).

''(E) CLARIFICATIONS.—

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

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

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

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

(b) CONFORMING AMENDMENT.—

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

(2) Section 5012(d) of the 21st Century Cures Act is amended by inserting the following before the period at the end the following: '', except that the amendments made by paragraphs (1) and (2) of subsection (c) shall apply to items and services furnished on or after January 1, 2019''.

SEC. 2402. ORTHOTIST'S AND PROSTHETIST'S CLINICAL NOTES AS PART OF THE PATIENT'S MEDICAL RECORD.

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

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

SEC. 2403. INDEPENDENT ACCREDITATION FOR DIALYSIS FACILITIES AND ASSURANCE OF HIGH QUALITY SURVEYS.

(a) ACCREDITATION AND SURVEYS.—

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

(A) in subsection (a)—

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

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

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

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

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

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

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

(2) TIMING FOR ACCEPTANCE OF REQUESTS FROM ACCREDITATION ORGANIZATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall begin accepting requests from national accreditation bodies for a finding described in section 1865(a)(3)(A) of the Social Security Act (42 U.S.C. 1395bb(a)(3)(A)) for purposes of accrediting provider entities that are required to meet the conditions and requirements under section 1881(b) of such Act (42 U.S.C. 1395rr(b)).

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

SEC. 2404. MODERNIZING THE APPLICATION OF THE STARK RULE UNDER MEDICARE.

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

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

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

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

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

''(i) not later than 90 consecutive calendar days immediately following the date on

which the compensation arrangement became noncompliant, the parties obtain the required signatures; and

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

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

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

''(C) HOLDOVER LEASE ARRANGEMENTS.—In the case of a holdover lease arrangement for the lease of office space or equipment, which immediately follows a lease arrangement described in subparagraph (A) for the use of such office space or subparagraph (B) for the use of such equipment and that expired after a term of at least 1 year, payments made by the lessee to the lessor pursuant to such holdover lease arrangement, if—

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

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

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

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

''(C) HOLDOVER PERSONAL SERVICE ARRANGEMENT.—In the case of a holdover personal service arrangement, which immediately follows an arrangement described in subparagraph (A) that expired after a term of at least 1 year, remuneration from an entity pursuant to such holdover personal service arrangement, if—

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

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

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

Subtitle B—Additional Provisions

SEC. 2411. MAKING PERMANENT THE REMOVAL OF THE RENTAL CAP FOR DURABLE MEDICAL EQUIPMENT UNDER MEDICARE WITH RESPECT TO SPEECH GENERATING DEVICES.

Section 1834(a)(2)(A)(iv) of the Social Security Act (42 U.S.C. 1395m(a)(2)(A)(iv)) is amended by striking ''and before October 1, 2018,''.

SEC. 2412. INCREASED CIVIL AND CRIMINAL PENALTIES AND INCREASED SENTENCES FOR FEDERAL HEALTH CARE PROGRAM FRAUD AND ABUSE.

(a) INCREASED CIVIL MONEY PENALTIES AND CRIMINAL FINES.—

(1) INCREASED CIVIL MONEY PENALTIES.—Section 1128A of the Social Security Act (42 U.S.C. 1320a–7a) is amended—

(A) in subsection (a), in the matter following paragraph (10)—

(i) by striking ''$10,000'' and inserting ''$20,000'' each place it appears;

(ii) by striking ''$15,000'' and inserting ''$30,000''; and

(iii) by striking ''$50,000'' and inserting ''$100,000'' each place it appears; and

(B) in subsection (b)—

(i) in paragraph (1), in the flush text following subparagraph (B), by striking ''$2,000'' and inserting ''$5,000'';

(ii) in paragraph (2), by striking ''$2,000'' and inserting ''$5,000''; and

(iii) in paragraph (3)(A)(i), by striking ''$5,000'' and inserting ''$10,000''.

(2) INCREASED CRIMINAL FINES.—Section 1128B of such Act (42 U.S.C. 1320a–7b) is amended—

(A) in subsection (a), in the matter following paragraph (6)—

(i) by striking ''$25,000'' and inserting ''$100,000''; and

(ii) by striking ''$10,000'' and inserting ''$20,000'';

(B) in subsection (b)—

(i) in paragraph (1), in the flush text following subparagraph (B), by striking ''$25,000'' and inserting ''$100,000''; and

(ii) in paragraph (2), in the flush text following subparagraph (B), by striking ''$25,000'' and inserting ''$100,000'';

(C) in subsection (c), by striking ''$25,000'' and inserting ''$100,000'';

(D) in subsection (d), in the flush text following paragraph (2), by striking ''$25,000'' and inserting ''$100,000''; and

(E) in subsection (e), by striking ''$2,000'' and inserting ''$4,000''.

(b) INCREASED SENTENCES FOR FELONIES INVOLVING FEDERAL HEALTH CARE PROGRAM FRAUD AND ABUSE.—

(1) FALSE STATEMENTS AND REPRESENTATIONS.—Section 1128B(a) of the Social Security Act (42 U.S.C. 1320a–7b(a)) is amended, in the matter following paragraph (6), by striking ''not more than five years or both, or (ii)'' and inserting ''not more than 10 years or both, or (ii)''.

(2) ANTIKICKBACK.—Section 1128B(b) of such Act (42 U.S.C. 1320a–7b(b)) is amended—

(A) in paragraph (1), in the flush text following subparagraph (B), by striking ''not more than five years'' and inserting ''not more than 10 years''; and

(B) in paragraph (2), in the flush text following subparagraph (B), by striking ''not more than five years'' and inserting ''not more than 10 years''.

(3) FALSE STATEMENT OR REPRESENTATION WITH RESPECT TO CONDITIONS OR OPERATIONS OF FACILITIES.—Section 1128B(c) of such Act (42 U.S.C. 1320a–7b(c)) is amended by striking ''not more than five years'' and inserting ''not more than 10 years''.

(4) EXCESS CHARGES.—Section 1128B(d) of such Act (42 U.S.C. 1320a–7b(d)) is amended, in the flush text following paragraph (2), by striking ''not more than five years'' and inserting ''not more than 10 years''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to acts committed after the date of the enactment of this Act.

SEC. 2413. REDUCING THE VOLUME OF FUTURE EHR-RELATED SIGNIFICANT HARDSHIP REQUESTS.

Section 1848(o)(2)(A) of the Social Security Act (42 U.S.C. 1395w–4(o)(2)(A)) and section 1886(n)(3)(A) of such Act (42 U.S.C. 1395ww(n)(3)(A)) are each amended in the last sentence by striking ''by requiring'' and all that follows through ''this paragraph''.

SEC. 2414. COVERAGE OF CERTAIN DNA SPECIMEN PROVENANCE ASSAY TESTS UNDER MEDICARE.

(a) BENEFIT.—

(1) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—

(A) in subsection (s)(2)—

(i) in subparagraph (FF), by striking ''and'' at the end;

(ii) in subparagraph (GG), by inserting ''and'' at the end; and

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

''(HH) a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in subsection (jjj)); and''; and

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

''(jjj) PROSTATE CANCER DNA SPECIMENT PROVENANCE ASSAY TEST.—The term 'prostate cancer DNA Specimen Provenance Assay Test' (DSPA test) means a test that, after a determination of cancer in one or more prostate biopsy specimens obtained from an individual, assesses the identity of the DNA in such specimens by comparing such DNA with the DNA that was separately taken from such individual at the time of the biopsy.''.

(2) EXCLUSION FROM COVERAGE.—Section 1862(a)(1) of the Social Security Act (42 U.S.C. 1395y(a)(1)) is amended—

(A) in subparagraph (O), by striking ''and'' at the end;

(B) in subparagraph (P), by striking the semicolon at the end and inserting '', and''; and

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

''(Q) in the case of a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)), unless such test is furnished on or after January 1, 2019, and before January 1, 2024, and such test is ordered by the physician who furnished the prostate cancer biopsy that obtained the specimen tested;''.

(b) PAYMENT AMOUNT AND RELATED REQUIREMENTS.—Section 1834 of the Social Security Act (42 U.S.C. 1395m), as amended by section 2204, is further amended by adding at the end the following new subsection:

''(w) PROSTATE CANCER DNA SPECIMEN PROVENANCE ASSAY TESTS.—

''(1) PAYMENT FOR COVERED TESTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the payment amount for a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)) shall be $200. Such payment shall be payment for all of the specimens obtained from the biopsy furnished to an individual that are tested.

''(B) LIMITATION.—Payment for a DSPA test under subparagraph (A) may only be made on an assignment-related basis.

''(C) PROHIBITION ON SEPARATE PAYMENT.—No separate payment shall be made for obtaining DNA that was separately taken from an individual at the time of a biopsy described in subparagraph (A).

''(2) HCPCS CODE AND MODIFIER ASSIGNMENT.—

''(A) IN GENERAL.—The Secretary shall assign one or more HCPCS codes to a prostate cancer DNA Specimen Provenance Assay test and may use a modifier to facilitate making payment under this section for such test.

''(B) IDENTIFICATION OF DNA MATCH ON CLAIM.—The Secretary shall require an indication on a claim for a prostate cancer DNA Specimen Provenance Assay test of whether the DNA of the prostate biopsy specimens match the DNA of the individual diagnosed with prostate cancer. Such indication may be made through use of a HCPCS code, a modifier, or other means, as determined appropriate by the Secretary.

''(3) DNA MATCH REVIEW.—

''(A) IN GENERAL.—The Secretary shall review at least three years of claims under part B for prostate cancer DNA Specimen Provenance Assay tests to identify whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

''(B) POSTING ON INTERNET WEBSITE.—Not later than July 1, 2022, the Secretary shall post on the Internet website of the Centers for Medicare & Medicaid Services the findings of the review conducted under subparagraph (A).''.

(c) COST-SHARING.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

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

(2) by inserting before the semicolon at the end the following: '', and (CC) with respect to a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)), the amount paid shall be an amount equal to 80 percent of the lesser of the actual charge for the test or the amount specified under section 1834(w)''.

SEC. 2415. STRENGTHENING RULES IN CASE OF COMPETITION FOR DIABETIC TESTING STRIPS.

(a) SPECIAL RULE IN CASE OF COMPETITION FOR DIABETIC TESTING STRIPS.—

(1) IN GENERAL.—Paragraph (10) of section 1847(b) of the Social Security Act (42 U.S.C. 1395w–3(b)) is amended—

(A) in subparagraph (A), by striking the second sentence and inserting the following new sentence: ''With respect to bids to furnish such types of products on or after January 1, 2019, the volume for such types of products shall be determined by the Secretary through the use of multiple sources of data (from mail order and non-mail order Medicare markets), including market-based data measuring sales of diabetic testing strip products that are not exclusively sold by a single retailer from such markets.''; and

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

''(C) DEMONSTRATION OF ABILITY TO FURNISH TYPES OF DIABETIC TESTING STRIP PRODUCTS.—With respect to bids to furnish diabetic testing strip products on or after January 1, 2019, an entity shall attest to the Secretary that the entity has the ability to obtain an inventory of the types and quantities of diabetic testing strip products that will allow the entity to furnish such products in a manner consistent with its bid and—

''(i) demonstrate to the Secretary, through letters of intent with manufacturers, wholesalers, or other suppliers, or other evidence as the Secretary may specify, such ability; or

''(ii) demonstrate to the Secretary that it made a good faith attempt to obtain such a letter of intent or such other evidence.

''(D) USE OF UNLISTED TYPES IN CALCULATION OF PERCENTAGE.—With respect to bids to furnish diabetic testing strip products on or after January 1, 2019, in determining under subparagraph (A) whether a bid submitted by an entity under such subparagraph covers 50 percent (or such higher percentage as the Secretary may specify) of all types of diabetic testing strip products, the Secretary may not attribute a percentage to types of diabetic testing strip products that the Secretary does not identify by brand, model, and market share volume.

''(E) ADHERENCE TO DEMONSTRATION.—

''(i) IN GENERAL.—In the case of an entity that is furnishing diabetic testing strip products on or after January 1, 2019, under a contract entered into under the competition conducted pursuant to paragraph (1), the Secretary shall establish a process to monitor, on an ongoing basis, the extent to which such entity continues to cover the product types included in the entity's bid.

''(ii) TERMINATION.—If the Secretary determines that an entity described in clause (i) fails to maintain in inventory, or otherwise maintain ready access to (through requirements, contracts, or otherwise) a type of product included in the entity's bid, the Secretary may terminate such contract unless the Secretary finds that the failure of the entity to maintain inventory of, or ready access to, the product is the result of the discontinuation of the product by the product manufacturer, a market-wide shortage of the product, or the introduction of a newer model or version of the product in the market involved.''.

(b) CODIFYING AND EXPANDING ANTI-SWITCHING RULE.—Section 1847(b) of the Social Security Act (42 U.S.C. 1395w–3(b)), as amended by subsection (a)(1), is further amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

''(11) ADDITIONAL SPECIAL RULES IN CASE OF COMPETITION FOR DIABETIC TESTING STRIPS.—

''(A) IN GENERAL.—With respect to an entity that is furnishing diabetic testing strip products to individuals under a contract entered into under the competitive acquisition program established under this section, the entity shall furnish to each individual a brand of such products that is compatible with the home blood glucose monitor selected by the individual.

''(B) PROHIBITION ON INFLUENCING AND INCENTIVIZING.—An entity described in subparagraph (A) may not attempt to influence or incentivize an individual to switch the brand of glucose monitor or diabetic testing strip product selected by the individual, including by—

''(i) persuading, pressuring, or advising the individual to switch; or

''(ii) furnishing information about alternative brands to the individual where the individual has not requested such information.

''(C) PROVISION OF INFORMATION.—

''(i) STANDARDIZED INFORMATION.—Not later than January 1, 2019, the Secretary shall develop and make available to entities described in subparagraph (A) standardized information that describes the rights of an individual with respect to such an entity. The information described in the preceding sentence shall include information regarding—

''(I) the requirements established under subparagraphs (A) and (B);

''(II) the right of the individual to purchase diabetic testing strip products from another mail order supplier of such products or a retail pharmacy if the entity is not able to furnish the brand of such product that is compatible with the home blood glucose monitor selected by the individual; and

''(III) the right of the individual to return diabetic testing strip products furnished to the individual by the entity.

''(ii) REQUIREMENT.—With respect to diabetic testing strip products furnished on or after the date on which the Secretary develops the standardized information under clause (i), an entity described in subparagraph (A) may not communicate directly to an individual until the entity has verbally provided the individual with such standardized information.

''(D) ORDER REFILLS.—With respect to diabetic testing strip products furnished on or after January 1, 2019, the Secretary shall require an entity furnishing diabetic testing strip products to an individual to contact and receive a request from the individual for such products not more than 14 days prior to dispensing a refill of such products to the individual.''.

(c) IMPLEMENTATION; NON-APPLICATION OF THE PAPERWORK REDUCTION ACT.—

(1) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, and amendments made by, this section by program instruction or otherwise.

(2) NON-APPLICATION OF THE PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act of 1995''), shall not apply to this section or the amendments made by this section.

TITLE V—OTHER HEALTH EXTENDERS

SEC. 2501. EXTENSION FOR COMMUNITY HEALTH CENTERS, THE NATIONAL HEALTH SERVICE CORPS, AND TEACHING HEALTH CENTERS THAT OPERATE GME PROGRAMS.

(a) COMMUNITY HEALTH CENTERS FUNDING.—Section 10503(b)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)), as amended by section 3101 of Public Law 115–96, is amended by amending subparagraph (F) to read as follows:

''(F) $3,600,000,000 for each of fiscal years 2018 and 2019.''.

(b) OTHER COMMUNITY HEALTH CENTERS PROVISIONS.—Section 330 of the Public Health Service Act (42 U.S.C. 254b) is amended—

(1) in subsection (b)(1)(A)(ii), by striking ''abuse'' and inserting ''use disorder'';

(2) in subsection (b)(2)(A), by striking ''abuse'' and inserting ''use disorder'';

(3) in subsection (c)—

(A) in paragraph (1), by striking subparagraphs (B) through (D);

(B) by striking ''(1) IN GENERAL'' and all that follows through ''The Secretary'' and inserting the following:

''(1) CENTERS.—The Secretary''; and

(C) in paragraph (1), as amended, by redesignating clauses (i) through (v) as subparagraphs (A) through (E) and moving the margin of each of such redesignated subparagraph 2 ems to the left;

(4) by striking subsection (d) and inserting the following:

''(d) IMPROVING QUALITY OF CARE.—

''(1) SUPPLEMENTAL AWARDS.—The Secretary may award supplemental grant funds to health centers funded under this section to implement evidence-based models for increasing access to high-quality primary care services, which may include models related to—

''(A) improving the delivery of care for individuals with multiple chronic conditions;

''(B) workforce configuration;

''(C) reducing the cost of care;

''(D) enhancing care coordination;

''(E) expanding the use of telehealth and technology-enabled collaborative learning and capacity building models;

''(F) care integration, including integration of behavioral health, mental health, or substance use disorder services; and

''(G) addressing emerging public health or substance use disorder issues to meet the health needs of the population served by the health center.

''(2) SUSTAINABILITY.—In making supplemental awards under this subsection, the Secretary may consider whether the health center involved has submitted a plan for continuing the activities funded under this subsection after supplemental funding is expended.

''(3) SPECIAL CONSIDERATION.—The Secretary may give special consideration to applications for supplemental funding under this subsection that seek to address significant barriers to access to care in areas with a greater shortage of health care providers and health services relative to the national average.'';

(5) in subsection (e)(1)—

(A) in subparagraph (B)—

(i) by striking ''2 years'' and inserting ''1 year''; and

(ii) by adding at the end the following: ''The Secretary shall not make a grant under this paragraph unless the applicant provides assurances to the Secretary that within 120 days of receiving grant funding for the operation of the health center, the applicant will submit, for approval by the Secretary, an implementation plan to meet the requirements of subsection (k)(3). The Secretary may extend such 120-day period for achieving

compliance upon a demonstration of good cause by the health center.''; and

(B) in subparagraph (C)—

(i) in the subparagraph heading, by striking ''AND PLANS'';

(ii) by striking ''or plan (as described in subparagraphs (B) and (C) of subsection (c)(1))'';

(iii) by striking ''or plan, including the purchase'' and inserting the following: ''including—

''(i) the purchase'';

(iv) by inserting '', which may include data and information systems'' after ''of equipment'';

(v) by striking the period at the end and inserting a semicolon; and

(vi) by adding at the end the following:

''(ii) the provision of training and technical assistance; and

''(iii) other activities that—

''(I) reduce costs associated with the provision of health services;

''(II) improve access to, and availability of, health services provided to individuals served by the centers;

''(III) enhance the quality and coordination of health services; or

''(IV) improve the health status of communities.'';

(6) in subsection (e)(5)(B)—

(A) in the heading of subparagraph (B), by striking ''AND PLANS''; and

(B) by striking ''and subparagraphs (B) and (C) of subsection (c)(1) to a health center or to a network or plan'' and inserting ''to a health center or to a network'';

(7) in subsection (e), by adding at the end the following:

''(6) NEW ACCESS POINTS AND EXPANDED SERVICES.—

''(A) APPROVAL OF NEW ACCESS POINTS.—

''(i) IN GENERAL.—The Secretary may approve applications for grants under subparagraph (A) or (B) of paragraph (1) to establish new delivery sites.

''(ii) SPECIAL CONSIDERATION.—In carrying out clause (i), the Secretary may give special consideration to applicants that have demonstrated the new delivery site will be located within a sparsely populated area, or an area which has a level of unmet need that is higher relative to other applicants.

''(iii) CONSIDERATION OF APPLICATIONS.—In carrying out clause (i), the Secretary shall approve applications for grants in such a manner that the ratio of the medically underserved populations in rural areas which may be expected to use the services provided by the applicants involved to the medically underserved populations in urban areas which may be expected to use the services provided by the applicants is not less than two to three or greater than three to two.

''(iv) SERVICE AREA OVERLAP.—If in carrying out clause (i) the applicant proposes to serve an area that is currently served by another health center funded under this section, the Secretary may consider whether the award of funding to an additional health center in the area can be justified based on the unmet need for additional services within the catchment area.

''(B) APPROVAL OF EXPANDED SERVICE APPLICATIONS.—

''(i) IN GENERAL.—The Secretary may approve applications for grants under subparagraph (A) or (B) of paragraph (1) to expand the capacity of the applicant to provide required primary health services described in subsection (b)(1) or additional health services described in subsection (b)(2).

''(ii) PRIORITY EXPANSION PROJECTS.—In carrying out clause (i), the Secretary may give special consideration to expanded service applications that seek to address emerging public health or behavioral health, mental health, or substance abuse issues through increasing the availability of additional health services described in subsection (b)(2) in an area in which there are significant barriers to accessing care.

''(iii) CONSIDERATION OF APPLICATIONS.—In carrying out clause (i), the Secretary shall approve applications for grants in such a manner that the ratio of the medically underserved populations in rural areas which may be expected to use the services provided by the applicants involved to the medically underserved populations in urban areas which may be expected to use the services provided by such applicants is not less than two to three or greater than three to two.'';

(8) in subsection (h)—

(A) in paragraph (1), by striking ''and children and youth at risk of homelessness'' and inserting '', children and youth at risk of homelessness, homeless veterans, and veterans at risk of homelessness''; and

(B) in paragraph (5)—

(i) by striking subparagraph (B);

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

(iii) in subparagraph (B) (as so redesignated)—

(I) in the subparagraph heading, by striking ''ABUSE'' and inserting ''USE DISORDER''; and

(II) by striking ''abuse'' and inserting ''use disorder'';

(9) in subsection (k)—

(A) in paragraph (2)—

(i) in the paragraph heading, by inserting ''UNMET'' before ''NEED'';

(ii) in the matter preceding subparagraph (A), by inserting ''or subsection (e)(6)'' after ''subsection (e)(1)'';

(iii) in subparagraph (A), by inserting ''unmet'' before ''need for health services'';

(iv) in subparagraph (B), by striking ''and'' at the end;

(v) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(vi) by adding after subparagraph (C) the following:

''(D) in the case of an application for a grant pursuant to subsection (e)(6), a demonstration that the applicant has consulted with appropriate State and local government agencies, and health care providers regarding the need for the health services to be provided at the proposed delivery site.'';

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting ''or subsection (e)(6)'' after ''subsection (e)(1)(B)'';

(ii) in subparagraph (B), by striking ''in the catchment area of the center'' and inserting '', including other health care providers that provide care within the catchment area, local hospitals, and specialty providers in the catchment area of the center, to provide access to services not available through the health center and to reduce the non-urgent use of hospital emergency departments'';

(iii) in subparagraph (H)(ii), by inserting ''who shall be directly employed by the center'' after ''approves the selection of a director for the center'';

(iv) in subparagraph (L), by striking ''and'' at the end;

(v) in subparagraph (M), by striking the period and inserting ''; and''; and

(vi) by inserting after subparagraph (M), the following:

''(N) the center has written policies and procedures in place to ensure the appropriate use of Federal funds in compliance with applicable Federal statutes, regulations, and the terms and conditions of the Federal award.''; and

(C) by striking paragraph (4);

(10) in subsection (l), by adding at the end the following: ''Funds expended to carry out activities under this subsection and operational support activities under subsection (m) shall not exceed 3 percent of the amount appropriated for this section for the fiscal year involved.'';

(11) in subsection (q)(4), by adding at the end the following: ''A waiver provided by the Secretary under this paragraph may not remain in effect for more than 1 year and may not be extended after such period. An entity may not receive more than one waiver under this paragraph in consecutive years.'';

(12) in subsection (r)(3)—

(A) by striking ''appropriate committees of Congress a report concerning the distribution of funds under this section'' and inserting the following: ''Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report including, at a minimum—

''(A) the distribution of funds for carrying out this section'';

(B) by striking ''populations. Such report shall include an assessment'' and inserting the following: ''populations;

''(B) an assessment'';

(C) by striking ''and the rationale for any substantial changes in the distribution of funds.'' and inserting a semicolon; and

(D) by adding at the end the following:

''(C) the distribution of awards and funding for new or expanded services in each of rural areas and urban areas;

''(D) the distribution of awards and funding for establishing new access points, and the number of new access points created;

''(E) the amount of unexpended funding for loan guarantees and loan guarantee authority under title XVI;

''(F) the rationale for any substantial changes in the distribution of funds;

''(G) the rate of closures for health centers and access points;

''(H) the number and reason for any grants awarded pursuant to subsection (e)(1)(B); and

''(I) the number and reason for any waivers provided pursuant to subsection (q)(4).'';

(13) in subsection (r), by adding at the end the following new paragraph:

''(5) FUNDING FOR PARTICIPATION OF HEALTH CENTERS IN ALL OF US RESEARCH PROGRAM.—In addition to any amounts made available pursuant to paragraph (1) of this subsection, section 402A of this Act, or section 10503 of the Patient Protection and Affordable Care Act, there is authorized to be appropriated, and there is appropriated, out of any monies in the Treasury not otherwise appropriated, to the Secretary $25,000,000 for fiscal year 2018 to support the participation of health centers in the All of Us Research Program under the Precision Medicine Initiative under section 498E of this Act.''; and

(14) by striking subsection (s).

(c) NATIONAL HEALTH SERVICE CORPS.—Section 10503(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(2)), as amended by section 3101 of Public Law 115–96, is amended by amending subparagraph (F) to read as follows:

''(F) $310,000,000 for each of fiscal years 2018 and 2019.''.

(d) TEACHING HEALTH CENTERS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.—

(1) PAYMENTS.—Subsection (a) of section 340H of the Public Health Service Act (42 U.S.C. 256h) is amended to read as follows:

''(a) PAYMENTS.—

''(1) IN GENERAL.—Subject to subsection (h)(2), the Secretary shall make payments under this section for direct expenses and indirect expenses to qualified teaching health centers that are listed as sponsoring institutions by the relevant accrediting body for, as appropriate—

''(A) maintenance of filled positions at existing approved graduate medical residency training programs;

''(B) expansion of existing approved graduate medical residency training programs; and

''(C) establishment of new approved graduate medical residency training programs.

''(2) PER RESIDENT AMOUNT.—In making payments under paragraph (1), the Secretary shall consider the cost of training residents at teaching health centers and the implications of the per resident amount on approved graduate medical residency training programs at teaching health centers.

''(3) PRIORITY.—In making payments under paragraph (1)(C), the Secretary shall give priority to qualified teaching health centers that—

''(A) serve a health professional shortage area with a designation in effect under section 332 or a medically underserved community (as defined in section 799B); or

''(B) are located in a rural area (as defined in section 1886(d)(2)(D) of the Social Security Act).''.

(2) FUNDING.—Paragraph (1) of section 340H(g) of the Public Health Service Act (42 U.S.C. 256h(g)), as amended by section 3101 of Public Law 115–96, is amended by striking ''and $30,000,000 for the period of the first and second quarters of fiscal year 2018'' and inserting ''and $126,500,000 for each of fiscal years 2018 and 2019''.

(3) ANNUAL REPORTING.—Subsection (h)(1) of section 340H of the Public Health Service Act (42 U.S.C. 256h) is amended—

(A) by redesignating subparagraph (D) as subparagraph (H); and

(B) by inserting after subparagraph (C) the following:

''(D) The number of patients treated by residents described in paragraph (4).

''(E) The number of visits by patients treated by residents described in paragraph (4).

''(F) Of the number of residents described in paragraph (4) who completed their residency training at the end of such residency academic year, the number and percentage of such residents entering primary care practice (meaning any of the areas of practice listed in the definition of a primary care residency program in section 749A).

''(G) Of the number of residents described in paragraph (4) who completed their residency training at the end of such residency academic year, the number and percentage of such residents who entered practice at a health care facility—

''(i) primarily serving a health professional shortage area with a designation in effect under section 332 or a medically underserved community (as defined in section 799B); or

''(ii) located in a rural area (as defined in section 1886(d)(2)(D) of the Social Security Act).''.

(4) REPORT ON TRAINING COSTS.—Not later than March 31, 2019, the Secretary of Health and Human Services shall submit to the Congress a report on the direct graduate expenses of approved graduate medical residency training programs, and the indirect expenses associated with the additional costs of teaching residents, of qualified teaching health centers (as such terms are used or defined in section 340H of the Public Health Service Act (42 U.S.C. 256h)).

(5) DEFINITION.—Subsection (j) of section 340H of the Public Health Service Act (42 U.S.C. 256h) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) NEW APPROVED GRADUATE MEDICAL RESIDENCY TRAINING PROGRAM.—The term 'new approved graduate medical residency training program' means an approved graduate medical residency training program for which the sponsoring qualified teaching health center has not received a payment under this section for a previous fiscal year (other than pursuant to subsection (a)(1)(C)).''.

(6) TECHNICAL CORRECTION.—Subsection (f) of section 340H (42 U.S.C. 256h) is amended by striking ''hospital'' each place it appears and inserting ''teaching health center''.

(7) PAYMENTS FOR PREVIOUS FISCAL YEARS.—The provisions of section 340H of the Public Health Service Act (42 U.S.C. 256h), as in effect on the day before the date of enactment of Public Law 115–96, shall continue to apply with respect to payments under such section for fiscal years before fiscal year 2018.

(e) APPLICATION.—Amounts appropriated pursuant to this section for fiscal year 2018 or 2019 are subject to the requirements contained in Public Law 115–31 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254b–256).

(f) CONFORMING AMENDMENT.—Paragraph (4) of section 3014(h) of title 18, United States Code, as amended by section 3101 of Public Law 115–96, is amended by striking ''and section 3101(d) of the CHIP and Public Health Funding Extension Act'' and inserting ''and section 2501(e) of the SUSTAIN Care Act of 2018''.

SEC. 2502. EXTENSION FOR SPECIAL DIABETES PROGRAMS.

(a) SPECIAL DIABETES PROGRAM FOR TYPE I DIABETES.—Subparagraph (D) of section 330B(b)(2) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)), as amended by section 3102 of Public Law 115–96, is amended to read as follows:

''(D) $150,000,000 for each of fiscal years 2018 and 2019, to remain available until expended.''.

(b) SPECIAL DIABETES PROGRAM FOR INDIANS.—Subparagraph (D) of section 330C(c)(2) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)), as amended by section 3102 of Public Law 115–96, is amended to read as follows:

''(D) $150,000,000 for each of fiscal years 2018 and 2019, to remain available until expended.''.

SEC. 2503. EXTENSION FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c) of the Social Security Act (42 U.S.C. 701(c)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (v), by striking ''and'' at the end;

(B) in clause (vi), by striking the period at the end and inserting ''; and''; and

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

''(vii) $6,000,000 for each of fiscal years 2018 and 2019.'';

(2) in paragraph (3)(C), by inserting before the period the following: '', and with respect to fiscal years 2018 and 2019, such centers shall also be developed in all territories and at least one such center shall be developed for Indian Tribes''; and

(3) by amending paragraph (5) to read as follows:

''(5) For purposes of this subsection—

''(A) the term 'Indian Tribe' has the meaning given to the term 'Indian tribe' in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603);

''(B) the term 'State' means each of the 50 States and the District of Columbia; and

''(C) the term 'territory' means Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Northern Mariana Islands.''.

SEC. 2504. EXTENSION FOR SEXUAL RISK AVOIDANCE EDUCATION.

(a) IN GENERAL.—Section 510 of the Social Security Act (42 U.S.C. 710) is amended to read as follows:

''SEC. 510. SEXUAL RISK AVOIDANCE EDUCATION.

''(a) IN GENERAL.—

''(1) ALLOTMENTS TO STATES.—For the purpose described in subsection (b), the Secretary shall, for each of fiscal years 2018 and 2019, allot to each State which has transmitted an application for the fiscal year under section 505(a) an amount equal to the product of—

''(A) the amount appropriated pursuant to subsection (e)(1) for the fiscal year, minus the amount reserved under subsection (e)(2) for the fiscal year; and

''(B) the proportion that the number of low-income children in the State bears to the total of such numbers of children for all the States.

''(2) OTHER ALLOTMENTS.—

''(A) OTHER ENTITIES.—For the purpose described in subsection (b), the Secretary shall, for each of fiscal years 2018 and 2019, for any State which has not transmitted an application for the fiscal year under section 505(a), allot to one or more entities in the State the amount that would have been allotted to the State under paragraph (1) if the State had submitted such an application.

''(B) PROCESS.—The Secretary shall select the recipients of allotments under subparagraph (A) by means of a competitive grant process under which—

''(i) not later than 30 days after the deadline for the State involved to submit an application for the fiscal year under section 505(a), the Secretary publishes a notice soliciting grant applications; and

''(ii) not later than 120 days after such deadline, all such applications must be submitted.

''(b) PURPOSE.—

''(1) IN GENERAL.—Except for research under paragraph (5) and information collection and reporting under paragraph (6), the purpose of an allotment under subsection (a) to a State (or to another entity in the State pursuant to subsection (a)(2)) is to enable the State or other entity to implement education exclusively on sexual risk avoidance (meaning voluntarily refraining from sexual activity).

''(2) REQUIRED COMPONENTS.—Education on sexual risk avoidance pursuant to an allotment under this section shall—

''(A) ensure that the unambiguous and primary emphasis and context for each topic described in paragraph (3) is a message to youth that normalizes the optimal health behavior of avoiding nonmarital sexual activity;

''(B) be medically accurate and complete;

''(C) be age-appropriate;

''(D) be based on adolescent learning and developmental theories for the age group receiving the education; and

''(E) be culturally appropriate, recognizing the experiences of youth from diverse communities, backgrounds, and experiences.

''(3) TOPICS.—Education on sexual risk avoidance pursuant to an allotment under this section shall address each of the following topics:

''(A) The holistic individual and societal benefits associated with personal responsibility, self-regulation, goal setting, healthy decisionmaking, and a focus on the future.

''(B) The advantage of refraining from nonmarital sexual activity in order to improve the future prospects and physical and emotional health of youth.

''(C) The increased likelihood of avoiding poverty when youth attain self-sufficiency and emotional maturity before engaging in sexual activity.

''(D) The foundational components of healthy relationships and their impact on the formation of healthy marriages and safe and stable families.

''(E) How other youth risk behaviors, such as drug and alcohol usage, increase the risk for teen sex.

''(F) How to resist and avoid, and receive help regarding, sexual coercion and dating violence, recognizing that even with consent teen sex remains a youth risk behavior.

''(4) CONTRACEPTION.—Education on sexual risk avoidance pursuant to an allotment under this section shall ensure that—

''(A) any information provided on contraception is medically accurate and complete and ensures that students understand that contraception offers physical risk reduction, but not risk elimination; and

''(B) the education does not include demonstrations, simulations, or distribution of contraceptive devices.

''(5) RESEARCH.—

''(A) IN GENERAL.—A State or other entity receiving an allotment pursuant to subsection (a) may use up to 20 percent of such allotment to build the evidence base for sexual risk avoidance education by conducting or supporting research.

''(B) REQUIREMENTS.—Any research conducted or supported pursuant to subparagraph (A) shall be—

''(i) rigorous;

''(ii) evidence-based; and

''(iii) designed and conducted by independent researchers who have experience in conducting and publishing research in peer-reviewed outlets.

''(6) INFORMATION COLLECTION AND REPORTING.—A State or other entity receiving an allotment pursuant to subsection (a) shall, as specified by the Secretary—

''(A) collect information on the programs and activities funded through the allotment; and

''(B) submit reports to the Secretary on the data from such programs and activities.

''(c) NATIONAL EVALUATION.—

''(1) IN GENERAL.—The Secretary shall—

''(A) in consultation with appropriate State and local agencies, conduct one or more rigorous evaluations of the education funded through this section and associated data; and

''(B) submit a report to the Congress on the results of such evaluations, together with a summary of the information collected pursuant to subsection (b)(6).

''(2) CONSULTATION.—In conducting the evaluations required by paragraph (1), including the establishment of rigorous evaluation methodologies, the Secretary shall consult with relevant stakeholders and evaluation experts.

''(d) APPLICABILITY OF CERTAIN PROVISIONS.—

''(1) Sections 503, 507, and 508 apply to allotments under subsection (a) to the same extent and in the same manner as such sections apply to allotments under section 502(c).

''(2) Sections 505 and 506 apply to allotments under subsection (a) to the extent determined by the Secretary to be appropriate.

''(e) DEFINITIONS.—In this section:

''(1) The term 'age-appropriate' means suitable (in terms of topics, messages, and teaching methods) to the developmental and social maturity of the particular age or age group of children or adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

''(2) The term 'medically accurate and complete' means verified or supported by the weight of research conducted in compliance with accepted scientific methods and—

''(A) published in peer-reviewed journals, where applicable; or

''(B) comprising information that leading professional organizations and agencies with relevant expertise in the field recognize as accurate, objective, and complete.

''(3) The term 'rigorous', with respect to research or evaluation, means using—

''(A) established scientific methods for measuring the impact of an intervention or program model in changing behavior (specifically sexual activity or other sexual risk behaviors), or reducing pregnancy, among youth; or

''(B) other evidence-based methodologies established by the Secretary for purposes of this section.

''(4) The term 'youth' refers to one or more individuals who have attained age 10 but not age 20.

''(f) FUNDING.—

''(1) IN GENERAL.—To carry out this section, there is appropriated, out of any money in the Treasury not otherwise appropriated, $75,000,000 for each of fiscal years 2018 and 2019.

''(2) RESERVATION.—The Secretary shall reserve, for each of fiscal years 2018 and 2019, not more than 20 percent of the amount appropriated pursuant to paragraph (1) for administering the program under this section, including the conducting of national evaluations and the provision of technical assistance to the recipients of allotments.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2017.

SEC. 2505. EXTENSION FOR PERSONAL RESPONSIBILITY EDUCATION.

(a) IN GENERAL.—Section 513 of the Social Security Act (42 U.S.C. 713) is amended—

(1) in subsection (a)(1)(A), by striking ''2017'' and inserting ''2019''; and

(2) in subsection (a)(4)—

(A) in subparagraph (A), by striking ''2017'' each place it appears and inserting ''2019''; and

(B) in subparagraph (B)—

(i) in the subparagraph heading, by striking ''3-YEAR GRANTS'' and inserting ''COMPETITIVE PREP GRANTS''; and

(ii) in clause (i), by striking ''solicit applications to award 3-year grants in each of fiscal years 2012 through 2017'' and inserting ''continue through fiscal year 2019 grants awarded for any of fiscal years 2015 through 2017'';

(3) in subsection (c)(1), by inserting after ''youth with HIV/AIDS,'' the following: ''victims of human trafficking,''; and

(4) in subsection (f), by striking ''2017'' and inserting ''2019''.

(b) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2017.

TITLE VI—CHILD AND FAMILY SERVICES AND SUPPORT

Subtitle A—Family First Prevention Services Act

SEC. 2601. SHORT TITLE.

This subtitle may be cited as the ''Family First Prevention Services Act''.

CHAPTER 1—INVESTING IN PREVENTION AND FAMILY SERVICES

SEC. 2611. PURPOSE.

The purpose of this chapter is to enable States to use Federal funds available under parts B and E of title IV of the Social Security Act to provide enhanced support to children and families and prevent foster care placements through the provision of mental health and substance abuse prevention and treatment services, in-home parent skill-based programs, and kinship navigator services.

Subchapter A—Prevention Activities Under Title IV–E

SEC. 2621. FOSTER CARE PREVENTION SERVICES AND PROGRAMS.

(a) STATE OPTION.—Section 471 of the Social Security Act (42 U.S.C. 671) is amended—

(1) in subsection (a)(1), by striking ''and'' and all that follows through the semicolon and inserting '', adoption assistance in accordance with section 473, and, at the option of the State, services or programs specified in subsection (e)(1) of this section for children who are candidates for foster care or who are pregnant or parenting foster youth and the parents or kin caregivers of the children, in accordance with the requirements of that subsection;''; and

(2) by adding at the end the following:

''(e) PREVENTION AND FAMILY SERVICES AND PROGRAMS.—

''(1) IN GENERAL.—Subject to the succeeding provisions of this subsection, the Secretary may make a payment to a State for providing the following services or programs for a child described in paragraph (2) and the parents or kin caregivers of the child when the need of the child, such a parent, or such a caregiver for the services or programs are directly related to the safety, permanence, or well-being of the child or to preventing the child from entering foster care:

''(A) MENTAL HEALTH AND SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES.—Mental health and substance abuse prevention and treatment services provided by a qualified clinician for not more than a 12-month period that begins on any date described in paragraph (3) with respect to the child.

''(B) IN-HOME PARENT SKILL-BASED PROGRAMS.—In-home parent skill-based programs for not more than a 12-month period that begins on any date described in paragraph (3) with respect to the child and that include parenting skills training, parent education, and individual and family counseling.

''(2) CHILD DESCRIBED.—For purposes of paragraph (1), a child described in this paragraph is the following:

''(A) A child who is a candidate for foster care (as defined in section 475(13)) but can remain safely at home or in a kinship placement with receipt of services or programs specified in paragraph (1).

''(B) A child in foster care who is a pregnant or parenting foster youth.

''(3) DATE DESCRIBED.—For purposes of paragraph (1), the dates described in this paragraph are the following:

''(A) The date on which a child is identified in a prevention plan maintained under paragraph (4) as a child who is a candidate for foster care (as defined in section 475(13)).

''(B) The date on which a child is identified in a prevention plan maintained under paragraph (4) as a pregnant or parenting foster youth in need of services or programs specified in paragraph (1).

''(4) REQUIREMENTS RELATED TO PROVIDING SERVICES AND PROGRAMS.—Services and programs specified in paragraph (1) may be provided under this subsection only if specified in advance in the child's prevention plan described in subparagraph (A) and the requirements in subparagraphs (B) through (E) are met:

''(A) PREVENTION PLAN.—The State maintains a written prevention plan for the child that meets the following requirements (as applicable):

''(i) CANDIDATES.—In the case of a child who is a candidate for foster care described in paragraph (2)(A), the prevention plan shall—

''(I) identify the foster care prevention strategy for the child so that the child may remain safely at home, live temporarily with a kin caregiver until reunification can be

safely achieved, or live permanently with a kin caregiver;

''(II) list the services or programs to be provided to or on behalf of the child to ensure the success of that prevention strategy; and

''(III) comply with such other requirements as the Secretary shall establish.

''(ii) PREGNANT OR PARENTING FOSTER YOUTH.—In the case of a child who is a pregnant or parenting foster youth described in paragraph (2)(B), the prevention plan shall—

''(I) be included in the child's case plan required under section 475(1);

''(II) list the services or programs to be provided to or on behalf of the youth to ensure that the youth is prepared (in the case of a pregnant foster youth) or able (in the case of a parenting foster youth) to be a parent;

''(III) describe the foster care prevention strategy for any child born to the youth; and

''(IV) comply with such other requirements as the Secretary shall establish.

''(B) TRAUMA-INFORMED.—The services or programs to be provided to or on behalf of a child are provided under an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address trauma's consequences and facilitate healing.

''(C) ONLY SERVICES AND PROGRAMS PROVIDED IN ACCORDANCE WITH PROMISING, SUPPORTED, OR WELL-SUPPORTED PRACTICES PERMITTED.—

''(i) IN GENERAL.—Only State expenditures for services or programs specified in subparagraph (A) or (B) of paragraph (1) that are provided in accordance with practices that meet the requirements specified in clause (ii) of this subparagraph and that meet the requirements specified in clause (iii), (iv), or (v), respectively, for being a promising, supported, or well-supported practice, shall be eligible for a Federal matching payment under section 474(a)(6)(A).

''(ii) GENERAL PRACTICE REQUIREMENTS.—The general practice requirements specified in this clause are the following:

''(I) The practice has a book, manual, or other available writings that specify the components of the practice protocol and describe how to administer the practice.

''(II) There is no empirical basis suggesting that, compared to its likely benefits, the practice constitutes a risk of harm to those receiving it.

''(III) If multiple outcome studies have been conducted, the overall weight of evidence supports the benefits of the practice.

''(IV) Outcome measures are reliable and valid, and are administrated consistently and accurately across all those receiving the practice.

''(V) There is no case data suggesting a risk of harm that was probably caused by the treatment and that was severe or frequent.

''(iii) PROMISING PRACTICE.—A practice shall be considered to be a 'promising practice' if the practice is superior to an appropriate comparison practice using conventional standards of statistical significance (in terms of demonstrated meaningful improvements in validated measures of important child and parent outcomes, such as mental health, substance abuse, and child safety and well-being), as established by the results or outcomes of at least one study that—

''(I) was rated by an independent systematic review for the quality of the study design and execution and determined to be well-designed and well-executed; and

''(II) utilized some form of control (such as an untreated group, a placebo group, or a wait list study).

''(iv) SUPPORTED PRACTICE.—A practice shall be considered to be a 'supported practice' if—

''(I) the practice is superior to an appropriate comparison practice using conventional standards of statistical significance (in terms of demonstrated meaningful improvements in validated measures of important child and parent outcomes, such as mental health, substance abuse, and child safety and well-being), as established by the results or outcomes of at least one study that—

''(aa) was rated by an independent systematic review for the quality of the study design and execution and determined to be well-designed and well-executed;

''(bb) was a rigorous random-controlled trial (or, if not available, a study using a rigorous quasi-experimental research design); and

''(cc) was carried out in a usual care or practice setting; and

''(II) the study described in subclause (I) established that the practice has a sustained effect (when compared to a control group) for at least 6 months beyond the end of the treatment.

''(v) WELL-SUPPORTED PRACTICE.—A practice shall be considered to be a 'well-supported practice' if—

''(I) the practice is superior to an appropriate comparison practice using conventional standards of statistical significance (in terms of demonstrated meaningful improvements in validated measures of important child and parent outcomes, such as mental health, substance abuse, and child safety and well-being), as established by the results or outcomes of at least two studies that—

''(aa) were rated by an independent systematic review for the quality of the study design and execution and determined to be well-designed and well-executed;

''(bb) were rigorous random-controlled trials (or, if not available, studies using a rigorous quasi-experimental research design); and

''(cc) were carried out in a usual care or practice setting; and

''(II) at least one of the studies described in subclause (I) established that the practice has a sustained effect (when compared to a control group) for at least 1 year beyond the end of treatment.

''(D) GUIDANCE ON PRACTICES CRITERIA AND PRE-APPROVED SERVICES AND PROGRAMS.—

''(i) IN GENERAL.—Not later than October 1, 2018, the Secretary shall issue guidance to States regarding the practices criteria required for services or programs to satisfy the requirements of subparagraph (C). The guidance shall include a pre-approved list of services and programs that satisfy the requirements.

''(ii) UPDATES.—The Secretary shall issue updates to the guidance required by clause (i) as often as the Secretary determines necessary.

''(E) OUTCOME ASSESSMENT AND REPORTING.—The State shall collect and report to the Secretary the following information with respect to each child for whom, or on whose behalf mental health and substance abuse prevention and treatment services or in-home parent skill-based programs are provided during a 12-month period beginning on the date the child is determined by the State to be a child described in paragraph (2):

''(i) The specific services or programs provided and the total expenditures for each of the services or programs.

''(ii) The duration of the services or programs provided.

''(iii) In the case of a child described in paragraph (2)(A), the child's placement status at the beginning, and at the end, of the 1-year period, respectively, and whether the child entered foster care within 2 years after being determined a candidate for foster care.

''(5) STATE PLAN COMPONENT.—

''(A) IN GENERAL.—A State electing to provide services or programs specified in paragraph (1) shall submit as part of the State plan required by subsection (a) a prevention services and programs plan component that meets the requirements of subparagraph (B).

''(B) PREVENTION SERVICES AND PROGRAMS PLAN COMPONENT.—In order to meet the requirements of this subparagraph, a prevention services and programs plan component, with respect to each 5-year period for which the plan component is in operation in the State, shall include the following:

''(i) How providing services and programs specified in paragraph (1) is expected to improve specific outcomes for children and families.

''(ii) How the State will monitor and oversee the safety of children who receive services and programs specified in paragraph (1), including through periodic risk assessments throughout the period in which the services and programs are provided on behalf of a child and reexamination of the prevention plan maintained for the child under paragraph (4) for the provision of the services or programs if the State determines the risk of the child entering foster care remains high despite the provision of the services or programs.

''(iii) With respect to the services and programs specified in subparagraphs (A) and (B) of paragraph (1), information on the specific promising, supported, or well-supported practices the State plans to use to provide the services or programs, including a description of—

''(I) the services or programs and whether the practices used are promising, supported, or well-supported;

''(II) how the State plans to implement the services or programs, including how implementation of the services or programs will be continuously monitored to ensure fidelity to the practice model and to determine outcomes achieved and how information learned from the monitoring will be used to refine and improve practices;

''(III) how the State selected the services or programs;

''(IV) the target population for the services or programs; and

''(V) how each service or program provided will be evaluated through a well-designed and rigorous process, which may consist of an ongoing, cross-site evaluation approved by the Secretary.

''(iv) A description of the consultation that the State agencies responsible for administering the State plans under this part and part B engage in with other State agencies responsible for administering health programs, including mental health and substance abuse prevention and treatment services, and with other public and private agencies with experience in administering child and family services, including community-based organizations, in order to foster a continuum of care for children described in paragraph (2) and their parents or kin caregivers.

''(v) A description of how the State shall assess children and their parents or kin caregivers to determine eligibility for services or programs specified in paragraph (1).

''(vi) A description of how the services or programs specified in paragraph (1) that are provided for or on behalf of a child and the parents or kin caregivers of the child will be coordinated with other child and family

services provided to the child and the parents or kin caregivers of the child under the State plans in effect under subparts 1 and 2 of part B.

''(vii) Descriptions of steps the State is taking to support and enhance a competent, skilled, and professional child welfare workforce to deliver trauma-informed and evidence-based services, including—

''(I) ensuring that staff is qualified to provide services or programs that are consistent with the promising, supported, or well-supported practice models selected; and

''(II) developing appropriate prevention plans, and conducting the risk assessments required under clause (iii).

''(viii) A description of how the State will provide training and support for caseworkers in assessing what children and their families need, connecting to the families served, knowing how to access and deliver the needed trauma-informed and evidence-based services, and overseeing and evaluating the continuing appropriateness of the services.

''(ix) A description of how caseload size and type for prevention caseworkers will be determined, managed, and overseen.

''(x) An assurance that the State will report to the Secretary such information and data as the Secretary may require with respect to the provision of services and programs specified in paragraph (1), including information and data necessary to determine the performance measures for the State under paragraph (6) and compliance with paragraph (7).

''(C) REIMBURSEMENT FOR SERVICES UNDER THE PREVENTION PLAN COMPONENT.—

''(i) LIMITATION.—Except as provided in subclause (ii), a State may not receive a Federal payment under this part for a given promising, supported, or well-supported practice unless (in accordance with subparagraph (B)(iii)(V)) the plan includes a well-designed and rigorous evaluation strategy for that practice.

''(ii) WAIVER OF LIMITATION.—The Secretary may waive the requirement for a well-designed and rigorous evaluation of any well-supported practice if the Secretary deems the evidence of the effectiveness of the practice to be compelling and the State meets the continuous quality improvement requirements included in subparagraph (B)(iii)(II) with regard to the practice.

''(6) PREVENTION SERVICES MEASURES.—

''(A) ESTABLISHMENT; ANNUAL UPDATES.—Beginning with fiscal year 2021, and annually thereafter, the Secretary shall establish the following prevention services measures based on information and data reported by States that elect to provide services and programs specified in paragraph (1):

''(i) PERCENTAGE OF CANDIDATES FOR FOSTER CARE WHO DO NOT ENTER FOSTER CARE.—The percentage of candidates for foster care for whom, or on whose behalf, the services or programs are provided who do not enter foster care, including those placed with a kin caregiver outside of foster care, during the 12-month period in which the services or programs are provided and through the end of the succeeding 12-month period.

''(ii) PER-CHILD SPENDING.—The total amount of expenditures made for mental health and substance abuse prevention and treatment services or in-home parent skill-based programs, respectively, for, or on behalf of, each child described in paragraph (2).

''(B) DATA.—The Secretary shall establish and annually update the prevention services measures—

''(i) based on the median State values of the information reported under each clause of subparagraph (A) for the 3 then most recent years; and

''(ii) taking into account State differences in the price levels of consumption goods and services using the most recent regional price parities published by the Bureau of Economic Analysis of the Department of Commerce or such other data as the Secretary determines appropriate.

''(C) PUBLICATION OF STATE PREVENTION SERVICES MEASURES.—The Secretary shall annually make available to the public the prevention services measures of each State.

''(7) MAINTENANCE OF EFFORT FOR STATE FOSTER CARE PREVENTION EXPENDITURES.—

''(A) IN GENERAL.—If a State elects to provide services and programs specified in paragraph (1) for a fiscal year, the State foster care prevention expenditures for the fiscal year shall not be less than the amount of the expenditures for fiscal year 2014 (or, at the option of a State described in subparagraph (E), fiscal year 2015 or fiscal year 2016 (whichever the State elects)).

''(B) STATE FOSTER CARE PREVENTION EXPENDITURES.—The term 'State foster care prevention expenditures' means the following:

''(i) TANF; IV–B; SSBG.—State expenditures for foster care prevention services and activities under the State program funded under part A (including from amounts made available by the Federal Government), under the State plan developed under part B (including any such amounts), or under the Social Services Block Grant Programs under subtitle A of title XX (including any such amounts).

''(ii) OTHER STATE PROGRAMS.—State expenditures for foster care prevention services and activities under any State program that is not described in clause (i) (other than any State expenditures for foster care prevention services and activities under the State program under this part (including under a waiver of the program)).

''(C) STATE EXPENDITURES.—The term 'State expenditures' means all State or local funds that are expended by the State or a local agency including State or local funds that are matched or reimbursed by the Federal Government and State or local funds that are not matched or reimbursed by the Federal Government.

''(D) DETERMINATION OF PREVENTION SERVICES AND ACTIVITIES.—The Secretary shall require each State that elects to provide services and programs specified in paragraph (1) to report the expenditures specified in subparagraph (B) for fiscal year 2014 and for such fiscal years thereafter as are necessary to determine whether the State is complying with the maintenance of effort requirement in subparagraph (A). The Secretary shall specify the specific services and activities under each program referred to in subparagraph (B) that are 'prevention services and activities' for purposes of the reports.

''(E) STATE DESCRIBED.—For purposes of subparagraph (A), a State is described in this subparagraph if the population of children in the State in 2014 was less than 200,000 (as determined by the Bureau of the Census).

''(8) PROHIBITION AGAINST USE OF STATE FOSTER CARE PREVENTION EXPENDITURES AND FEDERAL IV–E PREVENTION FUNDS FOR MATCHING OR EXPENDITURE REQUIREMENT.—A State that elects to provide services and programs specified in paragraph (1) shall not use any State foster care prevention expenditures for a fiscal year for the State share of expenditures under section 474(a)(6) for a fiscal year.

''(9) ADMINISTRATIVE COSTS.—Expenditures described in section 474(a)(6)(B)—

''(A) shall not be eligible for payment under subparagraph (A), (B), or (E) of section 474(a)(3); and

''(B) shall be eligible for payment under section 474(a)(6)(B) without regard to whether the expenditures are incurred on behalf of a child who is, or is potentially, eligible for foster care maintenance payments under this part.

''(10) APPLICATION.—

''(A) IN GENERAL.—The provision of services or programs under this subsection to or on behalf of a child described in paragraph (2) shall not be considered to be receipt of aid or assistance under the State plan under this part for purposes of eligibility for any other program established under this Act.

''(B) CANDIDATES IN KINSHIP CARE.—A child described in paragraph (2) for whom such services or programs under this subsection are provided for more than 6 months while in the home of a kin caregiver, and who would satisfy the AFDC eligibility requirement of section 472(a)(3)(A)(ii)(II) but for residing in the home of the caregiver for more than 6 months, is deemed to satisfy that requirement for purposes of determining whether the child is eligible for foster care maintenance payments under section 472.''.

(b) DEFINITION.—Section 475 of such Act (42 U.S.C. 675) is amended by adding at the end the following:

''(13) The term 'child who is a candidate for foster care' means, a child who is identified in a prevention plan under section 471(e)(4)(A) as being at imminent risk of entering foster care (without regard to whether the child would be eligible for foster care maintenance payments under section 472 or is or would be eligible for adoption assistance or kinship guardianship assistance payments under section 473) but who can remain safely in the child's home or in a kinship placement as long as services or programs specified in section 471(e)(1) that are necessary to prevent the entry of the child into foster care are provided. The term includes a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care placement.''.

(c) PAYMENTS UNDER TITLE IV–E.—Section 474(a) of such Act (42 U.S.C. 674(a)) is amended—

(1) in paragraph (5), by striking the period at the end and inserting ''; plus''; and

(2) by adding at the end the following:

''(6) subject to section 471(e)—

''(A) for each quarter—

''(i) subject to clause (ii)—

''(I) beginning after September 30, 2019, and before October 1, 2026, an amount equal to 50 percent of the total amount expended during the quarter for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with promising, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C); and

''(II) beginning after September 30, 2026, an amount equal to the Federal medical assistance percentage (which shall be as defined in section 1905(b), in the case of a State other than the District of Columbia, or 70 percent, in the case of the District of Columbia) of the total amount expended during the quarter for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with promising, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C) (or, with respect to the payments made during the quarter under a cooperative agreement or contract entered into by the State and an Indian tribe, tribal organization, or tribal consortium for the administration or payment of funds under this part, an amount equal to the Federal medical assistance percentage that would apply under section 479B(d) (in this paragraph referred to as the 'tribal FMAP') if the Indian tribe, tribal organization, or tribal consortium

made the payments under a program operated under that section, unless the tribal FMAP is less than the Federal medical assistance percentage that applies to the State); except that

''(ii) not less than 50 percent of the total amount expended by a State under clause (i) for a fiscal year shall be for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with well-supported practices; plus

''(B) for each quarter specified in subparagraph (A), an amount equal to the sum of the following proportions of the total amount expended during the quarter—

''(i) 50 percent of so much of the expenditures as are found necessary by the Secretary for the proper and efficient administration of the State plan for the provision of services or programs specified in section 471(e)(1), including expenditures for activities approved by the Secretary that promote the development of necessary processes and procedures to establish and implement the provision of the services and programs for individuals who are eligible for the services and programs and expenditures attributable to data collection and reporting; and

''(ii) 50 percent of so much of the expenditures with respect to the provision of services and programs specified in section 471(e)(1) as are for training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision and of the members of the staff of State-licensed or State-approved child welfare agencies providing services to children described in section 471(e)(2) and their parents or kin caregivers, including on how to determine who are individuals eligible for the services or programs, how to identify and provide appropriate services and programs, and how to oversee and evaluate the ongoing appropriateness of the services and programs.''.

(d) TECHNICAL ASSISTANCE AND BEST PRACTICES, CLEARINGHOUSE, AND DATA COLLECTION AND EVALUATIONS.—Section 476 of such Act (42 U.S.C. 676) is amended by adding at the end the following:

''(d) TECHNICAL ASSISTANCE AND BEST PRACTICES, CLEARINGHOUSE, DATA COLLECTION, AND EVALUATIONS RELATING TO PREVENTION SERVICES AND PROGRAMS.—

''(1) TECHNICAL ASSISTANCE AND BEST PRACTICES.—The Secretary shall provide to States and, as applicable, to Indian tribes, tribal organizations, and tribal consortia, technical assistance regarding the provision of services and programs described in section 471(e)(1) and shall disseminate best practices with respect to the provision of the services and programs, including how to plan and implement a well-designed and rigorous evaluation of a promising, supported, or well-supported practice.

''(2) CLEARINGHOUSE OF PROMISING, SUPPORTED, AND WELL-SUPPORTED PRACTICES.—The Secretary shall, directly or through grants, contracts, or interagency agreements, evaluate research on the practices specified in clauses (iii), (iv), and (v), respectively, of section 471(e)(4)(C), and programs that meet the requirements described in section 427(a)(1), including culturally specific, or location- or population-based adaptations of the practices, to identify and establish a public clearinghouse of the practices that satisfy each category described by such clauses. In addition, the clearinghouse shall include information on the specific outcomes associated with each practice, including whether the practice has been shown to prevent child abuse and neglect and reduce the likelihood of foster care placement by supporting birth families and kinship families and improving targeted supports for pregnant and parenting youth and their children.

''(3) DATA COLLECTION AND EVALUATIONS.—The Secretary, directly or through grants, contracts, or interagency agreements, may collect data and conduct evaluations with respect to the provision of services and programs described in section 471(e)(1) for purposes of assessing the extent to which the provision of the services and programs—

''(A) reduces the likelihood of foster care placement;

''(B) increases use of kinship care arrangements; or

''(C) improves child well-being.

''(4) REPORTS TO CONGRESS.—

''(A) IN GENERAL.—The Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives periodic reports based on the provision of services and programs described in section 471(e)(1) and the activities carried out under this subsection.

''(B) PUBLIC AVAILABILITY.—The Secretary shall make the reports to the Congress submitted under this paragraph publicly available.

''(5) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary $1,000,000 for fiscal year 2018 and each fiscal year thereafter to carry out this subsection.''.

(e) APPLICATION TO PROGRAMS OPERATED BY INDIAN TRIBAL ORGANIZATIONS.—

(1) IN GENERAL.—Section 479B of such Act (42 U.S.C. 679c) is amended—

(A) in subsection (c)(1)—

(i) in subparagraph (C)(i)—

(I) in subclause (II), by striking ''and'' after the semicolon;

(II) in subclause (III), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(IV) at the option of the tribe, organization, or consortium, services and programs specified in section 471(e)(1) to children described in section 471(e)(2) and their parents or kin caregivers, in accordance with section 471(e) and subparagraph (E).''; and

(ii) by adding at the end the following:

''(E) PREVENTION SERVICES AND PROGRAMS FOR CHILDREN AND THEIR PARENTS AND KIN CAREGIVERS.—

''(i) IN GENERAL.—In the case of a tribe, organization, or consortium that elects to provide services and programs specified in section 471(e)(1) to children described in section 471(e)(2) and their parents or kin caregivers under the plan, the Secretary shall specify the requirements applicable to the provision of the services and programs. The requirements shall, to the greatest extent practicable, be consistent with the requirements applicable to States under section 471(e) and shall permit the provision of the services and programs in the form of services and programs that are adapted to the culture and context of the tribal communities served.

''(ii) PERFORMANCE MEASURES.—The Secretary shall establish specific performance measures for each tribe, organization, or consortium that elects to provide services and programs specified in section 471(e)(1). The performance measures shall, to the greatest extent practicable, be consistent with the prevention services measures required for States under section 471(e)(6) but shall allow for consideration of factors unique to the provision of the services by tribes, organizations, or consortia.''; and

(B) in subsection (d)(1), by striking ''and (5)'' and inserting ''(5), and (6)(A)''.

(2) CONFORMING AMENDMENT.—The heading for subsection (d) of section 479B of such Act (42 U.S.C. 679c) is amended by striking ''FOR FOSTER CARE MAINTENANCE AND ADOPTION ASSISTANCE PAYMENTS''.

(f) APPLICATION TO PROGRAMS OPERATED BY TERRITORIES.—Section 1108(a)(2) of the Social Security Act (42 U.S.C. 1308(a)(2)) is amended by striking ''or 413(f)'' and inserting ''413(f), or 474(a)(6)''.

SEC. 2622. FOSTER CARE MAINTENANCE PAYMENTS FOR CHILDREN WITH PARENTS IN A LICENSED RESIDENTIAL FAMILY-BASED TREATMENT FACILITY FOR SUBSTANCE ABUSE.

(a) IN GENERAL.—Section 472 of the Social Security Act (42 U.S.C. 672) is amended—

(1) in subsection (a)(2)(C), by striking ''or'' and inserting '', with a parent residing in a licensed residential family-based treatment facility, but only to the extent permitted under subsection (j), or in a''; and

(2) by adding at the end the following:

''(j) CHILDREN PLACED WITH A PARENT RESIDING IN A LICENSED RESIDENTIAL FAMILY-BASED TREATMENT FACILITY FOR SUBSTANCE ABUSE.—

''(1) IN GENERAL.—Notwithstanding the preceding provisions of this section, a child who is eligible for foster care maintenance payments under this section, or who would be eligible for the payments if the eligibility were determined without regard to paragraphs (1)(B) and (3) of subsection (a), shall be eligible for the payments for a period of not more than 12 months during which the child is placed with a parent who is in a licensed residential family-based treatment facility for substance abuse, but only if—

''(A) the recommendation for the placement is specified in the child's case plan before the placement;

''(B) the treatment facility provides, as part of the treatment for substance abuse, parenting skills training, parent education, and individual and family counseling; and

''(C) the substance abuse treatment, parenting skills training, parent education, and individual and family counseling is provided under an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address the consequences of trauma and facilitate healing.

''(2) APPLICATION.—With respect to children for whom foster care maintenance payments are made under paragraph (1), only the children who satisfy the requirements of paragraphs (1)(B) and (3) of subsection (a) shall be considered to be children with respect to whom foster care maintenance payments are made under this section for purposes of subsection (h) or section 473(b)(3)(B).''.

(b) CONFORMING AMENDMENT.—Section 474(a)(1) of such Act (42 U.S.C. 674(a)(1)) is amended by inserting ''subject to section 472(j),'' before ''an amount equal to the Federal'' the first place it appears.

SEC. 2623. TITLE IV–E PAYMENTS FOR EVIDENCE-BASED KINSHIP NAVIGATOR PROGRAMS.

Section 474(a) of the Social Security Act (42 U.S.C. 674(a)), as amended by section 2621(c) of this Act, is amended—

(1) in paragraph (6), by striking the period at the end and inserting ''; plus''; and

(2) by adding at the end the following:

''(7) an amount equal to 50 percent of the amounts expended by the State during the quarter as the Secretary determines are for kinship navigator programs that meet the requirements described in section 427(a)(1) and that the Secretary determines are operated in accordance with promising, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C), without regard

to whether the expenditures are incurred on behalf of children who are, or are potentially, eligible for foster care maintenance payments under this part.''.

Subchapter B—Enhanced Support Under Title IV–B

SEC. 2631. ELIMINATION OF TIME LIMIT FOR FAMILY REUNIFICATION SERVICES WHILE IN FOSTER CARE AND PERMITTING TIME-LIMITED FAMILY REUNIFICATION SERVICES WHEN A CHILD RETURNS HOME FROM FOSTER CARE.

(a) IN GENERAL.—Section 431(a)(7) of the Social Security Act (42 U.S.C. 629a(a)(7)) is amended—

(1) in the paragraph heading, by striking ''TIME-LIMITED FAMILY'' and inserting ''FAMILY''; and

(2) in subparagraph (A)—

(A) by striking ''time-limited family'' and inserting ''family'';

(B) by inserting ''or a child who has been returned home'' after ''child care institution''; and

(C) by striking '', but only during the 15-month period that begins on the date that the child, pursuant to section 475(5)(F), is considered to have entered foster care'' and inserting ''and to ensure the strength and stability of the reunification. In the case of a child who has been returned home, the services and activities shall only be provided during the 15-month period that begins on the date that the child returns home''.

(b) CONFORMING AMENDMENTS.—

(1) Section 430 of such Act (42 U.S.C. 629) is amended in the matter preceding paragraph (1), by striking ''time-limited''.

(2) Subsections (a)(4), (a)(5)(A), and (b)(1) of section 432 of such Act (42 U.S.C. 629b) are amended by striking ''time-limited'' each place it appears.

SEC. 2632. REDUCING BUREAUCRACY AND UNNECESSARY DELAYS WHEN PLACING CHILDREN IN HOMES ACROSS STATE LINES.

(a) STATE PLAN REQUIREMENT.—

(1) IN GENERAL.—Section 471(a)(25) of the Social Security Act (42 U.S.C. 671(a)(25)) is amended—

(A) by striking ''provide'' and inserting ''provides''; and

(B) by inserting '', which, in the case of a State other than the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa, not later than October 1, 2027, shall include the use of an electronic interstate case-processing system'' before the first semicolon.

(2) EXEMPTION OF INDIAN TRIBES.—Section 479B(c) of such Act (42 U.S.C. 679c(c)) is amended by adding at the end the following:

''(4) INAPPLICABILITY OF STATE PLAN REQUIREMENT TO HAVE IN EFFECT PROCEDURES PROVIDING FOR THE USE OF AN ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM.—The requirement in section 471(a)(25) that a State plan provide that the State shall have in effect procedures providing for the use of an electronic interstate case-processing system shall not apply to an Indian tribe, tribal organization, or tribal consortium that elects to operate a program under this part.''.

(b) FUNDING FOR THE DEVELOPMENT OF AN ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—Section 437 of such Act (42 U.S.C. 629g) is amended by adding at the end the following:

''(g) FUNDING FOR THE DEVELOPMENT OF AN ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

''(1) PURPOSE.—The purpose of this subsection is to facilitate the development of an electronic interstate case-processing system for the exchange of data and documents to expedite the placements of children in foster, guardianship, or adoptive homes across State lines.

''(2) REQUIREMENTS.—A State that seeks funding under this subsection shall submit to the Secretary the following information:

''(A) A description of the goals and outcomes to be achieved, which goals and outcomes must result in—

''(i) reducing the time it takes for a child to be provided with a safe and appropriate permanent living arrangement across State lines;

''(ii) improving administrative processes and reducing costs in the foster care system; and

''(iii) the secure exchange of relevant case files and other necessary materials in real time, and timely communications and placement decisions regarding interstate placements of children.

''(B) A description of the activities to be funded in whole or in part with the funds, including the sequencing of the activities.

''(C) A description of the strategies for integrating programs and services for children who are placed across State lines.

''(D) Such other information as the Secretary may require.

''(3) FUNDING AUTHORITY.—The Secretary may provide funds to a State that complies with paragraph (2). In providing funds under this subsection, the Secretary shall prioritize States that are not yet connected with the electronic interstate case-processing system referred to in paragraph (1).

''(4) USE OF FUNDS.—A State to which funding is provided under this subsection shall use the funding to support the State in connecting with, or enhancing or expediting services provided under, the electronic interstate case-processing system referred to in paragraph (1).

''(5) EVALUATIONS.—Not later than 1 year after the final year in which funds are awarded under this subsection, the Secretary shall submit to the Congress, and make available to the general public by posting on a website, a report that contains the following information:

''(A) How using the electronic interstate case-processing system developed pursuant to paragraph (4) has changed the time it takes for children to be placed across State lines.

''(B) The number of cases subject to the Interstate Compact on the Placement of Children that were processed through the electronic interstate case-processing system, and the number of interstate child placement cases that were processed outside the electronic interstate case-processing system, by each State in each year.

''(C) The progress made by States in implementing the electronic interstate case-processing system.

''(D) How using the electronic interstate case-processing system has affected various metrics related to child safety and well-being, including the time it takes for children to be placed across State lines.

''(E) How using the electronic interstate case-processing system has affected administrative costs and caseworker time spent on placing children across State lines.

''(6) DATA INTEGRATION.—The Secretary, in consultation with the Secretariat for the Interstate Compact on the Placement of Children and the States, shall assess how the electronic interstate case-processing system developed pursuant to paragraph (4) could be used to better serve and protect children that come to the attention of the child welfare system, by—

''(A) connecting the system with other data systems (such as systems operated by State law enforcement and judicial agencies, systems operated by the Federal Bureau of Investigation for the purposes of the Innocence Lost National Initiative, and other systems);

''(B) simplifying and improving reporting related to paragraphs (34) and (35) of section 471(a) regarding children or youth who have been identified as being a sex trafficking victim or children missing from foster care; and

''(C) improving the ability of States to quickly comply with background check requirements of section 471(a)(20), including checks of child abuse and neglect registries as required by section 471(a)(20)(B).''.

(c) RESERVATION OF FUNDS TO IMPROVE THE INTERSTATE PLACEMENT OF CHILDREN.—Section 437(b) of such Act (42 U.S.C. 629g(b)) is amended by adding at the end the following:

''(4) IMPROVING THE INTERSTATE PLACEMENT OF CHILDREN.—The Secretary shall reserve $5,000,000 of the amount made available for fiscal year 2018 for grants under subsection (g), and the amount so reserved shall remain available through fiscal year 2022.''.

SEC. 2633. ENHANCEMENTS TO GRANTS TO IMPROVE WELL-BEING OF FAMILIES AFFECTED BY SUBSTANCE ABUSE.

Section 437(f) of the Social Security Act (42 U.S.C. 629g(f)) is amended—

(1) in the subsection heading, by striking ''INCREASE THE WELL-BEING OF, AND TO IMPROVE THE PERMANENCY OUTCOMES FOR, CHILDREN AFFECTED BY'' and inserting ''IMPLEMENT IV–E PREVENTION SERVICES, AND IMPROVE THE WELL-BEING OF, AND IMPROVE PERMANENCY OUTCOMES FOR, CHILDREN AND FAMILIES AFFECTED BY HEROIN, OPIOIDS, AND OTHER'';

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

''(2) REGIONAL PARTNERSHIP DEFINED.—In this subsection, the term 'regional partnership' means a collaborative agreement (which may be established on an interstate, State, or intrastate basis) entered into by the following:

''(A) MANDATORY PARTNERS FOR ALL PARTNERSHIP GRANTS.—

''(i) The State child welfare agency that is responsible for the administration of the State plan under this part and part E.

''(ii) The State agency responsible for administering the substance abuse prevention and treatment block grant provided under subpart II of part B of title XIX of the Public Health Service Act.

''(B) MANDATORY PARTNERS FOR PARTNERSHIP GRANTS PROPOSING TO SERVE CHILDREN IN OUT-OF-HOME PLACEMENTS.—If the partnership proposes to serve children in out-of-home placements, the Juvenile Court or Administrative Office of the Court that is most appropriate to oversee the administration of court programs in the region to address the population of families who come to the attention of the court due to child abuse or neglect.

''(C) OPTIONAL PARTNERS.—At the option of the partnership, any of the following:

''(i) An Indian tribe or tribal consortium.

''(ii) Nonprofit child welfare service providers.

''(iii) For-profit child welfare service providers.

''(iv) Community health service providers, including substance abuse treatment providers.

''(v) Community mental health providers.

''(vi) Local law enforcement agencies.

''(vii) School personnel.

''(viii) Tribal child welfare agencies (or a consortia of the agencies).

''(ix) Any other providers, agencies, personnel, officials, or entities that are related to the provision of child and family services under a State plan approved under this subpart.

''(D) EXCEPTION FOR REGIONAL PARTNERSHIPS WHERE THE LEAD APPLICANT IS AN INDIAN TRIBE OR TRIBAL CONSORTIA.—If an Indian tribe or tribal consortium enters into a regional partnership for purposes of this subsection, the Indian tribe or tribal consortium—

''(i) may (but is not required to) include the State child welfare agency as a partner in the collaborative agreement;

''(ii) may not enter into a collaborative agreement only with tribal child welfare agencies (or a consortium of the agencies); and

''(iii) if the condition described in paragraph (2)(B) applies, may include tribal court organizations in lieu of other judicial partners.'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking ''2012 through 2016'' and inserting ''2017 through 2021''; and

(ii) by striking ''$500,000 and not more than $1,000,000'' and inserting ''$250,000 and not more than $1,000,000'';

(B) in subparagraph (B)—

(i) in the subparagraph heading, by inserting ''; PLANNING'' after ''APPROVAL'';

(ii) in clause (i), by striking ''clause (ii)'' and inserting ''clauses (ii) and (iii)''; and

(iii) by adding at the end the following:

''(iii) SUFFICIENT PLANNING.—A grant awarded under this subsection shall be disbursed in two phases: a planning phase (not to exceed 2 years) and an implementation phase. The total disbursement to a grantee for the planning phase may not exceed $250,000, and may not exceed the total anticipated funding for the implementation phase.''; and

(C) by adding at the end the following:

''(D) LIMITATION ON PAYMENT FOR A FISCAL YEAR.—No payment shall be made under subparagraph (A) or (C) for a fiscal year until the Secretary determines that the eligible partnership has made sufficient progress in meeting the goals of the grant and that the members of the eligible partnership are coordinating to a reasonable degree with the other members of the eligible partnership.'';

(4) in paragraph (4)—

(A) in subparagraph (B)—

(i) in clause (i), by inserting '', parents, and families'' after ''children'';

(ii) in clause (ii), by striking ''safety and permanence for such children; and'' and inserting ''safe, permanent caregiving relationships for the children;'';

(iii) in clause (iii), by striking ''or'' and inserting ''increase reunification rates for children who have been placed in out-of-home care, or decrease''; and

(iv) by redesignating clause (iii) as clause (v) and inserting after clause (ii) the following:

''(iii) improve the substance abuse treatment outcomes for parents including retention in treatment and successful completion of treatment;

''(iv) facilitate the implementation, delivery, and effectiveness of prevention services and programs under section 471(e); and'';

(B) in subparagraph (D), by striking ''where appropriate,''; and

(C) by striking subparagraphs (E) and (F) and inserting the following:

''(E) A description of a plan for sustaining the services provided by or activities funded under the grant after the conclusion of the grant period, including through the use of prevention services and programs under section 471(e) and other funds provided to the State for child welfare and substance abuse prevention and treatment services.

''(F) Additional information needed by the Secretary to determine that the proposed activities and implementation will be consistent with research or evaluations showing which practices and approaches are most effective.'';

(5) in paragraph (5)(A), by striking ''abuse treatment'' and inserting ''use disorder treatment including medication assisted treatment and in-home substance abuse disorder treatment and recovery'';

(6) in paragraph (7)—

(A) by striking ''and'' at the end of subparagraph (C); and

(B) by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

''(D) demonstrate a track record of successful collaboration among child welfare, substance abuse disorder treatment and mental health agencies; and'';

(7) in paragraph (8)—

(A) in subparagraph (A)—

(i) by striking ''establish indicators that will be'' and inserting ''review indicators that are''; and

(ii) by striking ''in using funds made available under such grants to achieve the purpose of this subsection'' and inserting ''and establish a set of core indicators related to child safety, parental recovery, parenting capacity, and family well-being. In developing the core indicators, to the extent possible, indicators shall be made consistent with the outcome measures described in section 471(e)(6)''; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by inserting ''base the performance measures on lessons learned from prior rounds of regional partnership grants under this subsection, and'' before ''consult''; and

(ii) by striking clauses (iii) and (iv) and inserting the following:

''(iii) Other stakeholders or constituencies as determined by the Secretary.'';

(8) in paragraph (9)(A), by striking clause (i) and inserting the following:

''(i) SEMIANNUAL REPORTS.—Not later than September 30 of each fiscal year in which a recipient of a grant under this subsection is paid funds under the grant, and every 6 months thereafter, the grant recipient shall submit to the Secretary a report on the services provided and activities carried out during the reporting period, progress made in achieving the goals of the program, the number of children, adults, and families receiving services, and such additional information as the Secretary determines is necessary. The report due not later than September 30 of the last such fiscal year shall include, at a minimum, data on each of the performance indicators included in the evaluation of the regional partnership.''; and

(9) in paragraph (10), by striking ''2012 through 2016'' and inserting ''2017 through 2021''.

Subchapter C—Miscellaneous

SEC. 2641. REVIEWING AND IMPROVING LICENSING STANDARDS FOR PLACEMENT IN A RELATIVE FOSTER FAMILY HOME.

(a) IDENTIFICATION OF REPUTABLE MODEL LICENSING STANDARDS.—Not later than October 1, 2018, the Secretary of Health and Human Services shall identify reputable model licensing standards with respect to the licensing of foster family homes (as defined in section 472(c)(1) of the Social Security Act).

(b) STATE PLAN REQUIREMENT.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) in paragraph (34)(B), by striking ''and'' after the semicolon;

(2) in paragraph (35)(B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(36) provides that, not later than April 1, 2019, the State shall submit to the Secretary information addressing—

''(A) whether the State licensing standards are in accord with model standards identified by the Secretary, and if not, the reason for the specific deviation and a description as to why having a standard that is reasonably in accord with the corresponding national model standards is not appropriate for the State;

''(B) whether the State has elected to waive standards established in 471(a)(10)(A) for relative foster family homes (pursuant to waiver authority provided by 471(a)(10)(D)), a description of which standards the State most commonly waives, and if the State has not elected to waive the standards, the reason for not waiving these standards;

''(C) if the State has elected to waive standards specified in subparagraph (B), how caseworkers are trained to use the waiver authority and whether the State has developed a process or provided tools to assist caseworkers in waiving nonsafety standards per the authority provided in 471(a)(10)(D) to quickly place children with relatives; and

''(D) a description of the steps the State is taking to improve caseworker training or the process, if any; and''.

SEC. 2642. DEVELOPMENT OF A STATEWIDE PLAN TO PREVENT CHILD ABUSE AND NEGLECT FATALITIES.

Section 422(b)(19) of the Social Security Act (42 U.S.C. 622(b)(19)) is amended to read as follows:

''(19) document steps taken to track and prevent child maltreatment deaths by including—

''(A) a description of the steps the State is taking to compile complete and accurate information on the deaths required by Federal law to be reported by the State agency referred to in paragraph (1), including gathering relevant information on the deaths from the relevant organizations in the State including entities such as State vital statistics department, child death review teams, law enforcement agencies, offices of medical examiners, or coroners; and

''(B) a description of the steps the State is taking to develop and implement a comprehensive, statewide plan to prevent the fatalities that involves and engages relevant public and private agency partners, including those in public health, law enforcement, and the courts.''.

SEC. 2643. MODERNIZING THE TITLE AND PURPOSE OF TITLE IV–E.

(a) PART HEADING.—The heading for part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) is amended to read as follows:

''PART E—FEDERAL PAYMENTS FOR FOSTER CARE, PREVENTION, AND PERMANENCY''.

(b) PURPOSE.—The first sentence of section 470 of such Act (42 U.S.C. 670) is amended—

(1) by striking ''1995) and'' and inserting ''1995),'';

(2) by inserting ''kinship guardianship assistance, and prevention services or programs specified in section 471(e)(1),'' after ''needs,''; and

(3) by striking ''(commencing with the fiscal year which begins October 1, 1980)''.

SEC. 2644. EFFECTIVE DATES.

(a) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), subject to subsection (b), the amendments made by this chapter shall take effect on October 1, 2018.

(2) EXCEPTIONS.—The amendments made by sections 2621(d), 2641, and 2643 shall take effect on the date of enactment of this Act.

(b) TRANSITION RULE.—

(1) IN GENERAL.—In the case of a State plan under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this chapter, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(2) APPLICATION TO PROGRAMS OPERATED BY INDIAN TRIBAL ORGANIZATIONS.—In the case of an Indian tribe, tribal organization, or tribal consortium which the Secretary of Health and Human Services determines requires time to take action necessary to comply with the additional requirements imposed by the amendments made by this chapter (whether the tribe, organization, or tribal consortium has a plan under section 479B of the Social Security Act or a cooperative agreement or contract entered into with a State), the Secretary shall provide the tribe, organization, or tribal consortium with such additional time as the Secretary determines is necessary for the tribe, organization, or tribal consortium to take the action to comply with the additional requirements before being regarded as failing to comply with the requirements.

CHAPTER 2—ENSURING THE NECESSITY OF A PLACEMENT THAT IS NOT IN A FOSTER FAMILY HOME

SEC. 2651. LIMITATION ON FEDERAL FINANCIAL PARTICIPATION FOR PLACEMENTS THAT ARE NOT IN FOSTER FAMILY HOMES.

(a) LIMITATION ON FEDERAL FINANCIAL PARTICIPATION.—

(1) IN GENERAL.—Section 472 of the Social Security Act (42 U.S.C. 672), as amended by section 2622 of this Act, is amended—

(A) in subsection (a)(2)(C), by inserting '', but only to the extent permitted under subsection (k)'' after ''institution''; and

(B) by adding at the end the following:

''(k) LIMITATION ON FEDERAL FINANCIAL PARTICIPATION.—

''(1) IN GENERAL.—Beginning with the third week for which foster care maintenance payments are made under this section on behalf of a child placed in a child-care institution, no Federal payment shall be made to the State under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of the child unless—

''(A) the child is placed in a child-care institution that is a setting specified in paragraph (2) (or is placed in a licensed residential family-based treatment facility consistent with subsection (j)); and

''(B) in the case of a child placed in a qualified residential treatment program (as defined in paragraph (4)), the requirements specified in paragraph (3) and section 475A(c) are met.

''(2) SPECIFIED SETTINGS FOR PLACEMENT.—The settings for placement specified in this paragraph are the following:

''(A) A qualified residential treatment program (as defined in paragraph (4)).

''(B) A setting specializing in providing prenatal, post-partum, or parenting supports for youth.

''(C) In the case of a child who has attained 18 years of age, a supervised setting in which the child is living independently.

''(D) A setting providing high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of becoming, sex trafficking victims, in accordance with section 471(a)(9)(C).

''(3) ASSESSMENT TO DETERMINE APPROPRIATENESS OF PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—

''(A) DEADLINE FOR ASSESSMENT.—In the case of a child who is placed in a qualified residential treatment program, if the assessment required under section 475A(c)(1) is not completed within 30 days after the placement is made, no Federal payment shall be made to the State under section 474(a)(1) for any amounts expended for foster care maintenance payments on behalf of the child during the placement.

''(B) DEADLINE FOR TRANSITION OUT OF PLACEMENT.—If the assessment required under section 475A(c)(1) determines that the placement of a child in a qualified residential treatment program is not appropriate, a court disapproves such a placement under section 475A(c)(2), or a child who has been in an approved placement in a qualified residential treatment program is going to return home or be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home, Federal payments shall be made to the State under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of the child while the child remains in the qualified residential treatment program only during the period necessary for the child to transition home or to such a placement. In no event shall a State receive Federal payments under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of a child who remains placed in a qualified residential treatment program after the end of the 30-day period that begins on the date a determination is made that the placement is no longer the recommended or approved placement for the child.

''(4) QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—For purposes of this part, the term 'qualified residential treatment program' means a program that—

''(A) has a trauma-informed treatment model that is designed to address the needs, including clinical needs as appropriate, of children with serious emotional or behavioral disorders or disturbances and, with respect to a child, is able to implement the treatment identified for the child by the assessment of the child required under section 475A(c);

''(B) subject to paragraphs (5) and (6), has registered or licensed nursing staff and other licensed clinical staff who—

''(i) provide care within the scope of their practice as defined by State law;

''(ii) are on-site in accordance with the treatment model referred to in subparagraph (A); and

''(iii) are available 24 hours a day and 7 days a week;

''(C) to extent appropriate, and in accordance with the child's best interests, facilitates participation of family members in the child's treatment program;

''(D) facilitates outreach to the family members of the child, including siblings, documents how the outreach is made (including contact information), and maintains contact information for any known biological family and fictive kin of the child;

''(E) documents how family members are integrated into the treatment process for the child, including post-discharge, and how sibling connections are maintained;

''(F) provides discharge planning and family-based aftercare support for at least 6 months post-discharge; and

''(G) is licensed in accordance with section 471(a)(10) and is accredited by any of the following independent, not-for-profit organizations:

''(i) The Commission on Accreditation of Rehabilitation Facilities (CARF).

''(ii) The Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

''(iii) The Council on Accreditation (COA).

''(iv) Any other independent, not-for-profit accrediting organization approved by the Secretary.

''(5) ADMINISTRATIVE COSTS.—The prohibition in paragraph (1) on Federal payments under section 474(a)(1) shall not be construed as prohibiting Federal payments for administrative expenditures incurred on behalf of a child placed in a child-care institution and for which payment is available under section 474(a)(3).

''(6) RULE OF CONSTRUCTION.—The requirements in paragraph (4)(B) shall not be construed as requiring a qualified residential treatment program to acquire nursing and behavioral health staff solely through means of a direct employer to employee relationship.''.

(2) CONFORMING AMENDMENT.—Section 474(a)(1) of such Act (42 U.S.C. 674(a)(1)), as amended by section 2622(b) of this Act, is amended by striking ''section 472(j)'' and inserting ''subsections (j) and (k) of section 472''.

(b) DEFINITION OF FOSTER FAMILY HOME, CHILD-CARE INSTITUTION.—Section 472(c) of such Act (42 U.S.C. 672(c)(1)) is amended to read as follows:

''(c) DEFINITIONS.—For purposes of this part:

''(1) FOSTER FAMILY HOME.—

''(A) IN GENERAL.—The term 'foster family home' means the home of an individual or family—

''(i) that is licensed or approved by the State in which it is situated as a foster family home that meets the standards established for the licensing or approval; and

''(ii) in which a child in foster care has been placed in the care of an individual, who resides with the child and who has been licensed or approved by the State to be a foster parent—

''(I) that the State deems capable of adhering to the reasonable and prudent parent standard;

''(II) that provides 24-hour substitute care for children placed away from their parents or other caretakers; and

''(III) that provides the care for not more than six children in foster care.

''(B) STATE FLEXIBILITY.—The number of foster children that may be cared for in a home under subparagraph (A) may exceed the numerical limitation in subparagraph (A)(ii)(III), at the option of the State, for any of the following reasons:

''(i) To allow a parenting youth in foster care to remain with the child of the parenting youth.

''(ii) To allow siblings to remain together.

''(iii) To allow a child with an established meaningful relationship with the family to remain with the family.

''(iv) To allow a family with special training or skills to provide care to a child who has a severe disability.

''(C) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as prohibiting a foster parent from renting the home in which the parent cares for a foster child placed in the parent's care.

''(2) CHILD-CARE INSTITUTION.—

''(A) IN GENERAL.—The term 'child-care institution' means a private child-care institution, or a public child-care institution which accommodates no more than 25 children, which is licensed by the State in which it is situated or has been approved by the agency

of the State responsible for licensing or approval of institutions of this type as meeting the standards established for the licensing.

''(B) SUPERVISED SETTINGS.—In the case of a child who has attained 18 years of age, the term shall include a supervised setting in which the individual is living independently, in accordance with such conditions as the Secretary shall establish in regulations.

''(C) EXCLUSIONS.—The term shall not include detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children who are determined to be delinquent.''.

(c) TRAINING FOR STATE JUDGES, ATTORNEYS, AND OTHER LEGAL PERSONNEL IN CHILD WELFARE CASES.—Section 438(b)(1) of such Act (42 U.S.C. 629h(b)(1)) is amended in the matter preceding subparagraph (A) by inserting ''shall provide for the training of judges, attorneys, and other legal personnel in child welfare cases on Federal child welfare policies and payment limitations with respect to children in foster care who are placed in settings that are not a foster family home,'' after ''with respect to the child,''.

(d) ASSURANCE OF NONIMPACT ON JUVENILE JUSTICE SYSTEM.—

(1) STATE PLAN REQUIREMENT.—Section 471(a) of such Act (42 U.S.C. 671(a)), as amended by section 2641 of this Act, is further amended by adding at the end the following:

''(37) includes a certification that, in response to the limitation imposed under section 472(k) with respect to foster care maintenance payments made on behalf of any child who is placed in a setting that is not a foster family home, the State will not enact or advance policies or practices that would result in a significant increase in the population of youth in the State's juvenile justice system.''.

(2) GAO STUDY AND REPORT.—The Comptroller General of the United States shall evaluate the impact, if any, on State juvenile justice systems of the limitation imposed under section 472(k) of the Social Security Act (as added by subsection (a)(1) of this section) on foster care maintenance payments made on behalf of any child who is placed in a setting that is not a foster family home, in accordance with the amendments made by subsections (a) and (b) of this section. In particular, the Comptroller General shall evaluate the extent to which children in foster care who also are subject to the juvenile justice system of the State are placed in a facility under the jurisdiction of the juvenile justice system and whether the lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to that result. Not later than December 31, 2024, the Comptroller General shall submit to Congress a report on the results of the evaluation.

SEC. 2652. ASSESSMENT AND DOCUMENTATION OF THE NEED FOR PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.

Section 475A of the Social Security Act (42 U.S.C. 675a) is amended by adding at the end the following:

''(c) ASSESSMENT, DOCUMENTATION, AND JUDICIAL DETERMINATION REQUIREMENTS FOR PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In the case of any child who is placed in a qualified residential treatment program (as defined in section 472(k)(4)), the following requirements shall apply for purposes of approving the case plan for the child and the case system review procedure for the child:

''(1)(A) Within 30 days of the start of each placement in such a setting, a qualified individual (as defined in subparagraph (D)) shall—

''(i) assess the strengths and needs of the child using an age-appropriate, evidence-based, validated, functional assessment tool approved by the Secretary;

''(ii) determine whether the needs of the child can be met with family members or through placement in a foster family home or, if not, which setting from among the settings specified in section 472(k)(2) would provide the most effective and appropriate level of care for the child in the least restrictive environment and be consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child; and

''(iii) develop a list of child-specific short- and long-term mental and behavioral health goals.

''(B)(i) The State shall assemble a family and permanency team for the child in accordance with the requirements of clauses (ii) and (iii). The qualified individual conducting the assessment required under subparagraph (A) shall work in conjunction with the family of, and permanency team for, the child while conducting and making the assessment.

''(ii) The family and permanency team shall consist of all appropriate biological family members, relative, and fictive kin of the child, as well as, as appropriate, professionals who are a resource to the family of the child, such as teachers, medical or mental health providers who have treated the child, or clergy. In the case of a child who has attained age 14, the family and permanency team shall include the members of the permanency planning team for the child that are selected by the child in accordance with section 475(5)(C)(iv).

''(iii) The State shall document in the child's case plan—

''(I) the reasonable and good faith effort of the State to identify and include all such individuals on the family of, and permanency team for, the child;

''(II) all contact information for members of the family and permanency team, as well as contact information for other family members and fictive kin who are not part of the family and permanency team;

''(III) evidence that meetings of the family and permanency team, including meetings relating to the assessment required under subparagraph (A), are held at a time and place convenient for family;

''(IV) if reunification is the goal, evidence demonstrating that the parent from whom the child was removed provided input on the members of the family and permanency team;

''(V) evidence that the assessment required under subparagraph (A) is determined in conjunction with the family and permanency team;

''(VI) the placement preferences of the family and permanency team relative to the assessment that recognizes children should be placed with their siblings unless there is a finding by the court that such placement is contrary to their best interest; and

''(VII) if the placement preferences of the family and permanency team and child are not the placement setting recommended by the qualified individual conducting the assessment under subparagraph (A), the reasons why the preferences of the team and of the child were not recommended.

''(C) In the case of a child who the qualified individual conducting the assessment under subparagraph (A) determines should not be placed in a foster family home, the qualified individual shall specify in writing the reasons why the needs of the child cannot be met by the family of the child or in a foster family home. A shortage or lack of foster family homes shall not be an acceptable reason for determining that the needs of the child cannot be met in a foster family home. The qualified individual also shall specify in writing why the recommended placement in a qualified residential treatment program is the setting that will provide the child with the most effective and appropriate level of care in the least restrictive environment and how that placement is consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child.

''(D)(i) Subject to clause (ii), in this subsection, the term 'qualified individual' means a trained professional or licensed clinician who is not an employee of the State agency and who is not connected to, or affiliated with, any placement setting in which children are placed by the State.

''(ii) The Secretary may approve a request of a State to waive any requirement in clause (i) upon a submission by the State, in accordance with criteria established by the Secretary, that certifies that the trained professionals or licensed clinicians with responsibility for performing the assessments described in subparagraph (A) shall maintain objectivity with respect to determining the most effective and appropriate placement for a child.

''(2) Within 60 days of the start of each placement in a qualified residential treatment program, a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or an administrative body appointed or approved by the court, independently, shall—

''(A) consider the assessment, determination, and documentation made by the qualified individual conducting the assessment under paragraph (1);

''(B) determine whether the needs of the child can be met through placement in a foster family home or, if not, whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment and whether that placement is consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child; and

''(C) approve or disapprove the placement.

''(3) The written documentation made under paragraph (1)(C) and documentation of the determination and approval or disapproval of the placement in a qualified residential treatment program by a court or administrative body under paragraph (2) shall be included in and made part of the case plan for the child.

''(4) As long as a child remains placed in a qualified residential treatment program, the State agency shall submit evidence at each status review and each permanency hearing held with respect to the child—

''(A) demonstrating that ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement in a foster family home, that the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and that the placement is consistent with the short- and long-term goals for the child, as specified in the permanency plan for the child;

''(B) documenting the specific treatment or service needs that will be met for the child in the placement and the length of time the child is expected to need the treatment or services; and

''(C) documenting the efforts made by the State agency to prepare the child to return home or to be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home.

''(5) In the case of any child who is placed in a qualified residential treatment program for more than 12 consecutive months or 18 nonconsecutive months (or, in the case of a child who has not attained age 13, for more than 6 consecutive or nonconsecutive months), the State agency shall submit to the Secretary—

''(A) the most recent versions of the evidence and documentation specified in paragraph (4); and

''(B) the signed approval of the head of the State agency for the continued placement of the child in that setting.''.

SEC. 2653. PROTOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES.

(a) STATE PLAN REQUIREMENT.—Section 422(b)(15)(A) of the Social Security Act (42 U.S.C. 622(b)(15)(A)) is amended—

(1) in clause (vi), by striking ''and'' after the semicolon;

(2) by redesignating clause (vii) as clause (viii); and

(3) by inserting after clause (vi) the following:

''(vii) the procedures and protocols the State has established to ensure that children in foster care placements are not inappropriately diagnosed with mental illness, other emotional or behavioral disorders, medically fragile conditions, or developmental disabilities, and placed in settings that are not foster family homes as a result of the inappropriate diagnoses; and''.

(b) EVALUATION.—Section 476 of such Act (42 U.S.C. 676), as amended by section 2621(d) of this Act, is further amended by adding at the end the following:

''(e) EVALUATION OF STATE PROCEDURES AND PROTOCOLS TO PREVENT INAPPROPRIATE DIAGNOSES OF MENTAL ILLNESS OR OTHER CONDITIONS.—The Secretary shall conduct an evaluation of the procedures and protocols established by States in accordance with the requirements of section 422(b)(15)(A)(vii). The evaluation shall analyze the extent to which States comply with and enforce the procedures and protocols and the effectiveness of various State procedures and protocols and shall identify best practices. Not later than January 1, 2020, the Secretary shall submit a report on the results of the evaluation to Congress.''.

SEC. 2654. ADDITIONAL DATA AND REPORTS REGARDING CHILDREN PLACED IN A SETTING THAT IS NOT A FOSTER FAMILY HOME.

Section 479A(a)(7)(A) of the Social Security Act (42 U.S.C. 679b(a)(7)(A)) is amended by striking clauses (i) through (vi) and inserting the following:

''(i) with respect to each such placement—

''(I) the type of the placement setting, including whether the placement is shelter care, a group home and if so, the range of the child population in the home, a residential treatment facility, a hospital or institution providing medical, rehabilitative, or psychiatric care, a setting specializing in providing prenatal, post-partum, or parenting supports, or some other kind of child-care institution and if so, what kind;

''(II) the number of children in the placement setting and the age, race, ethnicity, and gender of each of the children;

''(III) for each child in the placement setting, the length of the placement of the child in the setting, whether the placement of the child in the setting is the first placement of the child and if not, the number and type of previous placements of the child, and whether the child has special needs or another diagnosed mental or physical illness or condition; and

''(IV) the extent of any specialized education, treatment, counseling, or other services provided in the setting; and

''(ii) separately, the number and ages of children in the placements who have a permanency plan of another planned permanent living arrangement; and''.

SEC. 2655. CRIMINAL RECORDS CHECKS AND CHECKS OF CHILD ABUSE AND NEGLECT REGISTRIES FOR ADULTS WORKING IN CHILD-CARE INSTITUTIONS AND OTHER GROUP CARE SETTINGS.

(a) STATE PLAN REQUIREMENT.—Section 471(a)(20) of the Social Security Act (42 U.S.C. 671(a)(20)) is amended—

(1) in each of subparagraphs (A)(ii) and (B)(iii), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by adding ''and'' after the semicolon; and

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

''(D) provides procedures for any child care institution, including a group home, residential treatment center, shelter, or other congregate care setting, to conduct criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3)(A) of title 28, United States Code), and checks described in subparagraph (B) of this paragraph, on any adult working in a child-care institution, including a group home, residential treatment center, shelter, or other congregate care setting, unless the State reports to the Secretary the alternative criminal records checks and child abuse registry checks the State conducts on any adult working in a child-care institution, including a group home, residential treatment center, shelter, or other congregate care setting, and why the checks specified in this subparagraph are not appropriate for the State;''.

(b) TECHNICAL AMENDMENTS.—Subparagraphs (A) and (C) of section 471(a)(20) of the Social Security Act (42 U.S.C. 671(a)(20)) are each amended by striking ''section 534(e)(3)(A)'' and inserting ''section 534(f)(3)(A)''.

SEC. 2656. EFFECTIVE DATES; APPLICATION TO WAIVERS.

(a) EFFECTIVE DATES.—

(1) IN GENERAL.—Subject to paragraph (2) and subsections (b) through (d), the amendments made by this chapter shall take effect on January 1, 2018.

(2) TRANSITION RULE.—In the case of a State plan under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this chapter, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet the additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(b) LIMITATION ON FEDERAL FINANCIAL PARTICIPATION FOR PLACEMENTS THAT ARE NOT IN FOSTER FAMILY HOMES AND RELATED PROVISIONS.—

(1) IN GENERAL.—The amendments made by sections 2651(a), 2651(b), 2651(d), and 2652 shall take effect on October 1, 2019.

(2) STATE OPTION TO DELAY EFFECTIVE DATE FOR NOT MORE THAN 2 YEARS.—If a State requests a delay in the effective date provided for in paragraph (1), the Secretary of Health and Human Services shall delay the effective date with respect to the State for the amount of time requested by the State not to exceed 2 years. If the effective date is so delayed for a period with respect to a State under the preceding sentence, then—

(A) notwithstanding section 2644, the date that the amendments made by section 2621(c) take effect with respect to the State shall be delayed for the period; and

(B) in applying section 474(a)(6) of the Social Security Act with respect to the State, ''on or after the date this paragraph takes effect with respect to the State'' is deemed to be substituted for ''after September 30, 2019'' in subparagraph (A)(i)(I) of such section.

(c) CRIMINAL RECORDS CHECKS AND CHECKS OF CHILD ABUSE AND NEGLECT REGISTRIES FOR ADULTS WORKING IN CHILD-CARE INSTITUTIONS AND OTHER GROUP CARE SETTINGS.—The amendments made by section 2655 shall take effect on October 1, 2018.

(d) APPLICATION TO STATES WITH WAIVERS.—In the case of a State that, on the date of enactment of this Act, has in effect a waiver approved under section 1130 of the Social Security Act (42 U.S.C. 1320a–9), the amendments made by this chapter shall not apply with respect to the State before the expiration (determined without regard to any extensions) of the waiver to the extent the amendments are inconsistent with the terms of the waiver.

CHAPTER 3—CONTINUING SUPPORT FOR CHILD AND FAMILY SERVICES

SEC. 2661. SUPPORTING AND RETAINING FOSTER FAMILIES FOR CHILDREN.

(a) SUPPORTING AND RETAINING FOSTER PARENTS AS A FAMILY SUPPORT SERVICE.—Section 431(a)(2)(B) of the Social Security Act (42 U.S.C. 631(a)(2)(B)) is amended by redesignating clauses (iii) through (vi) as clauses (iv) through (vii), respectively, and inserting after clause (ii) the following:

''(iii) To support and retain foster families so they can provide quality family-based settings for children in foster care.''.

(b) SUPPORT FOR FOSTER FAMILY HOMES.—Section 436 of such Act (42 U.S.C. 629f) is amended by adding at the end the following:

''(c) SUPPORT FOR FOSTER FAMILY HOMES.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary for fiscal year 2018, $8,000,000 for the Secretary to make competitive grants to States, Indian tribes, or tribal consortia to support the recruitment and retention of high-quality foster families to increase their capacity to place more children in family settings, focused on States, Indian tribes, or tribal consortia with the highest percentage of children in non-family settings. The amount appropriated under this subparagraph shall remain available through fiscal year 2022.''.

SEC. 2662. EXTENSION OF CHILD AND FAMILY SERVICES PROGRAMS.

(a) EXTENSION OF STEPHANIE TUBBS JONES CHILD WELFARE SERVICES PROGRAM.—Section 425 of the Social Security Act (42 U.S.C. 625) is amended by striking ''2012 through 2016'' and inserting ''2017 through 2021''.

(b) EXTENSION OF PROMOTING SAFE AND STABLE FAMILIES PROGRAM AUTHORIZATIONS.—

(1) IN GENERAL.—Section 436(a) of such Act (42 U.S.C. 629f(a)) is amended by striking all that follows ''$345,000,000'' and inserting ''for each of fiscal years 2017 through 2021.''.

(2) DISCRETIONARY GRANTS.—Section 437(a) of such Act (42 U.S.C. 629g(a)) is amended by striking ''2012 through 2016'' and inserting ''2017 through 2021''.

(c) EXTENSION OF FUNDING RESERVATIONS FOR MONTHLY CASEWORKER VISITS AND REGIONAL PARTNERSHIP GRANTS.—Section 436(b) of such Act (42 U.S.C. 629f(b)) is amended—

(1) in paragraph (4)(A), by striking ''2012 through 2016'' and inserting ''2017 through 2021''; and

(2) in paragraph (5), by striking ''2012 through 2016'' and inserting ''2017 through 2021''.

(d) REAUTHORIZATION OF FUNDING FOR STATE COURTS.—

(1) EXTENSION OF PROGRAM.—Section 438(c)(1) of such Act (42 U.S.C. 629h(c)(1)) is amended by striking ''2012 through 2016'' and inserting ''2017 through 2021''.

(2) EXTENSION OF FEDERAL SHARE.—Section 438(d) of such Act (42 U.S.C. 629h(d)) is amended by striking ''2012 through 2016'' and inserting ''2017 through 2021''.

(e) REPEAL OF EXPIRED PROVISIONS.—Section 438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

SEC. 2663. IMPROVEMENTS TO THE JOHN H. CHAFEE FOSTER CARE INDEPENDENCE PROGRAM AND RELATED PROVISIONS.

(a) AUTHORITY TO SERVE FORMER FOSTER YOUTH UP TO AGE 23.—Section 477 of the Social Security Act (42 U.S.C. 677) is amended—

(1) in subsection (a)(5), by inserting ''(or 23 years of age, in the case of a State with a certification under subsection (b)(3)(A)(ii) to provide assistance and services to youths who have aged out of foster care and have not attained such age, in accordance with such subsection)'' after ''21 years of age'';

(2) in subsection (b)(3)(A)—

(A) by inserting ''(i)'' before ''A certification'';

(B) by striking ''children who have left foster care'' and all that follows through the period and inserting ''youths who have aged out of foster care and have not attained 21 years of age.''; and

(C) by adding at the end the following:

''(ii) If the State has elected under section 475(8)(B) to extend eligibility for foster care to all children who have not attained 21 years of age, or if the Secretary determines that the State agency responsible for administering the State plans under this part and part B uses State funds or any other funds not provided under this part to provide services and assistance for youths who have aged out of foster care that are comparable to the services and assistance the youths would receive if the State had made such an election, the certification required under clause (i) may provide that the State will provide assistance and services to youths who have aged out of foster care and have not attained 23 years of age.''; and

(3) in subsection (b)(3)(B), by striking ''children who have left foster care'' and all that follows through the period and inserting ''youths who have aged out of foster care and have not attained 21 years of age (or 23 years of age, in the case of a State with a certification under subparagraph (A)(i) to provide assistance and services to youths who have aged out of foster care and have not attained such age, in accordance with subparagraph (A)(ii)).''.

(b) AUTHORITY TO REDISTRIBUTE UNSPENT FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d)) is amended—

(1) in paragraph (4), by inserting ''or does not expend allocated funds within the time period specified under section 477(d)(3)'' after ''provided by the Secretary''; and

(2) by adding at the end the following:

''(5) REDISTRIBUTION OF UNEXPENDED AMOUNTS.—

''(A) AVAILABILITY OF AMOUNTS.—To the extent that amounts paid to States under this section in a fiscal year remain unexpended by the States at the end of the succeeding fiscal year, the Secretary may make the amounts available for redistribution in the second succeeding fiscal year among the States that apply for additional funds under this section for that second succeeding fiscal year.

''(B) REDISTRIBUTION.—

''(i) IN GENERAL.—The Secretary shall redistribute the amounts made available under subparagraph (A) for a fiscal year among eligible applicant States. In this subparagraph, the term 'eligible applicant State' means a State that has applied for additional funds for the fiscal year under subparagraph (A) if the Secretary determines that the State will use the funds for the purpose for which originally allotted under this section.

''(ii) AMOUNT TO BE REDISTRIBUTED.—The amount to be redistributed to each eligible applicant State shall be the amount so made available multiplied by the State foster care ratio, (as defined in subsection (c)(4), except that, in such subsection, 'all eligible applicant States (as defined in subsection (d)(5)(B)(i))' shall be substituted for 'all States').

''(iii) TREATMENT OF REDISTRIBUTED AMOUNT.—Any amount made available to a State under this paragraph shall be regarded as part of the allotment of the State under this section for the fiscal year in which the redistribution is made.

''(C) TRIBES.—For purposes of this paragraph, the term 'State' includes an Indian tribe, tribal organization, or tribal consortium that receives an allotment under this section.''.

(c) EXPANDING AND CLARIFYING THE USE OF EDUCATION AND TRAINING VOUCHERS.—

(1) IN GENERAL.—Section 477(i)(3) of such Act (42 U.S.C. 677(i)(3)) is amended—

(A) by striking ''on the date'' and all that follows through ''23'' and inserting ''to remain eligible until they attain 26''; and

(B) by inserting '', but in no event may a youth participate in the program for more than 5 years (whether or not consecutive)'' before the period.

(2) CONFORMING AMENDMENT.—Section 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is amended by inserting ''who have attained 14 years of age'' before the period.

(d) OTHER IMPROVEMENTS.—Section 477 of such Act (42 U.S.C. 677), as amended by subsections (a), (b), and (c) of this section, is amended—

(1) in the section heading, by striking ''**INDEPENDENCE PROGRAM**'' and inserting ''**PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD**'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services'' and inserting ''support all youth who have experienced foster care at age 14 or older in their transition to adulthood through transitional services'';

(ii) by inserting ''and post-secondary education'' after ''high school diploma''; and

(iii) by striking ''training in daily living skills, training in budgeting and financial management skills'' and inserting ''training and opportunities to practice daily living skills (such as financial literacy training and driving instruction)'';

(B) in paragraph (2), by striking ''who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment'' and inserting ''who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult'';

(C) in paragraph (3), by striking ''who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions'' and inserting ''who have experienced foster care at age 14 or older engage in age or developmentally appropriate activities, positive youth development, and experiential learning that reflects what their peers in intact families experience''; and

(D) by striking paragraph (4) and redesignating paragraphs (5) through (8) as paragraphs (4) through (7);

(3) in subsection (b)—

(A) in paragraph (2)(D), by striking ''adolescents'' and inserting ''youth''; and

(B) in paragraph (3)—

(i) in subparagraph (D)—

(I) by inserting ''including training on youth development'' after ''to provide training''; and

(II) by striking ''adolescents preparing for independent living'' and all that follows through the period and inserting ''youth preparing for a successful transition to adulthood and making a permanent connection with a caring adult.'';

(ii) in subparagraph (H), by striking ''adolescents'' each place it appears and inserting ''youth''; and

(iii) in subparagraph (K)—

(I) by striking ''an adolescent'' and inserting ''a youth''; and

(II) by striking ''the adolescent'' each place it appears and inserting ''the youth''; and

(4) in subsection (f), by striking paragraph (2) and inserting the following:

''(2) REPORT TO CONGRESS.—Not later than October 1, 2019, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the National Youth in Transition Database and any other databases in which States report outcome measures relating to children in foster care and children who have aged out of foster care or left foster care for kinship guardianship or adoption. The report shall include the following:

''(A) A description of the reasons for entry into foster care and of the foster care experiences, such as length of stay, number of placement settings, case goal, and discharge reason of 17-year-olds who are surveyed by the National Youth in Transition Database and an analysis of the comparison of that description with the reasons for entry and foster care experiences of children of other ages who exit from foster care before attaining age 17.

''(B) A description of the characteristics of the individuals who report poor outcomes at ages 19 and 21 to the National Youth in Transition Database.

''(C) Benchmarks for determining what constitutes a poor outcome for youth who remain in or have exited from foster care and plans the executive branch will take to incorporate these benchmarks in efforts to evaluate child welfare agency performance in providing services to children transitioning from foster care.

''(D) An analysis of the association between types of placement, number of overall placements, time spent in foster care, and other factors, and outcomes at ages 19 and 21.

''(E) An analysis of the differences in outcomes for children in and formerly in foster care at age 19 and 21 among States.''.

(e) CLARIFYING DOCUMENTATION PROVIDED TO FOSTER YOUTH LEAVING FOSTER CARE.—Section 475(5)(I) of such Act (42 U.S.C. 675(5)(I)) is amended by inserting after ''REAL ID Act of 2005'' the following: '', and any official documentation necessary to prove that the child was previously in foster care''.

CHAPTER 4—CONTINUING INCENTIVES TO STATES TO PROMOTE ADOPTION AND LEGAL GUARDIANSHIP

SEC. 2665. REAUTHORIZING ADOPTION AND LEGAL GUARDIANSHIP INCENTIVE PROGRAMS.

(a) IN GENERAL.—Section 473A of the Social Security Act (42 U.S.C. 673b) is amended—

(1) in subsection (b)(4), by striking ''2013 through 2015'' and inserting ''2016 through 2020'';

(2) in subsection (h)(1)(D), by striking ''2016'' and inserting ''2021''; and

(3) in subsection (h)(2), by striking ''2016'' and inserting ''2021''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on October 1, 2017.

CHAPTER 5—TECHNICAL CORRECTIONS

SEC. 2667. TECHNICAL CORRECTIONS TO DATA EXCHANGE STANDARDS TO IMPROVE PROGRAM COORDINATION.

(a) IN GENERAL.—Section 440 of the Social Security Act (42 U.S.C. 629m) is amended to read as follows:

''SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.

''(a) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part and part E—

''(1) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable Federal law to electronically exchange with another State agency; and

''(2) Federal reporting and data exchange required under applicable Federal law.

''(b) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(1) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the Extensible Markup Language;

''(2) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(3) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(4) be consistent with and implement applicable accounting principles;

''(5) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(6) be capable of being continually upgraded as necessary.

''(c) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.''.

(b) EFFECTIVE DATE.—Not later than the date that is 24 months after the date of the enactment of this section, the Secretary of Health and Human Services shall issue a proposed rule that—

(1) identifies federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges; and

(2) specifies State implementation options and describes future milestones.

SEC. 2668. TECHNICAL CORRECTIONS TO STATE REQUIREMENT TO ADDRESS THE DEVELOPMENTAL NEEDS OF YOUNG CHILDREN.

Section 422(b)(18) of the Social Security Act (42 U.S.C. 622(b)(18)) is amended by striking ''such children'' and inserting ''all vulnerable children under 5 years of age''.

CHAPTER 6—ENSURING STATES REINVEST SAVINGS RESULTING FROM INCREASE IN ADOPTION ASSISTANCE

SEC. 2669. DELAY OF ADOPTION ASSISTANCE PHASE-IN.

(a) IN GENERAL.—The table in section 473(e)(1)(B) of the Social Security Act (42 U.S.C. 673(e)(1)(B)) is amended by striking the last 2 rows and inserting the following:

''2017 through 2023	2
2024	2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter	any age.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2018.

SEC. 2670. GAO STUDY AND REPORT ON STATE REINVESTMENT OF SAVINGS RESULTING FROM INCREASE IN ADOPTION ASSISTANCE.

(a) STUDY.—The Comptroller General of the United States shall study the extent to which States are complying with the requirements of section 473(a)(8) of the Social Security Act relating to the effects of phasing out the AFDC income eligibility requirements for adoption assistance payments under section 473 of the Social Security Act, as enacted by section 402 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351; 122 Stat. 3975) and amended by section 206 of the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113–183; 128 Stat. 1919). In particular, the Comptroller General shall analyze the extent to which States are complying with the following requirements under section 473(a)(8)(D) of the Social Security Act:

(1) The requirement to spend an amount equal to the amount of the savings (if any) in State expenditures under part E of title IV of the Social Security Act resulting from phasing out the AFDC income eligibility requirements for adoption assistance payments under section 473 of such Act to provide to children of families any service that may be provided under part B or E of title IV of such Act.

(2) The requirement that a State shall spend not less than 30 percent of the amount of any savings described in paragraph (1) on post-adoption services, post-guardianship services, and services to support and sustain positive permanent outcomes for children who otherwise might enter into foster care under the responsibility of the State, with at least ⅔ of the spending by the State to comply with the 30 percent requirement being spent on post-adoption and post-guardianship services.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and the Secretary of Health and Human Services a report that contains the results of the study required by subsection (a), including recommendations to ensure compliance with laws referred to in subsection (a).

Subtitle B—Supporting Social Impact Partnerships to Pay for Results

SEC. 2681. SUPPORTING SOCIAL IMPACT PARTNERSHIPS TO PAY FOR RESULTS.

Title XX of the Social Security Act (42 U.S.C. 1397 et seq.) is amended—

(1) in the title heading, by striking ''TO STATES'' and inserting ''AND PROGRAMS''; and

(2) by adding at the end the following:

''Subtitle C—Social Impact Demonstration Projects

''PURPOSES

''SEC. 2051. The purposes of this subtitle are the following:

''(1) To improve the lives of families and individuals in need in the United States by funding social programs that achieve real results.

''(2) To redirect funds away from programs that, based on objective data, are ineffective, and into programs that achieve demonstrable, measurable results.

''(3) To ensure Federal funds are used effectively on social services to produce positive outcomes for both service recipients and taxpayers.

''(4) To establish the use of social impact partnerships to address some of our Nation's most pressing problems.

''(5) To facilitate the creation of public-private partnerships that bundle philanthropic or other private resources with existing public spending to scale up effective social interventions already being implemented by private organizations, nonprofits, charitable organizations, and State and local governments across the country.

''(6) To bring pay-for-performance to the social sector, allowing the United States to improve the impact and effectiveness of vital social services programs while redirecting inefficient or duplicative spending.

''(7) To incorporate outcomes measurement and randomized controlled trials or other rigorous methodologies for assessing program impact.

''SOCIAL IMPACT PARTNERSHIP APPLICATION

''SEC. 2052. (a) NOTICE.—Not later than 1 year after the date of the enactment of this subtitle, the Secretary of the Treasury, in consultation with the Federal Interagency Council on Social Impact Partnerships, shall publish in the Federal Register a request for proposals from States or local governments for social impact partnership projects in accordance with this section.

''(b) REQUIRED OUTCOMES FOR SOCIAL IMPACT PARTNERSHIP PROJECT.—To qualify as a social impact partnership project under this subtitle, a project must produce one or more measurable, clearly defined outcomes that result in social benefit and Federal, State, or local savings through any of the following:

''(1) Increasing work and earnings by individuals in the United States who are unemployed for more than 6 consecutive months.

''(2) Increasing employment and earnings of individuals who have attained 16 years of age but not 25 years of age.

''(3) Increasing employment among individuals receiving Federal disability benefits.

''(4) Reducing the dependence of low-income families on Federal means-tested benefits.

''(5) Improving rates of high school graduation.

''(6) Reducing teen and unplanned pregnancies.

''(7) Improving birth outcomes and early childhood health and development among low-income families and individuals.

''(8) Reducing rates of asthma, diabetes, or other preventable diseases among low-income families and individuals to reduce the utilization of emergency and other high-cost care.

''(9) Increasing the proportion of children living in two-parent families.

''(10) Reducing incidences and adverse consequences of child abuse and neglect.

''(11) Reducing the number of youth in foster care by increasing adoptions, permanent guardianship arrangements, reunifications,

or placements with a fit and willing relative, or by avoiding placing children in foster care by ensuring they can be cared for safely in their own homes.

''(12) Reducing the number of children and youth in foster care residing in group homes, child care institutions, agency-operated foster homes, or other non-family foster homes, unless it is determined that it is in the interest of the child's long-term health, safety, or psychological well-being to not be placed in a family foster home.

''(13) Reducing the number of children returning to foster care.

''(14) Reducing recidivism among juvenile offenders, individuals released from prison, or other high-risk populations.

''(15) Reducing the rate of homelessness among our most vulnerable populations.

''(16) Improving the health and well-being of those with mental, emotional, and behavioral health needs.

''(17) Improving the educational outcomes of special-needs or low-income children.

''(18) Improving the employment and well-being of returning United States military members.

''(19) Increasing the financial stability of low-income families.

''(20) Increasing the independence and employability of individuals who are physically or mentally disabled.

''(21) Other measurable outcomes defined by the State or local government that result in positive social outcomes and Federal savings.

''(c) APPLICATION REQUIRED.—The notice described in subsection (a) shall require a State or local government to submit an application for the social impact partnership project that addresses the following:

''(1) The outcome goals of the project.

''(2) A description of each intervention in the project and anticipated outcomes of the intervention.

''(3) Rigorous evidence demonstrating that the intervention can be expected to produce the desired outcomes.

''(4) The target population that will be served by the project.

''(5) The expected social benefits to participants who receive the intervention and others who may be impacted.

''(6) Projected Federal, State, and local government costs and other costs to conduct the project.

''(7) Projected Federal, State, and local government savings and other savings, including an estimate of the savings to the Federal Government, on a program-by-program basis and in the aggregate, if the project is implemented and the outcomes are achieved as a result of the intervention.

''(8) If savings resulting from the successful completion of the project are estimated to accrue to the State or local government, the likelihood of the State or local government to realize those savings.

''(9) A plan for delivering the intervention through a social impact partnership model.

''(10) A description of the expertise of each service provider that will administer the intervention, including a summary of the experience of the service provider in delivering the proposed intervention or a similar intervention, or demonstrating that the service provider has the expertise necessary to deliver the proposed intervention.

''(11) An explanation of the experience of the State or local government, the intermediary, or the service provider in raising private and philanthropic capital to fund social service investments.

''(12) The detailed roles and responsibilities of each entity involved in the project, including any State or local government entity, intermediary, service provider, independent evaluator, investor, or other stakeholder.

''(13) A summary of the experience of the service provider in delivering the proposed intervention or a similar intervention, or a summary demonstrating the service provider has the expertise necessary to deliver the proposed intervention.

''(14) A summary of the unmet need in the area where the intervention will be delivered or among the target population who will receive the intervention.

''(15) The proposed payment terms, the methodology used to calculate outcome payments, the payment schedule, and performance thresholds.

''(16) The project budget.

''(17) The project timeline.

''(18) The criteria used to determine the eligibility of an individual for the project, including how selected populations will be identified, how they will be referred to the project, and how they will be enrolled in the project.

''(19) The evaluation design.

''(20) The metrics that will be used in the evaluation to determine whether the outcomes have been achieved as a result of the intervention and how the metrics will be measured.

''(21) An explanation of how the metrics used in the evaluation to determine whether the outcomes achieved as a result of the intervention are independent, objective indicators of impact and are not subject to manipulation by the service provider, intermediary, or investor.

''(22) A summary explaining the independence of the evaluator from the other entities involved in the project and the evaluator's experience in conducting rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials on the intervention or similar interventions.

''(23) The capacity of the service provider to deliver the intervention to the number of participants the State or local government proposes to serve in the project.

''(24) A description of whether and how the State or local government and service providers plan to sustain the intervention, if it is timely and appropriate to do so, to ensure that successful interventions continue to operate after the period of the social impact partnership.

''(d) PROJECT INTERMEDIARY INFORMATION REQUIRED.—The application described in subsection (c) shall also contain the following information about any intermediary for the social impact partnership project (whether an intermediary is a service provider or other entity):

''(1) Experience and capacity for providing or facilitating the provision of the type of intervention proposed.

''(2) The mission and goals.

''(3) Information on whether the intermediary is already working with service providers that provide this intervention or an explanation of the capacity of the intermediary to begin working with service providers to provide the intervention.

''(4) Experience working in a collaborative environment across government and nongovernmental entities.

''(5) Previous experience collaborating with public or private entities to implement evidence-based programs.

''(6) Ability to raise or provide funding to cover operating costs (if applicable to the project).

''(7) Capacity and infrastructure to track outcomes and measure results, including—

''(A) capacity to track and analyze program performance and assess program impact; and

''(B) experience with performance-based awards or performance-based contracting and achieving project milestones and targets.

''(8) Role in delivering the intervention.

''(9) How the intermediary would monitor program success, including a description of the interim benchmarks and outcome measures.

''(e) FEASIBILITY STUDIES FUNDED THROUGH OTHER SOURCES.—The notice described in subsection (a) shall permit a State or local government to submit an application for social impact partnership funding that contains information from a feasibility study developed for purposes other than applying for funding under this subtitle.

''AWARDING SOCIAL IMPACT PARTNERSHIP AGREEMENTS

''SEC. 2053. (a) TIMELINE IN AWARDING AGREEMENT.—Not later than 6 months after receiving an application in accordance with section 2052, the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships, shall determine whether to enter into an agreement for a social impact partnership project with a State or local government.

''(b) CONSIDERATIONS IN AWARDING AGREEMENT.—In determining whether to enter into an agreement for a social impact partnership project (the application for which was submitted under section 2052) the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population similar to that served by the project, shall consider each of the following:

''(1) The recommendations made by the Commission on Social Impact Partnerships.

''(2) The value to the Federal Government of the outcomes expected to be achieved if the outcomes specified in the agreement are achieved as a result of the intervention.

''(3) The likelihood, based on evidence provided in the application and other evidence, that the State or local government in collaboration with the intermediary and the service providers will achieve the outcomes.

''(4) The savings to the Federal Government if the outcomes specified in the agreement are achieved as a result of the intervention.

''(5) The savings to the State and local governments if the outcomes specified in the agreement are achieved as a result of the intervention.

''(6) The expected quality of the evaluation that would be conducted with respect to the agreement.

''(7) The capacity and commitment of the State or local government to sustain the intervention, if appropriate and timely and if the intervention is successful, beyond the period of the social impact partnership.

''(c) AGREEMENT AUTHORITY.—

''(1) AGREEMENT REQUIREMENTS.—In accordance with this section, the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population similar to that served by the project, may enter into an agreement for a social impact partnership project with a State or local government if the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships, determines that each of the following requirements are met:

''(A) The State or local government agrees to achieve one or more outcomes as a result of the intervention, as specified in the agreement and validated by independent evaluation, in order to receive payment.

''(B) The Federal payment to the State or local government for each specified outcome

achieved as a result of the intervention is less than or equal to the value of the outcome to the Federal Government over a period not to exceed 10 years, as determined by the Secretary, in consultation with the State or local government.

''(C) The duration of the project does not exceed 10 years.

''(D) The State or local government has demonstrated, through the application submitted under section 2052, that, based on prior rigorous experimental evaluations or rigorous quasi-experimental studies, the intervention can be expected to achieve each outcome specified in the agreement.

''(E) The State, local government, intermediary, or service provider has experience raising private or philanthropic capital to fund social service investments (if applicable to the project).

''(F) The State or local government has shown that each service provider has experience delivering the intervention, a similar intervention, or has otherwise demonstrated the expertise necessary to deliver the intervention.

''(2) PAYMENT.—The Secretary shall pay the State or local government only if the independent evaluator described in section 2055 determines that the social impact partnership project has met the requirements specified in the agreement and achieved an outcome as a result of the intervention, as specified in the agreement and validated by independent evaluation.

''(d) NOTICE OF AGREEMENT AWARD.—Not later than 30 days after entering into an agreement under this section the Secretary shall publish a notice in the Federal Register that includes, with regard to the agreement, the following:

''(1) The outcome goals of the social impact partnership project.

''(2) A description of each intervention in the project.

''(3) The target population that will be served by the project.

''(4) The expected social benefits to participants who receive the intervention and others who may be impacted.

''(5) The detailed roles, responsibilities, and purposes of each Federal, State, or local government entity, intermediary, service provider, independent evaluator, investor, or other stakeholder.

''(6) The payment terms, the methodology used to calculate outcome payments, the payment schedule, and performance thresholds.

''(7) The project budget.

''(8) The project timeline.

''(9) The project eligibility criteria.

''(10) The evaluation design.

''(11) The metrics that will be used in the evaluation to determine whether the outcomes have been achieved as a result of each intervention and how these metrics will be measured.

''(12) The estimate of the savings to the Federal, State, and local government, on a program-by-program basis and in the aggregate, if the agreement is entered into and implemented and the outcomes are achieved as a result of each intervention.

''(e) AUTHORITY TO TRANSFER ADMINISTRATION OF AGREEMENT.—The Secretary may transfer to the head of another Federal agency the authority to administer (including making payments under) an agreement entered into under subsection (c), and any funds necessary to do so.

''(f) REQUIREMENT ON FUNDING USED TO BENEFIT CHILDREN.—Not less than 50 percent of all Federal payments made to carry out agreements under this section shall be used for initiatives that directly benefit children.

''FEASIBILITY STUDY FUNDING

''SEC. 2054. (a) REQUESTS FOR FUNDING FOR FEASIBILITY STUDIES.—The Secretary shall reserve a portion of the amount made available to carry out this subtitle to assist States or local governments in developing feasibility studies to apply for social impact partnership funding under section 2052. To be eligible to receive funding to assist with completing a feasibility study, a State or local government shall submit an application for feasibility study funding addressing the following:

''(1) A description of the outcome goals of the social impact partnership project.

''(2) A description of the intervention, including anticipated program design, target population, an estimate regarding the number of individuals to be served, and setting for the intervention.

''(3) Evidence to support the likelihood that the intervention will produce the desired outcomes.

''(4) A description of the potential metrics to be used.

''(5) The expected social benefits to participants who receive the intervention and others who may be impacted.

''(6) Estimated costs to conduct the project.

''(7) Estimates of Federal, State, and local government savings and other savings if the project is implemented and the outcomes are achieved as a result of each intervention.

''(8) An estimated timeline for implementation and completion of the project, which shall not exceed 10 years.

''(9) With respect to a project for which the State or local government selects an intermediary to operate the project, any partnerships needed to successfully execute the project and the ability of the intermediary to foster the partnerships.

''(10) The expected resources needed to complete the feasibility study for the State or local government to apply for social impact partnership funding under section 2052.

''(b) FEDERAL SELECTION OF APPLICATIONS FOR FEASIBILITY STUDY.—Not later than 6 months after receiving an application for feasibility study funding under subsection (a), the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population similar to that served by the project, shall select State or local government feasibility study proposals for funding based on the following:

''(1) The recommendations made by the Commission on Social Impact Partnerships.

''(2) The likelihood that the proposal will achieve the desired outcomes.

''(3) The value of the outcomes expected to be achieved as a result of each intervention.

''(4) The potential savings to the Federal Government if the social impact partnership project is successful.

''(5) The potential savings to the State and local governments if the project is successful.

''(c) PUBLIC DISCLOSURE.—Not later than 30 days after selecting a State or local government for feasibility study funding under this section, the Secretary shall cause to be published on the website of the Federal Interagency Council on Social Impact Partnerships information explaining why a State or local government was granted feasibility study funding.

''(d) FUNDING RESTRICTION.—

''(1) FEASIBILITY STUDY RESTRICTION.—The Secretary may not provide feasibility study funding under this section for more than 50 percent of the estimated total cost of the feasibility study reported in the State or local government application submitted under subsection (a).

''(2) AGGREGATE RESTRICTION.—Of the total amount made available to carry out this subtitle, the Secretary may not use more than $10,000,000 to provide feasibility study funding to States or local governments under this section.

''(3) NO GUARANTEE OF FUNDING.—The Secretary shall have the option to award no funding under this section.

''(e) SUBMISSION OF FEASIBILITY STUDY REQUIRED.—Not later than 9 months after the receipt of feasibility study funding under this section, a State or local government receiving the funding shall complete the feasibility study and submit the study to the Federal Interagency Council on Social Impact Partnerships.

''(f) DELEGATION OF AUTHORITY.—The Secretary may transfer to the head of another Federal agency the authorities provided in this section and any funds necessary to exercise the authorities.

''EVALUATIONS

''SEC. 2055. (a) AUTHORITY TO ENTER INTO AGREEMENTS.—For each State or local government awarded a social impact partnership project approved by the Secretary under this subtitle, the head of the relevant agency, as recommended by the Federal Interagency Council on Social Impact Partnerships and determined by the Secretary, shall enter into an agreement with the State or local government to pay for all or part of the independent evaluation to determine whether the State or local government project has achieved a specific outcome as a result of the intervention in order for the State or local government to receive outcome payments under this subtitle.

''(b) EVALUATOR QUALIFICATIONS.—The head of the relevant agency may not enter into an agreement with a State or local government unless the head determines that the evaluator is independent of the other parties to the agreement and has demonstrated substantial experience in conducting rigorous evaluations of program effectiveness including, where available and appropriate, well-implemented randomized controlled trials on the intervention or similar interventions.

''(c) METHODOLOGIES TO BE USED.—The evaluation used to determine whether a State or local government will receive outcome payments under this subtitle shall use experimental designs using random assignment or other reliable, evidence-based research methodologies, as certified by the Federal Interagency Council on Social Impact Partnerships, that allow for the strongest possible causal inferences when random assignment is not feasible.

''(d) PROGRESS REPORT.—

''(1) SUBMISSION OF REPORT.—The independent evaluator shall—

''(A) not later than 2 years after a project has been approved by the Secretary and biannually thereafter until the project is concluded, submit to the head of the relevant agency and the Federal Interagency Council on Social Impact Partnerships a written report summarizing the progress that has been made in achieving each outcome specified in the agreement; and

''(B) before the scheduled time of the first outcome payment and before the scheduled time of each subsequent payment, submit to the head of the relevant agency and the Federal Interagency Council on Social Impact Partnerships a written report that includes the results of the evaluation conducted to determine whether an outcome payment should be made along with information on the unique factors that contributed to achieving or failing to achieve the outcome, the challenges faced in attempting to achieve the outcome, and information on the improved future delivery of this or similar interventions.

''(2) SUBMISSION TO THE SECRETARY AND CONGRESS.—Not later than 30 days after receipt of the written report pursuant to paragraph (1)(B), the Federal Interagency Council on Social Impact Partnerships shall submit the report to the Secretary and each committee of jurisdiction in the House of Representatives and the Senate.

''(e) FINAL REPORT.—

''(1) SUBMISSION OF REPORT.—Within 6 months after the social impact partnership project is completed, the independent evaluator shall—

''(A) evaluate the effects of the activities undertaken pursuant to the agreement with regard to each outcome specified in the agreement; and

''(B) submit to the head of the relevant agency and the Federal Interagency Council on Social Impact Partnerships a written report that includes the results of the evaluation and the conclusion of the evaluator as to whether the State or local government has fulfilled each obligation of the agreement, along with information on the unique factors that contributed to the success or failure of the project, the challenges faced in attempting to achieve the outcome, and information on the improved future delivery of this or similar interventions.

''(2) SUBMISSION TO THE SECRETARY AND CONGRESS.—Not later than 30 days after receipt of the written report pursuant to paragraph (1)(B), the Federal Interagency Council on Social Impact Partnerships shall submit the report to the Secretary and each committee of jurisdiction in the House of Representatives and the Senate.

''(f) LIMITATION ON COST OF EVALUATIONS.—Of the amount made available under this subtitle for social impact partnership projects, the Secretary may not obligate more than 15 percent to evaluate the implementation and outcomes of the projects.

''(g) DELEGATION OF AUTHORITY.—The Secretary may transfer to the head of another Federal agency the authorities provided in this section and any funds necessary to exercise the authorities.

''FEDERAL INTERAGENCY COUNCIL ON SOCIAL IMPACT PARTNERSHIPS

''SEC. 2056. (a) ESTABLISHMENT.—There is established the Federal Interagency Council on Social Impact Partnerships (in this section referred to as the 'Council') to—

''(1) coordinate with the Secretary on the efforts of social impact partnership projects funded under this subtitle;

''(2) advise and assist the Secretary in the development and implementation of the projects;

''(3) advise the Secretary on specific programmatic and policy matter related to the projects;

''(4) provide subject-matter expertise to the Secretary with regard to the projects;

''(5) certify to the Secretary that each State or local government that has entered into an agreement with the Secretary for a social impact partnership project under this subtitle and each evaluator selected by the head of the relevant agency under section 2055 has access to Federal administrative data to assist the State or local government and the evaluator in evaluating the performance and outcomes of the project;

''(6) address issues that will influence the future of social impact partnership projects in the United States;

''(7) provide guidance to the executive branch on the future of social impact partnership projects in the United States;

''(8) prior to approval by the Secretary, certify that each State and local government application for a social impact partnership contains rigorous, independent data and reliable, evidence-based research methodologies to support the conclusion that the project will yield savings to the State or local government or the Federal Government if the project outcomes are achieved;

''(9) certify to the Secretary, in the case of each approved social impact partnership that is expected to yield savings to the Federal Government, that the project will yield a projected savings to the Federal Government if the project outcomes are achieved, and coordinate with the relevant Federal agency to produce an after-action accounting once the project is complete to determine the actual Federal savings realized, and the extent to which actual savings aligned with projected savings; and

''(10) provide periodic reports to the Secretary and make available reports periodically to Congress and the public on the implementation of this subtitle.

''(b) COMPOSITION OF COUNCIL.—The Council shall have 11 members, as follows:

''(1) CHAIR.—The Chair of the Council shall be the Director of the Office of Management and Budget.

''(2) OTHER MEMBERS.—The head of each of the following entities shall designate one officer or employee of the entity to be a Council member:

''(A) The Department of Labor.

''(B) The Department of Health and Human Services.

''(C) The Social Security Administration.

''(D) The Department of Agriculture.

''(E) The Department of Justice.

''(F) The Department of Housing and Urban Development.

''(G) The Department of Education.

''(H) The Department of Veterans Affairs.

''(I) The Department of the Treasury.

''(J) The Corporation for National and Community Service.

''COMMISSION ON SOCIAL IMPACT PARTNERSHIPS

''SEC. 2057. (a) ESTABLISHMENT.—There is established the Commission on Social Impact Partnerships (in this section referred to as the 'Commission').

''(b) DUTIES.—The duties of the Commission shall be to—

''(1) assist the Secretary and the Federal Interagency Council on Social Impact Partnerships in reviewing applications for funding under this subtitle;

''(2) make recommendations to the Secretary and the Federal Interagency Council on Social Impact Partnerships regarding the funding of social impact partnership agreements and feasibility studies; and

''(3) provide other assistance and information as requested by the Secretary or the Federal Interagency Council on Social Impact Partnerships.

''(c) COMPOSITION.—The Commission shall be composed of nine members, of whom—

''(1) one shall be appointed by the President, who will serve as the Chair of the Commission;

''(2) one shall be appointed by the Majority Leader of the Senate;

''(3) one shall be appointed by the Minority Leader of the Senate;

''(4) one shall be appointed by the Speaker of the House of Representatives;

''(5) one shall be appointed by the Minority Leader of the House of Representatives;

''(6) one shall be appointed by the Chairman of the Committee on Finance of the Senate;

''(7) one shall be appointed by the ranking member of the Committee on Finance of the Senate;

''(8) one member shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives; and

''(9) one shall be appointed by the ranking member of the Committee on Ways and Means of the House of Representatives.

''(d) QUALIFICATIONS OF COMMISSION MEMBERS.—The members of the Commission shall—

''(1) be experienced in finance, economics, pay for performance, or program evaluation;

''(2) have relevant professional or personal experience in a field related to one or more of the outcomes listed in this subtitle; or

''(3) be qualified to review applications for social impact partnership projects to determine whether the proposed metrics and evaluation methodologies are appropriately rigorous and reliant upon independent data and evidence-based research.

''(e) TIMING OF APPOINTMENTS.—The appointments of the members of the Commission shall be made not later than 120 days after the date of the enactment of this subtitle, or, in the event of a vacancy, not later than 90 days after the date the vacancy arises. If a member of Congress fails to appoint a member by that date, the President may select a member of the President's choice on behalf of the member of Congress. Notwithstanding the preceding sentence, if not all appointments have been made to the Commission as of that date, the Commission may operate with no fewer than five members until all appointments have been made.

''(f) TERM OF APPOINTMENTS.—

''(1) IN GENERAL.—The members appointed under subsection (c) shall serve as follows:

''(A) Three members shall serve for 2 years.

''(B) Three members shall serve for 3 years.

''(C) Three members (one of which shall be Chair of the Commission appointed by the President) shall serve for 4 years.

''(2) ASSIGNMENT OF TERMS.—The Commission shall designate the term length that each member appointed under subsection (c) shall serve by unanimous agreement. In the event that unanimous agreement cannot be reached, term lengths shall be assigned to the members by a random process.

''(g) VACANCIES.—Subject to subsection (e), in the event of a vacancy in the Commission, whether due to the resignation of a member, the expiration of a member's term, or any other reason, the vacancy shall be filled in the manner in which the original appointment was made and shall not affect the powers of the Commission.

''(h) APPOINTMENT POWER.—Members of the Commission appointed under subsection (c) shall not be subject to confirmation by the Senate.

''LIMITATION ON USE OF FUNDS

''SEC. 2058. Of the amounts made available to carry out this subtitle, the Secretary may not use more than $2,000,000 in any fiscal year to support the review, approval, and oversight of social impact partnership projects, including activities conducted by—

''(1) the Federal Interagency Council on Social Impact Partnerships; and

''(2) any other agency consulted by the Secretary before approving a social impact partnership project or a feasibility study under section 2054.

''NO FEDERAL FUNDING FOR CREDIT ENHANCEMENTS

''SEC. 2059. No amount made available to carry out this subtitle may be used to provide any insurance, guarantee, or other credit enhancement to a State or local government under which a Federal payment would be made to a State or local government as the result of a State or local government failing to achieve an outcome specified in an agreement.

''AVAILABILITY OF FUNDS

''SEC. 2060. Amounts made available to carry out this subtitle shall remain available until 10 years after the date of the enactment of this subtitle.

''WEBSITE

''SEC. 2061. The Federal Interagency Council on Social Impact Partnerships shall establish and maintain a public website that shall display the following:

''(1) A copy of, or method of accessing, each notice published regarding a social impact partnership project pursuant to this subtitle.

''(2) A copy of each feasibility study funded under this subtitle.

''(3) For each State or local government that has entered into an agreement with the Secretary for a social impact partnership project, the website shall contain the following information:

''(A) The outcome goals of the project.

''(B) A description of each intervention in the project.

''(C) The target population that will be served by the project.

''(D) The expected social benefits to participants who receive the intervention and others who may be impacted.

''(E) The detailed roles, responsibilities, and purposes of each Federal, State, or local government entity, intermediary, service provider, independent evaluator, investor, or other stakeholder.

''(F) The payment terms, methodology used to calculate outcome payments, the payment schedule, and performance thresholds.

''(G) The project budget.

''(H) The project timeline.

''(I) The project eligibility criteria.

''(J) The evaluation design.

''(K) The metrics used to determine whether the proposed outcomes have been achieved and how these metrics are measured.

''(4) A copy of the progress reports and the final reports relating to each social impact partnership project.

''(5) An estimate of the savings to the Federal, State, and local government, on a program-by-program basis and in the aggregate, resulting from the successful completion of the social impact partnership project.

''REGULATIONS

''SEC. 2062. The Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships, may issue regulations as necessary to carry out this subtitle.

''DEFINITIONS

''SEC. 2063. In this subtitle:

''(1) AGENCY.—The term 'agency' has the meaning given that term in section 551 of title 5, United States Code.

''(2) INTERVENTION.—The term 'intervention' means a specific service delivered to achieve an impact through a social impact partnership project.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(4) SOCIAL IMPACT PARTNERSHIP PROJECT.—The term 'social impact partnership project' means a project that finances social services using a social impact partnership model.

''(5) SOCIAL IMPACT PARTNERSHIP MODEL.—The term 'social impact partnership model' means a method of financing social services in which—

''(A) Federal funds are awarded to a State or local government only if a State or local government achieves certain outcomes agreed on by the State or local government and the Secretary; and

''(B) the State or local government coordinates with service providers, investors (if applicable to the project), and (if necessary) an intermediary to identify—

''(i) an intervention expected to produce the outcome;

''(ii) a service provider to deliver the intervention to the target population; and

''(iii) investors to fund the delivery of the intervention.

''(6) STATE.—The term 'State' means each State of the United States, the District of Columbia, each commonwealth, territory or possession of the United States, and each federally recognized Indian tribe.

''FUNDING

''SEC. 2064. Out of any money in the Treasury of the United States not otherwise appropriated, there is hereby appropriated $92,000,000 for fiscal year 2018 to carry out this subtitle.''.

Subtitle C—Modernizing Child Support Enforcement Fees

SEC. 2691. MODERNIZING CHILD SUPPORT ENFORCEMENT FEES.

(a) IN GENERAL.— Section 454(6)(B)(ii) of the Social Security Act (42 U.S.C. 654(6)(B)(ii)) is amended—

(1) by striking ''$25'' and inserting ''$35''; and

(2) by striking ''$500'' each place it appears and inserting ''$550''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on the 1st day of the 1st fiscal year that begins on or after the date of the enactment of this Act, and shall apply to payments under part D of title IV of the Social Security Act for calendar quarters beginning on or after such 1st day.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to part D of title IV of the Social Security Act to meet the requirement imposed by the amendment made by subsection (a), the plan shall not be regarded as failing to meet the requirement before the 1st day of the 1st calendar quarter beginning after the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the preceding sentence, if the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

Subtitle D—Increasing Efficiency of Prison Data Reporting

SEC. 2699. INCREASING EFFICIENCY OF PRISON DATA REPORTING.

(a) IN GENERAL.—Section 1611(e)(1)(I)(i)(II) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(II)) is amended by striking ''30 days'' each place it appears and inserting ''15 days''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to any payment made by the Commissioner of Social Security pursuant to section 1611(e)(1)(I)(i)(II) of the Social Security Act (as amended by such subsection) on or after the date that is 6 months after the date of enactment of this Act.

TITLE VII—OFFSETS

SEC. 2701. PAYMENT FOR EARLY DISCHARGES TO HOSPICE CARE.

(a) IN GENERAL.—Section 1886(d)(5)(J) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(J)) is amended—

(1) in clause (ii)—

(A) in subclause (III), by striking ''or'' at the end;

(B) by redesignating subclause (IV) as subclause (V); and

(C) by inserting after subclause (III) the following new subclause:

''(IV) for discharges occurring on or after October 1, 2022, is provided hospice care by a hospice program; or''; and

(2) in clause (iv)—

(A) by inserting after the first sentence the following new sentence: ''The Secretary shall include in the proposed rule published for fiscal year 2023, a description of the effect of clause (ii)(IV).''; and

(B) in subclause (I), by striking ''and (III)'' and inserting ''(III), and, in the case of proposed and final rules for fiscal year 2023 and subsequent fiscal years, (IV)''.

(b) MEDPAC EVALUATION AND REPORT ON HOSPITAL TO HOSPICE TRANSFERS.—

(1) EVALUATION.—The Medicare Payment Advisory Commission (in this subsection referred to as the ''Commission'') shall conduct an evaluation of the effects of the amendments made by subsection (a), including the effects on—

(A) the numbers of discharges of patients from an inpatient hospital setting to a hospice program;

(B) the lengths of stays of patients in an inpatient hospital setting who are discharged to a hospice program;

(C) spending under the Medicare program under title XVIII of the Social Security Act; and

(D) other areas determined appropriate by the Commission.

(2) CONSIDERATION.—In conducting the evaluation under paragraph (1), the Commission shall consider factors such as whether the timely access to hospice care by patients admitted to a hospital has been affected through changes to hospital policies or behaviors made as a result of such amendments.

(3) PRELIMINARY RESULTS.—Not later than March 15, 2024, the Commission shall provide Congress with preliminary results on the evaluation being conducted under paragraph (1).

(4) REPORT.—Not later than March 15, 2025, the Commission shall submit to Congress a report on the evaluation conducted under paragraph (1).

SEC. 2702. HOME HEALTH MARKET BASKET REDUCTION.

Section 1895(b)(3)(B) of the Social Security Act (42 U.S.C. 1395fff(b)(3)(B)) is amended—

(1) in clause (iii), in the last sentence, by inserting before the period at the end the following: ''and for 2020 shall be 1.5 percent''; and

(2) in clause (vi), by inserting ''and 2020'' after ''except 2018''.

SEC. 2703. REDUCTION FOR NON-EMERGENCY ESRD AMBULANCE TRANSPORTS.

Section 1834(l)(15) of the Social Security Act (42. U.S.C. 1395m(l)(15)) is amended by striking ''on or after October 1, 2013'' and inserting ''during the period beginning on October 1, 2013, and ending on September 30, 2018, and by 23 percent for such services furnished on or after October 1, 2018''.

SEC. 2704. EXTENSION OF TARGET FOR RELATIVE VALUE ADJUSTMENTS FOR MISVALUED SERVICES AND TRANSITIONAL PAYMENT RULES FOR CERTAIN RADIATION THERAPY SERVICES UNDER THE PHYSICIAN FEE SCHEDULE.

Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (b)(11), by striking ''2017 and 2018'' and inserting ''2017, 2018, and 2019''; and

(2) in subsection (c)(2)—

(A) in subparagraph (K)(iv), by striking ''2017 and 2018'' and inserting ''2017, 2018, and 2019''; and

(B) in subparagraph (O), by striking ''2018'' and inserting ''2019''.

SEC. 2705. DELAY IN AUTHORITY TO TERMINATE CONTRACTS FOR MEDICARE ADVANTAGE PLANS FAILING TO ACHIEVE MINIMUM QUALITY RATINGS.

Section 1857(h)(3) of the Social Security Act (42 U.S.C. 1395w–27(h)(3)) is amended by striking ''2018'' and inserting ''2027''.

SEC. 2706. MEDICARE IMPROVEMENT FUND.

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

and all that follows through the period at the end and inserting ''during and after fiscal year 2021, $0.''.

SEC. 2707. PAYMENT FOR OUTPATIENT PHYSICAL THERAPY SERVICES AND OUTPATIENT OCCUPATIONAL THERAPY SERVICES FURNISHED BY A THERAPY ASSISTANT.

Section 1834 of the Social Security Act (42 U.S.C. 1395m), as amended by sections 2204 and 2414, is further amended by adding at the end the following new subsection:

''(x) PAYMENT FOR OUTPATIENT PHYSICAL THERAPY SERVICES AND OUTPATIENT OCCUPATIONAL THERAPY SERVICES FURNISHED BY A THERAPY ASSISTANT.—

''(1) IN GENERAL.—In the case of an outpatient physical therapy service or outpatient occupational therapy service furnished on or after January 1, 2022, for which payment is made under section 1848 or subsection (k), that is furnished in whole or in part by a therapy assistant (as defined by the Secretary), the amount of payment for such service shall be an amount equal to 85 percent of the amount of payment otherwise applicable for the service under this part. Nothing in the preceding sentence shall be construed to change applicable requirements with respect to such services.

''(2) USE OF MODIFIER.—

''(A) ESTABLISHMENT.—Not later than January 1, 2019, the Secretary shall establish a modifier to indicate (in a form and manner specified by the Secretary), in the case of an outpatient physical therapy service or outpatient occupational therapy service furnished in whole or in part by a therapy assistant (as so defined), that the service was furnished by a therapy assistant.

''(B) REQUIRED USE.—Each request for payment, or bill submitted, for an outpatient physical therapy service or outpatient occupational therapy service furnished in whole or in part by a therapy assistant (as so defined) on or after January 1, 2020, shall include the modifier established under subparagraph (A) for each such service.

''(3) IMPLEMENTATION.—The Secretary shall implement this subsection through notice and comment rulemaking.''.

SEC. 2708. CHANGES TO LONG-TERM CARE HOSPITAL PAYMENTS.

(a) EXTENSION.—Section 1886(m)(6)(B)(i) of the Social Security Act (42 U.S.C. 1395ww(m)(6)(B)(i)) is amended—

(1) in subclause (I), by striking ''fiscal year 2016 or fiscal year 2017'' and inserting ''fiscal years 2016 through 2019''; and

(2) in subclause (II), by striking ''2018'' and inserting ''2020''.

(b) TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.—Section 1886(m)(6)(B) of the Social Security Act (42 U.S.C. 1395ww(m)(6)(B)) is amended—

(1) in clause (ii), in the matter preceding subclause (I), by striking ''In this paragraph'' and inserting ''Subject to clause (iv), in this paragraph''; and

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

''(iv) ADJUSTMENT.—For each of fiscal years 2018 through 2026, the amount that would otherwise apply under clause (ii)(I) for the year (determined without regard to this clause) shall be reduced by 4.6 percent.''.

SEC. 2709. NON-BUDGET NEUTRAL TRANSITIONAL PASS-THROUGH PAYMENT CHANGE FOR CERTAIN PRODUCTS.

(a) IN GENERAL.—Subsection 1833(t)(6)(A)(iv) of the Social Security Act (42 U.S.C. 13951(t)(6)(A)(iv)) is amended by inserting ''(except, beginning as of April 1, 2018, a biosimilar biological product (as defined under section 1847A(c)(6)(H)))'' after ''biological''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply with respect to biosimilar biological products beginning on April 1, 2018, regardless of whether such products were receiving pass-through status for an additional payment under section 1833(t)(6) of the Social Security Act (42 U.S.C. 1395l(t)(6)) before such date. In the case of a product that was receiving such an additional payment pursuant to clause (iv) of subparagraph (A) of such section as of the day before such date and after application of the amendment under subsection (a) is not eligible for such an additional payment as of such date, such product may not be eligible for such an additional payment pursuant to any other clause of such subparagraph (A).

SEC. 2710. THIRD PARTY LIABILITY IN MEDICAID AND CHIP.

(a) MODIFICATION OF THIRD PARTY LIABILITY RULES RELATED TO SPECIAL TREATMENT OF CERTAIN TYPES OF CARE AND PAYMENTS.—

(1) IN GENERAL.—Section 1902(a)(25)(E) of the Social Security Act (42 U.S.C. 1396a(a)(25)(E)) is amended, in the matter preceding clause (i), by striking ''prenatal or''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of enactment of this Act.

(b) DELAY IN EFFECTIVE DATE AND REPEAL OF CERTAIN BIPARTISAN BUDGET ACT OF 2013 AMENDMENTS.—

(1) REPEAL.—Effective as of September 30, 2017, subsection (b) of section 202 of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1177; 42 U.S.C. 1396a note) (including any amendments made by such subsection) is repealed and the provisions amended by such subsection shall be applied and administered as if such amendments had never been enacted.

(2) DELAY IN EFFECTIVE DATE.—Subsection (c) of section 202 of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1177; 42 U.S.C. 1396a note) is amended to read as follows:

''(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2019.''.

(3) EFFECTIVE DATE; TREATMENT.—The repeal and amendment made by this subsection shall take effect as if enacted on September 30, 2017, and shall apply with respect to any open claims, including claims pending, generated, or filed, after such date. The amendments made by subsections (a) and (b) of section 202 of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1177; 42 U.S.C. 1396a note) that took effect on October 1, 2017, are null and void and section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) shall be applied and administered as if such amendments had not taken effect on such date.

(c) GAO STUDY AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate on the impacts of the amendments made by subsections (a)(1) and (b)(2), including—

(1) the impact, or potential effect, of such amendments on access to prenatal and preventive pediatric care (including early and periodic screening, diagnostic, and treatment services) covered under State plans under such title (or waivers of such plans);

(2) the impact, or potential effect, of such amendments on access to services covered under such plans or waivers for individuals on whose behalf child support enforcement is being carried out by a State agency under part D of title IV of such Act; and

(3) the impact, or potential effect, on providers of services under such plans or waivers of delays in payment or related issues that result from such amendments.

(d) APPLICATION TO CHIP.—

(1) IN GENERAL.—Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (B) through (R) as subparagraphs (C) through (S), respectively; and

(B) by inserting after subparagraph (A) the following new subparagraph:

''(B) Section 1902(a)(25) (relating to third party liability).''.

(2) MANDATORY REPORTING.—Section 1902(a)(25)(I)(i) of the Social Security Act (42 U.S.C. 1396a(a)(25)(I)(i)) is amended—

(A) by striking ''medical assistance under the State plan'' and inserting ''medical assistance under a State plan (or under a waiver of the plan)'';

(B) by striking ''(and, at State option, child'' and inserting ''and child''; and

(C) by striking ''title XXI)'' and inserting ''title XXI''.

SEC. 2711. TREATMENT OF LOTTERY WINNINGS AND OTHER LUMP-SUM INCOME FOR PURPOSES OF INCOME ELIGIBILITY UNDER MEDICAID.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(17), by striking ''(e)(14), (e)(14)'' and inserting ''(e)(14), (e)(15)''; and

(2) in subsection (e)(14), by adding at the end the following new subparagraph:

''(K) TREATMENT OF CERTAIN LOTTERY WINNINGS AND INCOME RECEIVED AS A LUMP SUM.—

''(i) IN GENERAL.—In the case of an individual who is the recipient of qualified lottery winnings (pursuant to lotteries occurring on or after January 1, 2018) or qualified lump sum income (received on or after such date) and whose eligibility for medical assistance is determined based on the application of modified adjusted gross income under subparagraph (A), a State shall, in determining such eligibility, include such winnings or income (as applicable) as income received—

''(I) in the month in which such winnings or income (as applicable) is received if the amount of such winnings or income is less than $80,000;

''(II) over a period of 2 months if the amount of such winnings or income (as applicable) is greater than or equal to $80,000 but less than $90,000;

''(III) over a period of 3 months if the amount of such winnings or income (as applicable) is greater than or equal to $90,000 but less than $100,000; and

''(IV) over a period of 3 months plus 1 additional month for each increment of $10,000 of such winnings or income (as applicable) received, not to exceed a period of 120 months (for winnings or income of $1,260,000 or more), if the amount of such winnings or income is greater than or equal to $100,000.

''(ii) COUNTING IN EQUAL INSTALLMENTS.—For purposes of subclauses (II), (III), and (IV) of clause (i), winnings or income to which such subclause applies shall be counted in equal monthly installments over the period of months specified under such subclause.

''(iii) HARDSHIP EXEMPTION.—An individual whose income, by application of clause (i), exceeds the applicable eligibility threshold established by the State, shall continue to be eligible for medical assistance to the extent that the State determines, under procedures established by the State (in accordance with standards specified by the Secretary), that the denial of eligibility of the individual would cause an undue medical or financial hardship as determined on the basis of criteria established by the Secretary.

''(iv) NOTIFICATIONS AND ASSISTANCE REQUIRED IN CASE OF LOSS OF ELIGIBILITY.—A State shall, with respect to an individual

who loses eligibility for medical assistance under the State plan (or a waiver of such plan) by reason of clause (i)—

''(I) before the date on which the individual loses such eligibility, inform the individual—

''(aa) of the individual's opportunity to enroll in a qualified health plan offered through an Exchange established under title I of the Patient Protection and Affordable Care Act during the special enrollment period specified in section 9801(f)(3) of the Internal Revenue Code of 1986 (relating to loss of Medicaid or CHIP coverage); and

''(bb) of the date on which the individual would no longer be considered ineligible by reason of clause (i) to receive medical assistance under the State plan or under any waiver of such plan and be eligible to reapply to receive such medical assistance; and

''(II) provide technical assistance to the individual seeking to enroll in such a qualified health plan.

''(v) QUALIFIED LOTTERY WINNINGS DEFINED.—In this subparagraph, the term 'qualified lottery winnings' means winnings from a sweepstakes, lottery, or pool described in paragraph (3) of section 4402 of the Internal Revenue Code of 1986 or a lottery operated by a multistate or multijurisdictional lottery association, including amounts awarded as a lump sum payment.

''(vi) QUALIFIED LUMP SUM INCOME DEFINED.—In this subparagraph, the term 'qualified lump sum income' means income that is received as a lump sum from monetary winnings from gambling (as defined by the Secretary and including gambling activities described in section 1955(b)(4) of title 18, United States Code).''.

(b) RULES OF CONSTRUCTION.—

(1) INTERCEPTION OF LOTTERY WINNINGS ALLOWED.—Nothing in the amendment made by subsection (a)(2) shall be construed as preventing a State from intercepting the State lottery winnings awarded to an individual in the State to recover amounts paid by the State under the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) for medical assistance furnished to the individual.

(2) APPLICABILITY LIMITED TO ELIGIBILITY OF RECIPIENT OF LOTTERY WINNINGS OR LUMP SUM INCOME.—Nothing in the amendment made by subsection (a)(2) shall be construed, with respect to a determination of household income for purposes of a determination of eligibility for medical assistance under the State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or a waiver of such plan) made by applying modified adjusted gross income under subparagraph (A) of section 1902(e)(14) of such Act (42 U.S.C. 1396a(e)(14)), as limiting the eligibility for such medical assistance of any individual that is a member of the household other than the individual who received qualified lottery winnings or qualified lump-sum income (as defined in subparagraph (K) of such section 1902(e)(14), as added by subsection (a)(2) of this section).

SEC. 2712. MODIFYING REDUCTIONS IN MEDICAID DSH ALLOTMENTS.

Section 1923(f)(7)(A) of the Social Security Act (42 U.S.C. 1396r–4(f)(7)(A)) is amended—

(1) in clause (i), in the matter preceding subclause (I), by striking ''2018'' and inserting ''2020''; and

(2) in clause (ii), by striking subclauses (I) through (VIII) and inserting the following:

''(I) $4,000,000,000 for fiscal year 2020; and

''(II) $8,000,000,000 for each of fiscal years 2021 through 2025.''.

SEC. 2713. MEDICAID IMPROVEMENT FUND RESCISSION.

Section 1941(b) of the Social Security Act (42 U.S.C 1396w–1(b)) is amended—

(1) in paragraph (1), by striking ''$5,000,000'' and inserting ''$0''; and

(2) in paragraph (3)(A) (as added by section 3006(2)(B) of the Helping Ensure Access for Little Ones, Toddlers, and Hopeful Youth by Keeping Insurance Delivery Stable Act (Public Law 115–120)), by striking ''$980,000,000'' and inserting ''$0''.

SEC. 2714. SUNSETTING EXCLUSION OF BIOSIMILARS FROM MEDICARE PART D COVERAGE GAP DISCOUNT PROGRAM.

Section 1860D–14A(g)(2)(A) of the Social Security Act (42 U.S.C. 1395w–114a(g)(2)(A)) is amended by inserting '', with respect to a plan year before 2019,'' after ''other than''.

SEC. 2715. PREVENTION AND PUBLIC HEALTH FUND.

Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)) is amended by striking paragraphs (1) through (9) and inserting the following new paragraphs:

''(1) for each of fiscal years 2018 and 2019, $900,000,000;

''(2) for each of fiscal years 2020 and 2021, $1,000,000,000;

''(3) for each of fiscal years 2022 through 2027, $1,100,000,000; and

''(4) for fiscal year 2028 and each subsequent fiscal year, $2,000,000,000.''.

DIVISION G—BUDGETARY EFFECTS

SEC. 3001. BUDGETARY EFFECTS.

(a) IN GENERAL.—The budgetary effects of division D and each succeeding division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of division D and each succeeding division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of division D and each succeeding division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Speaker, for the fifth time since last fall, I rise today to present another continuing resolution, the House amendment to Senate amendment to H.R. 1892, to fund the operations of the Federal Government through March 23, fund the Department of Defense for the rest of fiscal year 2018, and extend critical healthcare programs, including funding for community health centers.

Our current continuing resolution expires on Thursday, and without this legislation, large segments of the Federal Government will shut down again. Of course, all of us are keenly aware that more time is needed for our leaders in the House, the Senate, and the White House to negotiate overall funding levels for the 2018 fiscal year. This bill should allow that to happen.

Mr. Speaker, this continuing resolution also makes a very limited number of technical changes in funding levels for only the most essential needs, including:

To prevent delays in preparation for the 2020 Census;

To ensure that the judicial branch is able to pay jurors;

To provide $225 million in emergency funding for the Small Business Administration to provide emergency loans to those whose lives and livelihoods were destroyed by last year's historic natural disasters.

This legislation also includes the full fiscal year 2018 Department of Defense Appropriations bill, totaling $659 billion for our Armed Forces.

And I don't have to remind my colleagues that this bill has already passed this House three times on a bipartisan basis—most recently, last week.

Mr. Speaker, we ask a great deal of our men and women in uniform, and we have an obligation to provide them and their families the resources they need to be safe, to complete their missions successfully at home and abroad. Governing from CR to CR just creates more unpredictability, more instability, and has real-life consequences for both our troops and civilians who support them.

Mr. Speaker, the challenges we face around the world cannot be met under this Federal CR stop-and-go process. While we delay doing the Nation's business, our military and economic competitors are consolidating their gains.

Finally, I would add, this legislation includes necessary funding extensions for bipartisan health priorities like community health centers and other public health programs. It also funds important Medicare extenders and includes commonsense reforms and improvements in the program.

But let no one doubt our position on continuing resolutions. They are bad fiscal policy. They do not allow programs to grow, to be reduced or eliminated, if that is needed. They maintain outdated policies and stop new, critically important programs from ever starting, including programs that enhance national security and protect our Armed Forces from our enemies.

Continuing resolutions are fiscally wasteful and prevent the executive branch and Congress from planning and preparing, and this is true for the private sector as well.

Most importantly, they undermine congressional oversight that is constitutionally mandated for our appropriations.

While I am pleased that we are here to include the Defense Appropriations

bill in this continuing resolution, we must still pass all 12 appropriations bills for the 2018 fiscal year, as well as our third emergency disaster supplemental.

As soon as congressional and White House leaders reach a bipartisan agreement, which could and should happen at any moment, our committee will get to work immediately to finish negotiations on all 12 year-long funding bills.

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

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

Since President Trump's draconian FY 2018 budget was released last year, Democrats have warned Republicans that a bipartisan budget agreement was needed to adequately invest in American families and communities. Without a budget agreement, programs as diverse as Head Start, job training, and terrorism prevention grants are in danger of inadequate funding, at best.

Instead of engaging with Democrats to reach a budget agreement, the majority is seeking to advance a full year of funding for only the Department of Defense, busting budget caps, while punting every other Federal service and investment to an uncertain future.

Mr. Speaker, the most powerful country in the world now being completely run by a Republican government can't keep the lights on more than weeks at a time. How did we get here?

Democrats will not go along with any plan that neglects critical national security and domestic needs. If this bill were to become law, the majority would have no workable plan to make the investments that are necessary for priorities, including biomedical research, infrastructure projects, Pell Grants, homeland security, assistance for local communities, veterans health, opioid funding, job training, the FBI, and other Federal law enforcement and more.

This is not a serious bill. We know that it will be quickly rejected by the Senate. It is the furthest possible cry from regular order that the majority so frequently discusses yet rarely follows. It is nothing more than a political ploy that will place us on the brink of another shutdown.

□ 1730

It is well past time to increase budget caps and enact responsible spending bills. The majority displays a lack of urgency regarding reaching a budget agreement and enacting appropriations law, choosing instead to advance partisan measures that fail to lift unmanageable budget caps for both defense and nondefense.

Republicans must abandon these partisan short-term bills and work with Democrats to fund the entirety of government for the remainder of the fiscal year to serve the American people.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

Mr. ADERHOLT. Mr. Speaker, today, as the House takes up the fifth continuing resolution for FY18, it seems all too appropriate to quote President Reagan where he says: ''Here we go again.''

I rise here on the floor of the House this afternoon to urge my colleagues to support the CR, which, of course, runs through March 23.

As the chairman of the Committee on Appropriations' Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, our Nation's farmers and ranchers will find it hard to access credit during the upcoming planting season. And those recovering from disastrous weather events will not be able to access essential programs in order to help them if we do not finalize a full-year funding agreement right away.

These are just a couple of examples of the hardships that are faced by our citizens here in the U.S. that depend on this legislation.

As I say, this is the fifth CR for this fiscal year. My colleagues on the other side of the aisle must come to the table willing to negotiate on these budget caps.

As Members know, the House has passed each of the 12 appropriations bills. We have done our job. Of course, the other body continues to be the weakest link in all this, as it needs to seriously reform their process in order to do the work of the people.

Finally, I appreciate that this bill includes full-year funding for the Department of Defense. To quote President Reagan once again: ''We have no choice but to maintain ready defense forces that are second to none. Yes, the cost is high, but the price of neglect would be infinitely higher.''

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding to me, and I commend her for her extraordinary leadership on the Appropriations Committee, where important decisions are made about how to allocate the resources of our country to invest in the aspirations of the American people, to respect the sacrifice of our men and women in uniform, and to honor the vows of our Founders for a country that is making the future better for every generation to come.

The distinguished chairman of the committee, Mr. FRELINGHUYSEN, opened his remarks by saying he came to the floor to introduce the fifth continuing resolution. And the gentleman who followed him talked about this being the fifth continuing resolution.

The more is not the merrier. It is like golf: the lower the score, the better. To have five continuing resolutions is a statement of incompetence and ineptitude.

The Republicans control the House, the Senate, and the White House; yet they are pressing forward on their fifth stopgap, short-term spending bill, demonstrating their failure to govern.

Since President Reagan was mentioned, I will mention our very first President, our patriarch, George Washington. President Washington, when he was leaving office, cautioned against political parties who were at war with their own government.

Does that sound familiar to you?

Here we are again, 2 days from another shutdown, careening toward another manufactured Republican crisis, demonstrating the Republican failure to govern.

We don't want to go to that place. As Members of Congress, we take a solemn oath to support and defend the Constitution of the United States and to protect the American people.

Democrats support a strong national defense. We, too, want our men and women in uniform to have the resources they need to keep them safe and to keep the American people safe as they accomplish their mission.

But we will not allow Republicans to use this continuing resolution, the fifth time they had to come to the floor because they could not govern, to hollow out our Nation's commitment to the health, education, and economic security of America's working families.

We all know that our military might is part of our Nation's strength, but the health, education, security, and well-being of the American people is also a source of that strength.

Instead of working constructively with Democrats to meet the needs of the American people, Republicans are trying to starve the domestic budget. I just want to remind our colleagues: One-third, 34 percent—one-third—of the nondefense domestic budget goes to national security. When you starve the domestic budget, you are not making us stronger. One-third of the domestic budget is about security; Homeland Security, Veterans Affairs, the State Department, and antiterrorism activities of the Justice Department.

But Republicans refuse to give our patriots funded on the domestic side of the budget the resources they need to do their job, just the chaos and uncertainty of yet another stopgap extension.

As Defense Secretary Mattis said, stopgap CRs ''just create unpredictability. It makes us rigid. We cannot deal with new and revealing threats. We know our enemies are not standing still, so it is about as unwise as it can be.'' And here are, as unwise as can be for the fifth time.

And while their continuing resolution seeks to ransack every other commitment to the health of the American people, Republicans hide behind a fig leaf of a 2-year extension of community health centers.

We all support community health centers. It was a very important part of the Affordable Care Act. A very important part. Our colleague, assistant leader Mr. CLYBURN from South Carolina, was one of the great champions of all time of Congress on expanding funding for programs for care and for bricks and mortar for our community health centers. This is a very important piece for us. We should be extending it in a fuller bill to 5 years, except it is used here to hide from the fact of so much other domestic investment that we are not making.

Republicans are eliminating the Home Visiting initiative that is vital for maternal and child care, and cutting off workforce training for low-income Americans seeking good-paying jobs in healthcare.

The sole purpose of this Republican bill is to destroy our leverage to achieve parity in the caps, to eliminate any need for bipartisan compromise, to eliminate any need to invest in working families.

Why?

Because if they get their defense number, then they don't have to negotiate about the domestic number. And as I said, we support our men and women in uniform having what they need to be safe and to keep us safe. But the strength of our country is measured in other ways as well.

They don't believe that and they can't pass that, so they have to put the defense bill there. But we cannot support that because, again, it comes at the expense instead of as a source of strength to our country.

Democrats simply want action on the critical overdue and bipartisan priorities of the American people so beautifully spelled out by our ranking member, Congresswoman LOWEY.

Again, we need funding for the opioid epidemic. The President talked about that. Show us the money. The opioid epidemic claims the lives of 115 Americans every day, and it is getting worse every year in every district in the country. Bipartisan support is there to fight the opioid epidemic. Let's do it.

We need more funding for veterans, to meet our responsibility and ensure that no veteran is denied the care they deserve upon returning from the battlefield.

We need emergency disaster funding for all communities ravaged by hurricanes and wildfires.

We need to save millions of hard-working Americans' endangered pensions.

We need to pass the bipartisan Dream Act immediately. This is a moral priority for us. This is about the character of our Nation, who we are as a country. A nation, over time, constantly invigorated by people coming to our country to seek the American Dream; a dream that is predicated on every generation working to make the future better for the next; a dream that takes determination, optimism, hope, and courage. And when these newcomers come to America with that determination, that courage, that optimism, that hope, they associate themselves with the values of our Founders to make the future better for the next generation. These newcomers to America make America more American.

So we asked to bring the Hurd-Aguilar bill to the floor. It is bipartisan. It has bipartisan support on the floor. It would pass. Have the courage to bring a bill that protects the DREAMers to the floor of the House.

These priorities that I mentioned are all bipartisan. They would pass if brought to the floor for an up-or-down vote. The GOP squandered all their time, energy, votes, and enthusiasm on tax breaks for corporations and the wealthiest, with 83 percent of the tax bill going to the top 1 percent. And now Republicans need to get serious and get to work on a budget that funds both the military and the domestic investments that keep our Nation strong.

I just want to make one point about that tax bill again. Did you see that the Speaker of the House sang the glory of the tax bill because a woman was getting $1.50 a week more in her paycheck? Did you see that? Do you believe that that is a good thing when the top 1 percent were probably getting $1,500 a week compared to her $1.50 a week in their paycheck?

Thank God, after millions of people objected, the Speaker withdrew that tweet. But I don't think he withdrew that sentiment, because it is the same sentiment that haunts all of these negotiations about investing in the American people.

Republicans must stop governing from manufactured crisis to crisis, and work with Democrats to pass many urgent, long-overdue priorities of the American people. As our distinguished ranking member, Mrs. LOWEY, said earlier in her remarks, ''We must abandon these short-term bills.'' She spelled out very clearly why. I associate myself with her remarks.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Committee on Appropriations' Subcommittee on Homeland Security.

Mr. CARTER of Texas. Mr. Speaker, our fine Secretary of Defense this morning testified before the Committee on Armed Services. He remarked that if the military is forced to continue to operate under a continuing resolution for the rest of the year, it will be unable to provide pay to our brave men and women in uniform, unable to recruit personnel we need, unable to maintain our naval ships, unable to maintain our aircraft, unable to supply our troops in the theater of combat, and unable to strike contracts critical toward modernizing our force. Unable, unable, unable.

As Congress, it is our responsibility to make our military force the most able in the world; able to keep our country safe and able to promote the ideals of freedom across the globe.

It would be deeply irresponsible for Members of this House to vote against providing full-year funding to the Defense Department, which addresses the needs of today and tomorrow, not last year.

The Secretary was on the Hill to discuss something very important: The Department's National Defense Strategy, which seeks to address the significant challenges we face with rising adversaries in China and Russia, along with enduring threats of a nuclear-armed Korea, a terrorist state in Iran, a terrorist network like ISIS. And he said: ''I regret that, without sustained predictable appropriations, my presence here today wastes your time because no strategy can survive without funding necessary to resource it.''

Mr. Speaker, this bill funds our military for the year with funding that addresses the challenges we face today and separates this critical funding from the political fights here in Washington, D.C. Our troops need our support for this bill.

The SPEAKER pro tempore (Mr. POE of Texas). The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Texas.

Mr. CARTER of Texas. Mr. Speaker, they need what this bill provides. Because of that, I support the bill and I urge its passage.

□ 1745

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Appropriations Committee Subcommittee on Defense.

Mr. VISCLOSKY. Mr. Speaker, the first observation I would make is: When I was raised by my parents, I was taught not to whine and not to blame others for problems that arose, but, rather, to work hard to solve them.

I think it is long past time for people in this body to blame people in another body for the collective inability of the Congress of the United States to make a decision about something so important as the budget of the United States of America.

It is a leadership issue for the Democratic leadership and the Republican leadership of the House to come to an agreement to overturn the caps of the Budget Control Act. It is time for the Democratic and Republican leadership of the Senate to do the same and for those two bodies to come to an agreement collectively to meet our constitutional responsibilities.

A few days ago, I was on this floor and said that we were confronted with a number problem. That is, what is our total spending for this fiscal year? We are in the 129th day of it for the Department of Defense. What is the total budget number for all of our domestic spending so that we can have a strong and vibrant economy and people?

We still have a number problem. For the sake of the country, for the sake of

this institution, for the sake of our committee and the good work that Chairman FRELINGHUYSEN, Mrs. LOWEY, and the members of our committee have done repeatedly, please let us have some leadership.

Lewis Carroll wrote ''Through the Looking Glass,'' and there was an interchange in that story:

'' 'Well, in our country,' said Alice, still panting a little, 'you'd generally get to somewhere else—if you ran very fast for a long time, as we've been doing.' ''

'' 'A slow sort of country!' said the Queen. 'Now, here, you see, it takes all the running you can do, to keep in the same place.' ''

In September, we did the first CR to December 8 because it was going to be different then, but we are in the same place. Then we did a CR for December 22 because it was going to be different then, but we are in the same place. Then we did a CR for January 19 because it was going to be different and a new year, but we are in the same place.

Today, we have February 8 because it was going to be different on February 8, and now it is going to be the fifth time we have done a continuing resolution to March 23 because it is going to be different next month. That is fine.

We did our Defense Appropriations bill. We did it in July; then we did it in September; then we did it in December; then we did it in February—four times between CRs, repeatedly doing the same Defense Appropriations bill. We have done it nine times. If we go through this sequence one more time, Mr. Speaker, I am not going to be able to keep track of my numbers anymore.

This is a numbers problem, and I would conclude by noting that I, for one, did not vote for the Budget Control Act, and I would note that an independently elected Congress set it aside for 2 years because they knew a mistake had been made. Then a subsequently elected Congress did away with the Budget Control Act because they had a 2-year deal because they knew they had made a mistake.

There are negotiations—apparently taking place as we meet here today—to set it aside for another 2 years because they know we made a mistake within our legislation, because Chairman FRELINGHUYSEN, Mrs. LOWEY, my chairwoman, Ms. GRANGER, and I, everybody has been honest. We are going to set aside sequestration because we need to spend additional moneys on defense.

How many times does Congress have to hit its head with a hammer to not fix this problem permanently? Three different independently elected Congresses have overturned a really rotten bill, and we are still in the same place. It is time to stop for the sake of this country.

Give the chairman, give the ranking member, give the committees in both Houses numbers so we can complete our bills. The last time I looked, every department of this country has completed their work on fiscal year 2019, are going to present us with their budgets next week, and they don't know what we are doing this year.

Mr. Speaker, this is unbecoming of a great nation.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. BRADY), the chairman of the Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I thank the chairman for his leadership and hard work on this effort.

For over a year, the Ways and Means Committee has been leading efforts to advance smart, focused solutions to improve Medicare for the American people. A number of these solutions are included in the bill before us today. These policies take action on three primary goals:

First, expanding access to high-quality care;

Second, increasing efficiency in the way we deliver care—a key goal that will help patients better receive the care they need when they need it; and

Third, incorporating healthcare technologies that are focused on patients, such as telehealth, and eliminating barriers to coordinating care.

This means providing new tools to patients that healthcare providers can use to better access care and deliver it and, at the same time, reducing red-tape burdens that now make it harder for our local doctors to provide the high-quality care our Americans deserve.

So many of these provisions have support from Republicans and Democrats, and for good reason. These are smart, targeted improvements that will go a long way in helping Medicare patients in Texas and, frankly, throughout the country.

Mr. Speaker, I want to thank all of the members of our committee and throughout the House who have worked on these provisions. Improving and strengthening Medicare for the long term is a major priority for the American people. With this bill, we have an opportunity to take meaningful steps toward this important goal.

Mr. Speaker, I urge all of my colleagues to join me in supporting its passage.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Appropriations Committee Subcommittee on Energy and Water Development, and Related Agencies.

Ms. KAPTUR. Mr. Speaker, I thank Ranking Member LOWEY and rise in opposition to this bill.

Our Nation really needs to be on an even keel to produce steady economic growth in this country. This bill doesn't help that.

I agree, America must have a strong defense, but a nation has to be strong at home to be strong abroad. You can't shortchange the home front. A nation at home must be secure, without wild stock market swings, to be strong abroad.

A nation at home must be strong, without a massive drug epidemic here at home, to be strong abroad.

This bill can't produce a steady economy with consistent job growth because it fails to dedicate sufficient resources here at home: to education, to healthcare, to employment and retraining, for Head Start, for energy independence, for law enforcement, and for localities savaged by the drug epidemic and shortchanged on treatment.

Our ship of state needs to be on an even keel, not the wild fluctuations in this resolution. This bill tilts in the wind far, far starboard, and that is not a setting that can assure a steady ship of state to maintain a steady growth economy.

Mr. Speaker, I rise in opposition to the resolution.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Nebraska (Mr. SMITH), chairman of the Subcommittee on Human Resources of the House Ways and Means Committee.

Mr. SMITH of Nebraska. Mr. Speaker, I rise in support of this continuing resolution package.

While I appreciate this legislation will keep government open, fund community health centers for 2 years, and fully fund our military while we continue to work toward a broader budget agreement, I would like to focus on the various Ways and Means Committee provisions included in the bill.

This legislation includes numerous Medicare provisions important to rural health providers and patients, including permanently repealing therapy caps and extending the floor on geographic payment adjustments for rural providers and add-ons for rural ambulance providers.

Just as importantly, these health provisions are paid for without cutting swing bed reimbursements to critical access hospitals, including the 55 critical access hospitals in Nebraska's Third District as originally proposed.

I am particularly pleased that two important programs within the jurisdiction of the Subcommittee on Human Resources—which I chair—are included today. We have much work to do to lift Americans out of poverty and into prosperity, and each of these bills will play an important part in this effort.

The Family First Prevention Services Act reforms our child welfare system to reinforce the importance of keeping children with their families whenever possible. We know children who stay with their families have better long-term outcomes than those who move to nonfamily settings, and our goal for every program in this space to demonstrate results through empirical evidence.

I want to thank the sponsor of Family First, Mr. BUCHANAN, for working with me to address my concerns about nurse staffing requirements which would have been costly to implement for entities like Omaha-based Boys Town, while providing no tangible improvements to their family driven model of care.

The other H.R. item in this package, the supporting Social Impact Partnerships to Pay for Results Act, also moves our family support programs to a more results-driven model by incentivizing States and local governments to pilot new ideas and reserving Federal funding until they demonstrate outcomes through rigorous data-driven evaluation. We still have more work to do in this space, starting with completing the work begun by this Chamber last September when we passed a paid-for 5-year MIECHV reauthorization.

But like the rest of this legislation, these provisions are a downpayment on the work we are committed to completing.

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

Mr. FRELINGHUYSEN. I yield an additional 30 seconds to the gentleman from Nebraska.

Mr. SMITH of Nebraska. Mr. Speaker, I thank the gentleman for the time, and I certainly urge passage of this bill.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Labor, Health and Human Services, Education, and Related Agencies Subcommittee of the Appropriations Committee.

Ms. DELAURO. Mr. Speaker, I rise to strongly oppose this continuing resolution. I cannot support a bill that flies in the face of responsible governing. This is pure incompetence.

How many times are we going to do this? This is our fifth short-term spending bill since September. How many times will we punt our priorities, lurching from one self-inflicted wound to another?

That is exactly what the continuing resolution represents: a failure to govern. It is shameful that, yet again, we neglect our core obligation as a Congress, which is to fund government programs. We should be voting on new top-line spending levels for 2018, that alleviate sequestration from both nondefense and defense spending.

We should have spent the last few months fulfilling our responsibility as legislators by writing bipartisan bills to fund programs that help the middle class and the vulnerable, support evidence-based scientific research, and help working people get the skills they need to find good jobs and get good wages.

Instead, the majority forced through their tax scam for millionaires and billionaires. They became the first party to ever control both Chambers of Congress and the White House, and, yes, they shut down the government. And today, the President of the United States says that he supports a government shutdown.

The Republican majority has failed to respond to the needs of the American people. Instead of working with Democrats to set budget numbers and ensure parity, equal for defense spending and nondefense spending, they have put the government on autopilot.

□ 1800

They put services and investments that are critical to our families and to our communities at grave risk from apprenticeships to education for students with disabilities, childcare, after-school programs that help working families make ends meet, and financial aid for students who are attending college. Instead, they are forcing through another continuing resolution, this time cutting almost $3 billion from the Prevention Fund over the next 10 years on top of the $750 million that they cut in December.

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

Mrs. LOWEY. Mr. Speaker, I yield the gentlewoman from Connecticut an additional 1 minute.

Ms. DELAURO. We are talking about cuts to programs that improve our public health immunization infrastructure at a time when the flu is rampant in this country, as well as cuts to lead poisoning prevention programs that seek to prevent and ultimately eliminate childhood lead poisoning.

Programs like these and dozens of others in the Prevention Fund save billions of taxpayer dollars by preventing illness and disease before they occur.

You cut the Prevention Fund and you cause millions of Americans to suffer for no reason. You pit community health centers against the Prevention Fund.

Take the money, the $1½ trillion that you give to the richest people in this country: the millionaires, the billionaires, and the richest corporations; don't take it from children's health, don't take it from the healthcare centers, and don't take it from the Prevention Fund. It is unacceptable, because here we are talking about people's lives.

Mr. Speaker, I urge my colleagues: Reject this continuing resolution. It fails to meet our obligations to the American people.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BARTON), who is the vice chairman of the Energy and Commerce Committee.

Mr. BARTON. Mr. Speaker, I thank the distinguished Appropriations Committee chairman for yielding me time.

I rise in support of this continuing resolution. Obviously, we would rather fund the government for the entire year before the start of the fiscal year, but that is in a perfect world, and one thing that the Congress has never been accused of is being a perfect world. So we are here dealing in the real world.

To my good friend from Connecticut who just spoke, and she is my good friend, I would point out that the bill before us doesn't cut money from the Prevention Fund. It directs money from the Prevention Fund to spend on healthcare programs. In other words, it is taking some discretion from the executive branch and directing that spending that Congress thinks it should be spent for.

One of the programs that we are going to fund for 2 years is the community health centers. Twenty-four million people each year get their healthcare from these community health centers, and one of them is in my home county, the Hope Clinic. Its main facility is in Waxahachie, Texas. But in my hometown of Ennis, we have the Nell Barton Hope Clinic Annex. These two facilities in Ellis County this year are providing healthcare for over 10,000 Ellis Countians.

This is not exotic care. It is check-ups, screenings, mammograms, and all the odds and ends that you have in your basic healthcare facilities. If they need more specific treatment, they are referred to specialists in the Dallas-Fort Worth area.

But for the 10,000 citizens of Ellis County who depend on the Hope Clinic for their healthcare, this is a big bill. In fact, the executive director of the Hope Clinic was in my office today, saying: We want to expand, but we don't know if we are going to have the funds. We really need to get some certainty.

That is what this bill is all about. So I rise in strong support, and I urge a ''yes'' vote on the CR later this evening.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE), who is a senior member of the Appropriations Committee.

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman for yielding and, once again, for her tremendous leadership on so many issues as our ranking member.

As a member of the Appropriations Committee and the Budget Committee, I rise in strong opposition to this continuing resolution. This bill kicks the can down the road for the fifth time—mind you, fifth time—since October. It also shamelessly includes the standalone defense spending bill of $659 billion to an already out-of-control Pentagon budget.

This bill breaks the budget caps. It includes $75 billion for wars that Congress has never debated or voted on. It also includes more than $1 billion in funds to increase troop levels in Afghanistan by 3,500, not to mention the millions—the billions, actually—in waste, fraud, and abuse that taxpayers have already lost by irresponsible Pentagon spending.

This is outrageous. Republicans control the House, the Senate, and the White House. The least they could do is keep the government open. Yet here we stand, once again, with no deal on DREAMers and no agreement on a long-term spending bill.

Clearly, Republicans have no strategy on funding the government. They would prefer to pass CR after CR after CR after CR. This is beyond irresponsible, Mr. Speaker.

How long will Republicans govern from crisis to crisis? Nobody can manage their household or their business like the Republicans are managing our government spending.

This short-term resolution once again ignores urgent bipartisan priorities the Democrats have been fighting for for months with Republicans, the most urgent of which is passing a clean Dream Act. DACA recipients are American in every way except on paper, and right now their lives are hanging in the balance. We have less than 1 month until DACA expires, a deadline that the President, himself, created.

This continuing resolution is really irresponsible, and it is morally bankrupt.

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

Mrs. LOWEY. Mr. Speaker, I yield the gentlewoman from California an additional 1 minute.

Ms. LEE. Mr. Speaker, this continuing resolution fails to honor the temporary protective status for immigrants.

It fails to raise budget caps for defense and nondefense spending, and it neglects to provide desperately needed funding for hurricane- and wildfire-impacted communities, the opioid crisis, and our veterans.

This bill underscores the majority's complete lack of regard for everyday Americans and struggling families.

Continuing resolutions leave the American people out on a limb with no confidence in their Federal Government. This resolution makes it clear that that is just what Republicans want to do.

The American people sent us to Congress to govern in their best interest. Now we have spent the last 4 months passing short-term spending bills one after another, and for what? Because Republicans refuse to do their job.

Instead of wasting more time on this terrible CR, we should deal with our bipartisan priorities and fund the government for the long term. It is the right thing to do for our communities and our country.

Mr. Speaker, I urge a ''no'' vote on this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), who is a member of the House Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I thank the chairman for doing an outstanding job this year passing all 12 appropriations bills.

Mr. Speaker, I support passage of this CR which includes three provisions of mine. It will reauthorize the Community Health Center program, providing $3.6 billion per year for the next 2 years.

Community health centers have a proven track record of providing high-quality, cost-efficient healthcare to approximately 25 million Americans and have long enjoyed bipartisan support because they are a prime example of what is working in our healthcare system.

The CR updates the civil and criminal penalties in the Medicare and Medicaid programs. Many haven't been updated in over 20 years.

It also repeals the Medicare therapy cap. This will ensure that patients who need physical, speech, or occupational therapy services can receive them without fear of losing their benefits if they hit an arbitrary cap. This is so important to our seniors, Mr. Speaker.

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), who is the ranking member of the Interior, Environment, and Related Agencies Subcommittee.

Ms. MCCOLLUM. Mr. Speaker, I thank our ranking member for yielding me the time.

Mr. Speaker, I rise in opposition to this legislation, a misguided bill that ignores the urgent needs of the American people.

The Federal Government's fiscal year started October 1, 2017—128 days ago. Instead of using that time to get their work done, Republicans have focused solely on partisan politics. When it comes to the essential responsibility of funding the Federal Government, the Republicans can't be bothered.

Now we are asked, today, to vote for a bill that funds the Pentagon for the rest of the year while funding our schools and our hospitals for just 43 days.

Mr. Speaker, our national security begins at home with investments in the future that keep our families and our communities safe, strong, and moving forward. This bill ignores those needs. It provides no certainty for our law enforcement professionals, no long-term funding for urgent repairs to our crumbling infrastructure, and no confidence for investments in lifesaving medical research. It doesn't even provide a full year of funding for veterans' healthcare.

While it is encouraging that Republicans are finally reauthorizing vital healthcare programs like our community health centers, paying for these programs with cuts to the CDC's Prevention and Public Health Fund, which is currently providing lifesaving vaccines in this severe flu season, is the height of irresponsibility.

Discord and delay is no way to run a government, but under Republican control, that is exactly what we are getting.

Mr. Speaker, unlike the President, I do not want a government shutdown. We need a budget agreement that keeps our government open, protects our national security, and meets our commitments to hardworking families. So let's stop playing games, get to our work, and get to it now.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), who is a member of the House Energy and Commerce Committee.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of this spending measure under consideration and what it means for our country and our constituents.

This continuing resolution we are considering includes a number of extremely important health provisions that are desperately needed.

Under this legislation, we will see a 2-year extension of federally qualified health centers that employ nearly 190,000 people and serve over 24 million people across the country.

There is also a 2-year extension of public health programs such as the National Health Service Corps, the Teaching Health Center Graduate Medical Education, Family-to-Family Health Information Centers, and the Sexual Risk Avoidance Education Program.

Additionally, this helps hospitals by eliminating the $5 million in reductions for Disproportionate Share Hospitals that were included in the ACA.

Many of the good bills my colleagues on the Energy and Commerce Committee have worked on are included in this legislation to improve public health and make reforms to Medicare.

Finally, this legislation pushes through a permanent repeal of the Medicare payment cap for therapy services, meaning that patients will have better access to important medical devices.

All of these efforts wouldn't be possible without the work of Chairman WALDEN, Chairman BURGESS, and my colleagues on both sides of the aisle in the Energy and Commerce Committee.

Mr. Speaker, now is the time to work together to ensure that these bills are passed into law, and that is why I urge my colleagues to support this bill.

Mrs. LOWEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who is the ranking member of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership.

Mr. Speaker, I rise in strong opposition to this continuing resolution which, yet again, is a complete and total abdication of our responsibilities as Members of Congress.

For the fifth time so far this fiscal year, Republicans are asking us to fund the government for just another flip of the calendar. The last time Republicans dragged us down this path of budgetary incompetence, we had the first ever complete government shutdown when one party held the House, Senate, and the White House. Yet here we are again, left with this ludicrous approach of funding the U.S. Government month to month while ignoring so many of the pressing issues Americans want us to address.

Today we have heard Republicans pay endless lip service to their devotion to military spending—and that

funding is certainly vital—but what Republicans have not mentioned is that this latest stopgap gimmick is going to rob from crucial nondefense budgets that also keep Americans safe. That means veterans, homeland security, counterterrorism, and State Department programs will be neglected and ignored.

That is why Democrats are asking for a simple compromise to raise the spending caps that are unreasonable and uncompromising. That is because we all want a strong national defense, but we also need equal increases in our domestic budget so that hardworking families can feel safe and financially secure.

We also want Republicans to join us in confronting the dire shortfall at the VA so no veteran is denied care upon returning home.

We want Republicans to work with us to ensure urgently needed recovery funds go to Texas, Florida, Puerto Rico, the U.S. Virgin Islands, and all areas impacted by wildfires.

□ 1815

We want Republicans to truly help us fight this opioid scourge, protect America's pensions, and do what the vast majority of Americans want us to do: pass a clean Dream Act.

Don't tell me we don't have the funds to support those needs. This Congress just gave a huge handout to billionaires and giant corporations that exploded the deficit by $1.5 trillion.

But this cynically crafted continuing resolution fails to address those real needs, the needs of the people who actually sent us here to stand up for them. We must end this cycle of budgetary neglect.

Mr. Speaker, I urge my colleagues to vote ''no.''

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. Mr. Speaker, our troops comprise the most professional, highly trained, and dedicated military force that the world has ever seen. They have pledged their lives, the well-being of their families, and their sacred honor to serve and protect this Nation.

Yet here we are, over a month into 2018, and our military and national security are being held hostage by our colleagues across the aisle over unrelated issues.

It is time for the Senate to get its act together. The House has passed the full defense funding three times this year. Tonight, we will pass it a fourth time.

It is wrong for us to send our best young men and women into harm's way without the resources they need, asking them to make up with their efforts, and their risk, for our shortcomings.

Mr. Speaker, I urge my colleagues to support this funding legislation and to prove to our troops that we have their backs.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Committee on Energy and Commerce.

Mr. PALLONE. Mr. Speaker, I rise in opposition to H.R. 1892.

Mr. Speaker, I am disappointed that, once again, my Republican colleagues are playing politics with important health programs.

Rather than bringing a stand-alone, bipartisan health extenders package to the floor, the Republicans have once again delayed any action on these extenders so that they could attach them to a CR that Democrats could not support.

The strategy may hide their inability to pass a final funding bill for a fiscal year that began on October 1, but it has also created uncertainty for the millions of Americans who rely on these programs every day.

I am glad that Republicans have dropped some of the harmful offsets that have led to months of delay and uncertainty for these health programs. However, our main concern is that the package excludes important health priorities, including the Maternal, Infant, and Early Childhood Home Visiting Program; the Health Profession Opportunity Grants program; and the increased funding that is desperately needed to combat the ongoing opioid crisis.

The CR poses a serious threat to public health because it cuts $2.85 billion from the Prevention Fund. These funds are critical to keeping Americans healthy. The Prevention Fund funds vaccines for children, lead poisoning prevention, opioid prevention, diabetes, heart disease, and other prevention programs.

I am also concerned with the Medicaid cuts in this package. Republicans have included over $10 billion in Medicaid cuts, including new money from the Medicaid Improvement Fund.

We should also reject the prioritization of funding for the Defense Department at the expense of all of our domestic needs.

I urge my colleagues to vote ''no.'' It is the only way we are going to guarantee that, ultimately, these health programs are funded and that we don't rely so much on the Prevention Fund.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, it is so interesting to listen to this debate. I just want to make three points.

First, on the military funding, I represent Fort Campbell. When you walk on that post and talk to the men and women in uniform and talk to them about their readiness training, their redeployment training, do you know what they tell us?

They say: Give us certainty in funding.

That is exactly what we are doing, is providing that certainty that they need to defend us, to protect us. They deserve it and they deserve our best efforts. So I find it so curious that there would be opposition to funding our military.

The second point is the community health centers. Many of my colleagues may come from urban areas. I have a rural district. Community health centers are vitally important to my constituents, to Tennesseans who want the access to care and seek the education to know how to take better care of themselves and their families. Let's give them this funding for the 2 years of certainty that is necessary.

Third, legislation that I have authored and worked on is included in the Medicare therapy cap provisions.

Have you ever talked to a senior, as I have, who had a stroke, who is seeking speech therapy or physical therapy from a hip replacement or a fall?

There is an arbitrary cap that runs out and they can no longer seek that medical attention that is necessary for a full and complete recovery and the quality of life that they desire and that they deserve. This is something that our committee has worked on to provide for seniors.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Tennessee.

Mrs. BLACKBURN. This is something that allows them to have that quality of life.

Why would you vote against lifting these caps and giving seniors what they deserve?

They have paid for Medicare through their working life. What they are seeking is to be able to have a full recovery. It is not only the appropriate thing to do, this is something that adds to the quality of life, just as keeping these community health centers funded enriches our communities. It enriches rural America.

I close with reiterating the point that, out of fairness, out of respect, out of loyalty to those who put on the uniform to defend us, let us join together and vote to fund the military and to support their efforts to defend this Nation.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), the chairman of the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, I thank the chairman of the House Appropriations Committee and his great staff who have worked diligently all year, month after month after month. Five months ago next week, they approved all 12 appropriations bills, one after another, regular order, through the House of Representatives. But there they sit over in the Senate and the Democrats block them.

What brings us here today is really important work. What brings us here today is that we are taking care of significant public healthcare issues. We are fully funding for the next 2 years community health centers.

I have heard from my colleagues about the things that aren't in this bill that they wish were, so that is why they are going to vote ''no,'' or some other thing that is not even before us and that is why they are going to vote ''no.''

But let's talk about what is actually before us.

What is before us is taking care of our men and women in uniform and their needs, especially when they are in harm's way, and fund really, really important public health programs that used to always be bipartisan.

Let's talk about those. Valley Family Health Care Outreach Center in Ontario and Winding Waters Clinic in Wallowa County. I have visited both of these recently. They are on the front lines of healthcare prevention. They are on the front lines of saving lives and helping children and adults. Or La Clinica down in the Medford-Ashland area.

In fact, in my district, we have 12 federally qualified health centers and 63 delivery sites that give care for 240,000 Oregonians. Twenty-four million nationwide are served by this.

On November 3, this House had the opportunity to fully fund those community health centers for 2 years and take care of children's health insurance and a lot of these other programs. It was a separate bill brought to the House floor, and a handful of Democrats broke with their party and voted with us. But, unfortunately, when it got to the Senate, they couldn't be freed up to support it. So we had to come back in the last continuing resolution and fully fund the Children's Health Insurance Program. I am not sure many Democrats voted for that here, unfortunately.

But here we are today, same process, same situation to fund community health centers. So we are going to do that. Your choice when you vote is ''yes'' or ''no,'' you want the community health centers funded or not, you want to shut the government down or not, you want to take care of our military or not.

Then there is the disproportionate share hospitals.

What are those?

Those are the hospitals in our districts and States that take care disproportionately of more poorer people than other hospitals. Under the Affordable Care Act or ObamaCare, however you want to describe it, there was prescribed in law automatic cuts to these hospitals that take care of the poorest of the poor in our communities. Those cuts totaled $2 billion.

In this legislation, as in the legislation we brought from the Energy and Commerce Committee on November 3, we turn off those cuts. We say: Don't do that to our DSH hospitals.

If you are at Saint Alphonsus in Ontario, Oregon, that is the most affected hospital, I am told, and they will lose money and have to decide how they cope with that. We solve that here for 2 years at $6.8 million in my State.

Then we extend the special diabetes programs. For heaven's sake, we should be able to come together in this Chamber and in this Congress to take care of people with diabetes. My grandfather lost both legs due to diabetes. They were amputated. I have other relatives and good friends whose kids have dealt with diabetes and still do to this day.

For our Native Americans and others, we have two separate programs. We fully fund them and tie them together. That is done in this legislation. Fifty thousand people in my district have diabetes. My hunch is all of our districts are not dissimilar from that. We take care of those people in this legislation.

Then we take care of therapy caps. Since 1997, when this law was put in place, people who needed physical therapy—my colleague from Tennessee talked about it—stroke victims, seniors who need therapy, rather than the physical therapist or the speech therapist saying, ''Here is the program you need to get well, get on your feet, recover from whatever it is that afflicts you,'' the government put an arbitrary cap, and that was it. You were done whether you were done or not.

Everybody is different in terms of recovery. We repeal the therapy caps in here.

By the way, we have heard about all these things that now won't get funded because a part of this funding comes out of the Public Prevention Fund. Mr. Speaker, $2.85 billion is not insignificant, it is true, but we are applying that money to help prevention and community health centers, as we did before for the Children's Health Insurance Program.

We are providing it for diabetes health. We are removing the physical therapy caps so that people can get well. That seems to me to be pretty good use of the Prevention Fund.

By the way, during the same period we are spending $2.85 billion out of that, there will still remain $12 billion left, and the talented folks at the Appropriations Committee will decide how that money is spent on vaccines and all these other issues, all these things we care about. There is still $12 billion left. So we are using discretionary funds that were set aside for that very purpose here.

Then we heard about some Medicaid cuts. Let me tell you what those are. We said: If you are a big lottery winner, maybe now that you have won a big prize, you shouldn't be on government-funded Medicaid because, by the way, you won a bazillion dollars.

So we are taking lottery winners and saying you have got to treat that big windfall when you calculate whether that person is poor or not anymore. So that is in here.

Then, on third-party liability, we said that if insurers actually are responsible for the cost, insurers should pay the cost rather than the taxpayer. So we make a little reform here that puts the insurers first to pay rather than the taxpayer.

Mr. Speaker, I thank the chairman for the marvelous work he has done.

□ 1830

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

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

This is the latest example of Republicans being completely incapable of governing. We must finish our work.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I am in receipt of the Statement of Administration Policy, which indicates that the administration supports this continuing resolution and that the President's advisers would recommend his signature on the bill.

Mr. Speaker, I include in the RECORD the Statement of Administration Policy dated February 6, 2018.

STATEMENT OF ADMINISTRATION POLICY

HOUSE AMENDMENT TO H.R. 1892—FURTHER EXTENSION OF CONTINUING APPROPRIATIONS ACT, 2018—REP. FRELINGHUYSEN, R–NJ

The Administration supports the House Amendment to the Senate Amendment to H.R. 1892, the Further Extension of Continuing Appropriations Act, 2018. This bill funds most Government programs at current levels through March 23, 2018, while incorporating the text of the House-passed fiscal year (FY) 2018 Department of Defense Appropriations Act, which provides the resources the military needs to keep the Nation safe. As the Administration has noted previously, the House-passed Department of DefenseAppropriations Act is consistent with the President's pledge to undo the looming defense spending reductions that are harmful to America's national security and military readiness.

The House-passed Department of Defense Appropriations Act incorporated in the bill includes a total of $659 billion for the Department of Defense (DOD), including $584 billion in base spending and $75 billion for Overseas Contingency Operations. These amounts are consistent with a total funding level for DOD similar to that authorized by the National Defense Authorization Act for Fiscal Year 2018, which was signed into law by the President. It includes $1.2 billion requested by the Administration to support increased troop levels in Afghanistan, special operations forces capabilities, and other urgent needs.

The United States military's greatest asset is the men and women who volunteer to serve. This bill keeps faith with service members by providing a 2.4 percent military pay raise. It increases end strength across the military services for active duty, reserve, and National Guard personnel, and includes funding for training and maintenance to ensure that United States troops are properly equipped and ready to fight.

In addition to supporting the defense bill, the Administration supports language in the House Amendment to H.R. 1892 that provides for an extension of a variety of healthcare provisions, including Community Health Centers. The Administration is also appreciative that the bill includes language requested by the Administration to ensure continuity of operations for the 2020 Decennial Census Program and the Small Business Administration's Disaster Loans Program.

The Administration supports continuing discussions over a two-year budget agreement that ensures funding for national defense and other priorities. As those discussions continue, however, it is dangerous to

hold defense funding for the current fiscal year hostage to arbitrary demands for lower-priority domestic programs.

If the Further Extension of Continuing Appropriations Act, 2018, were presented to the President in its current form, his advisors would recommend that he sign the bill into law.

Mr. FRELINGHUYSEN. Mr. Speaker, I urge all of my colleagues in the House to support this continuing resolution to keep the government open for business until March 23 and to support our men and women in the armed services who do the work of freedom each and every day.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 727, the previous question is ordered.

The question is on the motion by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 219, if ordered.

The vote was taken by electronic device, and there were—yeas 245, nays 182, not voting 3, as follows:

[Roll No. 60]

YEAS—245

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

NAYS—182

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

NOT VOTING—3

Bridenstine
Cummings
Walz

□ 1855

Mr. GROTHMAN changed his vote from ''nay'' to ''yea.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SWAN LAKE HYDROELECTRIC PROJECT BOUNDARY CORRECTION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 219) to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill.

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

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 1892

Mr. FRELINGHUYSEN. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 104

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 1892, the Clerk of the House of Representatives shall make the following corrections:

(1) Insert before section 1 the following:

''DIVISION A—HONORING HOMETOWN HEROES ACT''.

(2) In section 1, strike ''Act'' and insert ''division''.

(3) In section 2, after ''a 'public safety officer' as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284)'', insert the following: ''.''.

''(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to deaths of first responders occurring on or after the date of the enactment of this Act.''.

(4) At the end of division G, strike the following: ''.''.

''(c) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to deaths of first responders occurring on or after the date of the enactment of this Act.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

□ 1900

RECOGNIZING THE COLLEGE OF WILLIAM & MARY

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

Mr. TAYLOR. Mr. Speaker, I rise today to recognize the College of William & Mary's founding by British royal charter 325 years ago on February 8, 1693.

As our Nation's second oldest college, William & Mary has been coined the ''Alma Mater of the Nation.'' From George Washington to Thomas Jefferson to many of my contemporaries in Congress, William & Mary has played an important role in shaping our Nation and its leaders.

I am proud to say that that tradition continues today. For the last 325 years, William & Mary has been the place where the world's greatest minds come to study. The college is consistently ranked among our Nation's most elite public universities and delivers an education that is rated among the highest in value for its graduates.

Many of William & Mary's accomplishments would not have been possible without the leadership of President Reveley. On June 30, he will retire from William & Mary after 27 years of service to the college, the Commonwealth, and the Nation. I want to congratulate President Reveley for a job well done and wish him a happy retirement.

ABSENCE OF PRESIDENTIAL LEADERSHIP ON RUSSIAN AGGRESSION

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

Ms. KAPTUR. Mr. Speaker, I rise with deep concern in the wake of President Trump's failure to levy economic sanctions on more of Russia's oligarchs, allowing Putin's repressive regime its continued illegal aggression on Ukraine.

In his State of the Union, the President used the single word, ''Russia.'' That was it. And then he decided to call it ''a rival.''

A rival? How about enemy of liberty? How about that?

In stark contrast to every other President going back to Ronald Reagan, read what wasn't said in this State of the Union. This raises serious questions as to why President Trump is letting Russia off the hook.

Why would President Trump reject the advice of all U.S. intelligence offices, including that of his own CIA Director, especially when the United States intelligence agencies know Russia interfered massively in our elections and European elections, our most important alliance, and uses its military assets to undermine liberty?

Thankfully, Special Counsel Robert Mueller's team seeks answers, but Trump's most troublesome financial connections with Russia-linked investors and intermediary banks remain questions that need to be answered.

Speaking as co-chair of the Congressional Ukrainian Caucus, I urge my colleagues to act in the national interest and in the absence of Presidential leadership on Russian aggression.

RECOGNIZING MONTANA'S OLYMPIC ATHLETES

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

Mr. GIANFORTE. Mr. Speaker, I rise today to recognize three Montana athletes who will join Team USA and compete in the 2018 Winter Olympics. Darian Stevens of Missoula, Maggie Voisin of Whitefish, and Brad Wilson of Butte will represent not only Montana, but our great Nation.

This is the second Olympics where Maggie has qualified, and she will compete in the women's slopestyle skiing. Darian, who began skiing when she was 4 years old, will also compete in the women's slopestyle skiing. Brad, who also started skiing when he was just 4 years old and who competed in the Sochi Games four years ago, will compete in the men's mogul skiing.

I look forward to cheering on these outstanding Montanans. I ask my colleagues to join me in wishing Maggie, Darian, and Brad success in the 2018 Winter Olympics.

HONORING THE LIFE OF DENISE COHEN

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

Mr. KIHUEN. Mr. Speaker, today I rise to remember the life of Denise Cohen.

Denise was a loving mother of two. She worked as a property manager in Santa Barbara, California, and always made everyone around her feel good.

She attended the Route 91 music festival in Las Vegas with her boyfriend, Bo, to celebrate her 56th birthday. Denise was a huge country music fan, and she loved concerts and was a vibrant and positive woman.

She is remembered by her son, Jeff, as a strong and beautiful person who made a difference in the lives of the people she knew. She always had a vibrant and positive attitude.

I would like to extend my condolences to Denise Cohen's family and friends. Please know that the city of Las Vegas, the State of Nevada, and the whole country grieve with you.

HONORING RETIRING CAPTAIN PETER DUPREE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to honor a Washington, D.C., firefighter for his more than three decades of exceptional service.

Captain Peter Dupree has served more than 31 years with the District of Columbia Fire Department. He started his firefighting career in 1977 as a volunteer with his hometown fire company in Avis, Pennsylvania, in Clinton County. Pete rose through the ranks and eventually became fire chief.

In 1986, Pete moved to Maryland and joined the Berwyn Heights Volunteer Fire Department, Station 14, in Prince George's County. That same month, Pete was appointed as a probationer for the District of Columbia Fire Department. After passing required courses, he was assigned to Truck 12 in Northwest D.C.

In December of 2000, Pete achieved the rank of sergeant. Three years later, he would be promoted to lieutenant at Engine 18 on Capitol Hill. Then, in 2008, Pete became a captain in Northwest D.C. at Truck 9. He retired from the station in January after more than 31 years of service.

Mr. Speaker, it is an honor to thank Captain Peter Dupree, a native son of Clinton County, and wish him well in his retirement.

LOCAL BENEFITS FROM THE TAX CUTS AND JOBS ACT

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

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to highlight a company in the Third Congressional District of

Alabama that has given out $500 bonuses to all their 500 employees as a direct result of the Tax Cuts and Jobs Act. Russell Lands in Alexander City is the first company in my congressional district to distribute bonuses as a direct result of the tax overhaul.

The historic tax reform legislation recently signed into law by President Trump is helping companies and hardworking families in Alabama and across America. Thanks to tax reform, U.S. companies are paying more than $3 billion in bonuses, and over 3 million workers have received a bonus or a pay increase because of the tax cuts.

I am proud of Ben Russell and his company for leading the way on this, and I am thrilled that his employees are receiving this extra money. This bonus is a car payment, a new washing machine, or savings for school. This bonus represents opportunity, and I don't think you would ever hear the employees at Russell Lands calling their bonus ''crumbs.''

LOCAL BENEFITS FROM THE TAX CUTS AND JOBS ACT

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

Ms. TENNEY. Mr. Speaker, last week I received a letter from Frank Suits, Jr. Frank is the president and CEO of Suit-Kote Corporation, a family-owned, multigenerational paving company located in the 22nd District, in Cortland, New York. He wrote to share the impact that the Tax Cuts and Jobs Act will have on Suit-Kote's nearly 800 families.

As a direct result of the lower income tax brackets included in the tax cuts legislation, Suit-Kote employees receive an automatic 2 percent increase in their take-home pay in 2018. This increase means about $1,400, on average, in the paychecks of each hardworking family.

Suit-Kote's 401(k) plan has also increased by 11.5 percent and totals more than $56 million. This means that each individual employee saw an average increase of more than $6,400 in their 401(k) savings plan.

In direct response to the new tax law, Suit-Kote Corporation has announced plans to match the Federal tax cut and provide its employees with a 2 percent retroactive pay increase. They also plan to accelerate its 401(k) contribution for 2018 by 4 months to provide employees additional funds in their retirement accounts.

The benefits are not crumbs. These are actual results involving real people.

Small businesses like Suit-Kote are proof that delivering desperately needed tax cuts are the most effective way to improve the lives of New Yorkers, not Albany's oppressive tax-and-spend, cronyist policies.

RECOGNIZING WESLEY MONUMENTAL'S 150TH ANNIVERSARY

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the 150th anniversary of Wesley Monumental United Methodist Church in downtown Savannah, Georgia, just off of Calhoun Square.

On January 19, 1868, 54 people formed the original congregation, meeting in an old school building. This small congregation formed the very beginning of the church that today is a monument to John and Charles Wesley, the founders of Methodism.

Construction on its current design began in 1875, and finances were contributed from across the world, truly making this a church that belongs to all methodists no matter where they are from.

Through a yellow fever epidemic, two fires, and more, the congregation and its gothic-style building have endured. Today, around 500 people worship each Sunday and enjoy services that embody a rich music heritage at Wesley Monumental and some of the best sermons in town.

This current congregation truly has a great responsibility to care for this historic place. I am confident that they are up to the task.

On a personal note, Mr. Speaker, my wife and I have been members of this church since 1980. We have raised three sons in this church, and it has truly been a blessing to my family.

□ 1915

CELEBRATING THE LIFE OF EMMA PRIMAS

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

Ms. JACKSON LEE. Mr. Speaker, I rise today with a sense of sadness but with joyful noise, if you will, to celebrate Mrs. Emma Primas, 112 years old, who passed away last month in the arms of the comforting Lord and her family.

Mrs. Primas was a historic figure. She was someone who lived through the suffragette movement; lived through World War I; was a street car operator in San Francisco; the head of nutrition for the schools of San Francisco; a businessowner in Houston, Texas, where she owned a store and was able to provide for others who could not pay for the food.

She paid poll tax to vote. She provided for her grandchildren. She loved her wonderful daughter and her wonderful grandchildren. She became an icon in our community. People flocked to her because she was alert and bright, and she could tell us the history not only of her life but of this Nation.

How wonderful it was for her to be able to vote for the first African-American President. When I hosted her in Washington with President Barack Obama, she said it was the greatest moment in her life. Obviously, I know the love of her children was even greater, but she was so excited.

And when, of course, she met the former Secretary of State Hillary Clinton, she was rejoiceful as well.

To all of her wonderful grandchildren, I know that Saturday at the Community of Faith, February 10, we will celebrate her life.

Mr. Speaker, I ask my colleagues to join me in a moment of silence in honor of this great American, Mrs. Emma Primas, 112 years old. Though she has gone home to glory, she has celebrated her life as a great American and a great patriot.

AMERICA NOW KNOWS

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

Mr. GAETZ. Mr. Speaker, America now knows the truth. The Democratic Party hired the Perkins Law Firm. The Perkins Law Firm hired the Fusion GPS company. Fusion GPS needed two things: fake dirt on Donald Trump, and they needed a way to inject that fake dirt into the bloodstream of our intelligence community. So they hired Christopher Steele. And then they went and hired Nellie Ohr, the wife of senior Justice Department official Bruce Ohr.

Now, Bruce Ohr's portfolio included counternarcotics and antidrug work. But all of a sudden, after his wife gets hired from the money that you can trace back to the Democratic Party, Bruce Ohr starts taking counterintelligence meetings, meeting with Glenn Simpson and Christopher Steele, before and after the election.

What should enrage the American people is the notion that cash at a political party could ever be convertible to a warrant to spy on political enemies in the United States of America.

That is what we are fighting against. That is what is at issue. That is why we are going to do everything we can to hold the bad actors accountable and then institute reforms so that this type of thing never happens again.

IN HONOR OF BLACK HISTORY MONTH

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the gentleman from Florida (Mr. SOTO) is recognized for 60 minutes as the designee of the minority leader.

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I first would like to take a moment to remember a hero of the civil rights movement in central Florida.

Harry T. Moore was born on November 18, 1905. He was an African-American educator, a pioneer leader of the

civil rights movement, and founder of the first branch of the National Association for the Advancement of Colored People, the NAACP, in Brevard County, Florida.

Harry T. Moore and his wife, Harriette Vyda Simms Moore, who was also an educator, were the victims of a bombing of their home in Mims, Florida. On that fateful Christmas night in 1951, he died in an ambulance on the way to the hospital in Seminole County, while she died January 3, 1952, at a hospital also in Sanford, Florida.

Forensic work in 2005 to 2006 resulted in the naming of the probable perpetrators as four Ku Klux Klan members, all long dead by the time of the investigation.

The Moores were trailblazers as the first NAACP members to fight for civil rights, and, unfortunately, were murdered as a result of their activism. Moore has been called the first martyr of the early stages of the civil rights movement.

Mr. Harry T. Moore and Harriette Vyda Simms Moore, we salute and honor you.

SALUTING AND HONORING CAPTAIN KEVA HARRIS

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize Captain Keva Harris, born in Bartow, Florida, and raised in Haines City, Florida, in a family that stressed community involvement.

While in high school, Ms. Harris worked with her grandmother to raise funds for band instruments and school trips. After her high school graduation, she started studying tae kwon do, opening a school for the Oakland community with her future husband, Ricky.

She attended Polk Community College, and was hired as Haines City's first African-American female officer in 1993.

While on the force, Captain Harris attended Warner University, graduating with a bachelor's degree and an MBA.

She also attended the University of Phoenix, graduating with a master's in science and criminal justice.

She is also the first Black woman in the city's history to hold an administrative position with the police force, but always coming back to community involvement, she became commander of the community service division in 2015.

Harris became a lieutenant in 2006, and later that year was promoted to captain.

In addition to her police duties, Ms. Harris is a longstanding member of the Haines City branch of the NAACP, which her mother-in-law served as a longtime president.

Captain Harris is a member of the Northeast Revitalization Group, an organization that serves the Oakland community with neighborhood cleanup, a Christmas breakfast, a local museum, and the city's annual Martin Luther King, Jr., parade.

She is also part of the Unity in the Community, started by a group of local pastors that give back to the community through backpack drives for schoolchildren, holiday turkey giveaways, and a health fair.

She is a member of the New Beulah Missionary Baptist Church.

Captain Keva Harris, we salute you.

SALUTING AND HONORING THE AUSTIN FAMILY OF LAKE WALES, FLORIDA

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize the Austin family of Lake Wales, Florida.

James P. Austin, Jr., was born in 1919. He served in the United States Army as a staff sergeant during World War II. Mr. Austin served as the Lake Wales NAACP president for over 33 years, founding the branch along with his wife, Jeresa Austin, and Reverend W.J.H. Black.

During his tenure, both Austins were instrumental in the sit-ins and swim-ins as far away as Ocala and St. Augustine in the 1960s, as well as the integration of the Polk Theatre in Lakeland in 1976.

Mr. Austin was elected to the Lake Wales City Commission, vice mayor, and became the first African-American mayor of Lake Wales in 1987.

As well as a civil rights leader, Mr. Austin was a major developer in Lake Wales, building many of the homes on the northwest part of the city, and had a community center named after him.

Jeresa lived for about 4 years after her husband's death, serving as a teacher in Polk County schools.

James' brother, Reverend Allen Austin, was a longtime pastor of the First Institutional Missionary Baptist Church in Lake Wales, and for the past 5 years has served as pastor of the First Baptist Hilltop Church in Frostproof.

James' sister, Lula Jones, was born in 1925 in Lake Wales, Florida. After graduating, Ms. Jones worked as a housekeeper and, along with her brothers, was a member of the Lake Wales branch of the NAACP.

Ms. Jones is involved with the American Legion Post 71 Auxiliary in Lake Wales, supporting veterans in the community.

Ms. Jones said of her family's service to the community: ''We remember how it was back in the day and always worked to make it better for our children.''

Ms. Jones is highly regarded as a pillar of the community. For that, we salute the Austin family.

SALUTING AND HONORING DR. BARBARA M. JENKINS

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize Dr. Barbara Jenkins.

Dr. Jenkins is the superintendent of Orange County Public Schools. She is a recognized education leader, who has been dedicated to serving the needs of students for over 30 years.

In January 2017, she received a presidential appointment as director of the National Board of Education Sciences. She serves on the executive board of directors of multiple councils in the central Florida area.

Also in 2017, she was named the Florida Superintendent of the Year, and she was one of four finalists for the national title. The Association of Latino Administrators and Superintendents named her Hispanic-Serving School District Superintendent of the Year. The Florida Association for Career and Technical Education named her CTE Superintendent of the Year.

Under Dr. Jenkins' leadership, the district won the prestigious 2014 Broad Prize for Urban Education, which earned a half a million dollars for student scholarships.

The district also received the Governor's Sterling Award in 2014 and 2015, and the Sustained Excellence Award in 2017.

Deeply engaged in the community, Dr. Jenkins serves on the board of directors of United Arts of Central Florida, Orlando Economic Partnership, Florida Hospital, Central Florida Commission on Homelessness, and the Orange County Youth Mental Health Commission.

For that, Dr. Barbara Jenkins, we salute you.

□ 1930

SALUTING AND HONORING LAWRENCE EPPS

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize Lawrence Epps.

Lawrence Epps moved to Lake Wales with his grandmother when he was 12 years old. As a Boy Scout, he and his troop shoveled out the graves, quickly changed into their uniforms during the funerals, then changed again and dashed back to the cemetery to cover the graves back up, just as a young boy.

About 4 years ago, he began driving the ambulance on calls while also working for James P. Austin Construction Company, preparing the newly built homes for occupancy. An alumnus of Roosevelt High School, he transferred to Lake Wales High School in his senior year in 1969, the first year that the schools in Polk County were integrated.

Epps completed his associate's degree in mortuary science at Miami-Dade Junior College in 1973, and returned to Polk County serving as a special deputy with the Polk County Sheriff's Office from 1974 to 1980. Epps, who was barely 26 when he began Epps Memorial Funeral Home in 1976, has served the bereaved of the community for over four decades.

In 2013, the State organization named him Mortician of the Year, which Tommy L. Hayes, president of the Florida Morticians Association, says is an honor bestowed by Epps' peers.

Two decades later in 1996, Epps achieved a personal goal when he was ordained a minister through the Progressive Missionary & Educational Baptist State Convention.

Mr. Epps has been president of the Roosevelt Alumni Association since 1978, an organization that helps raise money through scholarships and school

supplies for students of Lake Wales. He also is a member of the Lake Wales Chamber of Commerce and has been a member of the board since 1998.

Epps has said that the mortuary business is a lot of hard work and dedication, but the rewards that come with helping people get through a difficult time are great. He is a firm believer in the adage, ''The village raises the child,'' and plans to continue giving back to his adopted home for many years to come.

And for that, Mr. Epps, we salute you.

SALUTING AND HONORING RUSSELL DRAKE

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize Russell Drake.

Russell Drake is the president of the Orange County Democratic Black Caucus. He is a Christian man, community activist, engineering professional; and he attended Howard University with a focus in systems and computer science.

Upon finishing school, he moved to Orlando, Florida, where he has worked as a systems engineer at two Fortune 500 corporations over the last 15 years.

Outside of work, Russell has a focus and passion for uplifting the community, leading him to be a very active member in the Orlando metropolitan area through individual and group efforts of service.

On his own accord, Russell is a supporter of various youth programs, mentoring activities, food drives, homeless empowerment initiatives, voter action rallies, and civic and political awareness causes.

Mr. Drake is part of the African American Chamber of Commerce of Central Florida, Central Florida Urban League Young Professionals, National Pan-Hellenic Council of Metro Orlando, NPHC, the NAACP Orange County Branch, the National Society of Black Engineers, the Omega Psi Phi Fraternity, and the Democratic Black Caucus of Florida.

Mr. Drake's active nature has earned him appointments to the African American Advisory Board of WESH 2 News Orlando and to the Boy Scouts of America, Whitney M. Young Council.

In spiritual life, Mr. Drake is a member of the Saint Mark African Methodist Episcopal Church where he serves on the trustee board, usher board, praise and dance team, and men's choir.

Last but not least, Mr. Drake regards his lovely family to always come first. For that, Mr. Drake, we salute you.

HONORING THE LIFE OF RECY TAYLOR

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize Recy Taylor.

Recy Taylor was a 24-year-old African American in 1944 when she was kidnapped and raped maliciously by six White men in Abbeville, Alabama.

The NAACP sent a young activist, Rosa Parks, to investigate this travesty. Like so many other crimes involving African-American victims in this era, this crime was never brought to trial.

After reporting the crime to local officials, Mrs. Taylor was intimidated to recant by vigilantes, but she did not. Even after an all-White, all-male jury dismissed the first case after 5 minutes of deliberation, Recy Taylor, with the help of Rosa Parks and the NAACP, continued to organize and form the Committee for Equal Justice for the Rights of Mrs. Recy Taylor.

This committee had 18 chapters across the Nation and included activists such as W.E.B. Du Bois, Mary Church Terrell, and Langston Hughes. The committee lobbied Alabama Governor Chauncey Sparks until he called for another investigation.

In the documentary, ''The Rape of Recy Taylor,'' Mrs. Taylor said: '' . . . they didn't try and do nothing about it. I can't help but tell the truth of what they done to me.''

Mrs. Taylor's acts of courage were one of the catalysts that led to the modern-day civil rights movement. She was also recently referenced by the famous and world-renowned Oprah Winfrey in her ''Time's Up'' speech and will forever be memorialized as a result.

Many of the members of the committee went on to plan and lead the Montgomery Bus Boycott as well.

Today, I posthumously honor this long-term Winter Haven resident in my district, Recy Taylor, for her act of courage and bravery, and for that I recognize you, Mrs. Taylor.

HONORING DESMOND MEADE

Mr. SOTO. Mr. Speaker, in honor of Black History Month, I want to recognize Desmond Meade.

Desmond Meade is a formerly homeless returning citizen who overcame many obstacles to eventually be the current executive director of the Florida Rights Restoration Coalition, chair of the Floridians for Fair Democracy, chair of the Florida Coalition on Black Civic Participation, and Black Men's Roundtable.

Desmond is a graduate of the Florida International University College of Law. As president of the FRRC, which is recognized for its work on felon disenfranchisement issues, Desmond led the citizen's initiative to allow Florida voters to decide to end the disenfranchisement and discrimination against people with felony convictions, create a more human reentry system that will enhance successful reentry, reduce mass incarceration, and increase public safety by empowering those impacted by our criminal justice system.

Desmond spoke before national organizations, such as the United States Conference of Catholic Bishops and Bread for the World, on the challenges of returning citizens as well.

Desmond recently orchestrated a historic meeting at the White House between returning citizens and the President's administration. He was recognized as a foot soldier on the Melissa Harris-Perry show on MSNBC.

Desmond recently successfully got a restoration of rights amendment onto the ballot which gives Floridians the right to vote to end this legacy of Jim Crow laws in the South that bar felons from restoring their rights after they have fulfilled their sentences and met their debt to society. We are one of only four States left with this terribly discriminatory law.

Desmond is married and also has five beautiful children, and for that, Mr. Meade, we honor you.

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

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4708. An act to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 534. An act to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

ADJOURNMENT

Ms. TENNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 7, 2018, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3890. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting an updated Strategic Plan for the Federal Deposit Insurance Corporation covering the period 2018 through 2022, pursuant to 5 U.S.C. 306(a); Public Law 103-62, Sec. 3(a) (as amended by Public Law 111-352, Sec. 2); (124 Stat. 3866); to the Committee on Oversight and Government Reform.

3891. A letter from the Director, Federal Housing Finance Agency, transmitting the Federal Housing Finance Agency's Strategic Plan for Fiscal Years 2018 — 2022, pursuant to 5 U.S.C. 306(a); Public Law 103-62, Sec. 3(a) (as amended by Public Law 111-352, Sec. 2); (124 Stat. 3866); to the Committee on Oversight and Government Reform.

3892. A letter from the Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Kentucky Regulatory Program [KY-256-FOR; OSM-2012-0014 S1D1S SS08011000 SX064A000 189S180110; S2D2S SS08011000 SX064A000

18XS501520] received February 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3893. A letter from the General Counsel, National Indian Gaming Commission, transmitting the Commission's final rule — Fees received February 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3894. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting an action taken to extend and amend the Agreement Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological and Ethnological Material of the Republic of Mali, pursuant to 19 U.S.C. 2602(g)(1); Public Law 97-446, Sec. 303(g)(1); (96 Stat. 2354); to the Committee on Ways and Means.

3895. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance on Withholding Rules [Notice 2018-14] received February 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 727. Resolution providing for consideration of the Senate amendment to the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty (Rept. 115–547). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. KUSTER of New Hampshire:

H.R. 4938. A bill to address the opioid epidemic, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Ways and Means, Education and the Workforce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON:

H.R. 4939. A bill to amend title 10, United States Code, to provide for the membership of the Commandant of the Coast Guard on the Joint Chiefs of Staff; to the Committee on Armed Services.

By Mr. VELA (for himself, Mr. THOMPSON of Mississippi, Mr. PAYNE, Ms. BARRAGÁN, Mrs. DEMINGS, Mr. CORREA, Ms. JACKSON LEE, and Miss RICE of New York):

H.R. 4940. A bill to increase the number of U.S. Customs and Border Protection officers and support staff, to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARINO:

H.R. 4941. A bill to amend the Animal Welfare Act to protect common household pets from harmful confinement; to the Committee on Agriculture.

By Mr. MITCHELL (for himself, Mr. RYAN of Ohio, and Mr. SMUCKER):

H.R. 4942. A bill to require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia (for himself, Mr. JEFFRIES, Mr. ISSA, Ms. DELBENE, Mr. MARINO, Mr. RUTHERFORD, and Mrs. DEMINGS):

H.R. 4943. A bill to amend title 18, United States Code, to improve law enforcement access to data stored across borders, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Ms. JAYAPAL, Mr. MCGOVERN, Ms. MENG, Ms. ESHOO, Mrs. NAPOLITANO, Mr. SWALWELL of California, Mr. LOWENTHAL, Mr. CORREA, Mr. TAKANO, Ms. HANABUSA, Ms. ROYBAL-ALLARD, Mr. AL GREEN of Texas, Ms. MATSUI, Mr. KRISHNAMOORTHI, Ms. BONAMICI, Ms. NORTON, Ms. WILSON of Florida, Mr. GRIJALVA, Ms. CLARK of Massachusetts, Ms. BARRAGÁN, Ms. JACKSON LEE, Mr. PALLONE, Mr. SOTO, Mr. NADLER, Ms. LOFGREN, Mr. GUTIÉRREZ, Mr. GOMEZ, Ms. BORDALLO, Mr. VARGAS, Mr. CUMMINGS, Ms. MOORE, Mr. KHANNA, Mr. QUIGLEY, Mr. SCOTT of Virginia, Mr. SCHIFF, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Mr. LEWIS of Georgia, Mr. SERRANO, Mr. TED LIEU of California, Mr. ELLISON, Ms. LEE, Mr. SMITH of Washington, Ms. SCHAKOWSKY, and Mr. VEASEY):

H.R. 4944. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Mrs. BUSTOS (for herself and Mr. LAMALFA):

H.R. 4945. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish a Rural Health Liaison; to the Committee on Agriculture.

By Mr. CORREA (for himself, Mr. COOK, Mr. DESAULNIER, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. LAMALFA, Mr. CÁRDENAS, Mr. SWALWELL of California, Mr. PETERS, Mr. ISSA, Ms. BROWNLEY of California, Mr. LOWENTHAL, Ms. ROYBAL-ALLARD, Mr. CARBAJAL, Mr. THOMPSON of California, Mr. HUFFMAN, Ms. LOFGREN, Mr. TAKANO, Mr. MCNERNEY, Mr. VARGAS, Mrs. MIMI WALTERS of California, Mr. ROHRABACHER, Mr. ROYCE of California, Mr. MCCLINTOCK, Mr. VALADAO, Mr. CALVERT, Ms. SÁNCHEZ, Mrs. TORRES, Mr. GOMEZ, Mr. COSTA, Ms. BASS, Mr. KNIGHT, Mrs. DAVIS of California, Mr. PANETTA, Mr. KHANNA, Mr. TED LIEU of California, Ms. BARRAGÁN, Ms. JUDY CHU of California, Ms. MATSUI, Mr. AGUILAR, Mr. BERA, Mr. DENHAM, Ms. ESHOO, Mr. GARAMENDI, Mr. HUNTER, Ms. LEE, Mr. NUNES, Mr. RUIZ, Mr. SHERMAN, Ms. SPEIER, and Ms. MAXINE WATERS of California):

H.R. 4946. A bill to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the ''Specialist Trevor A. Win'E Post Office''; to the Committee on Oversight and Government Reform.

By Ms. ESTY of Connecticut (for herself, Mr. KATKO, Mr. FASO, and Mr. WELCH):

H.R. 4947. A bill to improve infrastructure in small towns and rural areas; to the Committee on Agriculture.

By Mr. FOSTER (for himself and Mr. MASSIE):

H.R. 4948. A bill to provide a Federal charter to the Fab Foundation for the National Fab Lab Network, a national network of local digital fabrication facilities providing universal access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products, and for other purposes; to the Committee on the Judiciary.

By Ms. GABBARD (for herself, Mr. YOUNG of Alaska, and Ms. HANABUSA):

H.R. 4949. A bill to direct the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Health and Human Services, and the Director of the Federal Communications Commission to take certain actions regarding civil defense related to the growing ballistic missile threat and the communications errors in Hawaii on January 13, 2018, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself, Mr. SMITH of Washington, Ms. NORTON, and Mr. COHEN):

H.R. 4950. A bill to amend the Foreign Assistance Act of 1961 to require the annual human rights reports to include information on instances of sexual assault in refugee camps, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Mr. RENACCI, Mr. DESJARLAIS, and Ms. NORTON):

H.R. 4951. A bill to require the Secretary of the Interior and the Secretary of Agriculture to enter into agreements with State and local governments to provide for the continued operation of public land, open air monuments and memorials, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System during a lapse in appropriations, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself and Mr. KIND):

H.R. 4952. A bill to direct the Secretary of Health and Human Services to conduct a study and submit a report on the effects of the inclusion of quality increases in the determination of blended benchmark amounts under part C of the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. BROOKS of Indiana, Mr. WELCH,

Mr. GUTHRIE, Ms. MATSUI, Mr. WALBERG, and Ms. CLARKE of New York):

H.R. 4953. A bill to facilitate a national pipeline of spectrum for commercial use, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MURPHY of Florida (for herself, Mr. BERGMAN, Ms. SINEMA, and Mr. CURBELO of Florida):

H.R. 4954. A bill to amend title 10, United States Code, to require members of the Armed Forces to receive additional training under the Transition Assistance Program, and for other purposes; to the Committee on Armed Services.

By Mr. NEAL:

H.R. 4955. A bill to provide certain protections from civil liability with respect to the emergency administration of opioid overdose drugs; to the Committee on the Judiciary.

By Ms. NORTON (for herself and Mr. SARBANES):

H.R. 4956. A bill to amend the Immigration and Nationality Act to provide for adjustment of status for aliens who are nationals of El Salvador and were granted or eligible for temporary protected status, and for other purposes; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H. Con. Res. 104. Concurrent resolution providing for a correction in the enrollment of H.R. 1892; considered and agreed to.

By Mr. ISSA (for himself and Mrs. DINGELL):

H. Con. Res. 105. Concurrent resolution commemorating the 100th anniversary of women serving in the United States Marine Corps; to the Committee on Armed Services.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H. Res. 726. A resolution raising a question of the privileges of the House.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. KUSTER of New Hampshire:

H.R. 4938.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, the Necessary and Proper Clause: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. TIPTON:

H.R. 4939.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. VELA:

H.R. 4940.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. MARINO:

H.R. 4941.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: Congress shall have the power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MITCHELL:

H.R. 4942.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. COLLINS of Georgia:

H.R. 4943.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''To regulate Commerce with foreign Nations, and among the several States and with the Indian Tribes.''

Article I, Section 8, Clause 18: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . .''

By Ms. JUDY CHU of California:

H.R. 4944.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Sec. 8 ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.''

By Mrs. BUSTOS:

H.R. 4945.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CORREA:

H.R. 4946.

Congress has the power to enact this legislation pursuant to the following:

(1) The U.S. Constitution including Article 1, Section 8.

By Ms. ESTY of Connecticut:

H.R. 4947.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. FOSTER:

H.R. 4948.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution, The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. GABBARD:

H.R. 4949.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. JACKSON LEE:

H.R. 4950.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ISSA:

H.R. 4951.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KELLY of Pennsylvania:

H.R. 4952.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. LANCE:

H.R. 4953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 3: Congress shall have Power . . . to Regulate Commerce with foreign Nationas, and among the several State, and with the Indian Tribes

By Mrs. MURPHY of Florida:

H.R. 4954.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8, Clause 14: ''To make Rules for the Government and Regulation of the land and naval Forces;''

U.S. Constitution, Article 1, Section 8, Clause 18: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this constitution in the Government of the United States, or in any Department or Officer therof.''

By Mr. NEAL:

H.R. 4955.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the United States Constitution.

By Ms. NORTON:

H.R. 4956.

Congress has the power to enact this legislation pursuant to the following:

clause 1, of section 8 of article I of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 146: Mr. HUDSON.

H.R. 200: Mr. GENE GREEN of Texas and Mr. WITTMAN.

H.R. 233: Mr. POCAN, Ms. MOORE, Ms. NORTON, Mr. CORREA, Mr. GARAMENDI, Mr. CONNOLLY, Ms. TITUS, and Mr. BRADY of Pennsylvania.

H.R. 299: Mr. MCCLINTOCK.

H.R. 389: Mr. GOMEZ, Mr. TED LIEU of California, and Ms. ROYBAL-ALLARD.

H.R. 392: Mr. GARAMENDI and Mr. DESJARLAIS.

H.R. 444: Mr. ENGEL.

H.R. 559: Mr. POSEY, Mr. BARTON, Mr. WILSON of South Carolina, Mrs. BLACKBURN, Mr. GRAVES of Louisiana, Mr. HARRIS, Mr. CARTER of Georgia, and Mr. WILLIAMS.

H.R. 564: Mr. FLORES.

H.R. 731: Mr. AGUILAR.

H.R. 749: Mr. GIANFORTE and Mr. KNIGHT.

H.R. 788: Mrs. HARTZLER.

H.R. 820: Mr. CURTIS, Mr. SCOTT of Virginia, and Mr. MARSHALL.

H.R. 866: Ms. LEE.

H.R. 878: Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. MOONEY of West Virginia, Mr. HIGGINS of Louisiana, Mr. GALLAGHER, and Mr. GIBBS.

H.R. 930: Mr. SHERMAN and Mrs. LAWRENCE.

H.R. 947: Mr. AL GREEN of Texas.

H.R. 972: Mrs. WATSON COLEMAN.

H.R. 1161: Mr. DENHAM.

H.R. 1212: Mr. ROYCE of California, Mr. YOHO, Mrs. DEMINGS, Mr. BUCSHON, Mr. BYRNE, and Mr. POLIQUIN.

H.R. 1421: Ms. MENG.

H.R. 1456: Mr. SERRANO.

H.R. 1528: Mr. DESAULNIER.

H.R. 1568: Mr. WESTERMAN.

H.R. 1734: Ms. MENG, Mr. YARMUTH, Mrs. NAPOLITANO, Mr. POCAN, Mr. MESSER, Mr. KING of New York, Mr. THOMPSON of Pennsylvania, Mr. NOLAN, Mr. ELLISON, Mr. CAPUANO, Ms. LOFGREN, Mr. BLUM, Ms. TITUS, Mr.

RASKIN, Mr. MCGOVERN, Mr. MEEHAN, Mr. LOEBSACK, Mr. VISCLOSKY, Mr. O'HALLERAN, Mr. PETERSON, Mrs. TORRES, and Mr. RUPPERSBERGER.

H.R. 1772: Mr. PETERSON, Mr. KING of New York, Mr. ELLISON, Mr. TROTT, Mrs. NAPOLITANO, Mr. GONZALEZ of Texas, Ms. MENG, Mr. POCAN, Ms. ESTY of Connecticut, Mr. RUPPERSBERGER, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1810: Mr. PANETTA.

H.R. 1857: Mr. DESAULNIER.

H.R. 1903: Mr. GRIJALVA and Ms. ADAMS.

H.R. 1910: Mr. RODNEY DAVIS of Illinois and Mr. MACARTHUR.

H.R. 1911: Mr. JEFFRIES.

H.R. 1928: Ms. TITUS, Mr. KING of Iowa, Mr. SWALWELL of California, Miss RICE of New York, and Ms. MAXINE WATERS of California.

H.R. 1972: Mr. TIPTON and Mr. KING of Iowa.

H.R. 2150: Mr. SMITH of New Jersey, Mr. POE of Texas, Ms. DEGETTE, Mr. SUOZZI, Mr. VEASEY, and Mr. KENNEDY.

H.R. 2212: Mr. MEADOWS and Mr. WELCH.

H.R. 2215: Mr. MOULTON.

H.R. 2230: Mr. TIPTON.

H.R. 2315: Mr. MESSER, Mr. SEAN PATRICK MALONEY of New York, and Mr. ESPAILLAT.

H.R. 2318: Ms. STEFANIK.

H.R. 2358: Mr. DANNY K. DAVIS of Illinois.

H.R. 2368: Mr. MOONEY of West Virginia.

H.R. 2392: Ms. GABBARD and Ms. LOFGREN.

H.R. 2683: Mr. RUIZ.

H.R. 2913: Mr. THOMPSON of Mississippi, Mrs. DINGELL, and Mr. MEEHAN.

H.R. 2925: Mr. KHANNA.

H.R. 2926: Mr. DUNCAN of South Carolina.

H.R. 3021: Mr. SABLAN.

H.R. 3076: Mr. FARENTHOLD and Mr. GIANFORTE.

H.R. 3098: Ms. MENG.

H.R. 3104: Mr. LOWENTHAL.

H.R. 3124: Mr. LEWIS of Georgia.

H.R. 3222: Ms. MENG and Mr. KRISHNAMOORTHI.

H.R. 3252: Mr. JOHNSON of Georgia.

H.R. 3467: Mr. BRADY of Pennsylvania.

H.R. 3513: Mr. MACARTHUR.

H.R. 3558: Ms. LOFGREN and Mr. COSTELLO of Pennsylvania.

H.R. 3563: Mr. TAKANO and Mr. MCGOVERN.

H.R. 3572: Mr. SERRANO.

H.R. 3593: Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, and Mr. GIBBS.

H.R. 3600: Mr. POSEY, Mr. MCCLINTOCK, and Mrs. BLACKBURN.

H.R. 3624: Mrs. NAPOLITANO and Mr. DEFAZIO.

H.R. 3642: Mr. VARGAS.

H.R. 3654: Ms. CASTOR of Florida, Mr. PALLONE, Mr. PETERS, Mr. DEUTCH, Mr. PANETTA, Ms. DEGETTE, Mr. KILDEE, Ms. BROWNLEY of California, Mr. GOMEZ, Mr. CÁRDENAS, Ms. NORTON, Ms. MATSUI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. CLARKE of New York, Mr. YARMUTH, and Mr. GUTIÉRREZ.

H.R. 3738: Mr. SOTO, Ms. SLAUGHTER, and Mr. HASTINGS.

H.R. 3878: Mr. SMITH of Washington and Mr. DEUTCH.

H.R. 3923: Mr. BISHOP of Georgia.

H.R. 3964: Mr. NORCROSS.

H.R. 3988: Mr. WILLIAMS.

H.R. 4007: Mr. HULTGREN.

H.R. 4022: Mr. PEARCE and Mr. YODER.

H.R. 4045: Mr. BISHOP of Michigan.

H.R. 4152: Ms. BROWNLEY of California.

H.R. 4180: Mrs. DINGELL and Mr. JOHNSON of Georgia.

H.R. 4215: Mr. ROSS, Mr. THOMAS J. ROONEY of Florida, and Mr. CARBAJAL.

H.R. 4229: Mr. GAETZ and Mr. AUSTIN SCOTT of Georgia.

H.R. 4253: Mr. VEASEY, Mr. SHERMAN, Mr. SIRES, and Mr. KEATING.

H.R. 4256: Mr. KHANNA, Mr. MACARTHUR, Mr. YODER, Mr. HUDSON, Mr. POCAN, and Mr. O'ROURKE.

H.R. 4265: Mr. HARRIS.

H.R. 4270: Mr. BUDD.

H.R. 4316: Mr. SCHRADER, Mr. MCGOVERN, and Mr. RYAN of Ohio.

H.R. 4327: Mr. PALMER.

H.R. 4392: Mr. PETERS.

H.R. 4403: Mr. DONOVAN, Mr. COLE, and Mr. SMUCKER.

H.R. 4413: Mr. SAM JOHNSON of Texas.

H.R. 4424: Mrs. MURPHY of Florida.

H.R. 4444: Mr. LOBIONDO, Mr. CAPUANO, and Mr. LOWENTHAL.

H.R. 4473: Ms. BARRAGÁN, Ms. ESTY of Connecticut, and Mr. DEFAZIO.

H.R. 4485: Mr. POLIQUIN.

H.R. 4489: Mr. KHANNA.

H.R. 4509: Mr. JONES.

H.R. 4510: Mr. JONES.

H.R. 4527: Mr. LOWENTHAL, Mr. KRISHNAMOORTHI, and Mr. DESAULNIER.

H.R. 4548: Ms. ROYBAL-ALLARD, Mr. KEATING, and Mr. CICILLINE.

H.R. 4549: Mr. ROHRABACHER and Mr. KHANNA.

H.R. 4556: Mr. QUIGLEY.

H.R. 4575: Ms. SINEMA and Mr. BISHOP of Georgia.

H.R. 4576: Mr. LAMBORN and Mr. PALMER.

H.R. 4655: Mr. LANCE, Mr. DENHAM, and Mr. MACARTHUR.

H.R. 4673: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4683: Ms. MATSUI.

H.R. 4691: Mr. KRISHNAMOORTHI.

H.R. 4693: Mr. KRISHNAMOORTHI.

H.R. 4706: Mr. KUSTOFF of Tennessee, Mr. MARCHANT, Mr. MACARTHUR, and Mr. ROSS.

H.R. 4720: Mr. MACARTHUR.

H.R. 4732: Mr. CARSON of Indiana, Mr. COOK, Mr. LAMBORN, Mr. BACON, and Mr. SIRES.

H.R. 4760: Mr. BILIRAKIS and Mr. WILSON of South Carolina.

H.R. 4779: Mr. KHANNA.

H.R. 4782: Mr. POCAN and Mr. RASKIN.

H.R. 4821: Mr. RENACCI and Mr. POLIQUIN.

H.R. 4825: Ms. ROSEN, Mr. ROHRABACHER, and Mr. PANETTA.

H.R. 4838: Mr. DESAULNIER.

H.R. 4840: Mr. FRANCIS ROONEY of Florida.

H.R. 4846: Ms. BONAMICI and Mr. BRADY of Pennsylvania.

H.R. 4850: Mr. BRAT.

H.R. 4851: Ms. CLARKE of New York, Mr. ESPAILLAT, Mr. HASTINGS, Mr. JOHNSON of Georgia, Ms. LEE, Mr. LOWENTHAL, Mrs. NAPOLITANO, and Ms. NORTON.

H.R. 4859: Ms. SHEA-PORTER, Ms. SCHAKOWSKY, and Mr. RUSH.

H.R. 4888: Mr. CARTWRIGHT, Ms. SLAUGHTER, Ms. LOFGREN, Mr. GARAMENDI, and Mr. MOULTON.

H.R. 4899: Mr. BEN RAY LUJÁN of New Mexico, Ms. SHEA-PORTER, and Mr. HASTINGS.

H.R. 4906: Ms. MCCOLLUM, Mr. PANETTA, and Mr. ESPAILLAT.

H.R. 4924: Mr. MOOLENAAR, Ms. KUSTER of New Hampshire, Ms. NORTON, Mr. MOULTON, Mr. PETERS, Mr. FITZPATRICK, Mrs. DINGELL, Mr. JOYCE of Ohio, Mr. MESSER, Ms. ESTY of Connecticut, Mr. PERLMUTTER, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. KNIGHT, Mr. STIVERS, Mr. COSTELLO of Pennsylvania, Mr. ROUZER, Mr. COFFMAN, Mr. LANCE, Mr. LATTA, Ms. MATSUI, Mr. SMITH of New Jersey, Mr. CHABOT, Mrs. DAVIS of California, Mr. BURGESS, and Mrs. WAGNER.

H.R. 4932: Mr. POCAN, Mr. GRIJALVA, Ms. LOFGREN, Mr. CARTWRIGHT, and Ms. BLUNT ROCHESTER.

H.J. Res. 1: Mr. BUDD.

H.J. Res. 31: Mr. TAKANO and Mr. AL GREEN of Texas.

H. Con. Res. 15: Ms. SLAUGHTER.

H. Res. 128: Mr. YARMUTH.

H. Res. 129: Mr. GARAMENDI, Mr. GAETZ, and Mr. BROWN of Maryland.

H. Res. 257: Mr. MACARTHUR.

H. Res. 466: Mr. BERA, Mr. HIMES, Ms. JAYAPAL, and Mr. COURTNEY.

H. Res. 613: Mr. SAM JOHNSON of Texas.

H. Res. 652: Mr. COHEN.

H. Res. 699: Mr. QUIGLEY.

H. Res. 711: Mrs. MURPHY of Florida.

H. Res. 720: Mr. GRIJALVA, Mrs. LAWRENCE, and Mr. LAWSON of Florida.

H. Res. 722: Ms. BASS and Mr. SERRANO.

H. Res. 723: Mr. JOHNSON of Georgia, Mr. LAWSON of Florida, Mr. O'HALLERAN, Mr. HASTINGS, and Ms. MCCOLLUM.

H. Res. 724: Mr. MOOLENAAR, Ms. KUSTER of New Hampshire, Ms. NORTON, Mr. MOULTON, Mr. PETERS, Mr. FITZPATRICK, Mrs. DINGELL, Mr. JOYCE of Ohio, Mr. MESSER, Ms. ESTY of Connecticut, Mr. PERLMUTTER, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. KNIGHT, Mr. STIVERS, Mr. COSTELLO of Pennsylvania, Mr. GROTHMAN, Mr. RENACCI, Mr. ROUZER, Mr. COFFMAN, Mr. LANCE, Mr. LATTA, Ms. MATSUI, Mr. SMITH of New Jersey, Mr. CHABOT, and Mrs. WAGNER.

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Senate

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, we fix our minds on You, the Author and Perfector of our faith. Remind our lawmakers that a Heavenly focus brings joy. Give them the wisdom to see that those who have done the most good in this present world often have thought most about the world to come. May our Senators permit the diligent focus of their hearts on Heaven to preserve the vigor of their work on Earth. May Your Kingdom come, may Your will be done on Earth even as it is done in Heaven.

We pray in Your strong 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SASSE). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein, with the time until 12 noon equally divided between the two leaders or their designees.

If no one yields time, the time will be charged equally.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

FUNDING OUR MILITARY

Mr. MCCONNELL. Mr. President, we are one day closer to Thursday's government funding deadline. I am pleased to report that our bipartisan talks are continuing to progress toward an agreement on spending caps and important priorities all of us are eager to address. But as we continue the negotiations, we have the opportunity to make real progress with an immediate step that every Senator in the Chamber should support; that is, passing a fiscal year 2018 Defense appropriations bill.

We can vote to remove the uncertainty that is hanging over our Armed Forces and secure the current year funding that our servicemembers deserve. Funding cuts have fallen disproportionately on our men and women in uniform. Current funding levels are not adequate to support Secretary Mattis's new national defense strategy, and our military leaders have made clear that short-term continuing resolutions are hardly the optimal way for Congress to fund our warfighters.

Senators on both sides of the aisle say they agree that our warfighters deserve sufficient, stable funding to fulfill the missions and tasks their country assigns them. Today, each of us will have a chance to back that up with our vote. The Senate will take up a noncontroversial measure that passed the House with a comfortable bipartisan majority. It presents an opportunity for us to unite and give our all-volunteer military a full fiscal year of funding while we finalize our talks on other subjects.

We should seize the opportunity and not delay any longer securing current-year funding for the men and women who bravely keep us safe.

TAX REFORM

Mr. MCCONNELL. Mr. President, we have been talking for weeks about the millions of Americans who are already benefiting from tax reform. Already, millions of workers have received a tax reform bonus, pay increase, or other benefit.

I understand that a $1,000, $2,000, or $3,000 bonus might not seem like much to our colleagues from New York or San Francisco. I understand why people who are already very wealthy might agree with my friends the House and Senate Democratic leaders who said these bonuses and benefits are merely ''crumbs.'' But, look, I can assure them that the working families I represent do not see a permanent raise or a multithousand-dollar bonus as a crumb to sweep off the table. In millions of households, thanks to tax reform, paying the bills has already gotten a little less painful and planning for the future has already gotten a little easier. And this is just the beginning.

Soon, millions and millions more Americans will see the impact of tax reform in their paychecks. IRS withholding is going down, take-home pay is going up, and families everywhere will be keeping more of their hard-earned money. This is great news for middle-class Americans. So why are our Democratic friends afraid to acknowledge it? The reason is simple. Every single one of them voted against tax reform.

Every Democrat in the House and in the Senate voted against these new benefits for American workers. Every one of them voted against a pay raise for the 90 percent of American workers who, according to a Treasury Department estimate, are about to see their take-home pay go up. I don't envy their position. I don't envy having to explain why they voted to keep more money in Washington rather than give their constituents a raise.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Tax reform bonuses and more take-home pay aren't the only ways tax reform will help American workers. The law also includes a creative new solution to directly help the communities that are struggling the most. We all know that too few new jobs were created during the Obama years. Through heavy taxing and excessive regulation, Washington had its foot on the brake of the U.S. economy. Job creation and wage growth were weaker than they should have been, but another aspect of this often goes overlooked.

Of the new jobs that were created from 2010 to 2016, according to one estimate, three-quarters went to major metropolitan areas. Let me say that again. Of the new jobs that were created between 2010 and 2016, three-quarters went to major metropolitan areas. Only 3 percent of those new jobs went to rural America. Across the Nation—including my home State of Kentucky, particularly in Eastern Kentucky—many rural areas, small cities, and suburbs were left behind in the Obama economy. It is time to change that.

That is why my colleague the junior Senator from South Carolina made sure that tax reform included a provision to create ''opportunity zones'' across the United States. My Republican colleagues and I were proud to support this policy. It allows State Governors to designate economically depressed areas for special tax incentives that will make them more attractive places to invest and create jobs. It will empower communities that have been passed over time and again to put up, in effect, big neon signs that say: ''We are open for business.'' It will help these struggling communities reach their full potential.

This Congress is determined to reignite an economy that works for everyone. That is why tax reform lets families across the country keep more of what they earn. That is why tax reform makes America a more attractive place to create jobs, and it gives our businesses a fairer fight with foreign competitors. That is why tax reform includes this ''opportunity zones'' provision, which will help deliver targeted relief to communities that need it the most.

To most Americans, all this sounds like common sense. Republicans in Congress thought so too. We came together to deliver these historic achievements for the American people. It is too bad that not one single Democrat got on board with any of this.

But at least the bigger paychecks, new bonuses, and new investments will continue to roll in, and our constituents know exactly who stood up for them.

MEASURES PLACED ON THE CALENDAR—H.R. 1551, H.R. 2372, and H.R. 2579

Mr. MCCONNELL. Mr. President, I understand that there are three bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time en bloc.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1551) to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities.

A bill (H.R. 2372) to amend the Internal Revenue Code of 1986 to clarify the rules relating to veteran health insurance and eligibility for the premium tax credit.

A bill (H.R. 2579) to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage.

Mr. MCCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REPUBLICAN TAX BILL

Mr. SCHUMER. Mr. President, here is just a brief note on taxes in answer to what my friend the Republican leader has said. The reason that 48 Democrats voted against the bill and the reason that at this point, despite huge amounts of ads paid for by the wealthiest of Americans, the bill is still unpopular with the American people is very simple: The vast majority of the breaks go to the very wealthy and to big, powerful corporations and their lobbyists. That is who wins on this bill more than anybody else.

If a bill focused on the middle class gave 80 percent of the breaks to the middle class, there would be loads of Democrats voting for it. We are happy that there are a lot of wealthy people in America. God bless them. They don't need the huge tax break—the disproportionate tax break that our Republican friends gave them. That is why the bill is unpopular.

Again, people like the Koch brothers and the thousand very, very wealthy—many of them so greedy—billionaires who don't want to pay any taxes put all of these ads on TV and have a whole propaganda machine. They still can't convince the American people.

Our Republican colleagues are afraid to talk about what they really mean in the tax bill—trickle-down economics. When they talk among themselves, they say: Give the wealthy a lot of money, give the big corporations a lot of money, and everyone will do fine. They don't have an honest debate on this because they are afraid to say it. So they act like they aim most of this at the middle class.

The only way this is aimed at the middle class is trickle down: Give the money disproportionately to the wealthy and the big corporations, and the middle class will benefit. We don't believe that. We would rather give the money directly to the middle class and be sure they are getting the benefit.

FUNDING THE GOVERNMENT

Mr. SCHUMER. Mr. President, as we continue discussions about another extension of government funding, Senate negotiators are working on a deal to lift the spending caps for both defense and urgent domestic priorities.

From the very beginning of the budget debate, Democrats have made our position in these negotiations very clear. We support an increase in funding for our military and our middle class. The two are not mutually exclusive. We don't want to do just one and leave the other behind. The sequester caps have arbitrarily imposed austerity on both sides of the ledger, defense and the nondefense programs that benefit middle-class people, such as education, infrastructure, and medical research. The caps have hamstrung the Pentagon's ability to make reliable investments, no doubt, but they have also cut support harshly and unintelligently from middle-class programs.

We ought to get out from sequestration entirely because our men and women in uniform deserve the resources they need to keep our country safe—as do our veterans waiting for better healthcare; as do young men and women, many of them veterans, seeking treatment for opioid addiction; as do rural families waiting for high-speed internet to connect themselves and their kids to the world; as do hard-working pensioners who forewent salary increases and bonuses to secure a pension that is now evaporating before their very eyes.

That is why Democrats have pushed consistently to increase funding to fight the scourge of opioids, to improve veterans healthcare, to build rural infrastructure, to shore up pensions, and to deal with childcare. These are the kinds of things we are pushing for in addition to, not to the exclusion of, increasing defense.

Some of our Republican colleagues, particularly in the House, think that only defense should get the help it needs, not the middle class. We Democrats have stood against that for years and will continue to stand against it.

House Republicans continue marching down a very partisan road, proposing a CRomnibus that will raise defense spending but leave everything else behind. As I have said many times before, a CRomnibus will not pass the Senate.

Speaker RYAN and House Republicans keep running into the same brick wall. When will House Republicans learn that they must chart a bipartisan course to get a bill through the Senate? I don't think a single Democrat—that I am aware of, at least—has been consulted on the Republican bill. It is done because Speaker RYAN is in a

pickle. How is he going to pass a bill with just Republican votes? It is not easy. So they come up with this distorted, unfair proposal—unfair to so many people in the middle class who depend on our help.

Hopefully, House Republicans will change their tune, because even though a deal has eluded us for months, negotiators are now making significant progress. The Republican leader and I have been working together quite productively. Of course, there are still some outstanding issues to be resolved, but we are closer to an agreement than we have ever been.

I would like to express my appreciation to the Republican leader, in addition, for his invitation to address the McConnell Center next week in Louisville, which I have accepted.

As leaders, the two of us can work together to get things done around here, and the best opportunity to work together is the budget. It is an opportunity not just for us but for our country, not only to escape the terrible damage of sequestration but to condemn it to the past, and we should seize that opportunity.

RUSSIA INVESTIGATION

Mr. SCHUMER. Mr. President, now for a word on the Russia investigation, last night the House Intelligence Committee voted to release the contents of the Schiff memo. Now that the House Intelligence Committee has acted, President Trump should move—in conjunction with the DOJ and the FBI—and release the Schiff memo to the public. The American people deserve the chance to make their own judgment on the facts of this small piece of the broader case of Russia's interference in our election.

The President decided the public deserved to see the Nunes memo before he had even read it. So he ought to be just as eager for the American people to see this memo, which refutes—effectively, devastatingly—so much in the Nunes memo.

Given that the Schiff memo is based on the same underlying documents as the Republicans' partisan memo, there should be no question as to whether or not the President should approve its release. If he decides to keep the Democratic memo under wraps, the American people are going to be forced to wonder: What is the President trying to hide? What is he afraid of?

President Trump should release the Schiff memo—and quickly. It will illustrate what a sham the Nunes memo is. Then, we can all move on and, as some of my good Republican colleagues have had the courage to say—not enough, but some: Let Mueller do his investigation unimpeded, and let's see where the results end up.

We need to move on. The Nunes memo is only the latest in a long line of distractions manufactured by the most extreme elements of the Republican Party and the conservative media to distract from the special counsel's investigation. It started with conspiracies about ''deep state'' leaks and unmasking requests, phone taps at Trump Tower, and Uranium One, and now it is this memo. They don't quit with all these conspiracy theories, with all these ridiculous fomentations. They don't quit, perhaps because they are afraid of what a real investigation, which Mueller is doing and will continue to do, will reveal.

What the American people want to know are three simple things: One, what did the Russians do to interfere in our elections; two, were there Americans involved in helping the Russians; and three, what are we doing to prevent the Russians from interfering in 2018 and beyond? To that point, Americans should be much more concerned about this administration's tepid response to Putin's interference in our election than about a memo of Republican talking points.

Any other administration, any other President, I believe, would have made punishing Putin and protecting our democracy a primary issue in the first term, but this President began his first year in office by downplaying Putin's involvement in the 2016 election, and then he repeatedly accepted Putin's words of denial over the consensus of the American intelligence community.

When the administration tried to wiggle out of existing sanctions against Russia, Congress overwhelmingly and almost unanimously passed legislation strengthening the existing sanctions and adding new ones to address the interference. We are still waiting for President Trump to implement the new round of sanctions. What is he waiting for? Why does he refuse to get tough with Putin? We look to the President of the United States to stand up for our democracy against all threats, but unfortunately and sadly—bad for America—President Trump has abdicated this responsibility when it comes to Putin.

I yield the floor.

I know my good friend from Illinois will have his usual thoughtful and articulate remarks to give.

Mr. DURBIN. Mr. President, I don't know if you want to announce the business of the day or if you have already done that.

The PRESIDING OFFICER. The Senate is in a period of morning business.

The assistant Democratic leader is recognized.

DACA

Mr. DURBIN. Mr. President, I come to the floor today to speak of an issue which really defines America. With the exception of Native Americans who preceded us, with the exception of many African Americans who were brought here in bondage, virtually all of the rest of us are the sons and daughters of immigrants to America, immigrants from literally all over the world who have come to this Nation and made us different—different in a positive way. They have given life to this democracy. They have given hope when it comes to our future. They have inspired us.

I will be the first to admit that I do not come to this debate without strong personal feelings. Like millions of Americans, I am the son of an immigrant. In 1911—107 years ago—my grandmother came to this country with three little kids. One of those kids was my mother. She was 2 years old when their ship landed in Baltimore. My grandmother didn't speak a word of English, but somehow she managed to take those three kids and make her way to join my grandfather in East St. Louis, IL.

On the credenza behind my desk in the Capitol is my mother's naturalization certificate. I keep that as a reminder of my heritage. That is my story. That is my family's story. That is America's story. Because of my family history, I really believe in immigration. I believe it has been a positive force in America.

I remember going to Jurbarkas, Lithuania, which was a tiny village in 1911, and being taken on a tour of my mom's birthplace. She never made it back there, but I was able to see the church where she was baptized. They pointed out the well in the town square which people used. I thought to myself what it must have been like that evening when my grandparents called their friends and relatives together to tell them the news: They were leaving their home in Lithuania. They were leaving the church that had served their family for generations. They were leaving all of their friends and relatives. They were leaving behind every stick of furniture, the dogs, the cats, the chickens—everything—to go to a place where they didn't speak the language. They were going to this place called America. They had heard great stories about the land of opportunity, and they had heard about some Lithuanians who had gone to the city of East St. Louis, IL, and that is where they were headed.

I am sure those friends and relatives, walking away from that meeting, turned to one another and said: What ever got into their minds? They are giving up everything to go to a place where they don't even speak the language. They will be back.

Well, they never returned. Like millions and millions of Americans, they had the courage to come to America and to weather crisis after crisis in our family and to build a future. I stand here because of that decision.

How can you tell when a country is in decline? When immigrants stop wanting to come to that country, when they can't wait to leave that country. Many other developed countries have had this experience and watched their economies decline as a result. That has never been our experience in the history of America.

Look at our history. In every generation, immigrants have come to our

shores from around the world and made us a better and stronger nation. Immigrants are not a drain on America; immigrants are the future of America. They are hard-working men and women who leave behind everything they know to build a new and better life for themselves and their children. They breathe new life into our country and help revitalize the American dream.

You have heard the stories. They go to Silicon Valley and take a look at some of the best and brightest when it comes to high-tech, and they marvel at how many of them were immigrants to this country who were finally able to take that great idea and turn it into a great business with a lot of well-paid employees, helping this country move forward.

It was 17 years ago that I introduced a bill called the DREAM Act. It was bipartisan legislation that gave a path to citizenship to immigrants who came to the United States as children. These young people have come to be known as Dreamers.

I know the President went to a Republican retreat last week and mocked the term ''Dreamers.'' He did the same in the State of the Union address. I will tell you, I am proud of the term ''Dreamers.'' Before this bill was introduced, if you asked about Dreamers and who they were, most people would answer: Isn't that a British rock group? Today, Dreamers symbolize something in America—young people brought here who have grown up pledging allegiance to that flag, singing the only national anthem they ever have known, who want to be part of our future. Those are Dreamers.

Eight years ago, I sent a letter to President Obama. Dick Lugar, Republican Senator from Indiana, joined me in signing that letter. On a bipartisan basis, we asked for President Obama to find a way to protect the Dreamers. The President responded to our request. He established the Deferred Action for Childhood Arrivals Program, better known as DACA.

DACA provides temporary legal status to Dreamers if they step up, identify themselves, register with the government, pay a $500 filing fee, and submit themselves to a criminal background check and then a national security background check. If they passed all of those things, under DACA, they were given temporary, renewable 2-year protection to stay in the United States, not be deported, and have the legal right to work.

DACA has been an extraordinary success. Almost 800,000 Dreamers have come forward and received DACA protection. It has allowed them to contribute more to this country that they love, as teachers and nurses and engineers and first responders and members of our military. Yes, these DACA individuals have stepped up, even though they do not have the legal rights of citizenship, raised their hands, and sworn to put their lives on the line for America. How many of us have done that? We should admire them for their commitment to this country. Instead, on September 5, Attorney General Jeff Sessions announced that the Trump administration was putting an end to this DACA Program. That same day, the President called on Congress to ''legalize DACA.''

Now the deportation clock is literally ticking on these young people. As we gather here today, more than 18,000 of these young people have lost their protection under DACA. Beginning in less than a month, on March 5 of this year, every day for the next 2 years, 1,000 Dreamers will lose their work permits and be subject to deportation because of President Trump's decision.

The administration itself has warned us that if we do come up with legalization of DACA, they need time—maybe as long as 6 months—to make it work. What has Congress done in response to this challenge, in response to the fact that thousands of young people are losing this protection? The answer is one word: nothing. Nothing. Not a single bill has passed the Senate or the House in response to the President's challenge, despite the fact that every single day 122 of these Dreamers, because of President Trump's decision, lose the protection of DACA. Teachers—almost 20,000 of them nationwide who are DACA recipients—are going to be in a situation where they have to leave behind their classrooms and their students. Nurses will be forced to leave behind their patients because of President Trump's decision. First responders, who have written an enviable record of courage in serving their communities, will be forced to leave those posts. Soldiers willing to die for America will be forced to leave the Army—forced to leave the Army they have volunteered to serve.

This isn't just a looming humanitarian crisis; it is an economic crisis as well. More than 91 percent of DACA Dreamers are gainfully employed and paying taxes to our government. The nonpartisan Institute on Taxation and Economic Policy reports that DACA-eligible individuals contribute an estimated $2 billion a year in State and local taxes. The Cato Institute, a conservative think tank, estimates that ending DACA and deporting DACA recipients will cost $60 billion and result in a $280 billion reduction in economic growth over the next decade. Are the DACA protectees a drain on society? Not according to the conservative Cato Institute. They are a plus for America, a plus for our economy.

Poll after poll shows overwhelming bipartisan support for the Dreamers. Even FOX News—no liberal media outlet—found that 79 percent of Americans support a path to citizenship for Dreamers. That includes 63 percent of those who identify as Trump voters.

When the Trump administration shut down the DACA Program, the President called on Congress to legalize the program. We have done nothing. The day after repealing DACA, President Trump reached a tentative agreement on DACA and border security with Senator SCHUMER, the Senate Democratic leader, and NANCY PELOSI, the House Democratic leader. President Trump said: ''Chuck and Nancy would like to see something happen, and so do I.'' But very quickly, President Trump walked away from those words.

In October, the White House released 7 pages of what they called ''Immigration Principles''—their wish list when it came to immigration. It was a list of hard-line, anti-immigrant proposals, many of which have been opposed by both political parties in Congress. Then, 4 weeks ago, I was invited to a meeting on January 9 at the White House, to sit next to President Trump and about two dozen Members of Congress. The President said at that meeting, broadcast on live television, that he wanted to protect DACA recipients and he would sign any bipartisan bill that Congress sent to him. The President said: Send me a bill and I will sign it, and I will take the political heat. I heard it. So did America. He also said that Congress should first pass DACA legislation and that other immigration issues should wait for ''phase two, which would be comprehensive.'' That was good news for me and good news for Senator LINDSEY GRAHAM, a Republican from South Carolina. We had been working for 4 months on a bipartisan plan.

We came back to the Hill after that meeting on January 9. That evening and the next day, we hammered out an agreement—six Senators, three Democrats and three Republicans. We called the President on January 11. I personally called him to tell him we had a bill, a bipartisan bill. I wanted him to hear about it, to know the details, and I hoped that it would solve the problem and challenge that we faced. It was a real compromise. The day after we finalized that agreement, after the House meeting, we addressed all of the priorities that the President had laid before us, including protection for the Dreamers and a significant, multibillion-dollar downpayment on our border security.

The President said he looked forward to Senator GRAHAM's briefing him on that plan and would be back in touch with me. Then I received word, within minutes, that the President wanted me to join Senator GRAHAM in going to the White House. Two hours later, Senator LINDSEY GRAHAM and I were at the White House, hoping that the President might embrace our bipartisan plan, but we were surprised and disappointed when we entered the Oval Office. In a matter of an hour and a half, five of the congressional hard-liners on immigration had been invited in to shoot down our plan. The President's views, in a matter of less than 2 hours, had changed radically.

During our meeting, the President demanded $20 billion to build a wall on our southern border. He kept saying

over and over: Give me $20 billion. I will build this wall in 1 year. The President reacted negatively to the agreement that we had reached in terms of protecting immigrants from Haiti from deportation and ensuring that immigrants from Africa would be permitted to come to our country. What I heard at that meeting had nothing to do with security and American jobs. It was a sad commentary by the President on his vision of immigration.

Then, 2 weeks ago, Senator SCHUMER, our Democratic leader, made another good-faith attempt to work with the White House. He made a generous offer to President Trump to fund the border wall, but after a promising meeting, within 2 hours, the President called and withdrew any offer. That was the third time Senate Democrats had offered to fund President Trump's wall in exchange for the Dream Act. In other words, we have been willing to support a broadly unpopular and partisan proposal—the wall—in exchange for a broadly popular and bipartisan proposal—the Dream Act. The President will not take ''yes'' for an answer. It is no wonder that Senator SCHUMER has said that trying to reach an immigration agreement with the President is ''like trying to negotiate with Jell-O.''

Two weeks ago, the White House released a 1-page ''Framework on Immigration Reform & Border Security.'' The White House claims this is a compromise because it includes a path to citizenship for some Dreamers. I might add that it is an issue that is supported by the overwhelming majority of American people. The plan would put the administration's entire hard-line immigration agenda on the backs of these young people.

For example, the White House wants to dramatically reduce legal immigration by prohibiting American citizens from sponsoring their parents, siblings, and adult or married children as immigrants. We are talking about, literally, millions of relatives of American citizens who have done the right thing, followed our immigration laws, and have been waiting patiently in line for as long as 20 years to come to the United States.

Listen to what the Cato Institute says about the White House proposal:

> [I]n the most likely scenario, the new plan would cut the number of legal immigrants by up to 44 percent or half a million immigrants annually—the largest policy-driven legal immigration cut since the 1920s. Compared to current law, it would exclude—[the President's proposal]—nearly 22 million people from the opportunity to immigrate legally to the United States over the next [50 years].

This proposal would gut the 1965 Immigration and Nationality Act, which established our current immigration system, with its focus on reuniting families.

When you think about the bedrock principles of America—faith, family, love of country—why would we assault this effort to unify and strengthen our families in America with those who are following this process in a legal manner?

The 1965 law, which this would change dramatically, replaced the strict national origin quotas of the 1924 immigration law. The 1924 immigration law was written to specifically exclude people whom the Congress and President, in those days, thought should not be part of America's future. They were focusing on people from my part of the world. My family came from the Baltics. They focused on the Baltics and Eastern European countries—to restrict their immigration to this country. Luckily for me, my family got over before the 1924 law. They also wanted to exclude Italians in their belief that we had had enough from that country, and they wanted to exclude Jews. That is what that 1924 National Security Act was about.

When President Lyndon Johnson signed the 1965 law, he said: ''It corrects a cruel and enduring wrong. . . . For over four decades the immigration policy of the United States has been twisted and distorted by the harsh injustice of the national origins quota system.''

Listen to what Presidential Calvin Coolidge said when he signed the 1924 law, the last major reduction in legal immigration in America:

> There are racial considerations too grave to be brushed aside. Biological laws tell us that certain people will not mix or blend. The Nordics propagate themselves successfully. With other races, the outcome shows deterioration on both sides.

I cannot understand why Attorney General Sessions, at one point, praised that 1924 law and said it was ''good for America.''

The President's immigration framework would also fast-track the deportations of women and children who come to our border in their fleeing gang and sexual violence. Since our tragic failure during World War II to aid Jewish refugees who fled the Holocaust, the United States has led the world, since then, in providing a safe haven to people who flee war, terrorism, and persecution. Now we are in the midst of the worst refugee crisis on record, with 65 million people worldwide being forcibly displaced, including child refugees from Central America, the Northern Triangle, who are fleeing horrific violence.

Consider the opinion of General John Kelly back in 2015, the current White House Chief of Staff, when he headed the U.S. Southern Command. General Kelly said then that the children from Central America who are arriving on the U.S.-Mexico border are ''the direct result of our drug consumption'' in the United States. General Kelly said, ''In many ways [parents] are trying to save their children'' from the violence in their own countries. General Kelly was right in 2015.

In the past, Democrats have supported some of the President's proposals, like changes in our family immigration system and eliminating the diversity visa lottery. I might remind my colleagues that that was all part of a significantly comprehensive immigration reform bill.

I was part of the Gang of 8 that drafted the original bill—four Republicans, four Democrats. We brought that bill to this floor in 2013 and won a vote—68 to 32. The bill was a product of months of negotiations and compromise. Unfortunately, the Republican leadership in the House of Representatives refused to even consider it.

Now we are being asked to accept this administration's proposals with no conditions and no give-and-take. If the administration wants to reform our legal immigration system, we have some priorities that we care for as well.

If we are talking about protecting national security, why aren't we closing the loopholes in the Visa Waiver Program? There are 20 million people from 38 nations who travel to America every year on the Visa Waiver Program—one-third of all of the visitors to the United States. They arrive in American airports without undergoing biometric checks or consular interviews. Zacarias Moussaoui, the so-called 20th hijacker of 9/11, tried to enter the U.S. through the Visa Waiver Program. So did Richard Reid, the Shoe Bomber. We should strengthen the Visa Waiver Program by requiring biometric checks of travelers before they land in America so that we know who they are before they board the airplanes.

If you are really sincere about the security of our Nation, this is an obvious need. Congress should also close the loophole that lets people enter the United States through the Visa Waiver Program. Remember, there are 20 million a year. We allow them to buy guns, even assault weapons, even if they are on the FBI's terrorist watch list. When it comes to security, that is an obvious loophole that needs to be closed.

With the President's failing to lead, the responsibility to fix the DACA crisis falls on our shoulders here in Congress.

I see my colleague from Texas, Senator CORNYN. He and I have talked extensively about this. I still hold out hope that we may be able to find some way to resolve this in a bipartisan fashion. We have to do it because, to date, Congress—the Senate and the House—have done nothing.

Three weeks ago, a bipartisan group of Senate Republicans and Democrats finally persuaded Senator MCCONNELL, the Republican leader, to commit to addressing DACA. I salute him for doing that. He made a statement on the floor twice, unequivocally, that we would bring this measure up if we had not reached an agreement by this Friday and that we would consider starting with what he called a level playing field—amendments on both sides—on the issue of immigration and DACA. We haven't seen that kind of debate on the floor of the U.S. Senate in over 1 year.

If it comes to that, I look forward to it. I would like to see the Senate work its will, and I hope that we will come up with a positive and constructive compromise. We have only 3 days from today for that process to start, and I hope that we can make some progress. Bipartisan legislation to protect the Dreamers has been pending in Congress, and it has overwhelming support from the people we represent, including President Trump's own voters. It would pass on a strong bipartisan vote in both the House and the Senate if Republican leaders would bring it to a vote.

I look forward to that debate.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

FUNDING THE GOVERNMENT

Mr. CORNYN. Mr. President, I spoke yesterday about the deadline we have coming up in 2 days. The question is, Are we going to fund the Federal Government? Are we going to keep the lights on, the parks open, the military protecting us, the Border Patrol protecting our borders, or are we going to shut down the government again over an unrelated issue?

I listened to my friend, the Senator from Illinois, talk at some length about DACA. I do want to respond to that, but there is no reason we have to do DACA first, because we are engaged in good-faith negotiations, and, indeed, the majority leader has promised that he would take up a bill on the floor of the Senate in our failing to reach an agreement.

The fact is that our friends across the aisle have, basically, shut down the government and are now threatening to hold hostage a number of very important measures, which I will talk about momentarily, over this issue that is unrelated to the funding of the government or to these other matters.

So what have we had to do?

We have had to pass short-term continuing resolutions. We have had five of them since September alone. The impact of these continuing resolutions was brought home to me again yesterday.

Usually, I would think about our military and General Mattis, who has pleaded with us to help provide the additional resources that are necessary to make sure that our military is ready, is trained, has the equipment it needs in order to fight and win wars but, hopefully, to maintain our strength so that we will never have to fight a war. That is how Ronald Reagan viewed it. I agree with General Mattis: Peace through strength is the right formula.

Yet, when our adversaries look at us with our military—just a pale reflection of what it used to be in terms of readiness because of the lack of funding we have provided—that is a provocation or, at least, an invitation for others to step in and fill the void, and it leads to a more dangerous world.

As I said, the harm caused by these continuing resolutions was brought home to me again yesterday when I had a number of people with the Texas Association of Community Health Centers come visit. These community health centers are a vital link and safety net for many Texans and many Americans who don't otherwise have a place they can go for their medical care. They treat people based on a sliding scale, based on the ability to pay, so they are accessible to virtually everyone.

What my constituents with the Texas Association of Community Health Centers told me was because of the funding cliff with the continuing resolutions, they don't know how to plan. Their doctors, their medical assistants, and other support staff don't know if they are going to have a job after Thursday, February 8, when the current continuing resolution expires.

They don't know whether the patients they treat will actually have a place to go to get that treatment. This is a miserable way for Congress to do business, and it should not continue. We need to provide more certainty and predictability.

General Mattis himself said that this basically wastes money because we have to plan to shut down portions of our activities if, in fact, government does shut down. So then we have to restart it again—stop it, start it. It is a waste, it is inefficient, and it is unnecessary.

Our friends across the aisle need to release another hostage, too, in addition to the spending caps agreement and the funding needed for our military and the funding needed for community health centers and all the other important functions that are served by the Federal Government. They need to release the hostage of disaster relief.

In December, the House passed an $81 billion relief package, but so far our Democratic colleagues have refused to allow us to bring that disaster relief bill up. Again, why? Because of DACA, this unrelated immigration issue that they think is more important than all the people who were hurt by Hurricane Maria, Hurricane Harvey, and the wildfires out West.

We do need to address DACA, and we will, but why hurt the victims of these natural disasters in the interim by holding this disaster relief hostage? It is time we stand up in a bipartisan fashion and show these folks in Texas, Florida, the Virgin Islands, Puerto Rico, and out West that we remember, and we are going to help them. Why should they have to wait any further? There is no good answer to that question, but I think it is important that somebody come out on the floor of the U.S. Senate and ask the question.

IMMIGRATION

Mr. CORNYN. Mr. President, I said I wanted to talk about the issue our Democratic colleagues shut down the government over last month, and that issue is immigration and the path forward on DACA. DACA, again, is Deferred Action on Childhood Arrivals. This is something President Obama did unilaterally, circumventing Congress, assuring that in a new administration, it would be called into question, not only in the courts but also by the new administration.

President Trump, recognizing that the courts had effectively said what President Obama tried to do was illegal, basically continued it for a time to give Congress a chance to try to respond, and he has given us a deadline of March 5. I heard my friend from Illinois blame President Trump for trying to fix a problem that was caused by an overreach by the previous administration. Don't take my word for it, take the courts which struck down the DACA Program.

President Trump has continued it long enough to give Congress a chance to fix it. That is the appropriate response. It is not helpful just to engage in the blame game. We actually need to step up and not just give speeches on the floor of the Senate; we need to actually enter into a good-faith negotiation.

To date, President Trump has issued a reasonable framework that will not only give protection to those who were brought here illegally by their parents as children but also fixes other gaps in our broken immigration system—border security, the diversity lottery visa, and ensures that people who are waiting in line patiently can be unified with their family by narrowing the scope of family-based immigration in the future. That is prospective only. One proposal has been to plow those additional green cards into accelerating the passage of people who are patiently waiting in line—some as many as 10 and 20 years.

President Trump has done something President Obama never did. He has offered 1.8 million young adults who are currently DACA recipients and DACA-eligible an opportunity to get on a pathway to American citizenship. That is three times more than the young adults who were addressed by the Deferred Action for Childhood Arrivals Program that President Obama did unilaterally. That is an incredibly generous offer.

What has the President requested in return or in addition? He said: Secondly, I want to secure our borders, and I want to address legal loopholes in the current law. That is important because we have to protect our citizens and regain the public trust. One of the very reasons this President was elected is because people are angry that the Federal Government has failed them when it comes to securing our borders and enforcing our laws. I believe the second pillar of what President Trump has talked about, border security, is really a system of physical infrastructure—fence, walls, barriers—but also technology and personnel; that those

are the three essential ingredients in border security. We have to ensure that people don't flout the law and enter the country illegally. We all know a porous border is an opportunity for drug traffickers, human traffickers, and other criminals to exploit our porous border. As I said, it is not one-dimensional, it is not just about a wall or a fence or a barrier, it is about technology, personnel, and physical infrastructure as well, and the President has acknowledged as much.

I have heard our colleagues across the aisle bridle at what the President has requested in terms of not only a plan for border security but also for the funding. He said he wants $25 billion to make sure the Federal Government finally steps up and lives up to its responsibility on the border. It wasn't that long ago when the Gang of 8—Senator DURBIN my friend from Illinois was one of the gang members—proposed and the Senate passed a bill by 68 votes that provided $50 billion for border security. It had other problems, but they were more than generous in providing for border security. Today they chafe and resist and refuse basically to negotiate on this item, when they voted for double that amount in the so-called Gang of 8 bill just a few years ago.

The President's third pillar relates to what is known as the diversity lottery visa. Many, including the President, have questioned whether it makes sense to just give out 50,000 green cards a year based on a lottery—a game of chance. They have suggested and the President has proposed that we use those green cards to reward skill and merit.

We ought to look at immigration as a way for us to attract the best and brightest, the people who have skills, talents, education, something to offer their new country when they come here. We don't have to end the diversity part, but we can add to it the skills that would help make our country better and allow these new citizens to contribute in a substantial way to their adopted country.

The fourth pillar addresses family unification. I say ''family unification'' because I think the recently adopted alternative term of ''chain migration'' has become a pejorative and oversimplifies a very complex area of the law. What the President has proposed is, in the future, we allow people to immigrate to the country based on family relationships, and we confine that to the nuclear family—mom, dad, and the kids. One suggestion has been that the green cards we would save by not allowing collateral family members to come in—married adult children, aunts, uncles, cousins, and the like, based strictly on the family relationship—we could plow those green cards back into the backlog because there are people who have been playing by the rules and waiting patiently in line, some for 10 or 20 years because of the caps we put on country immigration. Why doesn't it make sense to let them reunite with their family members even faster so they don't have to wait so long? I think that makes an awful lot of sense. During the time that backlog clears, there really wouldn't be any reduction in legal immigration.

I don't know what the right number is for legal immigration. We naturalize roughly about 1 million people a year. I support legal immigration. I think it makes our country better, but I am not sure exactly what the right number is, and I am not sure exactly what the right formula is. A number of countries, such as Australia and Canada, look at the skills and merit-based system, in addition to family relationships. I think that makes a lot of sense to me.

While we are continuing to have this discussion about what should be the long-term rate of legal immigration, it makes sense to plow these additional green cards—that will not be used prospectively by collateral family members based strictly on that family relationship—back into the backlog and unify the families who have been waiting for their loved one who has been waiting in line, waiting to immigrate legally into the United States.

One thing I really appreciate about the President's proposal is, it addresses shortcomings of the so-called Gang of 8 bill that was considered back in 2013. This is where I differ again from my colleague from Illinois. He celebrates the fact that they were able to get 68 votes in the Senate, but it didn't pass the House, and it never got to the President. I am not sure that is a cause for celebration. What I would actually like to see is us take the President's four pillars and actually get a Presidential signature on a law that passes not only the Senate but the House and that the President will sign. I thought that was the goal, not just to go through some futile gesture or to pass one branch of the legislature only to fail in the House.

The reason the Gang of 8 bill failed in the House was because it had some serious problems. It had no real objective metrics to determine where technology and infrastructure would be the most effective. It didn't allow the Department of Homeland Security to achieve 24/7 situational awareness and 100 percent operational control of the border. It didn't adequately address the personnel and infrastructure improvements we know are desperately needed at our northern borders and our ports of entry.

Finally, even though the Gang of 8 bill contains some provisions to address criminal gangs, drunk drivers, and aggravated felons, it also had generous waivers and still allowed some criminals to qualify for legal status. That didn't make any sense to me then, and it makes no sense to me now. Why would we allow people with criminal records to immigrate into the United States?

Worse, the Gang of 8 bill didn't end catch-and-release of criminal aliens, and it did nothing to deter the influx of people who are exploiting a loophole in the law relating to unaccompanied minors. By way of contrast, the new White House proposal addresses these concerns in ways the flawed Gang of 8 bill did not, and I predict, if we embrace the President's four pillars and pass a bill that reflects those requirements, the House of Representatives could pass it, and the President would sign it, which would actually then provide a pathway to citizenship for 1.8 million young people.

I don't know how some of our friends can look these young people in the face and say: We had the chance. You had the opportunity to receive one of the greatest gifts a human being could possibly accept, and that is a pathway to American citizenship, but we turned it down. Perhaps, we miscalculated, and we figured that, maybe, we can get it through the Senate but we can't get it through the House and we can't get a Presidential signature. So we ended up emptyhanded, and you remain in the same box you were in in the first place. How is that helping these young people? It is not.

Well, the White House proposal closes loopholes in the current law that are being exploited by criminal gangs and human traffickers. Let me explain. Under the current law, if somebody is under 18 years of age and shows up at the border, the Border Patrol processes them, and then they are given to Health and Human Services. If they make a claim of some immigration benefit, they are given a notice to appear before an immigration judge, but the backlog there is so great that it could be years down the road, and then they are placed with a sponsor.

Here is the problem. First of all, there is no adequate monitoring of these individuals to make sure they actually show up for their court hearing. Current law allows them to be placed with a sponsor that is not legally present in the country in the first place. There are no criminal background checks. So we don't know whether these unaccompanied children are being placed with people who would abuse them, traffic them, or recruit them into criminal gangs.

In 2017 alone, the Department of Homeland Security apprehended 41,000 unaccompanied minors across the southern border, and 37 percent were between the ages of 15 and 16, and another 32 percent were 17 years old. So we are not talking about young children. We are talking about, by and large, grown young men. As I mentioned earlier, this number has increased significantly, with more than 11,000 unaccompanied minors being apprehended in the last 4 months alone.

They have figured this out. The transnational criminal organizations that traffic in human beings, drugs, weapons, and anything else that is worth a buck have figured this out. They have a loophole in the U.S. law that allows them to charge a fee to

bring in these young men, who may or may not be a member of MS–13, one of the most violent criminal gangs in Central America. Now they are unfortunately in the United States, and there is no way for the U.S. Government to keep them out even if they are gang members, under current law.

Well, I don't know how our colleagues who refuse to take up this issue and address it justify it. I just can't understand it. In my opinion, we have a real problem that our colleagues either don't want to fix or they are deliberately ignoring. We can't solve these problems by just putting our head in the sand and hoping that the problem goes away. It will not. This is just one example of a loophole, which a border security bill that I introduced months ago, called the Building America's Trust Act, would fix.

So if our colleagues are serious about coming up with a solution to our immigration problems and providing a lifeline to these young adults who are DACA recipients and, indeed, everyone who is DACA-eligible, they need to work with us. They need to recognize the reality that President Trump has laid out a pathway for that to happen, but they can't just cherry-pick and pick the parts they like and ignore the rest and expect that we are going to get an outcome.

Again, the basic failure in the Gang of 8 bill was that they got 68 votes in the Senate, including $50 billion for border security, but they couldn't get it through the House and couldn't get it to the President for signature. I don't know how to sugar-coat it, but that is failure. That is not success. Success is to get a bill through both Houses and to get the President to sign it. President Trump has given all of us a map, a pathway for how to do that. To my knowledge, there has never been a counteroffer that addresses the four pillars that the President has proposed.

Again, I think the people with the most to lose out of this proposition, in addition to the great American people, are these young adults who would benefit from the stability and predictability and a path forward and would receive a gift, as I said, that would be the greatest gift that any human being could possibly aspire to, which is the gift of American citizenship, eventually. But it is going to be squandered. The President's generous offer will be squandered because our colleagues don't like his proposal, but they are unwilling to come up with a counteroffer so that we can actually have a negotiation. The President, I am sure, would welcome that counteroffer, and we would too.

We welcome an opportunity to actually get a result here, to make a law and not just go through a political exercise that is destined to end in failure and then become a political issue in the next election. That is not what we should be about here.

So I hope that reality will set in. President Trump has offered a proposal. Our colleagues on the other side, who don't like the proposal, have not offered a counteroffer that meets the four pillars. They don't even want to pay attention to the last two—the diversity visa issue or the so-called family unification, sometimes called chain migration. They want to act like that doesn't exist, and I just don't get it.

I come from a State of 28 million people, with 38 percent, roughly, of Hispanic origin. We have a 1,200-mile common border with Mexico. Texas taxpayers pay for the border security that the Federal Government fails to fund and facilitate. I want to see a solution. I am happy to vote in favor of a pathway to citizenship for 1.8 million people, but I can't go back home and look my constituents in the face unless I tell them that this is the last time we are going to have to do this because we fixed the underlying problem—border insecurity, gaps that are exploited by criminal gang members and the transnational criminal organizations that traffic in them, and these other issues that the President has put on the table.

So I hope reality does set in because I really would like to get a bill that we could pass in the House and the Senate and get to the President for his signature and move on to these other important issues: How do we fund our military? How do we fund the community health centers? How do we provide some predictability to the rest of America that is being held hostage to this issue?

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from West Virginia.

CIVILITY AND TRUST

Mr. MANCHIN. Mr. President, I rise today to discuss something extremely important to each one of us in this wonderful body, which is called civility and trust. I rise to discuss them because they have been lost in Washington. I look around and we are all friends, and for some reason we lost trust in each other. We don't seem to spend enough time with each other.

I can remember Senator Robert C. Byrd, who was the longest serving Senator in the history of the U.S. Senate, and he always told me what a place this was. He said that the Senate is something special. He even wrote a book about it, about how the Senate was to operate, what the Founding Fathers' intent was for the bipartisan, bicameral body that George Washington explained so eloquently, and what our role was as the most deliberative body in the world. The whole world depends on us kind of cooling things off and making things work. But as we have seen, it hasn't done what it is supposed to do, and it is not to blame one person or the other or one party or the other. I guess we can all say that it is all of our fault for letting it denigrate to this point.

Several years ago, I took a personal pledge. I just knew something was wrong. When I first got here, I looked around and I saw that we were all expected to make phone calls raising money every day to our respective parties, and that money would be used for a couple of purposes. The purpose was basically to set an agenda or explain your priorities and your policies, but a lot of that money was directed toward defeating colleagues on the other side. So being in the Democratic caucus, the Democratic money was supposed to be raised and, if any one of my friends on the Republican side was up in this cycle, that money was supposed to be used against them. I thought that was wrong, and I know a lot of my Republican friends feel the same way—that they are supposed to be making phone calls to raise money to be used against me and everybody else who is up in this cycle. I am sure they feel the same as I do.

I have often said that I come to work in a hostile work environment, and I try to explain that in terms of how we in West Virginia would look upon this. If you go to work every day in my State of West Virginia and your colleague or some person with whom you are working is trying to undermine and undercut you to get you fired, and every day you go to work they are nice to your face but behind the scenes they are doing all they can to denigrate your work or to make your supervisors believe that you are not doing your job, back home in West Virginia, sooner or later, they are going to want a little talk. Can we talk in the parking lot? Can we have this disagreement worked out? That is just the way it would be settled, and, maybe, that is the way it should be settled here too. I don't know. I don't think so.

I have met too many wonderful people with whom I have been serving for the last 7 years who are bright, extremely capable, intelligent, and with a wealth of experience, and I would put them up against any people whom I have met anywhere in any occupation in the country. But for some reason, we are all blocked from doing the right thing or what we know is right—sitting down and not accusing each other, not working and conspiring against each other, and not getting basically to the point that it is so visceral. Perhaps, someone might be talking with me one day, but, then, that weekend they might be in my State campaigning against me. Then, we come back on Monday or Tuesday, and we are supposed to sit down and work through our problems and differences for the betterment of our country. I just think human nature doesn't let that happen, and it will not produce good results.

I have always looked forward to working with everybody. I am probably one of the most centrist, as far as being on more pieces of legislation in a bipartisan way. I have never looked at a Republican or a Democratic problem. I just looked at a problem that we had,

and I always said this: The best form of government—the best policies and the best form of politics, if you want to play hardcore politics—is good government. Everyone can take credit for doing something good, and I will assure you, if we do something wrong and we don't fix things, we all get blamed. We all get blamed. So nobody looks good when we sit and don't work on our differences, and we all get credit when we try to work together.

We are facing a lot of challenges right now. We do things that basically shun the other side because we don't want to share the glory with someone else if we think there is some good in the piece of legislation. Every piece of legislation we have voted for or against has good in it. Every piece of legislation has something good and worthwhile in it. What happens is that there are ways we can make something better, and that is where our differences are. If you can make something better, then, I need to sit down and work with you because I don't have all the answers, but we both have a desire to make the best piece of policy that we can in legislation. So we should be working together. I should be open to saying: OK, that makes sense to me; let's see if we can amend this and fix it. But it seems that we get set in our ways.

The place that Robert Byrd talked about many years ago was a place where people stayed and spent more time in Washington. They didn't come in on Monday night and leave on Thursday afternoon. They stayed and worked. On the weekends, they would even get together and have dinners together. Families would do things together during the days and the weekends, and they became friends. It is hard to say no to your friend. It is hard. All of us have been in situations that were very hurtful, when there was a friend with whom you disagreed. So you tried to find the most delicate way to see if there was a pathway forward without losing that friendship. It meant that much to us. That is what it should be here, too. But when you don't have that relationship—as a former Governor, I have my dear friend from South Dakota, and we are going to look for a way to stay together and be friends. We are not going to look for a way to disagree and diverge from that friendship that we built.

We built that over our terms working together as Governors. I have always said that Governors are the most bipartisan people I have ever met.

In our NGA—National Governors Association—when you had an education problem, when you had a Medicaid problem, when you had an infrastructure problem, when you had a veterans problem, if you looked around and you saw someone in one State who had found a pathway forward to fix that, you never hesitated to call them and say: Hey, Mike, what did you think about it? He would say: Well, I tried this, JOE. Why don't you try it? I will send someone or you send someone out, and we will work together.

That is what I was used to doing as far as getting things done, and that is what I want to do here again. I think the place is right for it. The American people want it solved and want the States we represent to have a bipartisan pathway forward and to work together. I know the people of West Virginia want to see us get things accomplished.

I have a wonderful little State that has given their all. I often tell people in West Virginia—I tell the children: When someone asks you where you are from, I want you to puff up your chest. I want you to say: Oh, I come from a beautiful State, one of the most patriotic States in the Nation.

We have answered the call to duty more than most any State. We have more veterans per capita than most any State. We have fought more wars, shed more blood, lost more lives for the cause of freedom than any State. We have done the heavy lifting. We have mined the coal that made the steel that built the guns and ships that defend our country every day.

The Good Lord has been so kind to us and blessed us with one of the greatest venues that you will ever see in the mountains of West Virginia. My little State is called West Virginia, and we hope you will come and visit, and maybe you will even stay.

It is really who we are. And we all have that same pride; each one of us does. Whether it be Indiana, South Dakota, wherever it may be, we have a pride in our States, the people in our States, and they deserve better than what we are giving them right now.

I don't see anybody in public service, who is willing to put their name on the ballot, as my enemy. If you are willing to serve, then I am your comrade. I am going to work with you. If you are willing to take the heat that comes with these jobs, then let's make sure we get the results that the jobs should produce. These jobs should produce results so that the whole world can have a hope that America is the right place. They are the people who can solve the problems that we all have, and they still can lift us up and be the hope of the world.

With that, I am pledging to the people of West Virginia and to the American people that I will not campaign against a sitting colleague, that I will not directly fundraise against them, that I will not distribute any direct mail against them. I will not appear or endorse any advertisements directed at them. I will not use or endorse social media campaigns that attack them.

Washington will be dysfunctional until we all draw the line of truce and say that we are here for the same reason. We take the same oath. We swear on the Bible to the same Constitution—that we will uphold it. That is what we are here to do.

Since that civility has broken down because the system has changed and we are not here and we don't know each other's families, spouses, children, we better control ourselves, hopefully through the rules we can change and the ethics laws we should live by, to treat each other in the manner that we would want to be treated.

With that, I am going to sign this pledge, and I would hope that all of my colleagues would consider signing the pledge the same way. We are the only ones who can change it. The power has changed. The pressure that comes within has changed. The way this place works has changed. The only way we can change it is to say we are not going to participate in denigrating each other and attacking each other anymore.

With that, I am going to sign the pledge. It says here:

> Pledge to Return to Era of Bipartisan Cooperation and Agreement.
>
> In order to restore civility to the United Senates Senate and our political discourse, we must pledge to return to an era of bipartisan cooperation and agreement.
>
> I, Joe Manchin, pledge to the people of West Virginia and to the American people that I will not campaign against a sitting colleague, not directly fundraise against them, not distribute direct mail against them, not appear or endorse advertisements directed at them, and not use or endorse social media campaigns that attack them.

I would hope that each one of you would consider this. I think we have to take this into our own hands right now and make sure that we look at each other, that we look at each other with sincerity. You are my friend. We might disagree, but we can work through this, Mr. President. We can definitely work through this and remember what our purpose is for being here. The people want us to succeed. They depend on us to succeed, and that is the policy they need. Whether in Indiana, South Dakota, or West Virginia, they all want the same—they want America to be the hope of the world.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, let me respond to my colleague and good friend from West Virginia. He and I served as Governors at the same time. We have a friendship that has now lasted more than a decade. A lot of what the Senator has indicated I feel as well in terms of the reason why we came here and the focus we should have. In fact, I think one of the most important things we can do as Members of this institution, Members of this body, is to show respect for one another and defend one another in our responsibility to try to find a way forward. Until we have that respect for one another, it will be very difficult to expect others to have that same respect for us or for this institution.

I most certainly appreciate the sentiments expressed by my colleague from West Virginia, and I appreciate his bringing them to the floor today.

DEFENSE APPROPRIATIONS

Mr. ROUNDS. Mr. President, it is in that spirit that I bring this message to my fellow Members of the U.S. Senate. I rise today to ask for support for the Defense appropriations bill for fiscal year 2018.

I would like to start by thanking the majority leader for bringing the Defense appropriations bill to the floor. Now, just because the majority leader brings it to the floor doesn't mean we will necessarily get the opportunity to debate it. It requires either the unanimous consent of all the Members or at least 60 Members agreeing to have that debate. That is one of the reasons why we haven't had any appropriations measures on the floor. It takes 60 Members, Republicans and Democrats, just to begin the debate of each one of these 12 separate appropriations bills, which make up what we normally vote on during a year. This is also part of that process which has been broken for more than 44 years because it has only worked four times in 44 years. But you have to start someplace.

Providing long-term funding stability for our Armed Forces is vital to their ability to adequately train, equip, and maintain the force. In particular, under short-term, stop-gap funding measures known as continuing resolutions, which we are operating under right now, the Defense Department is restricted from starting new programs. These new programs are ones that we have already authorized through the National Defense Authorization Act on a bipartisan basis for 2018; we just haven't appropriated the money yet so that they can actually do the programs we have already agreed as a body are important to have in place. This is very concerning to me because in today's rapidly changing threat environment, these programs were designed to protect our Nation against those new threats.

If we are to adequately recover readiness levels that were lost over the last 8 years—really, in many cases, due to sequestration—as well as to modernize our Armed Forces in this increasingly dangerous and complex world, we must give them the funding, stability, and certainty that continuing resolutions fail to provide.

As a member of the Senate Armed Services Committee Subcommittee on Readiness, I am pleased that the subcommittee has held two hearings this year on our services' readiness posture. To put that in non-DC terms, it means just exactly what their conditions are right now and their need for modernization.

Today, I would like to share just a few examples of readiness issues facing our military force. The first are issues plaguing our Navy, and both demonstrate the need to adequately fund not only our Navy but all branches of our Armed Forces.

The first issue concerns the F/A–18 Hornet aircraft. For any Members who are wondering which aircraft it is, this is the one that people see on a regular basis on film clips and so forth showing them taking off of the carriers. This is our primary Navy attack aircraft. This is the one that we use for aerial combat. We also use this one to do the attacks in both Iraq and Syria.

The first issue is plaguing our Navy—and what they do is they demonstrate the need to adequately fund not only our Navy but, as I said, all of the different branches. So this is not only the Navy; all of the branches need this assistance.

Vice Chief of Naval Operations, ADM William Moran, stated that our legacy F/A–18A and D Hornets today take twice as many manhours as originally planned for repairs and maintenance. He has also stated that ''on a typical day in the Navy, about 25 to 30 percent of our jets and our airplanes are in some kind of depot maintenance.'' Overall, just over half are unavailable for operations today. So it is not just the F/A–18 Hornet, it is all of their aircraft that are in need of upgrading.

To sum up the Admiral's comments, the Navy is putting in twice the maintenance manhours to maintain a fleet that is less than 50 percent available.

In a crisis situation, the Vice Chief said, ''We can and we do put airplanes and ready air crews forward,'' but ''there's no depth on the bench behind them if we had to surge forces.'' In other words, all of the aircraft that are available right now, we have on the frontlines. These are the ones that are serving overseas. We don't have backups in case they start to go down.

The Marine Corps is also experiencing serious readiness issues with its F/A–18 fleet, and there is a human cost. On December 8, 2016, the Marine Corps announced that yet another pilot had been killed as a result of a training accident in the F/A–18 Hornet. This was the third Marine Corps F/A–18 Hornet class A mishap—which is defined as an accident resulting in a death or the complete loss of aircraft—over a month-and-a-half time period. In the previous 22 months, the Marine Corps had experienced seven class A mishaps flying legacy F/A–18 Hornets. Sadly, some or all of these mishaps might have been avoided with the additional training and maintenance that would have been forthcoming with the additional funding that had been recommended in the National Defense Authorization Act, which this body, on a bipartisan basis, has already voted on.

Returning to the Navy, its maintenance-related readiness concerns extend to its attack submarine fleet. Admiral Moran recently mentioned that attack submarines are sometimes sent to private shipyards for maintenance because government shipyards are already at capacity with higher priority work, especially and specifically on aircraft carriers and ballistic missiles submarines, but the private shipyards do not have the capacity to take on extra repair work. This lack of shipyard capacity is severely impacting our attack submarine fleet.

For example, the USS *Albany*, which is an attack submarine, spent 48 months in the repair yard due to repeated delays as the workforce focused its attention on aircraft carriers and on ballistic missile submarines. That means an entire crew spent years waiting for a deployment that never came.

Worse still, the USS *Boise* attack submarine wasn't even put in the shipyard last summer because the shipyard workload was so far over workforce capacity. As a result, that boat is currently sitting in Norfolk, VA, and is not certified to dive while it awaits maintenance. This is a taxpayer asset sitting at dock tied up, not being repaired, not even being worked on. Right now, it is so far out of shape, it is not even allowed to dive. In fact, the *Boise* will not be able to rejoin the fleet until 2020 or later. That means this vital Navy asset will be unavailable for at least another 48 months.

In fact, a maintenance backlog has docked 15 nuclear-powered attack submarines for a total of 177 months—or almost 15 years—in which those attack submarines have not been available in the protection of our country.

While I am discussing some serious Navy readiness challenges, all of our services face readiness challenges.

Air Force Secretary Heather Wilson recently said:

> The fiscal year 2018 continuing resolution is actually delaying our efforts to increase readiness of the force, and risk accumulates over time. We are stretching the force to the limit, and we need to start turning the corner on readiness.

With a shortage of nearly 2,000 pilots, out of about 20,000 total, Secretary Wilson went on to say, current Active-Duty pilots were burning out because the Air Force was too small for what the Nation is asking.

''Our biggest need right now is for a higher and stable budget to provide security and solvency for the nation,'' she went on to say.

According to Defense Secretary James Mattis, operating under a continuing resolution for 2018 runs the risk of delaying vital projects and increasing their costs, including 37 Navy projects, 16 Air Force projects, and 38 Army projects. The projects that could be impacted include progress on new trainer aircraft, weapons systems, and important training programs.

The most important things Congress can do to solve these problems are to provide funding stability and avoid arbitrary budget caps that constrain defense spending below that which is required to protect our Nation. This bill that is before us now does both. More specifically, only by removing these caps can we avoid the Department of Defense having to make difficult choices that are so devastating for our Armed Forces. In particular, we must avoid their having to make the false choice of paying for readiness while assuming the risk for modernization or vice versa.

The American people expect us to adequately defend America next year

and for every year to come. This requires us to put an end to continuing resolutions and remove arbitrary budget caps and the threat of sequestration. Only by doing so can Congress fulfill its No. 1 responsibility: keeping Americans safe.

I conclude by again thanking the majority leader for bringing the fiscal year 2018 Defense appropriations bill to the floor. He can't do it alone. He needs our cooperation. He needs our understanding as to just how critical this is. If there is not unanimous consent to move forward, it will require 60 of us to agree. It is time to bring this bill to the floor for full debate and passage.

I ask all of my colleagues to support it, get it to the President's desk as soon as possible, and finally bring an end to the defense component of a continuing resolution that, with arbitrary budget caps, is so severely impacting the readiness of our Armed Forces.

Thank you.

I yield the floor.

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. 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.

CHILD PROTECTION IMPROVEMENTS ACT OF 2017

Mr. MCCONNELL. Mr. President, I understand that the Senate has received a message from the House to accompany H.R. 695.

The PRESIDING OFFICER. The majority leader is correct.

Mr. MCCONNELL. Mr. President, I move that the Chair lay before the Senate the message to accompany H.R. 695.

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

The motion was agreed to.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the title of the bill (H.R. 695) entitled ''An Act to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.'' and be it further

Resolved, That the House agree to the amendment of the Senate to the text of the aforementioned bill, with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 695.

CLOTURE MOTION

I send a cloture motion to the desk on the motion to concur.

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

The 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 motion to concur in the House amendment to the Senate amendment to H.R. 695, a bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

Mitch McConnell, John Cornyn, Mike Crapo, Jerry Moran, Richard Burr, David Perdue, Tom Cotton, Shelley Moore Capito, Deb Fischer, James M. Inhofe, Pat Roberts, Roger F. Wicker, John Hoeven, John Barrasso, John Boozman, Steve Daines, Mike Rounds.

MOTION TO REFER WITH AMENDMENT NO. 1922

Mr. MCCONNELL. Mr. President, I move to refer the House message on H.R. 695 to the Committee on Appropriations to report back forthwith with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on H.R. 695 to the Committee on Appropriations to report back forthwith with instructions, being amendment numbered 1922.

The amendment is as follows:

At the end add the following.

''This Act shall take effect 1 day after the date of enactment.''

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1923

Mr. MCCONNELL. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1923 to the instructions of the motion to refer.

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

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

The amendment is as follows:

Strike ''1 day'' and insert ''2 days''

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1924 TO AMENDMENT NO. 1923

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1924 to amendment No. 1923.

The amendment is as follows:

Strike ''2'' and insert ''3''

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

OFFSHORE OIL AND GAS DRILLING

Mr. COONS. Mr. President, I come to the floor today to join my colleagues, both Republican and Democrat, in raising the alarm about a decision I believe represents politicized policymaking at its very worst. Just a few weeks ago, we were notified that the Trump administration's Interior Department seeks to open up 90 percent—90 percent—of America's waters to oil and gas drilling.

This was startling news for Americans everywhere but particularly for those of us who come from States along the Atlantic and Pacific coastlines who had no expectation that our coastal waters were about to be subjected to the search for oil and gas. The objections to the Trump administration's decision came swiftly from elected officials in both parties, Republicans and Democrats, because protecting America's fragile coastlines isn't—or shouldn't be—a partisan issue.

This decision by President Trump and Secretary of the Interior Zinke was not rooted in public input or scientific analysis. This decision was not based on concerns about community safety or economic prosperity. This decision was our administration putting their ''energy dominance'' goals above all else.

I know several of my colleagues have already spoken out to discuss what this means for their States and how it will impact their constituents, but I am here today to raise my voice for mine, to fight for Delaware. In Delaware, our coasts are critical to our local environment and our robust economy. Delaware has 28 miles of Atlantic coastline—some of the most pristine, most beautiful beaches in the entire country.

As you can see in this graphic of our boardwalk at Rehoboth Beach, DE, our 28 miles of coastline employ 10 percent of our total State workforce. That is a remarkable amount of economic activity in a very small space. Our coastline generates $6.9 billion in economic activity every year and hosts thousands of acres of protected land. It includes on our bay shore side two national wildlife refuges that serve as critical

habitat for bald eagles, white-tailed deer, and striped bass. The future of our coastal economy depends on recreational access, fishing, and tourism, which are now potentially at risk because of this ill-advised decision to open the coastline off of Delaware and the rest of the mid-Atlantic to potential oil and gas exploration and production.

My colleagues know that I make an effort to promote pragmatic and bipartisan ideas. It is one of my top priorities, day in and day out, to work across the aisle and do what is right for our constituents and for the United States.

Let me be clear. My view is not based on an anti-oil or anti-natural gas message. I support an ''all of the above'' energy strategy and have advanced legislation that will embrace an ''all of the above'' energy strategy, and I acknowledge there are many places in the United States where we can, and do, safely produce these resources, both onshore and offshore. But what if we happen to face a spill of the scale and size of Deepwater Horizon?

This is an overlay of the footprint of the 2010 oil disaster of the Deepwater Horizon and how it spread to impact the gulf coastline. It is perhaps a little hard to see here, but the State of Delaware and New Jersey and its fragile coastline are underneath that footprint. It suggests how we might end up facing dramatic impacts, negative impacts on tourism and fishing that depend on clean coastlines to support tens of thousands of jobs and billions of dollars of economic activity in my home State.

If we are going to think seriously about doing this, we need to think about the impacts. We need to ask whether the costs outweigh the benefits. When it comes to the Trump-Zinke plan to drill off the coast of Delaware, I am here to tell you that the potential costs dramatically outweigh the benefits. As you can see in this graphic, a spill the size of the Deepwater Horizon could devastate all of our beach communities and protected wildlife areas in Delaware and the region.

Again, protecting our coastlines, an idea supported by scientists and coastal residents alike, should not be a partisan issue. In Delaware alone, multiple city councils, all up and down our coast, have openly opposed offshore drilling through letters and resolutions they have sent to me and the rest of our congressional delegation.

Coastal lawmakers from both parties have opposed offshore drilling. I know for a fact the same is happening in virtually every other coastal State potentially impacted by this unwise decision. These are the people we should be listening to—the people who don't just visit the coast for a week in the summer but who live on it, who rely on it, who have built their lives and their local economy around it.

Instead, as this decision shows, the Trump administration is prioritizing the oil and gas industry and partisan politics over those of independent scientists, coastal residents, and the elected officials who speak for our coastal communities. That was made painfully clear when the Republican Governor of Florida, a close ally of the President, petitioned to shield just Florida from potential oil and gas exploration and production.

Sure enough, Florida promptly got a public promise from Secretary Zinke that its coastlines would be spared. I am sure Florida's coastline is beautiful. In fact, I visited Florida's coastline, and I can tell you it is beautiful. But guess what; so is Delaware's. We deserve to be able to protect our coastline just as much as Floridians do. I invite Secretary Zinke to once again come to Delaware but to instead see the coastline and see these fragile resources and see what they have to offer for wildlife, for conservation, for fishing, for hunting, and for tourism.

Secretary Zinke promising to exempt Florida is the Trump administration deciding which States have to deal with oil and gas drilling based purely on partisan, political considerations. I think the state of our coastal communities and local economies shouldn't be auctioned off to the highest bidder and shouldn't be subject to partisan politics. Instead, they should be protected based on science and based on the views of coastal communities.

I am here today to voice my profound disappointment in this blatant neglect of local voices and the well-being of individual States and coastal communities. I came to the floor to fight for my State and to raise the local voices I have heard from our coastal communities. Our coastlines are just too fragile and too vital and too important to let partisan politics get in the way of their future.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

CHILD PROTECTION IMPROVEMENTS ACT OF 2017—Continued

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 2386 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRASSLEY. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

COMMUNITY HEALTH CENTERS

Mr. SANDERS. Mr. President, it is no secret that our country faces a major healthcare crisis and, in fact, a dysfunctional healthcare system.

We have some 30 million people who have no health insurance, and that number is going to go up in the coming year. We have even more people who are underinsured, with high deductibles and copayments. Our people pay the highest prices in the world for prescription drugs, which means that millions of people who go to the doctor to get a prescription are simply unable to afford the bill. In fact, the description of that is the definition of a dysfunctional, failing healthcare system.

In the midst of all of that, there is another particular crisis dealing with primary healthcare, and that is that even when people do have health insurance in many parts of our country, they are finding it very hard to go to a doctor and to get in to a doctor to treat the ailments that they have. We fall behind many other countries in terms of our lack of emphasis on primary healthcare, which should be the heart and soul of any strong healthcare system. The bottom line is that when you get sick, you should be able to get to the doctor when you need to and not have to wait weeks and months in order to do so.

In the midst of a failing primary healthcare system, there is one very strong bright spot, and that is that for many decades now, in every State in this country, we have had community health centers run by the people themselves—democratically run—addressing the healthcare needs of those given communities. Today, in America, we have about 27 million people—27 million men, women, and children—who are accessing community health centers. In my own State of Vermont, one out of four Vermonters gets their primary healthcare through a community health center.

These centers do more than provide primary healthcare. They also provide dental care, an issue that is too often ignored when we talk about the healthcare crisis. They provide mental health counseling, which is more important now than perhaps it has ever been because of the opioid and heroin epidemic our country is experiencing. Equally important, they provide low-cost prescription drugs at a time when so many Americans cannot afford the medicines they need. That is what community health centers do, and they

do it well, and they do it cost effectively.

To my mind, there is no question but that there is strong bipartisan support here in the Senate and in the House for community health centers. Yet now we have gone over 4 months into the 2018 fiscal year, and we still have not reauthorized funding for community health centers. Frankly, I do not understand how it happens that when we have strong bipartisan support in the House and the Senate for programs that are working extremely well in every State in this country, the Republican leadership still has not reauthorized the community health center program. There is good bipartisan legislation right here in the Senate that has, I think, the support of virtually everybody in the Democratic caucus. Seven or eight Republicans are supporting it. It is the Blunt-Stabenow bill. It is a 5-year extension of community health centers reauthorization with a modest increase in the budget. If that bill came to the floor today, my guess is that it would get 70, 80 votes—maybe even more. We have gone 4 months into the fiscal year, and we still have not seen that bill reauthorized.

What is happening all over this country is that community health centers, which often struggle with recruitment and retention, are finding it harder than ever to retain the doctors, nurses, and other medical staff they need because applicants are looking around and saying: Why should I work at a community health center if I don't even know if it is going to be there next year? Why should I stay at a community health center if I can get a better job offer and I don't know if this community health center will be funded?

As a result of 4 months of inaction, community health centers all over this country are hurting. I say enough is enough. Right now, as soon as possible, we need to reauthorize the community health center program for at least 5 years, and we need to make sure there is adequate funding so that they can continue to do the excellent work they are doing all over this country.

OPIOID EPIDEMIC

Mr. President, there is another issue that I would like to briefly touch upon. There has been a lot of discussion—appropriately so—about the opioid epidemic that is sweeping the United States. We have lost some 63,000 Americans as a result of opioid overdoses in 2016 alone. Families by the millions are being impacted.

I was in Brattleboro, VT, a few weeks ago, and they talked to me about what is happening to the children whose parents are addicted to opioids. They need to find foster homes for those children.

This is clearly an epidemic that has to be dealt with. We have to increase funding for prevention to make sure young people don't get swept up into the epidemic and also for treatment for those people who are addicted.

There is an issue that we have not touched upon enough, and that is holding the drug companies responsible and accountable for the products they brought into the market. As some people may recall, in April of 1994, the CEOs of the seven largest tobacco companies testified before the House Energy and Commerce Subcommittee on Health and the Environment in a historic hearing. What that hearing was about was, under oath, demanding to know what the executives from the tobacco industry knew and when they knew it. Did they know that their product was addictive? Did they know that tobacco caused cancer, heart disease, and other medical problems? They were asked to hold their hands up and under oath tell the committee what they knew.

I think it is now appropriate for the Senate to do the same with those drug companies that are producing opioids. I think we need to know what the drug companies knew in terms of the addictive qualities of those drugs. There is some evidence out there that suggests that drug companies, in fact, did know that the product they were selling was in fact addictive, but they forgot to tell the doctors—and certainly not the patients.

It is one thing for somebody to do something in ignorance, not knowing the impact of what you produce. That happens all the time. It is something very different if, in fact, the manufacturer of a product understands that the product causes addiction, that the product causes death. We need to get to the root of that issue. We need to know what the drug companies knew and when they knew that.

I would hope very much that in the Health, Education, Labor, and Pensions Committee, which has jurisdiction over this issue, we could bring the executives of those drug companies that produce these opioids before us, because not only are we talking about 60,000 people a year dying as a result of overdoses, but what we are talking about also is the expenditure of tens of billions of dollars in healthcare and law enforcement associated with opioid addiction.

I hope that we can move forward and have those executives come before us and tell us under oath what they knew and when they knew it, because I think the time is long overdue for us to hold them accountable.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

STEWARDSHIP FOR OUR DEMOCRACY

Mr. FLAKE. Mr. President, last fall I had the honor to stand in this Chamber and deliver remarks on the subject of a great and growing concern to me—the stewardship of our democracy at the hands of the most powerful figure in our government. I stand again today to sound the same alarm.

Words matter. Have we arrived at such a place of numb acceptance that we have nothing to say when the President of the United States casually suggests that those who choose not to stand or applaud his speech are guilty of treason? I certainly hope not.

The one who levels such a charge knows neither the meaning of ''treason'' nor the power that the words of a President carry. If we are numb to such words, then we will surely regret that we failed to defend our colleagues in Congress against such a vile remark, but our silence will also mark the day we failed to recognize that this conduct in an American President simply is not normal.

I wish I could stand here today and say my words of last October have been proven wrong; that I had been unfair to inveigh against the daily sundering of our country; that I had been mistaken about the personal attacks; that I had exaggerated the threats against principles, freedoms, and institutions, the flagrant disregard for truth and decency, and the reckless provocations, most often for the pettiest and most personal reasons, reasons that have nothing whatsoever to do with the fortunes of the people we have all been elected to serve—I wish I could say I had been wrong, but I cannot.

I have seen the President's most ardent defenders use the now-weary argument that the President's comments were meant as a joke, just sarcasm, only tongue in cheek, but treason is not a punch line.

The President said the State of the Union Address was meant to promote and encourage unity in government. Then why, less than a week later, follow up with this divisive and harmful rhetoric? Unity is not secured in a speech. It must be pursued constantly through appropriate behavior, mutual respect, and gained by effective leadership. Respect is earned, not commanded. Applause signals approval of an idea, not loyalty to one's country.

Our Democratic colleagues love this country as much as we do. To suggest otherwise is simply unconscionable. None of us in Congress pledge loyalty or service to the President. This is not a royal court. Our oath is to the Constitution and to the people. As Members of Congress, we must never accept undignified discourse as normal because of the requirements of tribal party politics.

None of this behavior should ever be regarded as normal. We must never allow ourselves to lapse into thinking this is just the way things are now.

We will get through this period, and when we do, we will look back at the destruction of our discourse and the attacks on our democratic values as nothing but a tragedy. May we also be able to say they were an aberration. That, my colleagues, is up to us. We must recognize this is aberrant, destructive behavior, whatever rationale its defenders may offer, and we must never shrink from opposing it, for it is in opposing this behavior that we defend our norms, our ideals, and our values. It is in opposing this behavior that we stand for decency.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from South Dakota is recognized.

TAX REFORM

Mr. THUNE. Mr. President, the good news for American workers continues to roll in. Just take a look at the headlines from the last week: ''Pfizer Plans $5 Billion Boost in U.S. Manufacturing From Tax Law Changes''; ''Cigna raises wages, benefits following tax law''; ''CEO: Lehigh Valley small businesses to benefit from federal tax overhaul''; ''Altria Group will pay $3,000 bonus to all non-executive employees''; ''Ozarks workers to receive bonuses, benefits thanks to tax changes''; ''Charter Sets $15 Minimum Wage''; ''Lowe's to pay U.S. staff $1,000 bonus following tax reform.''

The number of companies increasing wages, boosting retirement contributions, or handing out bonuses thanks to tax reform continues to soar. Last week at this time, the number was over 250; now it is up over 300, and it keeps growing. Businesses are making plans to invest in their workers, raise wages, create new jobs, and invest in the U.S. economy. Fiat Chrysler, AT&T, Boeing, Home Depot, Great Western Bank in my home State of South Dakota, AaLadin Industries, Southwest, Best Buy, AccuWeather, Visa, Nationwide Insurance, Jet Blue—the list of companies announcing good news for American workers thanks to tax reform goes on and on.

The Nation's largest private employer, Walmart, announced an increase in its starting wage for hourly employees and bonuses for eligible employees. It also announced expanded maternity and parental leave benefits and the creation of a new adoption benefit for employees. More than 1 million Walmart employees will benefit from these changes.

JPMorgan Chase announced that it will raise wages for 22,000 workers, add thousands of jobs, and open 400 new branches in the United States. It also plans to increase its lending to small businesses.

Tech giant Apple announced that thanks to tax reform, it will bring home to the United States almost $250 billion in cash it has been keeping overseas and finally now invest it here in the United States. It also announced that it will create 20,000 new jobs and provide $2,500 stock bonuses to its employees.

FedEx announced plans to expedite raises and invest $1.5 billion to expand its FedEx Express hub in Indianapolis. It is also making a $1.5 billion contribution to its pension plan.

Last week, ExxonMobil announced that thanks in part to tax reform, it will invest an additional $35 billion in the U.S. economy over the next 5 years. That means a lot of new jobs and opportunities for American workers.

As I said before, I could go on and on. It is important to remember that this is just the beginning. To date, companies have barely experienced the benefits of tax reform, and already they are moving to invest in their workers and in the economy. As the benefits of tax reform continue to sink in and accrue, we can expect to see more growth, more jobs, and more opportunities for American workers.

The past month of good news is the reason we made business tax reform a key part of the Tax Cuts and Jobs Act. We are deeply committed to immediate relief for the American people, which is why we cut tax rates, doubled the standard deduction, and doubled the child tax credit, delivering immediate, meaningful tax relief to middle-class families in this country. But we want more for American workers than just a tax cut, as valuable as those are; we also want American workers to have access to the kinds of jobs and opportunities that will set them up for security and prosperity for the long term. Good jobs, good wages, and good opportunities were in short supply during the last Presidency, and we are determined to improve things for American workers. So we took action to improve the situation for American businesses since the only way individual Americans thrive is if American businesses and the American economy thrive.

Prior to the Tax Cuts and Jobs Act, American businesses large and small were weighed down by high tax rates and growth-killing tax provisions. Plus, our outdated international tax rules left America's global businesses at a competitive disadvantage in the global economy.

The Tax Cuts and Jobs Act changed all that. We lowered tax rates across the board for owners with small- and medium-sized businesses, farms, and ranches. We expanded business owners' ability to recover investments they make in their businesses, which will free up cash that they can invest in their operations and their workers. We lowered our Nation's massive corporate tax rate, which, up until January 1 of this year, was the highest corporate tax rate in the industrialized world. We brought the U.S. international tax system into the 21st century by replacing our outdated worldwide system with a modernized territorial tax system so that American businesses are not operating at a disadvantage next to their foreign competitors.

Now, just a month and a half into the new tax law, we are already seeing the results: increased investment in the American economy, job creation, higher wages, and benefit increases. As the tax law helps U.S. businesses large and small grow and thrive, we can expect to see a lot more benefits and opportunities for American workers in the future.

Before I close, Mr. President, I would like to say a couple words about the Defense appropriations bill we are taking up this week.

By the end of the Obama administration, our military was facing a serious readiness shortfall. The Obama administration's failure to prioritize defense left our Armed Forces with manpower deficits and delayed the acquisition of 21st-century weapons and equipment.

The Defense appropriations bill we will vote on this week provides critical funding for restoring military readiness and would be a downpayment on equipping our troops with the resources they need to meet the threats of the 21st century. Unfortunately, passage of this bill is in jeopardy here in the Senate, thanks to Senate Democrats. Democrats have blocked a Defense appropriations bill six times over the past almost 3 years now, and they look set to block that bill once again. That is not acceptable.

Funding the government by continuing resolution rather than by appropriations bills is never ideal, but it is particularly problematic for the military. Under a continuing resolution, new programs are delayed, and the military's ability to transfer money between accounts—for acquisition purposes, for example—is restricted. That is a big problem when the security of our Nation depends on the very programs and purchases the military makes.

Defense Secretary James Mattis has warned that ''long-term CRs impact the readiness of our forces and their equipment at a time when security threats are extraordinarily high''—not to mention at a time when our military is already under extra pressure as it works to repair the deficits of the Obama years.

Passing a defense appropriations bill, instead of subjecting the military to a constant procession of continuing resolutions, would go a long way toward ensuring our military men and women are prepared to confront the threats that are facing our Nation. It is too bad that Democrats seem to be unable to look beyond politics to the needs of our military. Democrats may not pay a price for opposing this bill this week, but our military will.

It is high time that we pass the Defense appropriations bill. We need to stop this obstruction, stop this blocking. Six times in the last 3 years already they have blocked passage of Defense appropriations, and here we are again faced this week with yet another opportunity to provide the critical and necessary funding for the American military—our men and women in uniform who every single day are out there defending our freedoms—and it looks as though yet again the Democrats intend to block that critical, important funding. This needs to come to an end. This isn't about politics; this is about America's national security interests. I hope we can come together and recognize that and put the best interests of America's national security and our men and women in uniform ahead of politics.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

OFFSHORE OIL AND GAS DRILLING

Ms. CANTWELL. Mr. President, I come to the floor to speak against the Trump administration's egregious attack on our pristine coastlines in the Pacific, the Atlantic, Alaska, and the eastern Gulf of Mexico.

Dramatic increases in oil and gas development offshore pose a direct threat to our coastal economies in the United States, particularly in the Pacific Northwest. I know many of my colleagues are going to join me on the floor this afternoon to talk about this and about the specific impacts in their areas.

The draft leasing plan, which is what has been put forth by the Secretary of the Interior, is an unprecedented attempt to allow offshore oil and gas drilling in over 90 percent of the U.S. Outer Continental Shelf, including in Washington and Oregon.

The truth is that instead of creating new jobs in the oil and gas sector, the administration is poised to choose big oil jobs over the ocean-dependent industries like fishing, shipbuilding, and tourism on our coasts. I know this because I just traveled to many of our coastal communities in the State of Washington, which make their livelihoods off of fishing or tourism, that are very concerned by this proposal. And just yesterday, a public hearing was supposed to take place in Tacoma, WA, which was canceled. The Trump administration failed to account for the value of the existing robust coastal and ocean economies that could be jeopardized by expanding offshore drilling in those areas.

Our ocean-related economy is so important to our State that expanding drilling directly threatens the ocean environment and marine resources that support millions of jobs in construction, fishing, shipbuilding, tourism, recreation, and maritime transport. The ocean-related industries in the areas targeted by the administration's plan contribute over 2.2 million direct jobs, nearly $75 billion in wages, and over $150 billion in GDP. The reason I bring this up is that the economic benefits of these industries cannot be overstated: nearly $8 billion from fishing and seafood, nearly $70 billion from marine transport, and over $125 billion from tourism and recreation.

We know that oilspills or other natural disasters related to oil and gas activities, such as the Exxon Valdez or the Deepwater Horizon disaster, can disrupt entire coastal economies. For example, if you took just the Deepwater Horizon spill in size and compared it to the coastal areas of Washington and Oregon, the impacted area would cover all of Washington and a big chunk of Oregon. We know that these can be devastating.

The shore-adjacent counties in the targeted areas host over 39 million jobs and contribute over $2 trillion in wages. The economies of the shore-adjacent counties represent 65 percent of the affected coastal States' GDPs. That is just one way of saying that coastal States and their economies are big drivers in our U.S. economy and that they are extremely dependent on clean water, coasts, our oceans, and our fisheries.

The Washington coast economy relies on healthy, sustainable oceans, which support our fisheries in places such as Grays Harbor and Pacific County and in many other parts of our State, to make sure they have seafood processing, recreation, and tourism. Our Washington maritime economy is worth $50 billion in economic activity and 191,000 jobs, and tourism on the coast adds jobs for anglers, charter boats, cruise guides, restaurants, hotels, and more, which are so iconic in the Pacific Northwest. They are the culture and heritage of our coastal communities.

The fact that so many recreational fishermen can be out on our healthy oceans and attracting more people to come and explore is so much a part of the Northwest that putting it at risk to oilspill activities or activities related to exploration is just not something these communities want to do. Just this past week, I received resolutions from various communities on our Pacific coast that urged that this idea be turned down.

The Washington and Oregon coasts are not really suited for oil and gas development. First of all, there are extreme sea states, treacherous storms, and the remote nature of our coastlines. As one of our maritime communities told me, it doesn't really have the resources for cleanup in the area. If a spill happened, who would be there to clean it up? In the meantime, our fishermen, if they have oil sheens behind their fishing boats, can be fined. If we are ready to fine fishermen for oil sheens behind their boats, why are we proposing a plan in the treacherous waters of the Pacific Northwest without having any idea who is going to clean up the mess?

Adding to the risk in the Pacific Northwest is the Cascadia Subduction Zone—one of the most dangerous faults in the United States. The Cascadia Subduction Zone is long overdue to create a significant earthquake. You hear from lots of people about this. In fact, after The New Yorker wrote a big story called ''The Really Big One,'' many people from across the country emailed me to ask: Are we ready for this to happen? I can tell you, with what happened in Japan, people are very concerned about how we prepare for that in the Pacific Northwest. So it makes no sense to put an oil rig on one of the most high-risk, earthquake-prone zones in the United States.

In a 1991 spill, the dangerous and choppy seas prevented first responders from being able to contain more of the spill. That is why I have fought to improve oilspill prevention and response in the State of Washington by deploying our Neah Bay tug, which is a full-time tug, to make sure we get boats safely through our waters; by increasing oilspill response equipment throughout the Strait of Juan de Fuca; and by pushing for the Coast Guard to invest in research on tar sands oil.

Those are some of the things we can do to protect ourselves, but we need to do much more.

We must weigh future decisions about where we should allow oil and gas exploration with the costs to our coastal economies.

We must incorporate the lessons we have learned from disasters such as Deepwater Horizon, which is part of this picture, or the Exxon Valdez in order to improve oilspill prevention, response, and safety. Herring fish from Prince William Sound are still very much impacted and have not fully recovered after the Exxon Valdez. So telling our fishermen that this is a great idea, that Washington fisheries, whether they be crab or other fisheries, should be susceptible to these kinds of spills—that is just not something our fishermen want to hear.

In addition to these efforts to drill off of our coasts—efforts that have been repeatedly blocked in the past—President Trump wants to roll back important safety regulations that were put in place after Deepwater Horizon, such as blowout preventer systems, well control, and production safety systems.

Now Secretary Zinke wants to open these coastal areas. Our State has been responding to his proposal for months and months. We gave very important data to say that this was not a good idea off the coast of Washington. It is interesting because Secretary Zinke made a last-minute decision with regard to Florida, which didn't turn in its information about its State on this issue. Then later, after a visit with the Governor, Secretary Zinke said that this was something he didn't want to see happen. The people of Washington don't want political games played. They want to have their say on this issue, and they want to make sure their voices are heard loud and clear. Our coastal economies are too important to us, from a jobs and cultural perspective, to go about even proposing the research on drilling in our coastal areas.

I am disappointed that yesterday there was a last-minute postponement of a public meeting that was supposed to take place in Tacoma, WA, to hear from our citizens about their opposition to expanding oil drilling off our coasts. I am not sure whether there will be a hearing rescheduled or exactly what was behind the cancelation, but it was one of the first opportunities Washingtonians could have had to express their views on this issue.

Based on the vocal opposition of our communities, I sent a letter to Secretary Zinke, with 15 of my House and Senate colleagues from the Pacific Northwest, calling on Washington and Oregon to not be part of a future lease program. I know that many people, including our Governor, have done the same. Members from the Pacific, Atlantic, gulf coast, and even Alaska are writing to Secretary Zinke, asking him to exclude their areas from future drilling activities.

I am very concerned that we are wasting taxpayer money in reanalyzing what we have analyzed before—that oil and gas development in the Pacific Northwest does not make sense for our coastal communities. We will fight to protect our fishing jobs, our tourism, our recreation, and all of the things that are part of the center of our culture on our coasts. We hope Secretary Zinke will follow science, protect our coastal economy, stop this foolish idea that drilling off of our coast is either necessary or prudent, and move about to protect our Federal lands.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARPER. 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. CARPER. Mr. President, today I rise to address an issue that probably is not of great concern to the citizens of Arizona, but, certainly, it is of a lot of concern for people who happen to live on the east coast and the west coast of our Nation.

I join my colleagues on both coasts in opposition to the Trump administration's recent proposal to open up parts of the Atlantic and Pacific Oceans and the Gulf of Mexico to more oil and gas drilling. For a long time, I have advocated for an ''all of the above'' strategy to meet our country's energy needs, as we move our country toward greater energy efficiency and the use of renewable energy and to energy independence. In my view, the administration's recent proposal to expand drilling off of our coasts into new areas is not necessary at this time. It is unnecessary at this time.

Just 8 years ago, we saw very clearly with the Deepwater Horizon disaster that oilspills do not respect State boundaries and that severe environmental and financial costs of oilspills last, in some cases, not just for years or decades but for generations. A spill anywhere along the east coast could easily affect the pristine beaches of Delaware and the vibrant coastal communities that rely on fishing, tourism, and recreational activities to drive their local economy.

Delaware's coast isn't all that long. It is about 25, 30 miles, from the Maryland line to just north of Lewes, DE. Each year, Delaware's coasts generate almost $7 billion. Our beach communities in places like Rehoboth Beach, Dewey Beach, and surrounding areas support nearly 60,000 jobs in a little State with not quite 1 million people. It supports $711 million in tax revenues. Again, the State budget is right around $4 billion. Delaware may be a small State—I like to say we are the 49th largest State—but we have a lot of coast-related activities, and they are a big business for a little State, providing more than 10 percent of the First State's total employment, taxes, and business production. Jeopardizing the environmental and economic health of the entire Atlantic coast is the wrong move, and we simply think it is not worth the risk.

You don't just have to take my word for it. Experts, scientists, and residents living in communities along the coast that will be most impacted by this decision agree, especially since the threat of climate change continues to grow.

Delawareans are similarly concerned about the dangers posed by oil and gas exploration activities, including the use of seismic-testing air guns to search for offshore oil and gas deposits. In August 2016, roughly 18 months ago, over 40 State and local elected officials in Delaware sent a letter to the Department of Interior—this was in the last administration—expressing their opposition to proposed seismic surveys.

Their concerns, in my view, are well-founded. The negative impact of the oil and gas industry's seismic testing on ocean ecosystems and the life they support—from plankton at the base of the ocean food chain and all the way to whales at the top—is well documented. Despite the widespread opposition and proof of harmful consequences, proponents of increased drilling for oil would argue that oil and gas development could represent economic benefit in selected areas along our coast. But these areas are already the beneficiary of remarkable economic benefits derived from and contingent on a healthy, vital, and sustainable ocean environment off of our shores. As a result, these communities do not take the prospect of compromising these natural resources lightly, nor should we.

Do you know who also recognizes that coastal communities could be negatively impacted if their natural resources were compromised? The answer is our Interior Secretary, Mr. Ryan Zinke. In fact, that was the exact justification that Secretary Zinke used to carve Florida's gulf coast out of the Trump administration's proposal. Secretary Zinke pointed out that other States—like Louisiana, for example—are ''working coasts'' that are ''very much different than a recreation-centric coast that's in Florida.''

It seems to me that maybe, just maybe, the only real difference between Florida and every other coastal State—including Delaware and up on north to Maine—that was not lucky enough to get an exemption from Secretary Zinke is that President Trump happens to have beach-front property in Florida. Believe me, I understand that a potential oilspill off of the Florida coast would be bad for business at Mar-a-Lago and that the President's guests probably don't want the view from the resort obstructed by offshore oil rigs. I understand that because an overwhelming majority of Delawareans feel the same way, and their voices deserve to be heard too.

It is not just the Delawareans or even Democrats who acknowledge that increased oil drilling off of our coasts is the wrong move. Republican Governors and lawmakers from States such as Georgia and South Carolina—and all the way up to Massachusetts and New Hampshire—have publicly stated their opposition to the Trump administration's plan because the risks are simply not worth the potential reward.

If the administration insists on proceeding with this proposal, then, it should carve out the cherished Delaware coast and similar areas along the Atlantic from any efforts to increase drilling. As we have heard said many times, what is good for the goose is good for the gander. In Florida, Secretary Zinke has clearly established the standard that should apply to any coastal area that would be part of an offshore leasing plan. If it is an area in which coastal activities and industries yield greater economic value and where local communities are solidly opposed, then those areas should get the same exemption that has been awarded to the Sunshine State of Florida.

This President is a businessman, and the numbers are clear. Increased drilling does not make economic sense. I urge President Trump to rethink this shortsighted proposal and to side with coastal residents from Maine to Miami.

Mr. President, I yield back.

We have been joined by my colleagues from Florida and Oregon, and I yield to one of them.

To whom shall I yield?

I am happy to yield to the ranking member of the Finance Committee.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank both of my colleagues, and I thank my colleague from Florida for his courtesy. I am going to be brief.

My views on this issue can be summed up in a tweet that I sent on Saturday. I was home having town meetings. I go to every county every year, and I had just wrapped up in Astoria, and I was on my way to Tillamook.

We stopped at Rockaway Beach, on the spectacular Oregon coast, and I decided that I would send a tweet and start it off with a question: Drilling on the Oregon coast? The answer was this: You have got to be kidding me. On my watch, that is going to be the policy we

are going to have for protecting the Oregon coast. That is what Oregonians are saying today, specifically. In fact, Oregonians are lining up to make their opposition known by protesting this proposal outside a meeting today, hosted by the Bureau of Ocean Energy Management in Salem.

We have a picturesque coastline that looks as if it is right out of a storybook. It is 362 miles that supports 22,000 jobs and a $2 billion economy. Tourism, fishing, and recreation are all dependent on a healthy Pacific Ocean.

Our coast is entirely publicly owned, and it has been protected from oil and gas drilling for decades. That is, in large part, because we have learned harsh lessons from the past. In 1999, the freighter New Carissa ran aground off the coast of Coos Bay. The ship split apart, spilling tens of thousands of gallons of oil and diesel that covered our beaches in oil and tar balls. Some of that toxic mess remained on our beaches for almost a decade, costing tens of millions of dollars to clean up.

The thousands of fishermen, recreation business owners, and guides shouldn't have to go to bed at night hoping there is not a spill or an explosion—or risk their livelihoods on the good will of oil and gas executives. To make matters even more ominous, just days before announcing his intention to open up our entire coastline to oil and gas drilling, Secretary Zinke reversed basic safety standards for workers that were adopted after the Deepwater Horizon disaster. So what you have here is a double whammy. First, gut safety standards for oil and gas workers on offshore rigs. That is right; gut the safety standards for oil and gas workers. Second, increase the probability that these workers are going to be put in danger in the first place.

As I said on Saturday on my way to those town meetings, the people of my State, Oregonians, overwhelmingly do not want to be a part of any of this. Secretary Zinke went ahead and made a wrong decision with respect to coastal drilling without any input from Oregon. Our commercial and recreational fisheries industry—hard-working families who depend on healthy fishing stocks—had no seat at the table. In fact, an entire west coast industry was left out of whatever discussions happened between the oil executives and the Trump officials in the back room of the Department of the Interior.

One day after his decision, Mr. Zinke met with the Republican Governor of Florida, and my colleague who will speak next has been eloquent on that point, describing the plan as a threat to the environment and economy of his home State. That was enough for Secretary Zinke to let Florida off the hook, but there has been an outcry of opposition from the Governors of 15 coastal States, including mine. We have raised the very same environmental and economic concerns, yet Secretary Zinke seems deaf to our voices. I guess the only voice that is really relevant is that of a Republican Governor, and that is about as nakedly political as it gets around Washington—a big gift for the oil and gas companies but one that poses an enormous danger to the economies and environment of local communities along our coast.

Finally, the decision doesn't make sense in terms of energy policy. Our country is more energy-secure now than ever. The International Energy Agency reports that within 10 years the United States will move from being a net importer of oil to a net exporter. So Secretary Zinke's scheme to expand offshore drilling is going to benefit—let's acknowledge that—a handful of Big Oil interests and then leave hard-working fishing families and coastal business owners to pick up the bill. That is not how we do things on our west coast.

The lasting economic uncertainty and ultimate environmental degradation are not worth it, and today, on behalf of the people of Oregon, I urge Secretary Zinke to rescind his proposal.

I yield the floor and thank my colleague from Florida for his courtesy.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent that I make an announcement and then defer to Senator KING and then that it come back to me for my statement about offshore drilling.

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

Mr. NELSON. Thank you, Mr. President.

FALCON HEAVY ROCKET

Just a few minutes ago, the largest rocket since the Moon program, the Saturn V, launched from the Kennedy Space Center. People across the world saw it on TV, as well as over the internet. Thousands of people lined the beaches at the Kennedy Space Center.

Perhaps even more impressive is that this rocket, with three Falcon 9s strapped together—27 engines—took a payload for its first test flight. It was so successful that the two side Falcon 9s, with the center core of the Falcon 9—we watched in amazement as they returned to Earth, 100 yards apart on two landing zones at the Cape Canaveral Air Force Station.

At liftoff, the Falcon Heavy generates 500 million pounds of thrust and is twice as powerful as any other rocket currently flying. Especially with the ability to land and reuse the boosters, it promises to be a very affordable way to get to space.

The test launch of the Falcon Heavy is a spectacular demonstration of the comeback of Florida's Space Coast and of the U.S. commercial launch sector, which is succeeding in a big way. Last year, we tied the all-time record for the number of U.S. commercial launches. That is good news for the civil space program; it is good news for national security; it is good news for employment in the United States; and it is great news for jobs and the economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, first, I thank the Senator from Florida for yielding and congratulate him on the success of this launch in Florida. As he said, it is a huge boost, if you will, for the space industry in his State and a huge advantage for our country. It is a really amazing technological feat that I think will be positive.

OFFSHORE OIL AND GAS DRILLING

Mr. President, I rise just for a few minutes to talk about the decision to allow drilling for oil and gas off of our coasts. This is a very consequential and serious decision involving important policy questions, and it has important implications for all of the coastal States and indeed for our country.

My concern, to echo some of the comments that have already been made, is that there was very little, if any, consultation with the interested parties along our coastal States. In Maine—which, by the way, according to geographers I have talked to, has the longest coast of any State in the country; I am sure I will get some debate about that from some of my colleagues—we depend upon our coast. Tourism and visitation to our beaches and coastal communities are a billion-dollar industry—the largest single employer in our State. So that is an enormous economic engine that is currently working and running and powering at least a portion of the economy of our State. Of course, on my tie, I have lobsters, which is a $1.7 billion-a-year industry in Maine, and it promises to be even stronger as processing is developed. We also have an offshore fishing industry—shrimp, shellfish. It is enormously important. It is a part of who we are in the State of Maine.

In my view, this is a pretty straightforward decision. What are the benefits, and what are the costs? The benefits are speculative at best, limited at best, and the costs are immediate and an enormous challenge for us. The cost of a single incident along our coast, which would affect our lobster industry or our visitor industry in the summertime and in the spring and the fall, would be catastrophic for our State.

I hope that the Department of the Interior will back off and enter into a process by which they make this decision by talking to the people who are most directly involved. I think this is a very important issue for all of the coastal States, and some may say that this could be advantageous to us. But let's get the facts, let's get the data, and let's understand the upside and the downside.

The entire Maine congressional delegation, nonpartisan—that is, a Democrat, an Independent, and two Republicans—came out against this designation within hours of its having been made. This is one where I think the people of our State, through their

elected representatives, need to be heard.

I hope that the Department of the Interior will back away from this unilateral decision, make it in a much more considered way, listen to the residents, the industries, and the businesses that are affected by a decision like this, and let our States have the important role that they should play in a decision of this magnitude, affecting their citizens.

As I said, I think this is an important decision. It deserves much deeper consideration, and I believe the people of Maine will very promptly say that this isn't something we are willing to support.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I see my good friend the Senator from New Jersey here, and I just want to make a few comments, since I have been at the center of this firestorm.

I am here again to talk about the mess that has been created by the 5-year drilling plan. Some of the reasons I have talked about it so much go beyond the fact that it is disastrous and dangerous, not only for all the coastal States but for our State of Florida, which has more beaches than any other State and is surrounded by test range. Indeed, just today, the largest rocket since the Apollo program to the Moon has brought back two of its boosters that didn't have to fall into the ocean. But some may, and you simply cannot have oil rigs out there in the Atlantic where we are testing our military rockets, such as today—a commercial rocket, the Falcon Heavy, has dropped its initial stages. The same is true with the military on the west coast.

The largest testing and training area for the U.S. military in the world is the eastern Gulf of Mexico off of Florida. That is why it is off limits in law for another 5 years, until the year 2022, and we need to expand that.

Well, my colleagues have endured me so many times as I have talked about how disastrous it would be, but now we have a different wrinkle with the Department of the Interior. They first published a proposal that would open up nearly every inch of coastline of the entire United States. You are hearing all of these coastal Senators speak against it.

They pick up on the eastern gulf off of Florida; since it is off limits in law until year 2022, they pick up there and start wanting to drill out there. Can you imagine what that would do to the U.S. Air Force, which runs the eastern gulf test range?

Well, look what happened. They published this, and then the very next day—24 hours later—the Secretary of the Interior jetted off to Tallahassee for a 20-minute press conference at the Tallahassee airport and announced that Florida was off the table. It was an obvious, transparent, political stunt, but it created enormous uncertainty about what was truly under consideration for drilling.

What did ''off the table''—in order to try to satisfy Florida's incumbent Governor—mean? Does it apply to the Atlantic coast of Florida, as well, or just to the gulf coast? Is it the whole moratorium area of the eastern gulf? Does it include the Straits of Florida off the delicate Florida Keys, or will it be carved in half to appease the oil industry in the eastern Gulf of Mexico?

The administration—specifically Secretary Zinke—is playing fast and loose with a process that affects millions of people in the State of Florida, and Floridians deserve to know what is going on. That is why I sounded the alarm immediately, within 10 minutes after Secretary Zinke's announcement.

I have been through this process before—ever since I was a young Congressman representing the east coast of Florida—with a Secretary of the Interior, James Watt, who wanted to drill off the east coast of Florida. In fact, back then, in the mid-1980s, we were launching our military rockets, just as we do today, and the space shuttle was dropping its solid rocket boosters.

These 5-year plans are supposed to be developed over the course of 1 or 2 years with extensive input from the public, agency staff, the industries involved, and the environmental community. Five-year plans aren't supposed to be a goody bag of political favors, and they can't be undone by the Secretary's press conference or a tweet. That was confirmed by a career employee, Walter Cruickshank, the Acting Director of the Interior's Bureau of Ocean Energy Management. He said that at a House committee hearing. It is no wonder the attorneys general from 12 coastal States wrote to the Secretary to warn him that he should terminate the draft proposal—terminate it entirely—or else they were going to pursue their appropriate legal avenues.

The whole process has been fraught with confusion because it was a political stunt, and as a result, we have a bunch of Senators out here fighting to make known what is happening. At the same time, the Interior Department is trying to open up America's entire coastline to drilling. They are also working to undo all the commonsense safety standards that were put in place after the Deepwater Horizon oilspill that spilled 5 million barrels of oil into the gulf and killed 11 workers on the rig. Those safety standards include requirements like making sure an independent third party, such as a professional engineer, certifies the offshore drilling safety equipment, such as the blowout preventer. That malfunctioned 5 miles below the surface of the gulf when it did not cut off the oil at the wellhead on the floor of the ocean, and it allowed those 5 million barrels to be spilled. Now Secretary Zinke wants to go backward in time and reverse all of those safety standards. The American people deserve better than this. Floridians certainly deserve better than this.

I want to thank my fellow Senators for getting out here and raising such a ruckus so that we can get the American people to focus on what is happening and the political stunts that are being done by the Secretary of the Interior.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, first of all, let me congratulate my colleague from Florida on the most recent historic launch. There is no one who has been a greater advocate for America's space program than Senator NELSON. I appreciate his leadership as well on this issue, which goes all the way from Florida, across the entire Atlantic and, of course, the Pacific as well.

I rise in strong opposition to the Trump administration's offshore drilling plan. I am here to speak on behalf of New Jersey's shore businesses—the restaurants, the bait-and-tackle shops, and the bed-and-breakfasts that depend on clean beaches to succeed. Their businesses are the lifeblood of the Jersey Shore. Their voices deserve to be heard. Their livelihoods are on the line. Yet this administration remains solely focused on what is good for Big Oil's bottom line, never mind the consequences for our economy, the health of the planet, or our vibrant coastal communities.

The Interior Department's offshore drilling plan reads like a wish list for oil industry executives. Clearly, the Trump administration didn't consult my constituents when drafting this plan. By the way, we had already gone through a 5-year plan, so there were supposed to be 5 years before we revisited this, and now we are back at it again. They didn't consult the shop owners in Asbury Park or the fishermen in Belford or the innkeepers in Cape May, because if they had, they would have learned that our shoreline is an economic powerhouse for our State.

Each year, New Jersey's tourism industry generates $44 billion in economic activity, directly and indirectly supporting nearly 10 percent of the State's workforce. Likewise, our seafood industry supports over 31,000 jobs, and we are home to one of America's largest saltwater recreational fisheries, supporting over 16,000 jobs. Together, the homes and businesses along the Jersey Shore encompass almost $800 billion in property values.

All of this adds up to a simple reality: Clean coasts are vital to the economic security of millions of New Jerseyans. The same holds true for towns up and down the Atlantic shoreline. Yet the Trump administration plans to ignore the concern of the communities that have the most to lose. They ignore the more than 120 municipalities, the 1,200 elected officials, the 41,000 businesses, and the 500,000 fishing families from up and down the east

coast who voiced their opposition the last time oil and gas drilling was being considered. They ignore concerns from the Pentagon and NASA about disruptions to their operations from drilling in the Atlantic. They ignore the opposition of my west coast colleagues to drilling in the Pacific. They ignore the Department of the Interior's own finding that the Arctic drilling comes with a 75-percent chance of an oilspill in a treacherous and challenging environment. Simply put, the Trump drilling plan ignores everyone except Big Oil.

What is happening here is a dream scenario for the oil industry, but it is a nightmare for our shore communities. It is a gift to corporate polluters at the expense of our coastal economies.

By the way, I love these commercials that I see that talk about American energy independence. As you have heard my colleague Senator WYDEN say before, we are now an exporter of oil. Well, how is it that you are exporting oil? You are drilling it here in the continental waters of the United States, but you are exporting it abroad for others to use. It seems to me that if you are drilling on Federal lands and waters, you should keep it here for domestic energy consumption to keep the price down and to keep energy security. That is real energy security, not having Big Oil drill here and then export it all over the world so that they can make a profit. I don't know how that makes us more energy secure here at home.

Make no mistake—this administration's massive expansion of offshore drilling is just the beginning. They are also working to dismantle minimal safety standards for offshore drilling. That is right. The Trump administration not only wants more offshore drilling, it also wants to permit more dangerous offshore drilling.

The Interior Department reportedly seeks to weaken the well control rule—the critical safety standards put in place after the Deepwater Horizon tragedy, which taught us something: If you drill, you will spill. If you drill, you will spill. At some point, that will happen. During Superstorm Sandy, which took place along the east coast of the Atlantic, imagine if we had oil rigs off the shore of New Jersey. We would have had spills. We would have had spills. So instead of saving lives and saving our environment and the economic consequences that flow from that, the Trump administration's actions aim to save the industry $90 million.

During his Senate confirmation, Secretary Zinke promised to ''work with rather than against local communities in the states.'' Well, it sure feels as though he is working against New Jersey. The Secretary has shown no concern for the Jersey Shore communities that would be devastated by an oilspill—the shuttered businesses, the destroyed industries, the massive job losses, and the birthright of every New Jerseyan to go to the Jersey Shore and enjoy its pristine beaches. That is why it is all the more baffling that Secretary Zinke recently said that after hearing from concerned Florida businesses and public officials, he would consider exempting the State from the disastrous Trump drilling plan. When asked about the decision, the Secretary said that ''local voices count.''

Well, I am happy if that is what is going to happen for Florida, but guess what—if it is good enough for Mar-a-Lago, it certainly should be good enough for the Jersey Shore. That is why every Member of the New Jersey congressional delegation, Republicans and Democrats alike, recently joined me on a letter inviting Secretary Zinke to visit the Jersey Shore. We would be happy to have him meet with community leaders, business owners, and families who depend on clean coasts. If he wants to focus on the economics of oil drilling, I suggest he start with the thousands of people who would be out of a job if oil starts washing up on our beaches.

The Secretary needs to hear from constituents of mine like Charles from Tom's River, who recently wrote to say:

> We already have some shoreline concerns, thanks to Super Storm Sandy. We definitely don't need another threat to our economy.

Jeanne from New Brunswick wrote:

> Tourism is a major New Jersey business. Our beaches are pristine and must be protected.

He needs to hear from any of the thousands of New Jerseyans who have signed my COAST Anti-Drilling Act citizen petition to permanently ban drilling in the whole Atlantic Ocean.

The Jersey Shore is a national treasure, home to generations of family vacations, successful small businesses, and vibrant coastal communities that are visited by people from across the Atlantic coast, Canadians who come down and spend their money at our shore, and so many others. That may not mean anything to ExxonMobil or BP. It may not mean anything to President Trump or Secretary Zinke. But it means something to me. That is why we are here today to give voice to New Jerseyans who have gone unheard. We will not stand silent while this administration tries to auction the Jersey Shore off to the highest bidder—not without a fight.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, one of Rhode Island's contributions to the cultural life of our Nation came from two brothers who grew up in Cumberland, RI, Bobby and Peter Farrelly. The Farrelly brothers did a number of movies. One of them was famously called ''Dumb and Dumber.''

This is a good example of dumb and dumber. It was dumb when President Obama opened the south Atlantic coast to the prospect of oil drilling. When he did, the reaction was immediate and profound. From Norfolk, VA, all the way down the red south Atlantic coast to St. Augustine, FL, city after city, county after county, coastal community after coastal community passed resolutions saying: Get that offshore drilling out of here. We don't want it. It was a sweep of that Republican shoreline. It was called the resolution revolution because so many resolutions were passed saying: Get your oil drilling the heck away from our coasts.

Ultimately, the Obama administration got smart, and in the final approval, there was no drilling in the Atlantic and no drilling in the Pacific. They gave some reasons for their choice: strong local opposition was one, conflicts with other ocean uses was another, market dynamics was a third, and comments received from Governors was a fourth.

So, in the wake of that, here comes the Trump administration, and they have seriously gone from dumb to dumber, to go right back into this fight, where it blew up in the Obama administration's face among the red State communities of the Atlantic coast. Good luck finding support for this up in New England.

In New England, our ocean economy was valued just a few years ago at over $17 billion. It employs about a quarter of a million people. Who thinks we are going to walk away from that? Who thinks we are not going to defend that ocean economy against an idea as dumb as offshore drilling in the Atlantic? We are not going to permit it.

I have authored, with my House colleague DAVID CICILLINE, legislation that the whole New England Senate representation supports, to ban this as a matter of Federal law; to stop this. The attorneys general of States from Maine down to North Carolina, including Massachusetts, Delaware, Rhode Island, of course, New Jersey, New York, Maryland, and Virginia, all have spoken out against this and I expect will litigate against it. Our Governor, Gina Raimondo, has come out strongly against this incredibly dumb idea, and she has been joined by Republican Governors in Massachusetts, New Hampshire, Maryland, and South Carolina because this is such a dumb idea.

Why would this administration pursue such a dumb idea, that Republican Governors oppose, that blew up in the face of the Obama administration along the south Atlantic coast when they tried it, that would infringe upon and damage critical coastal economies in States that are Republican and Democratic? Why would they do such a stupid thing?

Well, Attorney General Kilmartin of Rhode Island has one suggestion: ''This decision by the administration is clearly driven by the oil and gas industry.''

Huh. No kidding. This administration is bought and paid for by the oil and gas industry. Throw in coal, and we have the complete lock, stock, and barrel sale. We have complete industry toadies in the responsible agencies of

government and climate denial of the most flagrant and obtuse variety coming out of the White House. I mean, it is nonsense land, except for the fact that it keeps the oil and gas and coal money coming to prop up the Trump administration and the Republican Party. We are not going to stand for it. It is crooked. It will not go.

Chris Brown is the head of the Commercial Fishermen's Association of Rhode Island. He is adamant that ''oil drilling is something that is incredibly threatening and directly adverse to our well-being.''

We are going to stand and fight for our fishing communities.

Our environmental community is wildly against this: ''The last thing our coast needs is oil drilling and all of the risks that go with it,'' says our lead environmental organization, Save the Bay.

I will close with the Providence Business Journal, the voice of the Rhode Island business community, which just editorialized:

Fossil fuels, no matter where they are harvested, are putting coastal areas across the globe in danger as sea levels rise. In the name of national energy independence, public policy would hasten the devastating impacts of burning fossil fuels and make much of Rhode Island and other low-lying areas uninhabitable.

At a time when renewable energy in the United States and across the world is becoming less expensive, and the effects of climate change are becoming more pronounced, pulling more fossil fuels out of the ground is not a wise decision, and one that hopefully will be rescinded before any drilling rigs park themselves off Block Island.

That is the voice of Rhode Island's business community.

If you want to take a look at why this bothers us, take a look at the footprint of the BP oilspill laid on the map of the New England coast. There is Boston, there is Long Island, there is Narragansett Bay, and that is Rhode Island. That is the footprint of the mess the oil industry left when it blew up its facility in the middle of the gulf. That is what they did, and we don't need that up in New England.

We have offshore industries that are vibrant, that support our economy, that are welcome, that have long traditions and histories. We do not need oil industry invaders coming where they are not wanted because they have bought their way into the Trump administration with their political contributions and their dark money. That will not stand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate that Senator CANTWELL organized this time for a group of us to come to the floor to speak about this disastrous, insane plan to drill throughout 90 percent of our coastal shelf. This, the Interior Secretary tells us, is part of President Trump's directive to rebuild the offshore oil and gas program, but he also conveyed it was the President's directive to ''take into consideration the local and State voices.''

Well, certainly the draft plan—if you can call it a draft—didn't take into account local or State voices. Had the Interior Secretary bothered to actually consult, this is what he would have heard from people in Oregon. Our Governor, Kate Brown, denounced the plan, saying: ''In what universe would this be okay?''

Noah Oppenheim, the executive director of the Pacific Coast Federation of Fishermen's Associations, stated:

The Trump administration wants to put fish and fisheries at significant risk while lining the pockets of their oil industry co-conspirators. Meanwhile, more frequent oil spills and more intense ocean acidification and ocean warming are guaranteed to ensue.

Charlie Plybon, the Oregon policy manager at Surfrider Foundation, an organization made up of everyday people passionate about protecting our oceans and our beaches, shared this opinion:

We are united in an understanding of the threats which offshore oil drilling poses to our coastal economy, jobs and culture we have today. We will not gamble our ocean resources with dangerous oil exploration and polluting drilling activities that put our future and that of generations to come at risk.

Charlie went on to convey the enormous disparity between the economy that is driven by fishing and ocean recreation and by tourism as compared to the economy driven by oil drilling and how the former completely outweighs the latter.

The Association of Northwest Steelheaders is one of the oldest and most cherished conservation and sport fishing advocacy organizations in the Pacific Northwest. Their statement is the following:

This proposal stands to go against everything we believe in. Drilling for oil and gas off the coast of Oregon compromises our fisheries, our coastal economies, and our values.

These folks know what they are talking about.

The Tribes weighed in through the Columbia River Inter-Tribal Fish Commission. Their resolution conveys opposition to ''any proposal to open Pacific offshore waters from California to and including Alaska to offshore drilling.''

Scott McMullen, the chairman of the Oregon Fishermen's Cable Committee—a group of troll fishermen who have been very involved in negotiations involving the fiber optic cable lines that are laid in the ocean—said:

The Oregon fishing industry has had a long history of good stewardship of the fishing grounds which are open for multiple uses. Oil platforms in our fishing grounds would deny access to the resources that fishermen, fish processors and thriving coastal communities depend on. To take away the right to use our historical shared fishing grounds by awarding drilling rights for this single industrial use would be wrong.

Dale Beasley had this opinion:

As president of the Columbia River Crab Fisherman's Association and Coalition of Coastal Fisheries, our position on any fixed structures in the ocean and particularly oil platforms is simple—NO NO AND NO again.

Our members rely 100% on clean sustainable marine waters for 100% of our families income.

Terry Thompson, Lincoln County commissioner, stated:

The state of Oregon has been a leader in the nation in terms of protecting our environment while responsibly utilizing our natural resources.

We banned oil and gas development years ago because of the potential risk to our ocean, which is one of the most productive places in the world.

The President's proposal to allow oil and gas development is an attempt to override the will of the people and shows a complete disconnect between the Administration and the people of the West.

I think these voices—the voices of the crabbing industry and the salmon industry, the fishing industry and the tourism industry—these voices of the coastal economy, reverberate in absolute parallel and passionate opposition to drilling off our coast for oil.

Before the drilling takes place, there are massive amounts of explosions that are conducted in order to create the maps of what is under the surface for potential drilling. That alone—just the preparation for drilling—is deeply disturbing, but imagine what an oilspill looks like.

This is a map of the Washington and Oregon coast, with the outline overlaid with the gulf oilspill. It covers a section that is the entire length of the State of Oregon and the State of Washington. Imagine those hundreds of miles of soiled beaches, the oil's impact on the ecosystem of the fisheries. There is no way this risk is justified for pumping a few more barrels of oil—which, I might point out, should be left in the ground anyway because burning oil that we are extracting from the ground is steadily raising the temperature of the planet and the temperature of our oceans, which absorb the vast majority of the heat from burning fossil fuels, and that is creating changes, from ocean acidification to the bleaching of the coral reefs, and all kinds of impacts on the surface of the continents.

So I say to the Interior Secretary, you have been given a mission by the President of the United States, which, as you have stated, is to take into consideration local and State voices, so simply hear those voices, and then take Oregon out of the equation, take Washington out of the equation, take California out of the equation, take every State that objects out of this equation, and, by the way, it would be wise to take the rest out as well.

Thank you.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I wish to thank Senator CANTWELL for organizing the opportunity this afternoon to speak about this egregious decision that was made by the Trump administration that will allow for drilling for

oil off of the beaches of the United States of America. It is an absolute disgrace that this administration is doing something like this. What we have on our hands is a President who has a hard time listening to his own message.

Last week, he was bragging about how much new oil we are discovering in America. He is so proud of this. In fact, we export a million and a half barrels of oil a day. Listen to that again: We export a million and a half barrels of oil a day. Where do we send this oil? We send it to China. We send it to other countries.

Is the President happy with that? No, he says we need more oil; we need to drill off of our beaches—notwithstanding what that will do to our tourism industry, to our fishing industry, or to any industry that does business along the coastlines of our country. Ultimately, what would be the purpose to which this oil would be put? Export the oil.

So how does that formula really work? The oil companies come to the beaches of Massachusetts or any other State. They set up rigs and start to drill for oil. They find the oil. Then, they sell that oil somewhere else around the world. Meanwhile, people who live off of those beaches in Massachusetts or any other State run all the risk if there is an accident, as there was in the Gulf of Mexico in 2010 in the BP oilspill.

So the risks are run by the States that don't want the drilling, and the benefits all run to the oil companies that get to sell this oil around the world. It makes perfect sense because ''GOP'' really stands for ''gas and oil party.'' That is what they have turned themselves into. It is whatever Big Oil wants, even if State after State after State says it does not want this to happen.

Every single State, from Maine down to Florida, was going to be giving permission to the oil companies to commence drilling, but the Governor of Florida—a Republican Governor—protested. He said he didn't want there to be drilling off the coast of Florida, after Florida had already been included in the plan.

So what happens? All of a sudden, the Trump administration decides that they are going to have a gator giveaway. All of a sudden, Florida gets to be exempt. Why would Florida be exempt? Maybe because it has a Republican Governor. Maybe because that Republican Governor is thinking about running for the U.S. Senate. So maybe, just maybe, this Governor, who once supported drilling off of the coast of Florida, all of a sudden says: The people don't want it. They don't want the beaches of Florida to be endangered.

So what happens? Governor Scott from Florida all of a sudden starts shedding crocodile tears about how much he cares about the beaches, even though he had always been supportive of offshore drilling. That leads to the gator giveaway where, all of a sudden, Florida is not in.

I don't think it is incidental that Mar-a-Lago is actually in Florida, as well, and maybe Donald Trump hadn't been fully consulted by Secretary Zinke and the Department of the Interior on this inclusion of Florida. But before you knew it, all of a sudden, Florida was no longer on the map, but every other State that doesn't have a Republican Governor running for the Senate, that doesn't have a President of the United States with a summer resort, a winter resort, a spring and summer resort—Mar-a-Lago—is stuck with this decision.

The problem with what they did is this: It is obviously arbitrary and capricious. It is obviously a violation of the Administrative Procedures Act. It is obviously something that will never stand up in court—that after a decision is made to include every State, all of a sudden Florida comes up. It will never hold up. That will be the basis of the case made by the attorneys general and all of the business and environmental interests that will be suing on this issue.

So what part of this really works? It is oil that will be drilled for at the risk of despoiling the beaches and the fishing industry—the tens of billions of dollars in the fishing and tourism industry—with the benefits running to one single industry.

The American Petroleum Institute is trying to have it both ways. On the one hand, they are saying: We are at the boom time of all times in oil drilling in the United States. We are energy independent. This is the boom time.

Donald Trump is sounding the same exact way, boasting across the country about his energy policies, his fossil-fuel-first policies. He keeps saying that he has ended the war on energy. It is not true because just last week he imposed a 30-percent tariff on importation of solar panels. So he is talking about no war on his favorite energy technology. But if he doesn't like them, they get a 30-percent increase in tariffs on the very technologies that, in polling, 80 percent of all Americans want to see increased inside of our country.

We are going to be fighting this every single step of the way. It is immoral, it is unnecessary, and it violates the goals that individual States have in order to advance their own economies. I, personally, am going to exhaust all available legislative tools to fight this attempt by President Trump to allow drilling off of the coast of Massachusetts, the east coast, and nearly every other single mile of coastline in the United States, with the exception of Florida.

That includes using the Congressional Review Act, which allows for agency action to be undone by a simple majority in both Chambers. I plan to pursue such a Congressional Review Act resolution if the Trump administration moves forward with this reckless plan. We will not stop until this plan is blocked and dead and our coastlines are protected once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise today to voice my strong opposition to the Trump administration's latest move to override the will of Washington State's citizens—our fishing families, our small business owners, our environmentalists, and our outdoor enthusiasts—by opening our coastal waters to harmful oil and gas drilling.

The continental waters on the west coast are one of our State's richest and most cherished national resources, sustaining communities along the Pacific Northwest for centuries and helping to define our regional culture for generations. It would be hard to overstate just how important Washington's coastal waters are to our local way of life.

Many of us count on our coasts for our food or work. Washington State coasts are home to numerous seafood- and tourism-dependent communities, and they support a $50 billion maritime economy and nearly 200,000 maritime-related jobs—not to mention countless families and travelers who are seeking outdoor recreation and flock to our shores throughout the year to experience the natural beauty and sport of our iconic shorelines.

To put it simply, Washingtonians don't take our healthy coasts for granted. We know that keeping our shores pristine isn't just about leisure and scenic views. Preserving our coastal waters is a critical factor in promoting a healthy regional ecosystem and an economy that support vital jobs and industries, fish and wildlife, and public health opportunities that many of us—our families, friends, and neighbors—rely on.

So I, too, was deeply disappointed but, ultimately, unsurprised when Interior Secretary Zinke announced the Department's plan to ignore the existing oil and gas leasing program that was just approved a few years ago and instead moved to draft and implement a new program that would allow offshore oil and gas drilling in nearly all of our Nation's continental waters, including our coastal waters off of Washington State.

Despite decades of factfinding and public input that already established the need to protect ecologically sensitive areas like our coasts, it appears, once again, that President Trump and his Cabinet have decided to prioritize Big Oil and the relentless pursuit of profit over the interests of Washington State families and with virtually no regard to what their one-sided policy proposals may mean for our environment, for our public health, or for our economy.

To add insult to injury, I was even more appalled when it was reported just a few days later that Secretary Zinke was planning to remove Florida's waters from consideration after

meeting with their Governor and hearing their concerns. I will leave it to others to wonder what exactly persuaded Secretary Zinke to remove Florida from that list, but I can't say I was stunned when that courtesy was not extended to Washington State, even after our Governor made the exact same request.

Later, while I was on my way back home from the other Washington and concerned about the potentially damaging impacts of Secretary Zinke's decision on our Washington State ecosystem, I decided to ask my followers on Twitter to join me in sending a message to the Interior Department and tweet photos of some of Washington State's many important and pristine coastal areas. I just have to say that the response was overwhelming.

Within hours, my timeline was filled with photos of beaches and coasts all along Washington State's shoreline, from Ruby Beach to Bellingham Bay to Olympic National Park to Orcas Island—photos of painted sunsets on the Puget Sound, the majestic calm of Cape Flattery, and of rainbows arching across the Bell Island shore, photos of children running across the beaches of Kalaloch, and photos of fishermen unloading their haul in Salmon Bay. I even received photos from other coastal areas in the Pacific Northwest. They were all from residents who want their pristine shorelines preserved, and they were eager to raise their voices to safeguard our coasts.

I was inspired as I scrolled through this growing and beautiful collection of photos that illustrated the significance of our coasts, not just to our State's economy and environment but to our shared culture and identity. Our shores are where we fish, swim, exercise, and work, but also where our wildlife roams, our children play, and where we make lasting memories with our loved ones.

It is not too late for the Interior Department to reverse its misguided decision to expand offshore oil and gas drilling and instead focus on maintaining and strengthening existing regulations protecting this country's continental waters.

I really hope Secretary Zinke and officials at the Interior Department finally hear loud and clear what Washingtonians have been saying for decades—that the extreme environmental and ecological dangers posed by offshore oil and gas drilling are too great a risk for Washington State families. I hope they move quickly to reschedule the public meeting they were supposed to hold yesterday in Tacoma, so people from Washington can share their concerns with the Department directly.

I want to remind my colleagues and everyone in our country who cares about our environment that this fight is far from over. As we have learned over the last year, it is important that we continue to make our voices heard again and again to ensure that this administration backs down from this reckless proposal and puts the interest of Washington State families first.

As a voice for Washington State here in the Senate, I am going to continue fighting against the Trump administration's efforts to leverage our environment to boost Big Oil's bottom line, and I know I will never stop standing with our families, workers, and small businesses to protect our coasts today and for future generations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, we have an opportunity before us today to fund key priorities that we all agree are important. The American people elected all of us to do a job, and that job is to provide for the most important functions of our government.

For far too long, politics has prevented us from committing the resources necessary to sustain the most critical part of our government—the military that keeps us safe. This is a chance to cast aside partisan differences and give the Department of Defense the stable and consistent funding it needs so it can rebuild readiness and execute its mission.

Just this morning, Secretary Mattis testified before Congress, saying: ''I ask that you not let disagreements on domestic policy continue to hold our nation's defense hostage.'' He is right. We cannot let these basic issues distract us from the job that we have all, under the Constitution, taken to provide for the common defense.

I just came from a classified briefing with the Secretary, and he outlined the most important needs we must fund for our country's security. So why not come together on issues we can agree on? Six months ago, this Chamber passed the National Defense Authorization Act for Fiscal Year 2018 with an overwhelming bipartisan vote of 89 to 9. In the time since, however, our military remains hamstrung under short-term measures that are standing in the way of modernization and readiness.

That is why I say to my Democratic colleagues, here is a chance for you to prove that you are serious about funding the military. Many of my colleagues on the other side of the aisle have already spoken clearly about their desire to support the troops.

Last month, the senior Senator from Vermont remarked:

> Our military leaders agree, we cannot govern by a continuing resolution. The military cannot function under sequestration.

The senior Senator from West Virginia said:

> We want our military to be funded properly so they can defend us.

The senior Senator from Montana said:

> The uncertainty we have without a longer budget that goes to the end of the fiscal year is unacceptable.

The senior Senator from Connecticut said:

> I hope there is bipartisan consensus among us on the Armed Services Committee and in the Chamber as a whole that we need a strong national defense.

Even today, the minority leader told this body that Democrats ''support increasing funding for our military.''

So why not act? There is a consensus that we desperately need to fix the readiness issues in our Armed Forces. Why not take that step today and vote to provide the stable, predictable funding the Department of Defense so seriously needs?

When I swore an oath to defend the Constitution, I did it knowing that every day I hold this office, countless numbers of my constituents would be wearing the uniform and be in harm's way. Around the globe, you find Nebraskans, you find Americans protecting and defending the United States. Each of us here represents people who sacrifice and serve American heroes. Today is a chance to show them we have their backs because they have proven, time and time again, that they have ours.

I urge my colleagues to put aside partisan differences and take the vote to support our military and the programs that are critical to the safety and the well-being of this Nation.

COMMUNITY HEALTH CENTERS

Mr. President, we also have a unique opportunity today to address another program that has a deep, bipartisan well of support in the Senate. Today I visited with Nebraskans who made the trip to Washington to advocate for funding for community health centers. Across our Nation, community health centers are vital to keeping our children and our families healthy.

Last year, nearly 85,000 Nebraskans received care at centers across our State during approximately 296,000 visits. These centers provide high-quality care, compassionate care, and patient-focused care. Community health centers in my State rank second in quality measures nationally and first in four other measures involving individual care. Their focus and their impact on the communities they serve is very impressive.

We all recognize the importance of these health centers, and I was proud to recently join my colleagues in the Senate in urging that funding be reauthorized so these centers can continue to provide the quality care all Nebraskans and all Americans deserve.

Our military and community health centers are too important to be caught up in politics. As we find ourselves once again facing the prospect of yet another impasse, I urge my colleagues to join me in showing your support for these critical areas. Article I, section 8 of the Constitution makes clear what our job is: provide for the common defense and the general welfare of the United States. Let's fulfill that duty today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RUSSIA INVESTIGATION

Mr. WHITEHOUSE. Mr. President, a number of my colleagues will be coming to the floor this afternoon to discuss the predicament we face as the Mueller investigation—the special counsel investigation, the Department of Justice—closes in on the Trump White House and the Trump campaign, creating two problems. One is an unprecedented attack on the law enforcement institutions that are involved in that investigation, an effort to discredit our Federal Bureau of Investigation and our Department of Justice, including the suggestion that this whole thing is a witch hunt, even though every single witness, including Trump appointees who have come before our committees, has been asked ''Hey, this investigation, is it a witch hunt?'' and, to a person, has said no.

Russian interference was real, they are coming back in 2018, and it is no witch hunt to look into what took place.

You have this whole smear effort going on of individuals and institutions involved in the institution. You could call that the crime of commission, if you would. The crime of omission that accompanies that is, while the majority in both Houses is busy trying to smear the FBI, the Department of Justice, and various individuals in this investigation, they are not taking the steps necessary to protect the 2018 elections. We have done virtually nothing.

The one thing we have done—led by Ranking Member BEN CARDIN, the Senator from Maryland—was to get really strong sanctions put through. We all agreed on that. I think the vote was 98 to 2 in the Senate—98 to 2, powerful sanctions.

You messed in our elections. Pop. Here is one in the nose for you. Don't do it again.

That was the lesson. We are going after you, Mr. Putin, where it hurts, which is with all your dirty, corrupt oligarchs who support you and whom you pay to stay in power. That is the shot we took back. You messed in our elections; we are going after your crooked oligarchs.

Except guess where that effort stopped dead—in the Oval Office, at the President's desk, where President Trump will not let the Russia sanctions go forward. We have this whole smear campaign, discrediting honorable American institutions just to protect the President from the investigation. We have nothing being done legislatively to protect the 2018 elections, and you have the one thing we did do to send the message to the Russians that we are tired of this nonsense and to give them a little bit of a pop in the nose to get them to knock it off, a little deterrent, and the President will not act on it.

I am going to be here for the duration of this and have more to say, but I want to yield to the ranking member of the Senate Foreign Relations Committee, who was so important in getting these sanctions through and understands very well, from his work on the Magnitsky issue, what these Russian oligarchs are up to.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first, I thank Senator WHITEHOUSE for bringing this issue to the attention of our colleagues and the American people. As Senator WHITEHOUSE points out, we have seen from the White House, from the President, an effort to try to undermine the credibility of the independent investigation being done by the Department of Justice under Mr. Mueller. These are very serious issues, and I hope every Member of this Chamber will support the independence of that investigation and speak loudly against any interference, wherever it may come from.

Then, Senator WHITEHOUSE has brought up the second issue; that is, Mr. Putin has been extremely active in regard to activities against U.S. interests. I appreciate Senator WHITEHOUSE referencing a report that was released on January 10 of this year. It was as a result of a full year's operation by the staff of the Senate Foreign Relations Committee to document Mr. Putin's reckless assault against democratic institutions, universal values, and the rule of law—the asymmetric arsenal he uses to accomplish that attack against democratic institutions, which includes cyber attacks, disinformation, support for fringe political groups, weaponization of energy resources, organized crime, corruption, and, yes, military aggression. He has used every one of those tools to compromise democratic institutions in Europe and, yes, in the United States.

Mr. Putin was extremely active in the 2016 election. That has now been verified without any question. A report I authored goes through 19 European countries in which Mr. Putin has been active against democratic institutions.

I share with my colleagues that the President of the OSCE Parliamentary Assembly was in town today. He is meeting with government officials. He knows firsthand Mr. Putin's aggression because there are Russian troops in Georgia today affecting its sovereignty, as there are Russian troops in Moldova, as there are Russian troops in Ukraine. The people of Montenegro saw the hand of Mr. Putin when he held a coup against their authority. The people of the United Kingdom saw Mr. Putin's efforts as he got involved in the Brexit referendum. The people of France and Germany saw Mr. Putin's aggression as he tried to interfere with their free elections.

Countries have stepped up. They said: Enough is enough. We have seen, with strong leadership, that you can counter the activities successfully of what Russia is trying to do. The right mixture of political will, of defense and deterrence can work, and, yes, as Senator WHITEHOUSE pointed out, we in Congress acted. We recognized the threat of Russia. We passed the Countering America's Adversaries Through Sanctions Act, the CAATS Act. It was a bipartisan effort that tightened some of the sanctions under the Obama-era Executive order on Ukraine and passed new mandatory sanctions against Russia because of its activities.

There were sanctions imposed in regard to the Russian Federation's undermining cybersecurity. There were sanctions related to Russia's crude oil products. There were sanctions authorized with respect to Russian and other foreign financial institutions. There were sanctions imposed against Russia for significant corruption in the Russian Federation. There were sanctions with respect to certain transactions with foreign sanctions evaders and serious human rights abusers in the Russian Federation. There were mandatory sanctions with respect to persons who engaged in transactions with the intelligence and defense sectors of the Government of the Russian Federation.

Why? Because they were interfering in our elections.

There were sanctions with respect to investment in or in the facilitation of the privatization of state-owned assets by the Russian Federation.

Why? Because that helped finance Mr. Putin's activities.

There were sanctions with respect to the transfer of arms and related materiel to Syria.

Each one of those sanctions gave new authority to the President of the United States to impose sanctions against Russia for its activities.

I said earlier that, where countries have shown leadership, it has been effective in countering Mr. Putin's activities. With President Trump, there have been no sanctions. Not one has been brought forward under the law passed by the Congress of the United States. By 98, 99 percent, the House and Senate approved the sanctions. The Trump administration has imposed zero.

Mr. Trump has failed to acknowledge that Mr. Putin has even been engaged in our 2016 elections. He said: I talked to Mr. Putin. He seemed like he was telling me the truth when he said he wasn't involved—even though it was the unanimous view of our intelligence community and the facts had very clearly been laid out to the American people that Mr. Putin had been actively engaged in the 2016 elections.

Yes, we have seen, very recently, Russia's engagement in the Czech election. We have seen this movie before where the candidate, in his advocating for stronger ties to European institutions, is targeted by a barrage of fake news stories that spreads across online platforms, which he alleges have been directed by Russian security services

and entities tied to them—a direct assault against the Czech Republic's democratic institutions.

As Senator WHITEHOUSE pointed out, when asked in an interview if Russia would try to influence the midterm elections of the United States, our CIA Director, Michael Pompeo, replied: ''Of course. I have every expectation that they will continue to try and do that.''

So where is the Trump administration in its taking action to protect our democratic institutions?

This is not a partisan issue. There is a long tradition of Republicans and Democrats working together in Congress to counter Russian Government aggression abroad and abuse against its own citizens, our allies, and democratic institutions. The sanctions bill that passed in 2017 had near-unanimous support. It was crafted and developed by Democrats and Republicans who worked together.

The strength and durability of our political system relies on such bipartisan solutions to our national security challenges. There is a series of recommendations that were in the report I referred to earlier, those of working with our allies to develop cybersecurity issues, to working with NATO to understand what the article V response should be to cyber attacks, to finding alternative ways to stop Russia from using energy as a weapon. It starts with Presidential leadership.

We must take care to point out that there is a distinction between Mr. Putin's corrupt regime and the people of Russia, who have been some of his most frequent and long-suffering victims. Many Russian citizens, like Sergei Magnitsky, strive for a transparent, accountable government that operates under the democratic rule of law, and we hope for better relations in the future with a Russian Government that reflects these imperatives.

In the meantime, the United States must work with our allies to build defenses against Mr. Putin's asymmetric arsenal and strengthen our international norms and values to deter such behavior by Russia or any other country. It starts with leadership from the White House, and it starts with imposing the sanctions that were approved by Congress.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I have been involved in a number of elections over the years. I love campaigns, and I love campaigning. I have always campaigned in a situation in which you have your opponent, and the people have a chance to make a judgment between you and your opponent as to who can best serve the people. Little did I ever think that I was going to have to fight against the Russians in a campaign. Yet that is what I fully expect, and that is what I expect a number of us who are up in November of this year will be having to do because, in the midst of all of the disinformation that we have seen that the Russians are very good at—all of the fake accounts on Twitter and Facebook, the internet trolls, the botnets—it is critically important that the American people understand this is a fundamental attempt by Russia to influence our very democratic institutions and our critical infrastructure; and our elections, indeed, are a part of that critical infrastructure.

Last year, the intelligence community assessed that when Putin sees his attempt to influence the last election as a success, he is going to do it again. That is what the intelligence community's conclusion was. Then, just last week, the Director of the CIA said that he had every expectation that Russia will meddle in the 2018 midterm elections.

As the Senator from Maryland just said and as the Senator from Rhode Island has already said, this is not a partisan issue. It could happen to both sides. Attempts to influence our elections are attacks on the very foundation of the democracy that we so cherish. That is really what the Russians are trying to do. They are trying to divide us, and they are trying to undermine faith in our democratic institutions. Ultimately, they are trying to undermine American leadership in the world community of nations. The bottom line is we have to do more to protect ourselves, and we have to make Mr. Putin feel enough pain to deter future attacks or else he is going to keep doing it.

Now, this Senator has the privilege of being the ranking member of the Cybersecurity Subcommittee of the Armed Services Committee. I must say that this Senator has sat through hearings with people who ought to know, and I have been appalled at how little we have or will have the capability of responding. It is going to take some resolve not only in this Senate, in this Congress, but in this administration, as well, to let Mr. Putin know that he is going to have pain if he continues the attacks that he has already made.

Of course, there is another aspect to this threat, which is that Russia didn't just attack our democracy in America, as has been stated so effectively by previous speakers, but he is in Europe and in Latin America too. Look at what the Russians have done with the Spanish language propaganda television, RT. There is an RT en Espanol that has already targeted upcoming elections in Mexico and Colombia—two of our important partners in the hemisphere. The President's National Security Adviser, General McMaster, said recently that there was already evidence of Russian meddling in Mexico.

Of course, this points to the Russian effort to destabilize the region. It has sought to gain influence through propaganda, arms sales, trade, and other means to challenge the United States in the Western Hemisphere and to undermine our partnerships, which are critical to our national security. Look at Russia's friends Cuba and Nicaragua.

How about Venezuela?

The reality is that Russia is propping up the Maduro dictatorship in Venezuela. For years, the Maduro crowd has stolen and used the state-owned oil company Pe De Vesa to launder money, and Russia has bailed them out. Russian money has helped Maduro to avoid defaulting on debts and payments to bondholders. Meanwhile, look what is happening to the poor people of Venezuela. They are hungry, and they don't have basic supplies. Their children are malnourished, and inflation is rampant. Maduro has undermined any remnants of Venezuela's democracy. He jails opponents and has a corrupt Congress and cracks down on protesters. It is all part of the Russian influence campaign.

As you can see, countering Russian influence is critical for the United States and for the world. It is also important to remember that Putin can't beat us on the ground, that he can't beat us on the sea, and that he can't beat us under the sea. He can't beat us in the air, and he can't beat us in space, but he can beat us in cyber in his propaganda campaign.

Yet Putin—that Russian bear—is not 10-feet tall. As a former Secretary of State just testified last week to our Armed Services Committee, Putin is playing a weak hand, but he is playing it very aggressively. It is time for us, the USA, to push back.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here with Senator NELSON, Senator WHITEHOUSE, and Senator CARDIN because I share their concerns about the rising chorus of partisan attacks, not only on Special Counsel Robert Mueller but also on the Federal Bureau of Investigation and the Department of Justice.

These attacks are part of a broader campaign that has been orchestrated by the White House to undermine the investigations into Russia's interference in the 2016 campaign, including possible collusion by the Trump campaign. Unfortunately, if continued, it will have a lasting impact on our security structures, on our democratic institutions, and on our people. Ultimately, it will help the Kremlin achieve its goal of breaking down our country and our democratic way of life.

In a report issued in January 2017, the U.S. intelligence community found that Russia interfered in our elections. This was the unanimous conclusion of all 17 U.S. intelligence agencies. Indeed, that Russian interference continues to this day, not only in the domestic affairs of the United States but in the affairs of our Western allies. We have seen the Kremlin's hand in Great Britain, in Spain, in France, and in Mexico—all in an effort to determine the outcome and to disrupt elections in those countries.

Just last week, in an interview with the BBC, CIA Director Mike Pompeo

confirmed Russia's ongoing interference. As Senator CARDIN said, when Director Pompeo was asked if Russia would try to influence our midterm elections this year, he replied: ''Of course. I have every expectation that they will continue to try and do that.''

In fact, in recent weeks, Russian internet trolls and bots have used Facebook and Twitter to aggressively promote the release of the House Republicans' memo, by DEVIN NUNES, that attacks the integrity of the FBI. Let's think about that. Russia gave a powerful assist to the successful campaign to release a misleading document, undermining an ongoing FBI investigation.

Despite these disturbing facts, President Trump continues to be dismissive of claims of any Russian interference. For 6 months, Congress has expected the administration to impose the penalties in the bipartisan Russia sanctions bill that passed 98 to 2, but the administration has not even issued one sanction through that law. Despite ongoing brazen Russian interference, the White House claims that sanctions are not needed because the threat of sanctions is already ''serving as a deterrent.'' The mere threat of sanctions clearly is not serving as a deterrent. Our national security agencies, NATO systems, and even the Senate have experienced countless cyber attacks since the 2016 elections. Yet Vladimir Putin continues to deny that Russia interferes in anything at all, and for support, Putin can point to President Trump's own denials of Russian interference.

President Trump has a penchant for labeling factual reports as ''fake news.'' Again and again, he says things that are obviously false or misleading. He calls responsible mainstream journalists ''the enemy of the people.'' He attacks the rule of law, the judiciary, and our law enforcement agencies. These are all classic hallmarks of the slippery slope toward authoritarianism. Indeed, it is striking how attacks by some Republicans on law enforcement and democratic institutions echo similar attacks by the Kremlin and its mouthpieces.

Consider these side-by-side comparisons of statements by Russian officials and statements by Republicans.

As we see in this tweet, which is dated January 2, 2018, President Trump has described U.S. Government employees and the Justice Department as the ''Deep State.'' At the same time Russia's propaganda network, RT, has repeated this terminology. So we see this: ''Deep State takedown.'' Just yesterday, RT aired a discussion on how to root out the ''Deep State'' now that its biases supposedly have been exposed by the ''Nunes memo.''

Again, we see these mirrored messages between Republicans, the White House, and Putin. As we see in this panel, allegations that Special Counsel Mueller and the FBI are conducting a ''witch hunt'' are coming from the highest levels of both the American and Russian Governments. We see that Reuters has repeated a line from RIA, which is Russia's state television, saying: ''U.S. scandal over Russian contacts is 'a witch hunt.''' That sentiment was repeated by ANDY BIGGS, a Republican who is calling on Mr. Mueller to ''end the witch hunt,'' and, of course, it was tweeted by Donald Trump, who called all of the illegal leaks of classified and other information a ''total witch hunt.''

In panel 3, we see that both Putin and President Trump claim that there is no way to know for sure who meddled in the U.S. election. You can see the two of them. They blame Democrats for allegations of Russian meddling. Putin said that ''maybe someone lying in bed'' was responsible. Looking at similar language, President Trump famously said: ''It could be someone sitting on their bed that weighs 400 pounds.''

It is unfortunate that some Republicans, as well as voices in the conservative media, appear to believe that, in order to support the President, they must attack and discredit not only Special Counsel Mueller but also the Department of Justice and the FBI. These partisan attacks are baseless and reckless.

They will not succeed in deflecting law enforcement from its duties and mission. What they may do is that they may well succeed in undermining the American people's faith and confidence in these institutions so vital to a healthy democracy. That is not only unfortunate, but it is shameful.

Last summer Members of Congress came together on an overwhelmingly bipartisan basis to impose sanctions on Russia because people here believed they were interfering in our elections. Republicans and Democrats spoke with one voice. We said: Our country has been attacked by a hostile power. We will not tolerate it, and we will stand together to stop it. Today, it is critical that we continue to speak with one voice in condemning Russia's interference.

This is a really remarkable moment in our country's history. A hostile foreign power has interfered in our Presidential election, and it continues to interfere. CIA Director Pompeo said, in no uncertain terms, that Russia will interfere in this year's midterm elections. Our law enforcement agencies and a special counsel are working diligently to undercover the scope and methods of Russia's interference so we can put a stop to it. Supporting these efforts is not about party and not about partisanship. It is about patriotism. It is about defending America's democracy, which has been attacked and continues to be vulnerable to attack.

Make no mistake. Our democracy is being tested, our law enforcement agencies are being tested, and we, as Senators, are being tested. We have a responsibility to come together—Senators of both parties—to defend the independence of the Justice Department and the FBI. We must insist that Special Counsel Mueller be allowed to conduct and complete his investigation without further political interference. We must stand together in opposing Russia's outrageous continuing interference in America's elections and domestic affairs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to commend my colleagues who are sounding the alarm about Russia's interference in U.S. elections and who have worked tirelessly for months on their respective committees to get the answers that Americans deserve and give the confidence Americans need to know that their government is committed to preventing such interference from ever happening again.

This work is incredibly important to people around the country and in my home State of Washington. I have heard from countless people who deeply love this country but fear for its institutions, and they are concerned about the integrity of elections.

Here are the facts. More than a year ago, U.S. intelligence agencies concluded that Russia interfered in the last Presidential election, calling Russia's meddling a ''significant escalation in directness, level of activity, and scope of effort'' compared to previous attempts.

That is not my opinion. It is not a partisan statement. It is a fact. Even more troubling, they are already back at it. We know this because our President's own handpicked CIA Director said last week that, ''of course,'' Russia is trying to meddle in this year's midterm elections.

That is exactly why this Congress approved sanctions months ago in order to punish Russia and show them the steep price of doing this again. If there is one issue that we should all be able to agree on, it is that no one should get away with such a devious attack on our democracy. But, somehow, while the public is demanding action, the White House has gone silent, refusing to implement sanctions for reasons President Trump can't or will not explain.

This same President, who has no problems speaking or tweeting on any other topic under the sun, clams up when it comes to Russia or he tries to change the subject or he launches a political attack. This same President, who promised to put ''America first,'' has failed to live up to the most basic duty of defending our elections and enforcing congressional actions to punish Russian meddling.

The same President who promised law and order has been lashing out against a special counsel investigation, with a campaign to discredit our agencies of law and order by criticizing the men and women of our Nation's top law enforcement agencies, firing or threatening to fire those who stand up to him, and sowing doubt about the media that dares to report the facts.

Let's remember that the Putin regime that President Trump is so fond of is one that has invaded and annexed part of Ukraine and continues to incite war in Ukraine, is propping up the murderous Assad regime and is every bit as responsible for those heinous acts as Assad himself, and constantly tries to instigate conflict by threatening our troops around the world.

Perhaps the most disappointing piece of this is that President Trump is now not acting alone. He gets help from Members of Congress who join in partisan attacks on the FBI and Department of Justice. Just think about that. We have a President and Members of the Republican Party who are more interested in helping a foreign power get away with interfering in our elections than allowing an investigation to run its course.

It is simply stunning how far some of my Republican colleagues would go to undermine the special counsel and congressional investigations in order to score political points. This doesn't just put them at odds with the public in the short term. This has long-term consequences for the men and women who protect our country from harm. A few days ago, a former supervisory special agent with the FBI who served as a counterterrorism investigator and special assistant to the Bureau's Director explained why he was now resigning from the FBI in order to speak publicly.

He said his resignation was painful but ''the alternative of remaining quiet while the bureau is tarnished for political gain is impossible.'' He said he worries that the damage from attacks on the integrity of the FBI could last generations.

There are a number of things this Congress must commit to. First of all, we must ensure that Special Counsel Robert Mueller stays on the job and continues to follow the facts wherever they may lead, without threat or intimidation and with the resources he needs. We already know the President talked about firing Mr. Mueller last year. Well, the President should be on notice: Firing Mueller is not an option, and the same goes for trying to fire Deputy Attorney General Rod Rosenstein.

I also want to be clear. Doling out a Presidential pardon to try to cover up any collusion or obstruction of justice is unacceptable and will be met with furious resistance across the country.

This is about our elections, our national security, and it is about our standing in the world. No one—no one—should stand in the way of a thorough investigation. In the coming days, weeks, and months, Congress must work to fulfill its duty to the American people by ensuring the integrity of our elections and safeguarding investigations by allowing them to run their course free from political pressure.

The question is whether the Trump administration and all Members of Congress will choose to act in the best interests of our country and our democracy or whether they will continue to act out of self-preservation and shortsighted political gain. The world is watching.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today to denounce—this is a strong word but an appropriate word—the Republican effort to undermine America's faith in important institutions—all to protect Donald Trump from the Russia investigation.

This effort is self-evident to any neutral observer watching ''Fox and Friends,'' reading the ''Drudge Report,'' or following the President on Twitter, and it has profound consequences for our country.

Defending our critical institutions, such as the FBI and an independent Department of Justice, should not be a partisan issue, and those who care about these institutions have to speak up. This, of course, includes Members of Congress.

Many congressional Republicans, however, appear determined to transform legitimate congressional oversight into an arm of the President's defense. For example, the Teapot Dome hearings uncovered government corruption for personal gain. The Kefauver committee uncovered organized crime and corruption nationwide. The Watergate committee uncovered Nixon's conspiracy. The Church committee led to landmark reforms of the intelligence community, some of the very reforms that are currently being warped for Trump's benefit. These were bipartisan, fact-based, public inquiries into issues of national consequence.

The investigation into Russia's acknowledged interference in our election should be no different. Unfortunately, many of the Republicans in Congress investigating the Trump-Russia matter appear more concerned about protecting the President than getting at the truth. This is particularly so in the House of Representatives, where almost nothing happens on the Intelligence Committee without the assent of the White House. But it is also true in the Senate, where even the Judiciary Committee has been stymied in its efforts to get to the truth.

Certainly, it is not from a lack of trying. Democrats serving on relevant committees have demonstrated determination in fulfilling our constitutional oversight obligations, but this is nearly impossible without cooperation from the Republican majority. Without cooperation from Republicans, letters requesting information are not bipartisan, and interviews of key witnesses are delayed or are canceled, just to give two examples.

Conducting oversight behind closed doors and out of the public view lacks transparency, of course, and creates a situation ripe for exploitation. It allows Republicans to weaponize incomplete or inaccurate information for the President's benefit.

We have seen the chairman of the House Intelligence Committee, DEVIN NUNES, use this tactic last week, in spite of concerns raised by the FBI and the Department of Justice. Congressman NUNES, determined to support the President's paranoid conclusion that the entire national security apparatus is out to get him, created a memo that misconstrued critical intelligence to engineer an outcome that pleased the White House. Armed with a misleading and inaccurate memo, Congressman NUNES and Republicans across the country, with the assistance of Russia bots on social media, launched a concerted attack on the FBI, the intelligence community, and the Justice Department. Why? To prove a conspiracy against the President that does not exist.

NUNES and other Republicans knew the facts did not support their conspiracy theory, but the incitement continued anyway, even singling out for attack the President's own handpicked Director of the FBI after his agency opposed releasing the memo. By the time the committee released it and the public learned just how false and misleading it was, Congressman NUNES and his memo had already sowed the seeds of doubt about the FBI and its investigation.

The President rewarded Congressman NUNES yesterday by tweeting:

> DEVIN NUNES, a man of tremendous courage and grit, may someday be recognized as a Great American Hero for what he has exposed and what he has had to endure!

I think history will conclude otherwise.

Just as the President has praised the NUNES attacks on the FBI and the Justice Department, he has certainly been doing his part to undermine these institutions. He has done his part by demeaning and humiliating the very people he appointed to run these institutions. We can all recall the very personal attacks on Attorney General Jeff Sessions in the Oval Office, demands for personal loyalty from Deputy Attorney General Rod Rosenstein, and assertions that the FBI was ''in tatters'' under the leadership of his handpicked Director, Christopher Wray. We can all appreciate the irony of Donald Trump's personal attacks against Special Counsel Robert Mueller, whom the President interviewed and seriously considered for a return to his old job as Director of the FBI.

The self-serving and personal attacks against people who refuse to do his bidding reflect the narcissism of a man who has little regard for his responsibilities as President. Sadly, for President Trump, it is all about him every time, all the time.

By attacking the Justice Department and the FBI, the President is attempting to discredit the Russia investigation and protect himself and his family. His words and actions are intended to undermine public confidence in the

FBI and the Justice Department for his benefit in the here and now. He does not seem to care about the long-term consequences of eroding public confidence in two critical institutions charged with keeping us safe and protecting our rights.

Through all the obfuscation and negative personal attacks, a clear pattern has emerged. The President and his Republican allies will do whatever they can to discredit the Mueller Russia investigation without regard or respect for the collateral damage caused. Then they will turn to FOX News and other outlets to get their message or propaganda out to their base and dismiss the mainstream media as fake news. Sadly, for our country, it is a strategy that can win and that can work.

According to a new poll from Reuters, 73 percent of Republicans believe that the Justice Department and the FBI are trying to undermine the President. This state of affairs may serve the President's short-term interests, but it will have real and lasting negative consequences for our country in the years and decades to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to thank my colleague from Hawaii for a very eloquent statement. I so appreciate her leadership and miss her on the Intelligence Committee. I also want to express my appreciation to the organizers of this effort—Senator WHITEHOUSE and Senator BLUMENTHAL—who have been tenacious in pursuing these issues. Both of them serve on the Judiciary Committee, and I serve on the Intelligence Committee.

It is quite obvious what has been going on in the last few weeks. The President, the chairman of the House Intelligence Committee, and others are working hard to get the American people just to forget that our country is in the middle of an ongoing national security crisis. Russia has attacked our democracy; Russia has intervened in our election; and there is every reason to believe that they are just going to keep doing it.

In the year since the assessment I mentioned was conducted by the intelligence community, virtually everyone has come to see it this way. Donald Trump obviously disagrees. The only change has been the extent to which Donald Trump's protectors are willing to go out and throw dust in the air to prevent America from focusing on this direct threat to the people of this country and our very system of government.

Congress has to get to the bottom of what has been done to our democracy, but the fact is, the Senate has been stonewalled, particularly when it comes to the crucial issues of following the money. It began when Donald Trump refused to do what every other Presidential candidate has done now for four decades; that is, release his tax returns. It continues on other fronts. I have repeatedly asked the Secretary of the Treasury to provide the Senate Finance Committee with Treasury Department documents that would allow investigators to follow the money between Russia, Donald Trump, and his associates. The committee has been given nothing. Secretary Mnuchin has simply refused to cooperate with congressional oversight conducted by members of the committee that has direct jurisdiction over his agency.

So the question is, Mr. President, what are you hiding? What is in those tax returns and those financial documents that you don't want revealed? What would be so damaging?

It seems to me that if you are to understand Russia's ability to undermine our democracy, it is essential to follow the money. Donald Trump's family has acknowledged its financial ties to Russia. In fact, in 2008 and 2009, when it was pretty hard to get money for investment, the Trump family said—their words, not mine: Much of our portfolio comes from the Russians.

The special counsel included extensive information on money laundering and tax evasion in his recent indictment of Paul Manafort. There have been dozens and dozens of press stories—it seems there are several every week—about the finances of the President and his associates that warrant real congressional oversight.

Americans are alarmed by the administration's stonewalling, and millions have been appalled by the idea that this would somehow be treated like just another political game. Those who abuse the classification system to put out a laughable partisan memo that doesn't stand up to scrutiny apparently are willing to do it just to protect the President at any cost.

The cost is our national security. The cost is our democracy. No matter how much the President and his protectors in Congress try to change the subject, we are not, on the floor of this Senate, going to lose sight of what is really at stake.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my colleagues here today and to be followed by my great friend and colleague, Senator WHITEHOUSE, who has been a wonderful partner in this effort and has helped organize today's colloquy. I will yield to him shortly.

I think the American people are asking a commonsense question: What is the President trying to hide? What do the Russians have on Donald Trump?

The intelligence community unanimously says that the Russians attacked our democracy by interfering in the 2016 election. The only one who has any doubt about it—in fact, the only public official who has the temerity to deny it—is the President of the United States. So the question is, Why?

That is the elephant in this Chamber. That is the question that the American people demand that we answer in our investigation into obstruction of justice through the Judiciary Committee and that the special counsel will be answering in his investigation into collusion between the Russians and the Trump campaign, as well as subsequent obstruction of justice.

Some of this investigation involves past events and actions by the President and others. But, in fact, what is happening daily in real time is evidence of obstruction of justice. It is as though we were watching a case in court unfolding before our eyes. All we lack is the marshalling of the evidence and the closing argument. In a subsequent speech, I intend to go into great detail on that obstruction case.

From what we know now through the public record, there is a lot more that the special counsel knows from his investigation, and he will be making use of it from classified and unclassified sources.

We now know, irrefutably and undeniably, that there is a credible case of obstruction of justice against the President of the United States. It is credible and, in many ways, powerful and compelling.

In fact, President Trump has endeavored mightily to stop all of these investigations into the Russian meddling in the 2016 election and his connections to it.

Obstruction of justice is a serious crime, essentially consisting of two elements: No. 1, to interfere with a lawful investigation and, No. 2, that interference has to be done with corrupt intent. Corrupt intent means any improper purpose.

It doesn't matter that the President, for example, had the right to fire Jim Comey or to say one thing or another. The question is why he did it. There can be circumstantial evidence of that corrupt intent in what he says and does, as well as direct quotations.

If it was to stop or influence an investigation, that is corrupt intent, and that is enough for obstruction of justice.

My colleagues and I are here today to raise the alarm because where we are now is that part of the President's corrupt intent, as well as his interference with the investigation, consists of an all-out assault on law enforcement and the intelligence community.

In some ways, it is a standard means of defense at trial: When all else fails, attack the prosecution. I have seen it and experienced it as a U.S. attorney myself in court. So I know it is a last resort, but it has lasting implications for the defendant, or whoever is raising this defense—in this case, the President of the United States. It has huge, sweeping, enduring, horrific, and reprehensible ramifications. It is irresponsible in a profound constitutional sense for the Commander in Chief to be undermining our national security by attacking the FBI and our intelligence community as institutions.

I wish to remind my colleagues of what our colleague JOHN MCCAIN said.

My colleague Senator WHITEHOUSE prepared this poster board and will be using it shortly. He said: ''The latest attacks against the FBI and Department of Justice serve no American interests—no party's, no President's, only Putin's.'' These attacks serve the Russians. They do not serve America's national security because they are done with the purpose to obstruct justice.

They are the latest in a series of irresponsible and reprehensible actions that began in the first days of this administration. In January 2017, Acting Attorney General Sally Yates went to the White House to inform White House Counsel Don McGahn that Michael Flynn had lied to the Vice President about his relationship with the Russians and he could, therefore, be subject to blackmail. Don McGahn immediately briefed President Trump, but the White House failed to react in the way that a responsible President would. Soon after it was revealed that the FBI was doing an investigation into Russian meddling, Trump asked FBI Director James Comey for his loyalty. In effect, he asked for a loyalty pledge from the Director of the Federal Bureau of Investigations. He cornered Comey privately and said that he hoped Comey would let Flynn go, referring to the FBI's investigation into Michael Flynn.

Trump called Comey and told him he wanted him to lift the cloud of the Russian investigation over his Presidency. He then called for the firing of Andrew McCabe, a potential corroborating witness for Comey's conversations with Trump.

He asked Director of National Intelligence Dan Coats and CIA Director Mike Pompeo and Mike Rogers to publicly state that he was not under investigation. When Comey refused to bend to this pressure, he fired Comey and misstated the reason for that firing. He lied about it, claiming it was because of Comey's supposed handling of the Clinton email investigation, although he later admitted in an interview with NBC News anchor Lester Holt that the firing was ''because of this Russia thing,'' and he bragged to Russian officials at the White House that Comey's firing had ''taken off'' the ''great pressure'' of the Russia investigation.

But that did not make the Russia investigation go away, because of the appointment of Special Counsel Robert Mueller. He berated his Attorney General, Jeff Sessions, for recusing himself from the special counsel's investigation because he knew Sessions could have stopped it. He berated Jeff Sessions and privately ranted about it.

Those private rants, along with other private conversations—many of them now known to the special counsel, no doubt—are evidence that will be produced by the special counsel.

We know that President Trump wrote a deliberately deceptive statement for his son Donald Trump, Jr., to cover up the Trump Tower meeting and to misstate what the purpose of that meeting was—supposedly Russian adoptions, when, in fact, it was to obtain dirt on Hillary Clinton. He did it when he knew he was under investigation. That is the key point.

He ordered the firing of Robert Mueller and backed down only when his White House Counsel said he would resign. Again, the reasons that he provided, much like the Comey letter that was a lie, the reasons for his firing the FBI Director were pretextual. He lied about why he wanted Mueller gone, just as he had lied about why he fired Jim Comey.

In some ways, others are tasked now, in a switch of tactics. He has no longer threatened to fire the special counsel—at least publicly—but he has tasked his surrogates and sycophants in Congress to attack institutions like the FBI, the Department of Justice, and the intelligence community, along with him. That was the purpose of the Nunes memo—to discredit the FBI and distract from the investigation.

But if he orchestrated the writing of that memo, if he participated in drafting it, if anyone in the White House, with his imprimatur or direction, was involved in crafting that memo, that is evidence also of obstruction of justice, and it will come home to haunt DEVIN NUNES and the White House staff who participated and others in the Congress who may have been involved, including the staff—all of it because he wants to stop the investigation, all of it because he is afraid of something that the special counsel has and that the Russians may have on him.

The fact of the matter is that no one is above the law. If the President refuses to talk to the special counsel, he should be subpoenaed to appear before the grand jury. If he fails to voluntarily appear for that interview with Robert Mueller or his staff, he should be subpoenaed before the grand jury, and he should be forced to testify under threat of contempt. And if he invokes Executive privilege, the outcome will be the same when it is tested in court, as it was in United States v. Nixon.

We have seen this movie before. We know how it ends because a broad claim of Executive privilege fails in the face of a lawful need for evidence in an ongoing criminal investigation.

If he claims a Fifth Amendment privilege—the right against self-incrimination—it will be a powerful testimony to what he fears the special counsel and the Russians have on him.

We are careening toward a constitutional crisis, and that is why my colleagues in this Chamber can no longer remain silent. It is why Paul Ryan can no longer tolerate DEVIN NUNES to continue with these frantic antics to protect the President and his ongoing acts of obstruction. It is why I hope we will adopt legislation to protect the special counsel, sending a message to the President of the United States that he cannot obstruct justice by firing the special counsel and precipitate a confrontation that would match the Saturday Night Massacre during the era of Watergate. That would throw this country into another constitutional conflagration that would be profoundly damaging and enduringly harmful.

This investigation is no hoax or witch hunt. It is real. It is not about any of us or any of the President's tweets. It is about evidence and law. It is about facts and statutes. It is about the elements of a crime that is under investigation. The American people deserve to know the truth, which is why we must have public hearings in the Judiciary Committee, and we must have subpoenas for documents and witnesses. It is why we need to move in the Judiciary Committee with special counsel legislation that will offer protections that guarantee the American people that they will know the truth and that the rule of law will be protected. No one is above the rule of law.

Thank you, Mr. President.

I thank my friend and colleague Senator WHITEHOUSE.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, on January 6, 2017, the U.S. intelligence community released a shocking report.

It stated: ''We assess with high confidence that Russian President Vladimir Putin ordered an influence campaign in 2016, aimed at the U.S. presidential election, the consistent goals of which were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency.''

This wasn't just one intelligence agency, it was a unanimous conclusion of the entire intelligence community.

It sent shockwaves throughout our entire government. This isn't about Republicans versus Democrats, it is about a foreign President ordering an attack on our democracy.

President Putin's goal was clear: to sow division and discord and to undermine public faith in our democratic processes and the rule of law.

Almost immediately we saw concerns and calls for action from both sides of the aisle.

Bipartisan congressional investigations were initiated to figure out exactly what happened and how to prevent it from happening again.

However, despite this promising beginning, the commitment to uncover the facts and protect our country from outside attacks has devolved into an inside attack on our own democratic institutions.

Sadly, rather than serving as a unifying force, President Trump has done all he can to undermine the intelligence community's assessment.

What is worse, he has utterly failed to take strong actions against Russia—and in some cases has rewarded Russia by changing U.S. policy.

Instead of supporting a robust and independent investigation into what Russia did and who was involved, the President instead is working to halt the investigations altogether.

Unfortunately, the President hasn't been alone in these efforts.

Last week, Congressman DEVIN NUNES, chairman of the House Intelligence Committee, pushed for the declassification of a transparently political memo written by his staff.

Here are some things we know about the memo and the process to release it: We know that the memo confirms the FBI's Russia investigation was not triggered by the dossier or by Carter Page.

In fact, the investigation started because another Trump campaign foreign policy adviser, George Papadapolous, was told in April that Russia had ''dirt'' on Clinton in the form of thousands of emails.

We also know that, while Carter Page was not the reason the Russia investigation started, the government had a reasonable belief that Page was acting as an agent of a foreign power.

We know that Congressman NUNES did not review the underlying classified documents himself.

These documents include the FISA warrant renewal applications, which must show what the government was learning about Carter Page.

Instead of reviewing these documents himself, the chairman relied solely on his staff, who may or may not have been coordinating this campaign with the White House. We don't know because Congressman NUNES refuses to answer that question.

We know that Chairman NUNES refused to allow the Department of Justice and FBI to brief all Members on the underlying documents before and after the memo's release.

We know that Congressman NUNES refused to allow Democrats to issue their own analysis of the classified documents along with his memo.

And we know that Russian social media bots assisted in the efforts to influence American public opinion concerning the memo.

The drafting and release of this partisan, misleading memo was particularly disturbing to me.

As Senator MCCAIN stated last week, ''If we continue to undermine our own rule of law, we are doing Putin's job for him.''

Intelligence and law enforcement oversight should never be used as a political weapon.

I have served on the Senate Intelligence Committee for 17 years, and I can't recall a single instance when an intelligence report was handled in this manner or a situation where additional views were actively blocked from being released.

This has been true even with the most controversial issues like the Intelligence Committee's investigation of the Benghazi attacks or the report on the CIA's use of torture.

In both of these instances, the committee held bipartisan meetings and shared drafts of report language between the majority and minority.

For the torture report, the CIA was offered and accepted opportunities to respond and request changes. The committee revised its report where appropriate and even cited disagreements in footnotes.

Once public, the committee included additional views from Republicans on the committee. The CIA's response was made public. There was a very thorough declassification process to ensure the summary was safe to release.

In fact, even though the final report was completed in 2012, the executive summary wasn't made public until December 2014 in order to ensure the process was properly followed.

There were disagreements, but the minority party was not cut out of the process.

That is not how the Senate works, that is not how democracy works, and it is not how any congressional committee or investigation should operate.

What I have described so far was the process and political implications of the Nunes memo, but it is just one part of an extensive pattern of abuse of power.

What we are seeing is a sustained, coordinated effort to diminish, weaken, and destabilize our top law enforcement officials, and we all should take exception to that.

Both the rushed manner and the disputed contents of the Nunes memo are a case in point.

After the memo was released on Friday, House Intelligence Committee Ranking Member ADAM SCHIFF hit the nail on the head.

He called the public release of misleading allegations against the FBI and the Justice Department ''a shameful effort to discredit these institutions, undermine the Special Counsel's ongoing investigation, and undercut congressional probes.''

He is absolutely right.

And this is just the latest in a long pattern of attempts to undercut the FBI and Justice Department.

Some of the efforts were blatant.

After FBI Director Comey refused to pledge his loyalty to the President, the President fired him, an action the President himself admitted was tied to the Russia investigation.

The President has engaged in a series of tweets attacking the Attorney General, Deputy Attorney General and Deputy Director of the FBI, among others.

There have also been media reports that the President has considered firing both Robert Mueller and Deputy Attorney General Rosenstein, but many of the efforts by the President and his team weren't quite as obvious.

We have seen multiple reports that the President demanded personal loyalty from top law enforcement officials including Comey and Rosenstein.

In fact, President Trump frequently calls the Attorney General ''his'' Attorney General and refers to ''my FBI'' and ''my Department of Justice.'' In fact, they aren't his, they are American people's.

Media reports also say that President instructed White House Counsel Don McGahn to keep the Attorney General from recusing himself from the Russia investigation.

Two heads of intelligence agencies, DNI Director Dan Coats and NSC Director Michael Rogers, said they felt pressure from the President to say there was no collusion with Russia.

And it has become apparent that many of the actions taken by the White House, Congressman NUNES, and others have been coordinated with conservative media like FOX News.

Objectivity and nonpartisanship are core components of the FBI and the Justice Department. To either attempt to co-opt them or punish them for not kowtowing to the President's political whims is egregious.

Our Founding Fathers placed enormous trust in the legislative branch to serve as an effective check on the President, and it is time to do our job.

Congress needs to work alongside Special Counsel Mueller to get answers for the American people.

The Nation deserves to understand exactly what happened and who was involved, and all of us need to believe the President isn't above the law and will not be allowed to abuse his position for personal gain.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, indisputably, Vladimir Putin conducted a broadly based attack on American democracy and its most important institutions. Tragically, Putin's broadly based attack on American democracy and our institutions is echoed by President Trump's attack on American democracy and our most important institutions. And tragically or pathetically—I don't know which to say—that attack is echoed by a broad Republican attack on American democracy and institutions.

We can and should take steps to defend our American democracy. They are not terribly complicated.

No. 1, stop attacking our own institutions. We can start there. We are doing Putin's work when we attack our own institutions.

No. 2, step up to protect our own elections. All of our national security witnesses have warned that they are coming after us in 2018 with more election interference. Yet what have we done?

No. 3, stop sheltering Putin and his oligarchs from consequences. We passed sanctions against Russian oligarchs and Putin and Russia for this very thing—messing around in our elections—through the Senate 98 to 2. The effective date of them has run. Yet the President won't enforce them. Stop sheltering Putin and his oligarchs.

No. 4, clean up the dark channels of foreign influence and corruption. We know what they are because we have seen this play out in European countries and former Soviet Union countries. We know how it works. We have similar vulnerabilities. Fix them.

Those are four things that are not hard to do.

A fifth would be serious investigations by Congress—not tiptoe investigations but ones where we take hard looks, ask hard questions, and demand hard evidence.

No one in the Senate has tangled more with Vladimir Putin than our friend JOHN MCCAIN. Senator MCCAIN has tangled with him so often that he has actually been blacklisted from travel to Russia. What Senator MCCAIN said last week is something we should take to heart: ''The latest attacks against the FBI and Department of Justice serve no American interests—no party's, no President's, only Vladimir Putin's.''

He also said this: ''Our Nation's elected officials, including the President, must stop looking at this investigation through the lens of politics and manufacturing political sideshows.'' Instead, we need to be looking at the situation through the lens of our national security.

Here is what America's national security professionals tell us. First, they concluded: ''Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election.''

I will continue. ''Russia's goals were to undermine public faith in the U.S. Democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency.''

They concluded: ''We further assess Putin and the Russian government developed a clear preference for President-elect Trump.''

We went on with this important conclusion in the January 2017 intelligence community assessment: ''We assess Moscow will apply lessons learned from its Putin-ordered campaign aimed at the U.S. presidential election to future influence efforts worldwide, including against U.S. allies and their election processes.''

We know they are coming. We have been warned by Trump's own appointees that they are coming. Yet we do nothing. Nada. As Putin would say, ''nichego.''

Well, right now that leaves Congress complicit, but it doesn't have to be this way, and it ought not be this way. It is not too late to defend our democracy and to teach Russia and the world some different lessons about who we are. What are the things we could do? Well, we could defend our democracy from Russian political influence.

Let's take legislative action to secure election infrastructure, improve our cyber security, counter and blunt Russian propaganda, and keep foreign money out of our politics. That ought not to be too hard to ask.

Let's defend our democracy from future Russian and foreign meddling. Let's insist on the implementation and enforcement of the sanctions against Russia. We passed them 98 to 2 for a reason. Why is President Trump sheltering Putin and the oligarchs from that punch? Let's insist on the message being delivered that we don't tolerate this behavior and that we will deter it with serious sanctions.

Let's insist on transparency. Let's insist on transparency about foreign financial interference in our country, through shell corporations in particular, and let's insist on transparency about the President's foreign financial dealings and conflicts of interest.

Finally, let's pass legislation to protect the special counsel from interference and obstruction. I have been a U.S. attorney. I understand the role of an independent and honorable Department of Justice. I understand, as we all should, that no man—not even the President—is above the law. And like many colleagues who have served in the Department of Justice, I expect, as they all expect, that even under the pressure, the threats, and the intimidation brought by the President against this Department of Justice, it will do its job. As FBI Director Christopher Wray recently said, ''We expect them to keep calm and tackle hard.''

I see the majority leader is on the floor.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VOTE EXPLANATION

Mr. HEINRICH. Mr. President, I was unavoidably absent due to a family medical emergency for rollcall vote No. 28. Had I been present, I would have voted yea on the confirmation of Andrei Iancu, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office.

CONFIRMATION OF DAVID RYAN STRAS

Mr. VAN HOLLEN. Mr. President, today I wish to express my disappointment that David Stras was confirmed to serve on the Eight Circuit Court of Appeals.

Mr. Stras's nomination should not have made it to the Senate floor. For over a century, the Senate Judiciary Committee has used the blue slip process to ensure that the White House fulfills its constitutional duty to seek the Senate's advice and consent for judicial nominations. Traditionally, a nominee received a committee hearing only if both of their home State Senators returned their blue slips to the committee. Despite receiving only one blue slip, Mr. Stras was granted a hearing, and his nomination was sent to the Senate floor for a vote. I am extremely disappointed that my colleagues are abandoning long-standing practices in order to fill the judiciary with conservative ideologues.

Moreover, Mr. Stras is yet another judicial nominee selected for this administration by the Heritage Foundation and the Federalist Society. His name was on President Trump's Supreme Court shortlist, and although he was not selected to fill the Supreme Court vacancy, outside dark money PACS spent millions of dollars running ads in support of his nomination to this seat. These facts should alarm every American. Our judiciary system, under the Trump administration, is being outsourced to outside organizations with unlimited financial resources that are not accountable to voters.

I urge my colleagues to return to regular order.

OFFSHORE OIL AND GAS DRILLING

Mrs. FEINSTEIN. Mr. President, I wish to speak in opposition to President Trump's proposal to open all offshore waters in the country to oil drilling.

This proposal has been met with outrage from every corner, as my colleagues are making clear here on the Senate floor today.

I would like to take a minute to remind everyone of what is at stake.

Before the Deepwater Horizon and Exxon Valdez spills, Santa Barbara, CA, experienced the worst oil spill in U.S history.

In 1969, an offshore oil rig in Federal waters spilled more than 3 million gallons of crude oil into the Pacific Ocean.

The environmental disaster killed thousands of marine mammals and birds. Our local beaches were coated by a thick layer of oil. Tourists were turned away, and commercial fishing operations were shut down, hurting the local economy.

After that spill, California decided that enough was enough. State agencies blocked all new offshore oil drilling in State waters up to 3 miles from the shore. The State reinforced this ban with the California Coastal Sanctuary Act in 1994.

Through a combination of local ordinances, congressional opposition, and moratoria imposed by Presidents from both parties, our State has also fought off any new drilling in Federal waters beyond 3 miles from the shore since 1984.

The Trump administration has now proposed undoing our progress by opening all Federal waters, including the waters off California's coast, to new gas and oil drilling.

If his proposal is allowed to go through, it would lead to the first new offshore oil drilling leases sold in the Pacific Ocean in more than 30 years.

So far, an exception has been made for Florida, hastily announced by Interior Secretary Ryan Zinke in response

to concerns from Florida's Republican Governor.

That is completely arbitrary and not acceptable.

It is clear California also staunchly opposes this plan. According to the latest polling, nearly 70 percent of Californians oppose new drilling off our coast.

Senator HARRIS and I, together with our colleagues in the House of Representatives, have repeatedly shared our concerns with Secretary Zinke.

The Secretary has even received statements of opposition from California's Governor, senate, assembly, attorney general, coastal commission, fish and game commission, State lands commission, and more than two dozen counties and cities.

So why are we not being given the same deference as Florida?

Unlike this administration, California understands that offshore oil drilling belongs in the past. We are making smarter investments in clean energy and renewable sources. Our State is on target to reduce greenhouse gas emissions to 80 percent below 1990 levels by the year 2050.

The President's proposal would undermine that progress.

The Trump administration's proposed six new lease sales off the California coast would lead to new oil rigs that would continue to produce oil for decades to come.

That is well past the time we will need to have moved away from fossil fuels altogether.

Even though California has fought off new Federal drilling for three decades, there are still 43 leases that remain active from Federal lease sales prior to 1984.

In State waters, there are still nine active rigs that were built before the Santa Barbara oil spill.

We are still dealing with the legacy of last century's drilling, but it is our responsibility to leave a better legacy for the next century.

California won't allow new offshore oil rigs to create another generation of dirty carbon emissions and disastrous oil spills.

California, along with our coastal State friends, has rejected President Trump's offshore drilling proposal.

It is time to respect our local opposition and completely scrap this plan.

KARI'S LAW ACT

Ms. KLOBUCHAR. Mr. President, I wish to recognize Senate passage of Kari's Law Act of 2017.

In December 2013, Kari Hunt Dunn was attacked by her estranged husband in a hotel room. In an attempt to help her mother, Kari's 9-year-old daughter tried to contact the police by dialing 9–1–1. Tragically, the call failed to go through because Kari's daughter did not dial ''9'' to reach an outside line before entering 9–1–1. Kari did not survive the attack.

Kari's murder brought a serious public safety problem to light. Whether you are a worker at a big office building or a family staying in a hotel, dialing 9–1–1 should always connect you with people who can help.

By passing Kari's Law, we will enact a national standard to ensure that multiline telephone equipment must be capable of supporting the ability to directly reach emergency services by dialing 9–1–1 and that those responsible for installing, maintaining, and operating the system are required to ensure that simply dialing 9–1–1, a critically important capability, is available for use in emergency situations.

Ensuring multiline telephones are installed with the capability to contact emergency responders by dialing 9–1–1 will help prevent tragedies like the one that Kari Hunt Dunn endured.

RECOGNIZING THE COMMISSIONING OF THE USCGC ''JOSEPH GERCZAK''

Mr. TOOMEY. Mr. President, today I wish to recognize the commissioning of the Coast Guard's 26th Sentinel-class Fast Response Cutter, FRC, the USCGC *Joseph Gerczak*. The commissioning ceremony for this impressive ship will take place in Honolulu, HI, on March 9. Although I regret not being able to attend the ceremony in person, I am deeply honored for the chance to speak about this cutter and the remarkable man for which it is named.

Joseph Gerczak, a son of Pennsylvania, valiantly died fighting for his country during World War II. He was born on February 10, 1922, in Philadelphia, PA. Soon after enlisting in the Coast Guard on September 26, 1942, he was assigned to a tank landing ship whose job it was to carry tanks, vehicles, cargo, and troops directly onto enemy shores. Gerczak was quickly promoted to signalman third class on this ship, which was called the USS *LST–66*.

On December 26, 1943, Gerczak and his crewmates participated in the initial Allied assault on the Japanese-held island of New Britain. During this operation, the USS *LST–66* came under sudden attack by seven Japanese dive bombers. Acting without hesitation, Gerczak was the first crewmember to man his battle station; he heroically shot down two Japanese planes before being mortally wounded from the shrapnel of a bomb blast. He was 21 years old.

For his valor in battle, Gerczak was posthumously awarded both the Silver Star and Purple Heart. The USS *LST–66*'s entire crew was also given the Presidential Unit Commendation. It is exceptionally fitting that Gerczak be honored for the sacrifice he gave during World War II by having his name live on in the service of the U.S. Coast Guard.

The USCGC *Joseph Gerczak* will be the second FRC based in Honolulu, HI, replacing the legacy Island-class patrol boats. As a Sentinel-class cutter, it will feature advanced command, control, communications, computers, intelligence, surveillance, and reconnaissance—C4ISR—equipment. Furthermore, this ship will be fully interoperable with existing and future Coast Guard, Department of Homeland Security, and Department of Defense assets. These state-of-the-art capabilities will better enable the USCGC *Joseph Gerczak* to conduct missions that include port, waterways, and the coasts; fishery patrols; search and rescue; and national defense.

I ask my colleagues to join me in recognition of the commissioning of the USCGC *Joseph Gerczak* into military service as a Coast Guard ship.

TRIBUTE TO KERRY SUTTEN

Mr. WARNER. Mr. President, today I wish to recognize the dedicated career and service to the Congress and the intelligence community of Kerry Sutten, who is retiring at the end of this month after more than 20 years of service in both the executive and legislative branches of our government. Kerry dedicated his professional career to help keep our Nation safe and to improve our government and intelligence community. We thank him for his dedication.

Kerry is leaving the Senate as the deputy minority staff director of the Senate Select Committee on Intelligence, a post he has held for the last 2½ years. He first joined the committee as the head of the committee's collection review, a study looking at the intelligence activities of all the IC. During his time on the committee, Kerry has worked tirelessly to help the committee rigorously oversee the 17 intelligence agencies that make up our national intelligence community and has especially dedicated himself to improving the oversight of the IC's inspectors general and to the protection of IC whistleblowers. His efforts in these subjects have been invaluable.

Prior to joining the committee, Kerry served in a variety of roles in the Office of the Director of National Intelligence (ODNI), including spending almost 5 years as the lead for intelligence community strategic planning in the Office of Systems and Resource Analysis, (SRA). In that capacity, Kerry was responsible for helping provide resource direction for the entirety of the IC, developing integrated planning guidance for the various intelligence programs, and managing the development of strategic priorities.

In addition to his time in SRA, Kerry held important roles in the Business Transformation Office at ODNI and the Office of the Chief Financial Officer. Kerry was also instrumental in helping to create the national counterterrorism budget, a key accomplishment in his time at the National Counterterrorism Center, (NCTC), where he served for almost 2 years as a Senior Program and Resource Officer. Prior to joining the IC, Mr. Sutten spent almost 5 years supporting the Director of the Bureau

of Economic Analysis at the U.S. Department of Commerce, was the Director for Congressional and Intragovernmental Affairs at the Economics and Statistics Administration, and worked for 2 years at the Bureau of the Census. Kerry began his governmental career as a Senior Economist at the Joint Economic Committee in July 1997.

During his time in the government, Kerry won a wide variety of performance awards for his work. However, I am sure that he feels his most important award is his forthcoming and well-deserved retirement. Kerry plans to relocate full-time to the Sperryville, VA, area, where he owns and runs a popular coffee shop. Kerry's plans include expanding the services offered by his shop to include a wine bar, and he has expressed an interest in raising chickens and miniature goats. While these subjects are far from the expertise he has shown in his time in and around the intelligence community, I am sure he will excel at them just as he has in his time with SSCI.

Kerry Sutten, we wish you great success and great happiness in your retirement. Thank you for your years of service.

ADDITIONAL STATEMENTS

STATE OF THE UNION ESSAY FINALISTS

• Mr. SANDERS. Mr. President, I would like to congratulate more finalists in this year's State of the Union Essay Contest and, as I did with the finalists I recognized yesterday, I ask that their essays be printed in the RECORD.

The material follows:

MAISIE NEWBURY, MIDDLEBURY UNION HIGH SCHOOL, JUNIOR

''Whenever you feel like criticizing anyone, just remember that all the people in this world haven't had the advantages that you've had.'' The Great Gatsby, page 1. This was one of my father's favorite quotes when I was growing up. He always cautioned me to think before I spoke or better yet, ''think before you think.'' While some might call this inauthentic, my father called it sensible.

I am not blind to the privilege I possess. Though, living in the big house atop the hill with my two healthy, living parents in the sheltered town of Weybridge, Vermont, it would be an easy thing to forget—if it weren't for my brother, Robbie.

Robbie does not talk much. He cannot read. He cannot write. He has ''Severe, Regressive Autism,'' a developmental disorder that inhibits his literacy and communication skills. When I was younger, my parents explained to me that the world looked different to Robbie. It was louder, brighter and so much bigger. Living with Robbie, I am constantly reminded of my privilege. Every time I speak, run, ski, read, write . . . I'm doing something that he cannot. All the things I do on a daily basis are insurmountable obstacles to him. Yet, even without these luxuries, my brother smiles and laughs—he enjoys his life and his experience because he owns it. No one should be allowed to take that from him.

Yet, my brother's access to the care he needs has decreased immensely in the last year. His weekly appointments with his occupational therapist, which used to be covered by insurance, are now unaffordable as my parents must continue supporting him in their retirement. Learning this, I was upset. How could something so fundamental be removed from our insurance policy without a second thought?

In our society, mental health challenges are often dismissed as illegitimate and fixable. Words like psycho, idiot and lunatic, are thrown around as diminutive insults rather than seen as impactful and potentially harmful. Because of this, mental healthcare is considered a luxury rather than a necessity, and therefore not something that should be covered by insurance.

The union we live in does not value mental healthcare simply because society does not. This issue starts with us. I cannot stay silent and watch my parents sacrifice my brother's future stability and independence in order to be able to support him in the long run; nor can I do this alone. I know that until society begins placing value on the lives of people like Robbie, no one will—especially not large-scale insurance providers. However, I believe that there are other people like me who, if we band together, can create a small group of thoughtful, committed citizens ready to take on the world. For, unlike my brother, my privilege has given me a voice, and it is my duty to use it to fight for him. I owe him that much.

JACKSON NOEL, MILTON HIGH SCHOOL, SENIOR

With a nation as large as the United States there is a constant stream of issues and problems that require addressing. This means that the most important issues are those that involve the largest portion of the United States population. In that way, the biggest issue that the United States should currently focus on is making sure that every American can afford and has access to health care.

Every American should have the right to health care, as wealth should not determine quality of life. Health care is an incredibly important aspect of everyone's lives as it allows them to live without worrying about not having access to critical care and treatment to thrive. In this way, the solution to this problem is the maintaining and constant adjusting of the Patient Protection and Affordable Care Act, ''ACA'', to best suit and assist the American people. The benefit of the Affordable Care Act is deceptively simple in that more Americans would be able to afford and hold onto healthcare. This means that they would be able to live a better life and be better functioning members of society. The Affordable Care Act has proven to be a legitimate solution since it has been enacted under the Obama administration. According to the New York Times, the number of Americans without healthcare is ''down by 25 percent.'' This shows that the Affordable Care Act is effective at achieving its goals.

There are many people who believe that the United States government should play no role in health care; this is a flawed perspective. The goal is insure as many American citizens as possible it makes the most sense to have defined government regulation. One belief is that there should be a free market for health insurance, allowing companies to compete to provide the best system to benefit the people. There are many problems with a free market health care system that stops it from being helpful and most useful for the American people. A free market is not designed to allow for everyone to have insurance, but rather people who can afford it having better access. This is not beneficial on the national scale and leads to a large imbalance of power. There are also numerous flaws in the current American approach to health care. For one, even when someone is insured there are upfront fees and payments before insurance kicks in. This means that someone who is insured might not be able to pay these fees causing them to be financially burdened by bills even with insurance.

Universal government health care has proven to be a sufficient solution to the problem of health care. For example, Switzerland has universal health care and a per capita health expenditures of $1,879, compared to America's $4,160. Meaning that the United States is spending more money on less.

Making sure that this is available and maintained under the Trump administration is important in the path towards accessible health insurance. No one should ever die because they cannot afford treatment.

HOPE PETRARO, MONTPELIER HIGH SCHOOL, SOPHOMORE

Commitment to democracy is the founding principal of the United States of America-embedded in the fabric of our Nation, the crown jewel of our proverbial crown. A constitutional federal republic, with a system of checks and balances, is an assurance to constituents that they each have a seat at the table. Yet in practice, this has proven to be nothing but a promising facade. Gerrymandering, voter suppression, and ''money in politics'' are not a threat to our democracy—they define American democracy. The disproportionate influence of wealthy individuals and corporations in elections and in the legislative process has muddled an honest definition of democracy in our Nation while simultaneously becoming it. However, America's commitment to tried-and-true methods does not necessitate lack of reception to positive change.

Campaigns will always include campaign financing, as the distribution of information to voters is dependent upon systems that require funding. In addition, campaign contributions, whether by individuals or corporations, can rightfully be considered an exercise of the First Amendment right to free speech. However, refusal to set donation limits violates the grounds of equality upon which such freedom of speech is conducted, and can arguably censor and repress the speech of the less wealthy as it greatly diminishes their relative influence. Unfortunately, Citizens United and the subsequent SpeechNow allow donors to make unlimited donations to super PACS. This includes money donated by foreign entities, possibly anonymously as ''dark money''. Moreover, these expenditures aren't verifiably independent from candidates. Collusion between super PACs, often created by associates of candidates and candidates themselves, is rarely, if ever, regulated. In addition, it is hypocritical to argue, in the name of free speech, that donors can contribute an unlimited amount to expenditures but that those expenditures must remain independent. Citizens United, SpeechNow, and the additional McCutcheon rulings have nearly neutralized the Bipartisan Campaign Reform Act, adding a somewhat plutocratic influence upon the electoral process and American democracy as a whole.

This issue is multi-partisan. According to Gallup Poll, the greatest majority of Americans cite dissatisfaction with the government and poor leadership as our Nation's most important issue. A September 2015 Bloomberg poll found that about 80 percent of Republicans and Democrats alike oppose Citizens United. This overarching dissatisfaction can be ameliorated by working

to keep elections in the hands of the American people. Political groups, such as the Swift Boat Veterans for Truth and ALEC, were able to influence elections before Citizens United, SpeechNow, and McCutcheon, and are able to influence the legislative process, respectively. However, it's important for Americans to avoid demoralization, understanding that the first step to achieving a republic free of corruption rests in truly democratic elections. A true democracy can be achieved by restoring the Bipartisan Campaign Reform Act, strengthening campaign-finance regulations, and supporting public campaign-financing initiatives. We, the American people, must decide our destiny, and our elections should remind each American that their voices prevail.

ZOE PRUE, CHAMPLAIN VALLEY UNION HIGH SCHOOL, JUNIOR

The United States is distinguished by the values that are deeply embedded in our culture and economy. Americans place emphasis on individual initiative and self-created success. These ideas are evident in the Constitution, its amendments, and various institutions. Their derivation is best seen in a famous phrase written in the Declaration of Independence, ''life, liberty, and the pursuit of happiness.'' Captured in these seven words are the ubiquitous values of our Nation.

Our focus on individually created prosperity is manifested by capitalism and the free market. However, these are not conducive to always guaranteeing protections like health care for our most vulnerable citizens. In America, there are families stymied in an unrelenting cycle of poverty, and they are incapable of rising out of the cycle for a myriad of factors. For example, access to education and vocational training, discrimination—especially for marginalized communities—higher incarceration rates, low salaries/wages, and lack of jobs. Impoverished people have difficulties paying for the bare minimums like housing, food, and heat. Consequently, families rarely find any spare money to spend on healthcare.

This is an issue because, according to the National Center for Children in Poverty, 15 million children in the United States live below the federal poverty line. There are millions of children who do not receive regular physical check-ups, necessary optometry appointments, or dental care. Children and adolescents are suffering from health problems that impact their quality of life. Many treatable ailments require simple fixes such as glasses to see the board, fillings for painful cavities, medicine for illnesses, or inhalers for asthma. It is within our capacity to fix these problems, so why are we not? We should be concerned about the health of our Nation's citizens as it is one of the most important issues facing the U.S. today.

There is an inescapable need for affordable and accessible health care for the American public. The lasting impacts of affordable healthcare would be monumental. When we invest in the health and livelihoods of the next generation of Americans, we are investing in the next generation of our workforce. Healthier people results in more able workers, who by extension, are able to support their own families. It is one of the best methods to combatting the poverty cycle.

We characterize our Nation by our belief in individualism and independence. However, when we see a system that is relentlessly unforgiving towards people in poverty, the most productive conclusion to come to is that we have to start taking care of our neighbors. The cycle disempowers them; it strips them of the ability to pay for necessities like healthcare. This is why affordable healthcare needs to be obtainable for all Americans.

Instead of repealing and replacing the Affordable Care Act, it should be expanded upon. The government should fund programs to offer reasonably priced healthcare to Americans. Doing so would create a lasting solution to poor citizens being unable to access health care. The quality of life for millions of Americans would be improved.

ETHAN SCHMITT, RUTLAND HIGH SCHOOL, SOPHOMORE

I am the grandson of a card-carrying member of the National Rifle Association. I support the United States Constitution and all of its amendments. Despite this, I believe that the way our country's officials have interpreted the Second Amendment has created the foundation for many mass shootings, which have claimed the lives of countless innocent civilians.

A price cannot be assigned for the lives lost due to this awfully dangerous policy of our country; every time another person dies due to homicide, another family is torn apart. Many children have been killed, particularly in church and school shootings. And even in cases where there are children who haven't been physically impacted by the mass shootings, they may have lost a loved one which will take a toll on them mentally and emotionally for the rest of their lives.

The universal definition of the term mass shooting is when four or more people are injured or killed in a single event at the same time and location. According to The Guardian, there have been 1,516 mass shootings in the past 1,735 days before October 1, 2017, the date of the mass shooting that took place at the Mandalay Bay Hotel in Las Vegas. A total of 1,719 people have died as a result of these mass shootings, while an additional 6,510 were injured. The gun at the forefront of these mass shootings was the semi-automatic rifle, which has the ability to shoot a round, and automatically reload with another round that is fired with an additional pull of the trigger. Despite the National Rifle Association's attempts to defend such a weapon as a gun mostly used for hunting purposes, there is no need for this hazardous assault weapon in order to successfully hunt.

In addition, devices known as bump stocks are used to simulate the speed of fire similar to that of an automatic weapon for a semi-automatic weapon. An automatic weapon has the ability to fire multiple rounds of ammunition by only pulling the trigger of a gun once, and are more commonly known as machine guns. The American people have been prohibited from the use of these weapons with the passing of the National Firearms Act in 1934. However, bump stocks have not been banned, and the result of this have been conflicts such as the mass shooting in Las Vegas where the gunman successfully attached these devices to 23 of his semi-automatic rifles, and used them to kill 58 people, which resulted in the most devastating shooting in U.S. history.

The solution to this mass shooting epidemic is clear. Congress must use rationality and act as a bipartisan group to pass a bill which regulates the use of semi-automatic weapons and bump stocks which have both been used with frequency in a multitude of mass shootings across the United States. American citizens have the right to bear arms, but not with weapons that have no purpose in hunting, target practice, or even self-defense.

ELIZABETH TOENSING, CHAMPLAIN VALLEY UNION HIGH SCHOOL, JUNIOR

On a summer Saturday morning, I was driving into Burlington. At a stop light, I looked over at a church to my right. A man, in his early twenties was sitting on the steps. He was shivering ferociously, yelling at God, and begging for help. His tremors were not from cold. He was shaking from withdrawal. Beads of sweat trickled down his forehead and soaked his shirt. His body was unable to handle the side effects of withdrawal. He was a heroin addict. This homeless man with torn clothing, could not access a treatment center. His last-ditch effort was to sit on the steps of a church and pray, scream, for a miracle.

A miracle is ''a highly improbable or extraordinary event, development, or accomplishment that brings very welcome consequences.'' Miracles are meant for things we cannot control, not things we can control like making help available for drug addicts.

By funding public drug rehabilitation centers, we can help drug addicts to recover from their addictions. No addicts can do it alone and adequate support is the only way to help with these problems.

An analysis from Blue Cross Blue Shield found that from 2010 to 2016, the number of people diagnosed with an addiction to opioids climbed 493 percent. Yet, at the same time, there was only a 65 percent increase in the number of people getting medication-assisted treatment to manage their addiction.

Why do we allow the drug abuse problem to skyrocket well beyond treatment resources? Perhaps it is because drug treatment centers come at a cost. They can range from $20,000–$60,000 for a 30–90 day inpatient stay. No wonder 77.7 percent of addicts cannot afford it. But for society, the costs go well beyond treatment.

The opioid crisis in America is increasing by the day and with it comes increased deaths and suffering. Some suggest creating injection sites to supervise heroin users to help with the growing death toll. But this is a short term fix. Rehab is a long-term fix and gives opioid abusers a chance to reclaim normal lives.

Making rehabilitation centers more accessible to financially strapped addicts will help the opioid epidemic. Reducing or eliminating the financial blockades to treatment that exist for nearly 80 percent of addicts will answer the prayers of an increasing number of victims of this plague. Affordable rehabilitation centers will eliminate the need for miracles.

ELLA WHITMAN, CHAMPLAIN VALLEY UNION HIGH SCHOOL, JUNIOR

When my high school principal told us that there were only three rules we had to follow I was shocked. How can you sum up every expectation that must be demanded of a young adult into three things? He went on to inform us that we must take care of ourselves, take care of each other, and the place. While thinking about these three guidelines it became apparent that achieving them can be challenging at times but the step to do it is simple; you must respect all things. Looking at our Nation today it is clear that lack of respect creates the most conflict in our Nation. Our negligence to respect each other's bodies, opinions, ethnicities, races, backgrounds and beliefs leads us to discrimination, hatred and prejudice. We see endless examples in our lives today.

The lack of respect for one another's opinion is vividly apparent in politics today. The Pew Research Center recently reported how the partisan divide on our Nation's politics is increasing. A study concluded, ''The shares of Republicans and Democrats who express very unfavorable opinions of the opposing party have increased dramatically since the 1990's, but have changed little in recent years.'' This is alarming because if we as people cannot see others perspective, we will not be able to collaborate or work with one another to collectively strengthen our Nation. By respecting others' opinions we can gain insight and also learn their specific needs.

Not only is respect lacking towards each other's opinions, but to others wellbeing as we have recently seen millions of women come forward with stories of sexual abuse. Not only in our Nation's history but in present day, women are treated as objects. Just within the last twenty four hours, additional notable people have come forward with their previous stories of harassment such as Reese Witherspoon, Jennifer Lawrence and Molly Ringwald, not to mention the 12 million others who have also shared their own stories on Facebook.

Looking back, maybe our principal had a point. To function not only as a school, but as a community or even a nation we must have respect. To advance our Nation from its biggest struggles and alleviate the consequences that come with it, each person must learn how to see out of another's eyes. Each person must treat one another with dignity. Respect is important to our country because it allows us to adjoin together as one. Our Nation was created upon respect and embracing one another for their differences. Each person's difference allows us to be the unique nation we are today. We must embrace and respect every opinion that each one of us has, every talent each one of us possesses and every person each one of us is.

NAME WITHHELD UPON REQUEST, BURLINGTON SCHOOL DISTRICT, SENIOR

The biggest issue we face in America today is that we neglect our incarcerated population. I'm part of the juvenile incarcerated population, and as a resident I don't feel like I'm getting the appropriate treatment I need. I was already here once and the skills I learned were not enough to keep me from coming back.

Incarcerated people need to be given the opportunity and resources to identify what gets them in trouble and to work on their problems. If a person has a history of violent behaviors and is incarcerated because of his behaviors, he shouldn't be doing groups on drugs and alcohol. Instead he should be focusing his time and attention on working to better his violent behaviors so he can be successful when he gets out.

Another issue is that there are many young people in the system who do not need to be. There are almost 7,000 youth behind bars for ''technical violations'' of their probation. Also, about 600 youth are behind bars for ''status offense,'' which are behaviors that are not law violations for adults, such as running away, truancy, and incorrigibility.

There are another 840,000 people on parole and about 3.7 million people on probation. I would like to see better support for these people who come out of jail. If previously incarcerated people relapse for certain types of offenses like drug and alcohol offenses, breaking curfew, or violating probation, they should be given opportunities to fix that before it becomes a pattern, rather than being thrown back in jail.

I also think they should have more adult programs like juveniles have such as short or longterm programs away from their environment. A placement that juveniles go to after being released from a locked facility is called a step down. Laraway is an example of this, where a juvenile can go and be allowed back in the community. They are given the opportunity and supports to help them find a job and enroll back in school.

I hope that policymakers and the public carefully consider better treatment within locked facilities and alternatives to incarceration for people who are not a threat to public safety. We should ask whether legitimate social goals are served by maintaining the status quo.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4708. An act to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 10:43 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2504. An act to ensure fair treatment in licensing requirements for the export of certain echinoderms.

H.R. 2646. An act to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes.

H.R. 2888. An act to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes.

H.R. 4547. An act to amend titles II, VIII, and XVI of the Social Security Act to improve and strengthen the representative payment program.

The message also announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the Joint Economic Committee: Mrs. HANDEL of Georgia.

ENROLLED BILL SIGNED

At 5:59 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 534. An act to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

MEASURES REFERRED

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

H.R. 2504. An act to ensure fair treatment in licensing requirements for the export of certain echinoderms; to the Committee on Environment and Public Works.

H.R. 2646. An act to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes; to the Committee on Foreign Relations.

H.R. 2888. An act to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4547. An act to amend titles II, VIII, and XVI of the Social Security Act to improve and strengthen the representative payment program; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 1551. An act to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities.

H.R. 2372. An act to amend the Internal Revenue Code of 1986 to clarify the rules relating to veteran health insurance and eligibility for the premium tax credit.

H.R. 2579. An act to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1809. An act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

H.R. 3445. An act to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge Corporation, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4237. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Isoxaben; Pesticide Tolerances'' (FRL No. 9972–75) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4238. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fomesafen; Pesticide Tolerances'' (FRL No. 9972–66) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4239. A communication from the First Vice President and Vice Chairman of the Board of the Export-Import Bank, transmitting, pursuant to law, the Bank's 2017 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–4240. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–4241. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–4242. A communication from the Chairman, Federal Housing Finance Board, transmitting, pursuant to law, a report relative to the Board's Strategic Plan for fiscal years 2018 - 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC–4243. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Montana Second 10-Year Carbon Monoxide Maintenance Plan for Missoula'' (FRL No. 9973–17–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2018; to the Committee on Environment and Public Works.

EC–4244. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Definitions of 'Waters of the United States'—Addition of an Applicability Date to 2015 Clean Water Rule'' (FRL No. 9974–20–OW) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2018; to the Committee on Environment and Public Works.

EC–4245. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plan Revisions; Regional Haze and Interstate Visibility Transport Federal Implementation Plan Revisions; Withdrawal of Federal Implementation Plan for NOx for Electric Generating Units in Arkansas'' (FRL No. 9973–61–OAR) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2018; to the Committee on Environment and Public Works.

EC–4246. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Additions to List of Section 241.4 Categorical Non-Waste Fuels: Other Treated Railroad Ties'' (FRL No. 9969–80–OLEM) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2018; to the Committee on Environment and Public Works.

EC–4247. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance on Withholding Rules'' (Notice 2018–14) received during adjournment of the Senate in the Office of the President of the Senate on February 2, 2018; to the Committee on Finance.

EC–4248. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision to Children's Gasoline Burn Prevention Act Regulation'' ((16 CFR Part 1460) (Docket No. CPSC–2015–0006)) received in the Office of the President of the Senate on February 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4249. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to extending and amending the Agreement Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Categories of Archaeological and Ethnological Material of the Republic of Mali; to the Committee on Finance.

EC–4250. A communication from the Secretary General of the Inter-Parliamentary Union, transmitting, a report relative to international trade; to the Committee on Finance.

EC–4251. A communication from the Secretary General of the Inter-Parliamentary Union, transmitting, a report relative to international trade; to the Committee on Finance.

EC–4252. A communication from the Acting Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the Bureau's fiscal year 2016 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–4253. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Freedom of Information Act Implementation'' (RIN2590–AA86) received during adjournment of the Senate in the Office of the President of the Senate on February 2, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–4254. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled ''Report of the Proceedings of the Judicial Conference of the United States'' for the September 2017 session; to the Committee on the Judiciary.

EC–4255. A communication from the Secretary of the Board of Governors, U.S. Postal Service, transmitting, pursuant to law, a report relative to the Postal Accountability and Enhancement Act of 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–4256. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Removal of Certain Time of Inspection and Duties of Inspector Regulations for Biological Products'' ((RIN0910–AH49) (Docket No. FDA–2017–N–7007)) received in the Office of the President of the Senate on February 5, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–4257. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt from Certification; Calcium Carbonate; Confirmation of Effective Date'' ((21 CFR Part 73) (Docket No. FDA–2016–C–2767)) received in the Office of the President of the Senate on February 5, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–4258. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Community Relations Service for fiscal year 2017; to the Committee on the Judiciary.

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. BROWN (for himself and Mr. PORTMAN):

S. 2377. A bill to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the ''Walter H. Rice Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. ROUNDS:

S. 2378. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for interest on certain small business loans; to the Committee on Finance.

By Mr. KAINE (for himself, Mrs. GILLIBRAND, and Mrs. MURRAY):

S. 2379. A bill to improve and expand authorities, programs, services, and benefits for military spouses and military families, and for other purposes; to the Committee on Armed Services.

By Mr. HELLER:

S. 2380. A bill to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. DAINES, Mr. GARDNER, and Mrs. GILLIBRAND):

S. 2381. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TILLIS (for himself and Mr. KING):

S. 2382. A bill to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH (for himself, Mr. COONS, Mr. GRAHAM, and Mr. WHITEHOUSE):

S. 2383. A bill to amend title 18, United States Code, to improve law enforcement access to data stored across borders, and for other purposes; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself, Mr. PERDUE, Mr. TILLIS, Mr. GRAHAM, Mr. BROWN, Mr. COONS, Mr. CARDIN, Mr. KAINE, and Mr. MANCHIN):

S. 2384. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to make funding available to 1890 institutions without fiscal year limitation; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHATZ (for himself, Ms. HARRIS, Mr. GARDNER, Mr. SULLIVAN, and Ms. HIRONO):

S. 2385. A bill to establish best practices for State, tribal, and local governments participating in the Integrated Public Alert and Warning System, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRASSLEY (for himself, Mr. MANCHIN, and Mrs. ERNST):

S. 2386. A bill to provide additional protections for our veterans; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. KLOBUCHAR (for herself, Mr. HATCH, Mr. BENNET, Mr. ISAKSON, and Mr. THUNE):

S. Res. 392. A resolution commemorating the success of the United States Olympic and Paralympic Teams in the past 23 Olympic Winter Games and 11 Paralympic Winter Games and supporting the United States Olympic and Paralympic Teams in the 2018 Olympic Winter Games and Paralympic Winter Games; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. Res. 393. A resolution making minority appointments for the 115th Congress; considered and agreed to.

By Mr. ISAKSON (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BROWN,

Mrs. CAPITO, Mr. CASSIDY, Mr. CORNYN, Mr. DURBIN, Mr. VAN HOLLEN, Mr. WYDEN, and Mr. PETERS):

S. Res. 394. A resolution recognizing January 2018 as National Mentoring Month; considered and agreed to.

ADDITIONAL COSPONSORS

S. 351

At the request of Mr. HATCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 351, a bill to amend the Higher Education Act of 1965 to provide for comprehensive student achievement information.

S. 545

At the request of Mr. PAUL, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Idaho (Mr. RISCH) were added as cosponsors 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. 698

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 698, a bill to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes.

S. 732

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 732, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 813

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 813, a bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

S. 951

At the request of Mr. PORTMAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 951, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, and for other purposes.

S. 974

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 974, a bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

S. 1343

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1343, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1353, a bill to require States to automatically register eligible voters to vote in elections for Federal offices, and for other purposes.

S. 1746

At the request of Mr. LEE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1746, a bill to require the Congressional Budget Office to make publicly available the fiscal and mathematical models, data, and other details of computations used in cost analysis and scoring.

S. 1899

At the request of Mr. BLUNT, the names of the Senator from Montana (Mr. DAINES) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1899, a bill to reauthorize and extend funding for community health centers and the National Health Service Corps.

S. 1917

At the request of Mr. GRASSLEY, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1917, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2076

At the request of Ms. COLLINS, the names of the Senator from Maine (Mr. KING) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2101

At the request of Mr. DONNELLY, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2101, a bill to award a Congressional Gold Medal, collectively, to the crew of the USS *Indianapolis*, in recognition of their perseverance, bravery, and service to the United States.

S. 2138

At the request of Ms. WARREN, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2138, a bill to authorize the creation of a commission to develop voluntary accessibility guidelines for electronic instructional materials and related technologies used in postsecondary education, and for other purposes.

S. 2156

At the request of Mr. BURR, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2156, a bill to amend title XVIII of the Social Security Act to provide fairness in hospital payments under the Medicare program.

S. 2173

At the request of Mr. CORNYN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2173, a bill to amend subpart 2 of part B of title IV of the Social Security Act to extend State court funding for child welfare, and for other purposes.

S. 2194

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2194, a bill to remove a limitation on a prohibition relating to permits for discharges incidental to normal operation of vessels.

S. 2235

At the request of Mr. DONNELLY, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2235, a bill to establish a tiered hiring preference for members of the reserve components of the Armed Forces.

S. 2244

At the request of Ms. COLLINS, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2244, a bill to create opportunities for women in the aviation industry.

S. 2296

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2296, a bill to increase access to agency guidance documents.

S. 2304

At the request of Mr. TILLIS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2304, a bill to amend title 38, United States Code, to protect veterans from predatory lending, and for other purposes.

S. 2310

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2310, a bill to require the United States Trade Representative to permit the public to submit comments on trade agreement negotiations through the Internet.

S. 2324

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2324, a bill to amend the Investment Company Act of 1940 to change certain requirements relating to the capital structure of business development companies, to direct the Securities and Exchange Commission to revise certain rules relating to business development companies, and for other purposes.

S. 2340

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2340, a bill to establish

the Federal Labor-Management Partnership Council.

S. 2345

At the request of Mr. CORNYN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2345, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

S. 2372

At the request of Mr. ISAKSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

S. RES. 168

At the request of Mr. CARDIN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 168, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 361

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 361, a resolution expressing the sense of the Senate that the United States Government shall, both unilaterally and alongside the international community, consider all options for exerting maximum pressure on the Democratic People's Republic of Korea (DPRK), in order to denuclearize the DPRK, protect the lives of United States citizens and allies, and prevent further proliferation of nuclear weapons.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VAN HOLLEN (for himself, Mr. PERDUE, Mr. TILLIS, Mr. GRAHAM, Mr. BROWN, Mr. COONS, Mr. CARDIN, Mr. KAINE, and Mr. MANCHIN):

S. 2384. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to make funding available to 1890 institutions without fiscal year limitation; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. VAN HOLLEN. Mr. President, today I am introducing the Carryover Equity Act of 2018 to eliminate the 20 percent carryover limitation which is an impediment to flexibility and effective financial planning of the 1890s Extension Program. The 1890s Extension Program is administered by the USDA's National Institute of Food and Agriculture (NIFA) and is a capacity funding program supporting extension activities at 1890 Land-Grant Universities. Its intent is to increase and strengthen agricultural sciences at the 1890s through the effective integration of education, research and extension programs.

My State is the home of the University of Maryland Eastern Shore (UMES), Maryland's only 1890 Land-Grant University and one of the State's four Historically Black Colleges and Universities (HBCUs). UMES, along with the University of Maryland College Park, form the University of Maryland Extension—a statewide educational organization funded by Federal, State, and local governments that brings research-based knowledge directly to communities throughout the ''Old Line'' State. The mission of University of Maryland Extension is to educate citizens to apply practical, research-based knowledge to critical issues facing individuals, families, communities, the State of Maryland, and its global partners.

In Maryland, the 1890 Extension Program is headquartered at UMES in Princess Anne, MD and extension programming at the University focuses on 4–H STEM; nutrition and health; seafood technology; small farm outreach; and small ruminant research. The UMES program is targeted to diverse audiences on the agriculturally important Eastern Shore with special emphasis on those with limited resources to help them improve their quality of life and to successfully pursue a career in agriculture.

Mr. President, current law limits the funding amount an 1890 institution may carry over in any fiscal year to 20 percent of the 1890s Extension Program funding received. This prohibition creates significant impediments for 1890 institutions to carry out their mission to deliver programs to customers and clientele and restricts the ability of 1890 institutions to efficiently and effectively manage their funding. No other USDA/NIFA capacity program has a similar 20 percent carryover limitation. By eliminating this 20 percent limitation, via the Carryover Equity Act, the 1890s Extension Program will have the same funding flexibility found in the other major capacity programs administered by NIFA. This bill has the strong support of 1890 institution Presidents as well as the Association of Public & Land-Grant Universities.

I am pleased to be joined in introducing this bill by Senators PERDUE, BROWN, TILLIS, CARDIN, COONS, GRAHAM, MANCHIN and KAINE who, like me, recognize the value 1890 land grant institutions bring to the rural communities of our States and the research and technical support these institutions provide to our socially disadvantaged, and veteran farmer, and rancher constituents with limited resources. I look forward to working together with Senate and House colleagues to see that this important legislation is included in the next Farm Bill.

By Mr. GRASSLEY (for himself, Mr. MANCHIN, and Mrs. ERNST):

S. 2386. A bill to provide additional protections for our veterans; to the Committee on Veterans' Affairs.

Mr. GRASSLEY. Mr. President, I would like to raise a very important issue that is impacting our veterans population. That issue is the systematic denial of these veterans' Second Amendment rights. This comes up in discussions with Iowa veterans, and I have candidly discussed this issue before on the Senate floor.

Today, I am introducing bipartisan legislation, cosponsored by Senator MANCHIN, called the Veterans' Second Amendment Rights Restoration Act of 2018. This bill is being introduced to solve the problem of denying these rights to veterans.

The legislation is about the fidelity of the Constitution and about the fidelity of the Bill of Rights. It is also about due process and fairness for veterans. What this is not about, I want to make clear, is allowing anyone to purchase a firearm who is prohibited to do so under current law or regulations. I want it to be very clear right off the bat so that no one misinterprets this as some effort to let people own firearms who would normally be prohibited.

This legislation is needed because a very disturbing trend has occurred in the past decade. The Veterans Health Administration has been reporting veterans to the National Instant Criminal Background Check System—the national gun ban list—just because these veterans have been determined by the VA to be veterans who require a fiduciary to administer benefit payments. This is a pretty simple proposition that denies veterans their Second Amendment rights. It is that simple, as I just said. A fiduciary's administering benefit payments to a veteran could and does lead to that veteran's being denied Second Amendment rights. Once on the gun list, a veteran is outlawed from owning or possessing firearms.

It is crucial to note that the regulations that the Veterans Health Administration is relying on are from way back in the 1970s. It predates even the National Instant Criminal Background Check System and is long before the Supreme Court held the Second Amendment to be a fundamental, constitutional right. These regulations grant limited authority to determine incompetence only in the context of financial matters.

The regulation reads like this: ''Rating agencies have sole authority to make official determinations of competency or incompetency for purposes of: insurance and . . . disbursement of benefits.''

There is nothing wrong with that language, but it is that language that leads to the problems that veterans have with their Second Amendment rights. From this language, it is clear that the core regulatory authority applies to matters of competency for financial purposes. It has nothing to do with regulating who can purchase firearms, but that is exactly what is happening. Veterans are losing their Second Amendment rights because they have people managing their checkbooks. It is that simple. If you cannot handle your finances, you lose your Second Amendment rights.

Everybody wants to know how this is happening. Federal law requires that before a person is reported to a gun ban list, he be determined to be a ''mental defective.'' The Bureau of Alcohol, Tobacco, Firearms and Explosive created a regulation to define what ''mental defective'' means. It includes, among other requirements, that a person is a danger to self or others. The VA has taken the position that this Alcohol, Tobacco, Firearms and Explosives regulation can then be made to fit within its own preexisting regulatory structure for assigning a fiduciary, thus requiring that name be put on the gun ban list.

The intent and purpose between these two regulations is entirely different. On the one hand, the VA regulation is designed to appoint a fiduciary. On the other hand, the ATF regulation is designed to regulate firearms. That is a great big, huge distinction. The level of mental impairment that justifies taking away the right to possess and own firearms must rest at a severe and substantial level—a level at which the mere possession of a firearm would constitute a danger to self or others. That decision is never made by the VA before submitting names to this gun ban list. As such, imposing a gun ban is a harsh result that could sweep up veterans who are fully capable of appropriately operating a firearm.

It gets worse.

When veterans are then placed on that gun ban list, they must prove that they are not dangerous to the public in order to get their names removed from that list. That dangerousness standard is much higher than the mere assignment of a fiduciary. Thus, veterans are subjected to a more rigorous and more demanding evidentiary standard to get their names off the gun ban list than the Federal Government must prove to put their names on that list. We ought to all agree that is patently unfair. I also believe that it is unconstitutional. When dealing with a fundamental, constitutional right like the one protected by the Second Amendment, at the very minimum, the government ought to be held to the same standard as we the people.

We owe it to our veterans to fix this problem. As of December 31, 2016, the Veterans Health Administration reported 167,815 veterans to the gun ban list for having been assigned a fiduciary. That is 167,815 out of 171,083 or another way of saying it is 98 percent of all names reported.

It is important to note that since the VA reports names to the gun ban list merely when a fiduciary is assigned to that veteran, not one of those names has been reported because a veteran has been deemed to be a public danger. Accordingly, not all veterans reported to the gun ban list should be on it.

On May 18, 2016, I debated this very issue on the Senate floor with Senator DURBIN. He said, ''I do not dispute what the Senator from Iowa suggested, that some of these veterans may be suffering from a mental illness not serious enough to disqualify them from owning a firearm, but certainly many of them do.''

Then Senator DURBIN said, ''Let me just concede at the outset that reporting 174,000 names goes too far, but eliminating 174,000 names goes too far.''

I am pleased that Senator DURBIN acknowledged that many of the names supplied by the VA on the gun ban list do not pose a danger and should be removed.

I thank his staff for working with my staff during this process.

The essential question then is, How do we go about fixing it the right way?

I believe my legislation does just that. This legislation adds a new step before the VA can report names to a gun ban list. The step requires that once a fiduciary is assigned, the VA must first find the veteran to be a danger to self or to the public before taking away his firearm. That is the same standard that the veteran must satisfy currently in order to get his name off the gun ban list.

My legislation also provides constitutional due process. Specifically, it shifts the burden of proof to the government to prove a veteran is dangerous before taking away firearms. Currently, the entire burden of proof is on the veteran to prove that he or she is not dangerous. When a constitutional right is involved, the burden must always be on the government.

My bill also creates an option for the veteran to seek legal redress via an administrative board or the Federal court system. The veteran is in control. It provides an avenue for every veteran already on that gun ban list to get his name removed. That last point is important to note.

My bill does not automatically remove every veteran from the list, which was a concern Senator DURBIN raised previously when we debated this issue. It does require the VA to provide notice to every veteran on the list of his right to go through the new process to have his name removed. Should a veteran choose to do that, the protections, the process, the procedure, and the standards set forth in my bill would then apply to him. Every veteran is free to apply for relief, and every veteran will be treated equally under my bill. Of course, that is the fair thing to do. That is the constitutionally sound way to manage this process.

The bill does provide authority for the government to seek an emergency order if it believes a veteran is a serious and imminent risk to self or to others. That was a suggestion by Senator DURBIN—to provide for a short-term safety mechanism when the situation is too urgent to wait for a judge to evaluate all of the facts.

The bill also retains a mechanism for the VA to systematically refer veterans to the National Instant Criminal Background Check System. This was another of Senator DURBIN's main concerns. A simpler bill passed the House of Representatives last year that is similar to the amendment I tried to offer and that Senator DURBIN objected to in the year 2016. It would, simply, stop the VA from referring veterans to the gun ban list without first finding them a danger to self and others. However, it did not set up any system to make that happen. The argument is that this puts veterans using the VA in the same boat as everybody else. Of course, I am sympathetic to that argument, but the legislation I am introducing today is a good faith effort to overcome objections that have prevented action on this important issue in the past.

My bill solves a problem that has existed for many years: denying veterans their Second Amendment rights. Veterans should not be subject to a harsher standard than what the government is subject to. Veterans deserve full due process protections when their constitutional rights are at stake. That is the core of this legislation.

The regulatory process at the back end to remove a veteran from the gun ban list is simply moved to the front end; that is, the Federal Government must first prove that a veteran is dangerous before taking away firearms. This is the same standard applied to nonveterans.

This fix will not change existing firearms laws. Felons are still prohibited from owning firearms. Persons with domestic violence convictions are still prohibited. Persons adjudicated as mentally defective are still prohibited. Persons involuntarily committed are still prohibited. If my bill were to become law, every Federal firearm prohibition would still exist.

Again, the core of my bill simply requires the Federal Government to prove that a veteran is dangerous before taking away his or her firearms. That is the same standard our veterans must live by currently in order to remove their name from the gun ban list and get their guns back.

If we, the people, have to live under that standard, then, so should our Federal Government.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 392—COMMEMORATING THE SUCCESS OF THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS IN THE PAST 23 OLYMPIC WINTER GAMES AND 11 PARALYMPIC WINTER GAMES AND SUPPORTING THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS IN THE 2018 OLYMPIC WINTER GAMES AND PARALYMPIC WINTER GAMES

Ms. KLOBUCHAR (for herself, Mr. HATCH, Mr. BENNET, Mr. ISAKSON, and Mr. THUNE) submitted the following resolution; which was referred to the

Committee on Commerce, Science, and Transportation:

S. RES. 392

Whereas, for more than 100 years, the Olympic and Paralympic movements have built a more peaceful and better world by—

(1) educating young people through amateur athletics;

(2) bringing together athletes from many countries in friendly competition; and

(3) forging new relationships among athletes bound by friendship, solidarity, and fair play;

Whereas the 2018 Olympic Winter Games will take place in PyeongChang, South Korea, from February 9 to February 25, 2018;

Whereas the 2018 Paralympic Winter Games will take place in PyeongChang, South Korea, from March 9 to March 18, 2018;

Whereas at the 2018 Olympic Winter Games, 90 nations will compete in 7 sports, and the United States Olympic and Paralympic Teams (referred to in this preamble as ''Team USA'') will compete in all 7 sports;

Whereas at the 2018 Paralympic Winter Games, approximately 45 nations will compete in 5 sports, and Team USA will compete in all 5 sports;

Whereas Team USA has won 96 gold medals, 102 silver medals, and 84 bronze medals, totaling 282 medals, during the past 23 Olympic Winter Games;

Whereas Team USA has won 98 gold medals, 104 silver medals, and 77 bronze medals, totaling 279 medals, during the past 11 Paralympic Winter Games;

Whereas the people of the United States stand united in respect and admiration for the members of Team USA and the athletic accomplishments, sportsmanship, and dedication to excellence of Team USA;

Whereas the many accomplishments of Team USA would not have been possible without the hard work and dedication of many individuals, including—

(1) individuals on the United States Olympic Committee; and

(2) the many administrators, coaches, and family members who provide critical support to the athletes of Team USA;

Whereas the United States takes great pride in the athletes of Team USA exhibiting a commitment to excellence, grace under pressure, and good will toward other competitors; and

Whereas the Olympic and Paralympic Movements celebrate competition, fair play, and the pursuit of dreams: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the athletes and coaches of the United States Olympic and Paralympic Teams (referred to in this resolving clause as ''Team USA'') and the families who support them;

(2) supports the athletes of Team USA in competing at the 2018 Olympic Winter Games and Paralympic Winter Games in PyeongChang, South Korea; and

(3) supports the goals and ideals of the Olympic Games and the Paralympic Games.

SENATE RESOLUTION 393—MAKING MINORITY APPOINTMENTS FOR THE 115TH CONGRESS

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 393

Resolved, That the following be the minority membership on the following committees for the remainder of the 115th Congress, or until their successors are appointed:

COMMITTEE ON FOREIGN RELATIONS: Mr. Menendez, Mr. Cardin, Mrs. Shaheen, Mr. Coons, Mr. Udall, Mr. Murphy, Mr. Kaine, Mr. Markey, Mr. Merkley, Mr. Booker.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Cardin, Ms. Cantwell, Mrs. Shaheen, Ms. Heitkamp, Mr. Markey, Mr. Booker, Mr. Coons, Ms. Hirono, Ms. Duckworth.

SENATE RESOLUTION 394—RECOGNIZING JANUARY 2018 AS NATIONAL MENTORING MONTH

Mr. ISAKSON (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BROWN, Mrs. CAPITO, Mr. CASSIDY, Mr. CORNYN, Mr. DURBIN, Mr. VAN HOLLEN, Mr. WYDEN, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 394

Whereas the goals of National Mentoring Month are—

(1) to raise awareness of mentoring;

(2) to recruit individuals to mentor;

(3) to celebrate the powerful impact of caring adults who volunteer time for the benefit of young people; and

(4) to encourage organizations to engage and integrate quality in mentoring into the efforts of the organizations;

Whereas young people across the United States make everyday choices that lead to the big decisions in life without the guidance and support on which many other people rely;

Whereas a mentor is a caring, consistent presence who devotes time to a young person to help that young person—

(1) discover personal strength; and

(2) achieve the potential of that young person through a structured and trusting relationship;

Whereas quality mentoring—

(1) encourages positive choices;

(2) promotes self-esteem;

(3) supports academic achievement; and

(4) introduces young people to new ideas;

Whereas mentoring programs have shown to be effective in helping young people make positive choices;

Whereas young people who meet regularly with mentors are 46 percent less likely than peers to start using illegal drugs;

Whereas research shows that young people who were at risk for not completing high school but who had a mentor were, as compared with similarly situated young people without a mentor—

(1) 55 percent more likely to be enrolled in college;

(2) 81 percent more likely to report participating regularly in sports or extracurricular activities;

(3) more than twice as likely to say they held a leadership position in a club or sports team; and

(4) 78 percent more likely to pay it forward by volunteering regularly in the communities of young people;

Whereas 90 percent of young people who were at risk for not completing high school but who had a mentor said they are now interested in becoming mentors themselves;

Whereas mentoring can play a role in helping young people attend school regularly, as research shows that students who meet regularly with a mentor are, as compared with the peers of those students—

(1) 52 percent less likely to skip a full day of school; and

(2) 37 percent less likely to skip a class;

Whereas youth development experts agree that mentoring—

(1) encourages positive youth development and smart daily behaviors such as finishing homework and having healthy social interactions; and

(2) has a positive impact on the growth and success of a young person;

Whereas mentors help young people set career goals and use the personal contacts of the mentors to help young people meet industry professionals and train for and find jobs;

Whereas each of the benefits of mentors described in this preamble serve to link youth to economic and social opportunity while also strengthening communities in the United States; and

Whereas, despite those described benefits, 9,000,000 young people in the United States feel isolated from meaningful connections with adults outside the home, constituting a ''mentoring gap'' that demonstrates a need for collaboration and resources: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes January 2018 as National Mentoring Month;

(2) recognizes the caring adults who—

(A) serve as staff and volunteers at quality mentoring programs; and

(B) help the young people of the United States find inner strength and reach their full potential;

(3) acknowledges that mentoring is beneficial because mentoring supports educational achievement and self-confidence, reduces juvenile delinquency, improves life outcomes, and strengthens communities;

(4) promotes the establishment and expansion of quality mentoring programs across the United States to equip young people with the tools needed to lead healthy and productive lives; and

(5) supports initiatives to close the ''mentoring gap'' that exists for the many young people in the United States who do not have meaningful connections with adults outside the home.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1922. Mr. MCCONNELL proposed an amendment to the bill H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

SA 1923. Mr. MCCONNELL proposed an amendment to amendment SA 1922 proposed by Mr. MCCONNELL to the bill H.R. 695, supra.

SA 1924. Mr. MCCONNELL proposed an amendment to amendment SA 1923 proposed by Mr. MCCONNELL to the amendment SA 1922 proposed by Mr. MCCONNELL to the bill H.R. 695, supra.

SA 1925. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 695, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1922. Mr. MCCONNELL proposed an amendment to the bill H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; as follows:

At the end add the following.

''This Act shall take effect 1 day after the date of enactment.''

SA 1923. Mr. MCCONNELL proposed an amendment to amendment SA 1922 proposed by Mr. MCCONNELL to the bill H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; as follows:

Strike ''1 day'' and insert ''2 days''

SA 1924. Mr. MCCONNELL proposed an amendment to amendment SA 1923 proposed by Mr. MCCONNELL to the amendment SA 1922 proposed by Mr. MCCONNELL to the bill H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; as follows:

Strike ''2'' and insert ''3''

SA 1925. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—NO BUDGET, NO PAY

SEC. _____01. SHORT TITLE.

This title may be cited as the ''No Budget, No Pay Act''.

SEC. _____02. DEFINITION.

In this title, the term ''Member of Congress''—

(1) has the meaning given the term under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

SEC. _____03. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

SEC. _____04. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section _____05.

(b) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section _____05, at any time after the end of that period.

SEC. _____05. DETERMINATIONS.

(a) SENATE.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section _____03 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section _____03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

(b) HOUSE OF REPRESENTATIVES.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section _____03 and whether Members of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under section _____03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

SEC. _____06. EFFECTIVE DATE.

This title shall take effect on February 1, 2019.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 10 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 2:30 p.m., to conduct a closed hearing.

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

The Committee on Banking, Housing and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 10 a.m., to conduct a hearing entitled ''Virtual Currencies: The Oversight Role of the U.S. Securities and Exchange Commission and the U.S. Commodity and Futures Trading Commission.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 10 a.m., to conduct a hearing on bills S. 2182, Bikini Resettlement and Relocation Act and S. 2325, Northern Mariana Island and U.S. Workforce Act.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, February 6, at 10 a.m., to conduct a hearing entitled ''The Administration's South Asia Strategy on Afghanistan.''

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 10 a.m., to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Access and Innovation.''

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 10 a.m., to conduct a hearing entitled ''Beneficial Ownership: Fighting Illicit International Financial Networks Through Transparency.''

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 2:30 p.m., to conduct a closed hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 10 a.m., to conduct a hearing entitled ''One Year Later: The American Innovation and Competitiveness Act.''

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the

session of the Senate on Tuesday, February 6, 2018, at 3 p.m., to conduct a hearing entitled ''Data Security and Bug Bounty Programs: Lessons Learned from the Uber Breach and Security Researchers.''

SUBCOMMITTEE ON PRIMARY HEALTH AND RETIREMENT SECURITY

The Subcommittee on Primary Health and Retirement Security of the Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 2:30 p.m., to conduct a hearing entitled ''Exploring the 'Gig Economy' and the Future of Retirement Savings.''

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

The Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, February 6, 2018, at 2:30 p.m., to conduct a hearing entitled ''Terrible, No Good, Very Bad Ways of Funding Government: Exploring the Cost to Taxpayers of Spending Uncertainty Cause by Governing through Continuing Resolutions, Giant Omnibus Spending Bills, and Shutdown Crises.''

MAKING MINORITY PARTY APPOINTMENTS FOR THE 115TH CONGRESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 393, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 393) making minority party appointments for the 115th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to 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 resolution (S. Res. 393) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL MENTORING MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 394, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 394) recognizing January 2018 as National Mentoring Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 394) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, FEBRUARY 7, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11:30 a.m. on Wednesday, February 7; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 695.

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

ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:55 p.m., adjourned until Wednesday, February 7, 2018, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate on February 5, 2018:

DEPARTMENT OF DEFENSE

JOHN E. WHITLEY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE ROBERT M. SPEER.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SETH DANIEL APPLETON, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE KATHERINE M. O'REGAN.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

ALAN E. COBB, OF KANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING NOVEMBER 22, 2023, VICE WILLIAM SHAW MCDERMOTT, TERM EXPIRED.

AMTRAK BOARD OF DIRECTORS

JOSEPH RYAN GRUTERS, OF FLORIDA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE ALBERT DICLEMENTE, TERM EXPIRED.

TENNESSEE VALLEY AUTHORITY

JOHN L. RYDER, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2021, VICE MICHAEL MCWHERTER, TERM EXPIRED.

DEPARTMENT OF STATE

KIRSTEN DAWN MADISON, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS), VICE WILLIAM R. BROWNFIELD, RETIRED.

INTER-AMERICAN DEVELOPMENT BANK

ELIOT PEDROSA, OF FLORIDA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK, VICE JAN E. BOYER, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

CHARLES E. COOK III, OF MARYLAND, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOMELAND SECURITY, VICE CHARLES H. FULGHUM.

THE JUDICIARY

KELLY HIGASHI, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE THOMAS J. MOTLEY, RETIRED.

SHANA FROST MATINI, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE ZOE BUSH, RETIRED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

WILLIAM R. EVANINA, OF PENNSYLVANIA, TO BE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER. (NEW POSITION)

DEPARTMENT OF JUSTICE

PATRICK HOVAKIMIAN, OF CALIFORNIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 2020, VICE ANUJ CHANG DESAI, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN J. DEGOES
BRIG. GEN. ROBERT I. MILLER
BRIG. GEN. LEE E. PAYNE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. VINCENT K. BECKLUND
BRIG. GEN. CHARLES S. CORCORAN
BRIG. GEN. BARRY R. CORNISH
BRIG. GEN. CHRISTOPHER E. CRAIGE
BRIG. GEN. ANDREW A. CROFT
BRIG. GEN. ALLAN E. DAY
BRIG. GEN. ERIC T. FICK
BRIG. GEN. CHAD P. FRANKS
BRIG. GEN. JOHN R. GORDY II
BRIG. GEN. GREGORY M. GUILLOT
BRIG. GEN. STACEY T. HAWKINS
BRIG. GEN. CAMERON G. HOLT
BRIG. GEN. KEVIN A. HUYCK
BRIG. GEN. DAVID J. JULAZADEH
BRIG. GEN. KEVIN B. KENNEDY
BRIG. GEN. KYLE J. KREMER
BRIG. GEN. PETER J. LAMBERT
BRIG. GEN. WILLIAM J. LIQUORI, JR.
BRIG. GEN. RANDALL REED
BRIG. GEN. LENNY J. RICHOUX
BRIG. GEN. CARL E. SCHAEFER
BRIG. GEN. JOHN E. SHAW
BRIG. GEN. BRAD M. SULLIVAN
BRIG. GEN. STEPHEN C. WILLIAMS

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JEFFREY P. KRAMER

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

REAR ADM. (LH) GORDON D. PETERS

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

REAR ADM. BRIAN B. BROWN

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

REAR ADM. RICHARD P. SNYDER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JAMES W. BIERMAN, JR.
BRIG. GEN. NORMAN L. COOLING
BRIG. GEN. DAVID J. FURNESS
BRIG. GEN. JOHN M. JANSEN
BRIG. GEN. MICHAEL E. LANGLEY
BRIG. GEN. DAVID A. OTTIGNON
BRIG. GEN. THOMAS D. WEIDLEY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

DAVID J. CASWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRUCE P. HESELTINE, JR.

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

MICHAEL T. CAIN

To be major

ILDA Y. ISAZA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

KERRY L. HIRZEL

To be major

JASON R. BARKER
JOSHUA S. TRICE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

MIGUEL J. MORALES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

JULIE A. BOWMAN
SEAN M. SUNDEY
LARRIN S. WAMPLER

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RACHEL L. ADAIR
BRIAN A. ALBERTS
MICHAEL W. ALBERTSON
ANDRENE A. ALEXANDER
MARK A. ALFERS
GREGORY W. ALLEN
SADAT ALLHASSAN
MICHAEL D. ANDERSEN
ALLISON M. ANDERSON
CHRISTOPHER J. ANDERSON
LEONARD L. ANDREWS, JR.
JULIANNE R. APODACA
CHARLIE ARELLANO
BASHIRU ASIGIRI
CHINYERE ASOH
BRANDON L. AUSTIN
JACOB E. AUSTIN
VINCENT P. AUSTIN
LAWRENCE B. AVILA
NIVIA AYALA
JACQUELINE M. AYALAVALE
JACOB A. BAGWELL
CORY G. BAKER
MASTIE A. BAKER
RONALD C. BAKER
R. Q. BANIS
ERWIN O. BARRERA
SARAH A. BARRON
LAURA K. BEACH
MICHAEL D. BEAGLE
JUSTIN R. BECKER
THOMAS C. BEECROFT
MORGAN L. BELAK
MARK A. BELLE
QUENTIN F. BENJAMIN
TRAVIS M. BETTINGER
THOMAS A. BEUSCHEL, JR.
NATHELYN S. BLAKE
THOMAS H. BLOOMER
THOMAS J. BOEHM
MATTHEW D. BOERSEMA
GERALD P. BOLDEN, JR.
ADAM M. BOLLIGER
EDWARD W. BONCEK
JUSTIN T. BOND
LAKIA S. BOOKER
JOSEPH T. BOOS
JOHN R. BORMAN
RYAN D. BOWEN
SEAN J. BOWEN
JOSEPH M. BOWER
MARIO J. BOWERS
BRIAN J. BOYD
CORNELIA BOYD
BRANDON N. BRADFORD
RYAN J. BREAUX
VIVIA M. BROWNCORMIER
JENNETTE D. BROWN
JONATHAN E. BROWN
MELISSA J. BROWN
ROLONA D. BROWN
CHRISTOPHER E. BRUNNER
TOMMIE C. BRYANT
VINH Q. BUI
JAMES R. BURDS
SHARJUAN P. BURGOS
PETER K. BURKHART
DONYELLE V. BURNEY
JACKQUELINE Y. BURNS
RONNIE L. BUSH
RICHARD S. BUTTON II
PABLO CABANILLAS III
ETHAN B. CALDWELL
JANICE M. CAMARILLO
SAMUEL D. CAMPBELL
CLAYTON J. CANNON, JR.
ANGEL L. CARABALLO, JR.
JERRIE CARDENAS
GRANT L. CARTER
THOMAS CARTER, JR.
WILLIAM R. CASTILLA
CHARLES A. CASTILLO
PHILIP L. CERAMI
JAMES L. CHANEY
DAVID E. CHAPMAN
KURT A. CHAPMAN
ALAN R. CHARTIER
ALEXANDER CHIANG
NICHOLAS W. CIMLER
BENJAMIN L. CLAPP
JENNIFER A. CLARKE
SAMUEL P. CLARKE
MARIO D. CLAYTOR
LOUELLA CLEVELAND
TAMARROW CLIMES
JOHN M. CLOSE
CHRISTINE R. COGGIANO
ERIC G. COLLIER
DEVON C. COLLINS
MARK E. COLLINS
NATHAN P. COLLINS
EDUARDO COLON
ALDEBERT A. CONCEPCION
RAMON L. CORTESNEGRON
ALEXANDRA T. CROMIE
GARY A. CROSTON
JOY D. CROWDER
ADENIRAN O. DAIRO
SCOTT R. DANIELS
RENATO DAPAT
JAMES D. DARDEN
KENNETH C. DAVIS, JR.
MICHAEL T. DAVIS
SARAH N. DAVIS
BRIDGET I. DAY
JASON M. DAY
WILLIAM J. DAY
DEXTER J. DEAN
EARL C. DEAN, JR.
WILLIAM R. DEAN
RACHEL L. DEATON
SHANNON M. DELAHOY
RYLIE J. DELONG
LILIANE DELVA
JASON W. DENCE
JONATHAN M. DENTON
CRAIG A. DEVITO
MURIEL A. DIAZ
RION A. DILLARD
JEREMY R. DIXON
NICHOLAS G. DOMS
RYAN T. DONALDSON
LEUTH DOUANGPRACHANH
KEITH A. DOUGLAS
STEPHEN R. DRAHEIM
AARON J. DRAPER
CHARLES D. DUNLEVY
RICHARD D. DWYER
JOHN P. DZWONCZYK
WAI W. ELLISON
MATTHEW J. EVON
DANIEL P. FERENCZY
BRIAN G. FERGUSON
CHRISTOPHER L. FIELDS
JEROME A. FIGGS
THEODORE J. FLESTADO
JAMES A. FOLWELL
JANELLE M. FORDE
AMANDA L. FOSTER
CHRISTOPHER P. FOWLER
WILLIAM L. FRIEDLINE
SUSAN D. FUCHS
RYAN J. FUESTING
WILLIAM C. FURNISS
JOSEPH W. FYFE
TOMMY GAITHER III
SABRINA L. GAMMAGE
TERRILL GANT
MIRACLE GARCIA
CHERELLE F. GARNER
JERRY J. GARNER
ANDREW G. GEBERT
HILARY GENEVISH
ANTHONY D. GEORGE
TONJESIA N. GILCHRIST
STANLEY J. GILLENS, JR.
ROSHONDA F. GILMORE
BRIAN M. GIROUX
LANAKIA S. GLOVER
WILLIAM G. GOETZ
RAMON L. GOMEZDAVILA
WESTON B. GOODRICH
BRIAN L. GRADDY, JR.
ERIC A. GRAVES
MICHELE GREENE
SHANE P. GREGORY
WILSON L. GRIFFIN
GEOFFREY R. GUINNUP
EDWARD R. HALINSKI III
LATOYA C. HALL
LUKE J. HALLSTEN
DAVID G. HAMILTON
WAYNE D. HANCOCK
DAVID J. HANNA
MICHAEL F. HANNA
BENJAMIN F. HARDY
ALEXYS M. HARE
RICHELLE A. HARE
JONATHAN D. HARMELING
BRANDON D. HARRIS
JOHN A. HARRISON
DANIEL P. HARTLESS
CARL P. HARTMAN
KRISTAN J. HAVARD
SHAYNE D. HEAP
JAMES C. HEIGHT
BRENT M. HELLER
JONATHAN A. HENRY
ASHTON P. HERBERT
DAVID HERNANDEZ
FREDERICK D. HERSEY
JAMIE L. HICKMAN
SINDIE L. HICKS
WILLIAM J. HOFFER
JAMES E. HOLMAN
PARIS C. HOLMAN
JUSTIN E. HOSKINS
BENJAMIN D. HOWARD
MATTHEW L. HOWARD
KYLE G. HUDALLA
STEPHEN W. HUGHES
TIMOTHY S. HUGHES
JEFFREY D. HUNT
JEREMY M. HUNTER
BONNIE M. HUTCHINSON
HWAN S. HWANG
PATRICE L. INGRAM
MARY V. ISKANDAROV
ASHLEY E. JACKSON
TANIA D. JACKSON
DANA A. JACOBS
JONATHAN JAGATNARAIN
ROBERT D. JAMES
ANTHONY J. JANESE
HEATHER L. JANTSCH
JOHNNIE T. JEFFERSON
KATHRYN R. JENSEN
JOSE A. JIMENEZ
FRANK F. JOAQUIN
ALBERT JOHNSON, JR.
BRIAN M. JOHNSON
JEFFREY C. JOHNSON
JOHANNA M. JOHNSON
MATTHEW J. JOHNSON
SCOTT G. JOHNSON
RYAN A. JOKERST
AMBER R. JONES
GERONIA L. JONES
JASON W. JONES
KIANA L. JONES
SARAH E. JONES
EVERETT A. JOYNER II
ANDREA K. KAMAN
ADRIANA M. KARMANN
CHRISTOPHER C. KARR
CHRISTOPHER Q. KEARNEY
STEVEN T. KEISTER
WALTER W. KIELBUS
KANE K. KIM
YO H. KIM
YOUNG K. KIM
JON M. KING
MARGAREE A. KING
TRENIESE L. KIRKLEN
NATHAN A. KLEIN
TERRANCE D. KNIGHT
BRIAN K. KNOTTS
ANNA H. KO
JAMES KO
TIFFANY P. KOCH
CHASE N. KOCHKODIN
SHANE A. KOHTZ
JACOB S. KONKOL
JOSHUA M. KREVY
JEFFREY A. KROMM, JR.
PAUL E. KUNNAS
LELAND C. LABBE
DUSTIN P. LADUKE
JOHN E. LAIRD
KEVIN M. LANDRETH
CHRISTINA J. LAWSON
ASHLEY S. LEACH
LUKE W. LEININGER
THOMAS S. LEITER
ANDRES LEON
STEPHEN J. LESTER
GREGORY K. LEWIS
REGINA A. LEWIS
SAMUEL X. LEWIS
VINCENT L. LEWIS

EDUARDO LIBEDAVILES
JERRY J. LINDSEY
JACK LINGLE, JR.
PAMISHA S. LITTLE
LANEA J. LIVINGSTON
RICHARD M. LOFTHOUSE
CORAL R. LORE
LARRY Q. LOWRANCE
JUSTIN D. LUCAS
JASON J. LYNCH
MATTHEW B. MACE
BRIAN E. MACKLIN
ROBERT B. MAKUCH
SAMUEL W. MALONE
DEREK D. MAPP
ROBERT M. MARTIN
MICHAEL V. MASON
ANTHONY L. MATHIS
ANDREA D. MATTHIEW
FREDERICK C. MAYFIELD II
MICHAEL A. MCCRORY, JR.
REUBEN B. MCCURDY
MATTHEW K. MCDANIEL
ERIC V. MCDONALD
WILLIAM S. MCGILL
PONNICATERRAL MCKENZIE
SHAWN T. MCMICKLE
DANIEL C. MEADOWS
ARIEL MEDINA
EDWIN B. MELENDEZMARTINEZ
BRYAN J. METCALF
TRAVIS J. MICHELENA
MARK D. MILLIGAN
MICHAEL A. MILLS
JODIE W. MINOR, JR.
AMY A. MIRANDA
RYAN A. MOLINA
MICHAEL J. MONFREDA
CHRISTOPHER G. MONTES
ANTHONY J. MOORE
RANDALL P. MORAN
MICHAEL P. MORGANA
PATRICK M. MORIARITY
TERRYJAMES R. MORRIS
ALEXANDER H. MORSE
SHAMEKA L. MOSS
BYRON W. MULDER, JR.
GRAHAM L. MULLINS
EUGENE A. MUNIZ
NELSON J. MUNIZ
ERIC B. MUNN
MICHAEL D. MURPHY
RYAN Y. MURPHY
MICHELLE R. NAPIER
BRIDGETTE M. NAVEJAR
ANDREW M. NESOM
BOYCE J. NEWTON
BURKE D. NORRIS
SAMUEL O. OHWOVORIOLE
FELIX R. OLIVAREZ
NICOLE L. OLIVER
BRIAN W. OLVER
JOHNNY J. ORRIA
KERRY T. OSBURN
KOREY R. OUTERBRIDGE
JARED L. OWEN
ISHAK I. OWUSU
TRAVIS R. PAGAN
STEVEN A. PAPENTHIEN
JOHNATHON D. PARKER
MONICA M. PATTONNEAL
WESLEY W. PAULSEN
TINA L. PENICK
JOY L. PENNEY
GEOVANNIE PEREZROSADO
SYLVIO R. PERSONNA
GWEN M. PETERS
RICARDO F. PHILLIPS
DAVID G. PIETRASZ
JOSE A. PIZARRO
JOSEPH D. PLOTINO
ANDREW C. POLER
NATASHA N. POLLOCK
THOMAS L. POWERS
LAURA C. PREKO
RYAN A. PRETE
JASON D. PULSIFER
MATTHEW J. PURDY
TYWAN D. PURNELL
ADAM C. PUTMAN
CHRISTOPHER S. QUANTOCK
JOSEPH A. QUENGA
PETER D. QUILES
NATHAN L. RAY
SOPHIA A. RECLOSADO
EVA L. REED
DANIEL K. REEP
RYAN T. REILLY
GUY E. REYNOLDS
HAROLD K. RICHARDSON
JOSHUA A. RISHER
GUNO O. RITFELD
WILLIAM J. RIVERS
LUKE P. RIZZO
MATTHEW W. ROBEY
ERIC G. ROBLES
CLAUDIO J. RODRIGUEZ
JAVIER RODRIGUEZ
MARK A. RODRIGUEZ
JOSHUA S. ROGERS
STEVEN L. ROGERS
BRIAN K. ROHN
LAURA C. ROLLINS
JONATHAN S. ROMERO
JADE C. ROOT
DAVID B. ROSS
CHRISTINE ROUMO
AMBER J. RUCKER
JEFFREY M. RUDDERFORTH
KAREN V. RUFFNORTHEY
AMY A. RUPERT
CHRISTOPHER J. SAAGER
JUSTINE A. SACCO
JEFFREY S. SALEM
MITCHELL L. SALTER
FERDINAND G. SANCHEZ
BRYAN R. SAND
CHRISTOPHER W. SANDERS
CARLOS M. SANFORD
RICHARD M. SANTANA
MEGAN E. SCAVEZZE
ROBERT A. SCHNABEL
JUNG Y. SCHORR
ALICIA D. SCOTT
CHAD P. SCOTT
NALEYA K. SCOTT
JESSE SCRIVENS II
JASON M. SCUDAMORE
MATTERSON SEBASTIAN
NATHANIEL K. SEBREN
PATRICK R. SERNETT
ENJOY U. SHAMSHIDOV
THOMAS N. SHANAHAN
STEFANIE D. SHEFCHECK
VICTOR SHEN
JONATHAN P. SHEPHERD
MARK C. SHOAF
STEVEN J. SICKLES
GREGORY T. SIEVERS
SAMUEL J. SINGLETON
BRYANT B. SKINNER
KENNETH A. SLATON
WILLIAM W. SMATHERS
SAMANTHA L. SMAY
DETRICK L. SMILEY
JERRY SMITH
LAWRENCE B. SMITH
QUINTON L. SMITH
STEPHEN F. SMITH
ROGER A. SNEAD
BRENT A. SOHN
KYIANDRA C. SOMERVILLE
MADONNA A. SORIANO
MAHAMADOU SOUMAORO
JASON M. SPALDING
WESLEY R. SPARKS
SAMUEL SPENCERPITTMAN
BRIAN J. SPURGEON
BRADLEY C. STADDON
TYSHINA D. STARKS
KATIE L. STEELE
STAR L. STEWART
MATTHEW R. STOLTZ
MATTHEW J. STROHMAN
FELICIA E. STURGEON
JEFFREY C. SULLIVAN
JONATHAN A. SWARTZ
BENJAMIN J. SYLVESTER
PUNATOTO V. TAAMU
LUCIA TARTT
KEVIN M. TATE
COREY D. TAYLOR
GARY N. TAYLOR
NYISHA S. TAYLOR
FREDRICK D. TEETER
MATTHEW W. TETER
GUECHEON THEOBAL
GINA R. THOMAS
REBEKAH K. THOMAS
STEPHANIE K. THOMAS
MARCIA L. THOMPSON
ROBERT O. THOMPSON
TIFFANY THROWER
MICHAEL J. TILLSON
NATALIE TITERENCE
KRIS P. TOMAN
PATRICK A. TOUCHARD, JR.
MICHELLE Y. TUCKER
ADAM L. TUDOR
JAMES W. TURNER
KATRINA E. TWIGG
BRANDON C. TYNER
ANGELO VALDEBENITO
ELIA G. VALDESPINO
AURELIO J. VARELA
WILLIAM D. VAUGHN
GREGG R. VERHOEF
CHRISTOPHER J. VESCE
OTTO J. VINDEKILDE
DANIEL C. VOSS
JOSHUA H. WADE
BRANDON C. WAGNER
MAC A. WALKER
TAVIS WALLNER
NICOLE E. WALLS
JONATHAN M. WARD
TANESHIA L. WARREN
LOVETTA L. WASHINGTON
REBECCA D. WATERMAN
MATTHEW J. WEBB
TYLER C. WEIGHTMAN
RONALD G. WELTER
ETTA S. WHEELER
ERIC M. WHETSTONE
FLOYD WHITE, JR.
JI Y. WHITE
BRADFORD S. J. WHITING
DOUGLAS E. WILLIAMS
HANNAH K. WILLIAMS
JAMES R. WILLIAMS
SEAN C. WILLIAMS
VERNON A. WILLIAMS
WILLIAM G. WILLIS
JOSHUA H. WILSON
THADDEUS WILSON
CHRISTOPHER J. WIMSATT
RICHARD A. WINKELS
SAMBRIDDHI WINKLER
PAUL L. WOLFE III
JOSHUA A. WOODKE
GWYNN M. WORKMASTER
ROBERT R. YAUGER
ZACHARY P. YOKLIC
JUDY M. YOO
ALEXI ZAYAS
BLAKE C. ZENTENO
CHRISTOPHER J. ZIMMER
SEAN C. ZION
BRIAN W. ZORGER
D012719
D013066
D013545
D014124

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROSE ABIDO
JARVIS D. ADAMS
KIMBERLY J. BATTSMILLAUDON
NORMAN W. BLACK
DONNIE R. BRADFORD
JONATHAN A. BRAECKEL
JOHN H. CHAMBERLIN
DANIEL J. JINDRICH
JESSE A. JOHNSON
MICHAEL J. KRANCH
MICHAEL B. KROGH
THOMAS A. KROGH
KEITH D. LIGMAN
LUKE G. MAFFEY
KEITH E. MAJOR
JONATHAN C. MALABRE
ANTHONY J. MATTAZARO
CLIFTON T. MCCLUNG
AUSTIN R. MINTER
GEN N. MUI
CHRISTOPHER M. MULCH
BRENT C. NOLAN
JUNG W. OH
LUKE T. PLANTE
WILLIAM W. POLLARD
MAXWELL I. POTASZNIK
TAD E. PUGH
EVAN F. SALBEGO
WILLIAM S. SANZ
CHARLES E. SUSLOWICZ
JASON E. TAYLOR
STEVEN A. VIALL
FREDERICK R. WAAGE
DARITH J. WALSH
JOSEPH P. WZOREK II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

THOMAS A. SUMMERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

CHRISTINA M. BUCHNER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARCIA L. LEWIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JACK E. SHIELDS III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JERZY M. MATYSZCZUK

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ALECIA D. BIDDISON
RAYMOND S. CHICOSKI
GERALD E. DEZSOFI
SCOTT B. HILDEBRANDT
ADAM M. IWASZUK
JAMES C. PACKWOOD
MIGUEL A. TORRES
ROGER R. WOLD

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOSEPH W. BISHOP

BLAIR L. DAVIS
ROMEO J. DELFIN
ROGER M. DILLARD
MICHAEL A. FRANK
DAVID A. PARKER
PAUL S. PETERS
KENT M. PORTER
RAYMOND K. SCOTT
ROBERT T. UTLAUT

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

JENNIFER L. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

PATRICK E. MATHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

LUIS G. FUCHU
HARRY D. HUNG
JOHN C. MOORE
DEXTER C. NUNNALLY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOHN P. KILBRIDE
JOHN J. NEAL

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S. C., SECTIONS 531 AND 3064:

To be major

OLIVIA H. IVEY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C. , SECTIONS 531 AND 3064:

To be major

HAN S. KIM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOHN E. RICHARDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

PAUL A. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT T. CARTER, JR.
RANDALL M. FANNIN
JEFFREY L. OLIVER
CHARLES A. PHILLIPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

GREGORY J. ABIDE
BRIAN M. ADAMS
BRYAN E. ADAMS
ERIC D. ADAMS
DANIEL AGOSTO
ARIEL A. ALCAIDE
CASEY L. ALEXANDER
JEROME M. ALTHOFF
KARL K. ANDERSON
PAUL A. ANDERSON
PETER D. ANDERSON
CESAR A. ARIASGUTIERREZ
JEREMY D. ARNOLD
JOHN E. ARTHUR
JUSTIN L. ASTROTH
ANTHONY W. ATMORE, JR.
ARTURO AVILA
CHRISTINA S. BAHR
BRANDON P. BAILA
ADRIAN BAJENARU
AUSTIN C. BAKER
MICHAEL A. BALAZINSKI
ALEXANDER S. BALK
DANIEL P. BALLER
NATHANIEL D. BALOUGH
KWASI V. BANKS
CATHLEEN B. BARKER
JAVIER F. BARRERA
GREGORY A. BASSETT
CLINTON E. BEAUCHAMP
JOEL B. BECKNER
SCOTT D. BEERENS
DANIEL L. BELANGER
MICHAEL A. BENNER
ANDREW P. BENTON
ROBERT C. BERGDORF
DAVID C. BERMINGHAM
GRANT A. BETHURUM
KEVIN T. BEYER
TIMOTHY O. BLACK
DREW A. BLACKLIDGE
PETER H. BLADES
ZACERY C. BOATMAN
CHRISTOPHER A. BOLES
DOMINIC J. BONO
LISA A. BORER
STEVEN R. BOTA
DAVID L. BOYD, JR.
KALA M. BRADY
AAKAR C. BRAHMBHATT
RYAN J. BRIDLEY
BRANDON C. BRIM
SAMUEL R. BROADDUS
JOSHUA A. BROOKS
BRIEN P. BROWN
CASEY J. BROWN
LOUIS J. BROWN
LUCAS E. BROWN
BENJAMIN A. BRUHN
ADAM K. BRYANT
ALEXANDER E. BULLOCK
HEBA N. BULLOCK
BENJAMIN K. BURCH
MICHAEL D. BURKE
HAROLD G. BUTTERFIELD
MICHAEL J. CABIC
JOHN D. CADDELL
ANDREW T. CAHAN
SONNY J. CAIN
FRANK J. CAMARA
JONATHAN T. CAMIRE
STEVEN A. CARBONE
BRYCE K. CARLSON
THOMAS S. CARNES
BRUCE R. CARSON
VERONICA P. CARTER
JOHN J. CASE
JERRY W. CHAMPION
ADAM Y. H. CHANG
CARLOS CHAVEZ, JR.
DARIEN A. CHERRY
MICHAEL A. CHEZUM
RUBEN E. CHIRINOS
DAEKWANG CHOI
KEITH R. CHRISTIANSEN, JR.
ALEXANDER H. CHUNG
NATHAN R. CLASON
CAIN S. CLAXTON
NORMAN R. COLE IV
BRAD J. COLEMAN
ANDREW T. COLLINS
CHAD E. COOPER
DANIEL F. COOPER
JACK H. COOPERMAN
ROBERT W. CORLESS
TREVOR J. CORRIGAN
JEREMY P. COVIELLO
DANIELLE COVINGTON
CANDIS L. CROSSLEY
LANCE R. CROW
RAFAEL CRUCETA, JR.
CHRISTIE P. CUNNINGHAM
ROBERT J. CZAJAK
ROGER A. DALLMAN
JOSEPH J. DANYEUR
JAMES A. DAVIS
ALEXANDRA K. DEANGELIS
NICHOLAS J. DEDOMINICI
JOSH D. DEEHR
DANIEL I. DENN
DAVID A. DENS
KAREN C. DERRICKSON
STEVEN E. DEWHITT
MARISSA M. DEY
JOHN J. DIBBLE III
CHARLIE DIGLORIA
REECE K. DOTY
LAWTON E. DRAKE
AUBREY R. DUSTIN
JUSTIN P. EASTMAN
JONATHAN C. EDWARDS
BENJAMIN J. EISENHUT
CAMERON D. EK
JOHN C. ELLERBE IV
MATTHEW J. ERCOLANI
MARC A. ESKEW
ELIZABETH L. EVANS
DAVID L. EYRE
AMIR H. EZZEDDINE
STEPHEN E. FANCEY
ALEKSANDR FARBEROV
KENT T. FEDA
ROBERT D. FELLINGHAM
TREMAIN L. FERGERSON
KYLE C. FERGUSON
CHRISTOPHER P. FIGUEROA
DANIEL B. FISHER
DAVID I. FISHER
TALENA FLETCHER
THOMAS M. FLOOD
ERIC M. FLYNN
CHRISTOPHER S. FOGT
NATHAN M. FOLGERT
CHELSEY N. FORTNER
SEAN T. FRANKUM
JOHN B. FRENCH
SOPHIA V. FRENCH
JAMES R. FULKERSON
JONATHAN D. FULLER
GEORGE J. FUST III
JONATHON H. GAMBRELL
DHONCHEER S. GARCIA
EDWARD C. GARCIA, JR.
DEVRON M. GARDNER
BRYCE J. GATRELL
ROBERT J. GENTRY
JOHN W. GERACITANO
BRETT M. GILBERT
PHILLIP R. GILCHRIST
DALLAS J. GILMORE
BRADLEY W. GLOSSER
STEVE L. GLUCK
MATTHEW D. GORDON
DANIEL W. GOSSMAN
JOSEPH J. GOURYEB
WILLIAM A. GREEN
ROBERT W. GREY
JACOB T. GRIER
JOSHUA B. GROEN
TAIB GROZDANIC
MOEZ GUENAIEN
JAMES W. GUGLIELMI
GEORGE L. GURROLA
DEMITRIUS D. HAEFFNER
ROGER J. HAFFORD
JASON P. HAGGARD
NICHOLAS R. HAINES
BENJIE S. HALL
JESSE N. HALL
BENJAMIN J. HALLE
ROBERT A. HALLIDAY
BLAKE E. HALLOWELL
CHRISTOPHER R. HALTOM
TERESA M. HALTOM
MARK T. HARDEE
ANDREW I. HARRIS
JASON R. HARRIS
RUSSELL G. HARTLEY
ANDREW M. HASCHER
THOMAS L. HATFIELD II
MICHAEL R. HAWKS
JOCELYN R. HAYES
MICHAEL E. HEATH
JOSEPH A. HENDERSON
MICAH G. HENNINGSEN
DREW C. HENSLEY
ALEJANDRO HERRERA
RAYANNE M. HERRERA
NATHAN I. HESS
MICHAEL P. HOPKINS
MATTHEW A. HOUSE
JUSTIN S. HOWARD
MICHAEL J. V. HOWARD
JULIE R. HOXHA
JOSHUA E. HUDSON
ALESIA L. HUGHES
PATRICK L. HUNT
JOHN E. HUTTON
JASON D. IMBODEN
MARK A. IRVIN
MICHAEL J. JACKSON
SANDRA Y. JACKSON
ROBERT K. JAHN
JUSTIN E. JAMES
DAVID R. JAQUITH
DANIEL R. JARVIS
DARLIN JEANFRANCOIS
JAMES P. JOHNSON
TYLER H. JOHNSON
BRYAN P. JONAS
MARGO L. JONES
DELBERT S. L. JOO
MORGAN S. JORDAN
JOSHUA J. KANDYBOWICZ
JARED D. KASSULKE
MICHAEL S. KEELS
JASON S. KELLER
JEFFREY P. KELLY
WILLIAM C. KEOGH
GEORGE A. KILGORE
DANIELLE T. KILLIAN
JASON Y. KIM
BRIAN A. KING
DANIEL T. KING
WILLIAM B. KING
DOUGLAS W. KINKENNON
AIMEE N. L. KIRK
ERIK T. KISER
CHARLES R. KISSLING, JR.
ANDREW P. KLEY
ALEXANDER G. KLINE
TODD M. KLINZINGDONALDSON
ERIK B. KORN
ELIAS S. KORTABANI
KYLE A. KREBS
DISHANTH KRISHNAGIRI
CHRISTINE C. KRUEGER
KYLE E. KRUG
BRENT A. KURUTZ
JUSTIN K. KWON
WALLIE G. LACKS
NELSON A. LAMB
ZACHARY P. LANDIS
MATTHEW A. LARSON
JOHN B. LARUE
AHREN P. LAVALLEE
BAO D. LE
THEODORE E. LEAKAS
MATTHEW A. LEBO
YUJU LEE
WILLIAM A. LEHMANN
THOMAS A. LENZ
MARC S. LEVITT
NICHOLAS S. LEWIS
ZACHARY K. LEWIS

DAVID J. LEYDET
JOSHUA S. LILEY
LILY M. LINGLE
DANIEL W. LOEFFLER
ANGEL LOPEZ
JUAN C. LOPEZ
NICHOLAS J. LOPEZ
DAVID B. LORA
GARY D. LOTENBECKFORD
ROSS F. LOW
SCOTT A. LYNCH
JOSEPH MACCHIARELLA
JAMES J. MADIGAN, JR.
BRANDON MAGUIRE
MICHAEL E. MAGUIRE II
ANDREW L. MALON
ADAM J. MANEEN
MARTIN P. MANGUM
FREDDY P. MANJARRES
JANISE N. MAPLE
KYLE T. MARKLE
JUDITH A. MARLOWE
CHRISTIAN F. MARTIE
CASEY A. MARTIN
CHRISTA E. MARTIN
ZACHARY I. MARTIN
JENNIFER E. MARTINDILL
FRANCISCO D. MARTINEZ
VICTORIA C. MAYNARD
JONATHAN T. MCANALLY
JASON A. MCCANN
JOSEPH E. MCCARTHY
JAMES S. MCCRAY
NEAL J. MCDONALD
JOSEPH MCDONOUGH
MICHAEL P. MCGRAW
GLEN W. MCINNIS II
JACK L. MCLAIN, JR.
DAVID G. MCLEAN
JEFFREY S. METZ
JAY Y. MEYER
MARIE C. MIKASA
CASEY L. MILLER
DANIEL T. MILLER
MELISSA S. MILLER
RYAN E. MILLER
SAMUEL J. MILLER
AARON P. MILLIGAN
CURTIS K. MILLION
KEITH J. MINNAJI
CHRISTOPHER G. MITREVSKI
JOHN P. MONES
JARED M. MOON
MARITZABEL MORCELO
BLAISE B. MORGAN
JAMES T. MORGAN
JAMES M. MORRIS, JR.
RICARDO A. MUNOZ
EVAN L. MUNSON
DANIEL R. MURDOUGH
MICHAEL K. MURRELL
COURTNEY E. NEEL
JOEL W. NEWBURN
MICHAEL S. NEWMAN
JUSTIN R. NICHOLSON
ERIC J. NOLAN
TERRENCE R. NOLAN
BRYAN W. NORRELL
DOUGLAS W. NORTH
BRENT P. NOWAK
JUSTIN D. OAKLEY
CHRISTOPHER J. OGDEN
JILL OGUES
TIMOTHY M. OHARA
JONATHAN P. OLSON
ALTANGEREL ORGIL
JOHN D. ORSINI
ANTHONY J. OSMAN
TIMOTHY T. OTT
ANDREW J. OWENS
ANDREW M. OWENS
BRIAN A. OWENS
JONATHAN S. PAGE
JAMES P. PAPAGNI
JIMMY P. PAYNE
RYAN E. PEACOCK
ANTHONY D. PEARSON
AARON M. PECORA
STEPHAN A. PEREIRA
LOIS I. PEREZJARA
JOHN E. PETERS
MARVIN L. PHILLIPS
BIANCA S. PHILSON
ANDREW F. PLUCKER
MARK D. PODRAZIK
SHONDA L. PORTER
ANDREW P. POSTOVOIT
MICHAEL G. PRESCOTT
SPENCER D. PROPST
MICHAEL B. PULTUSKER
MICHAEL K. PUTTERILL
PEDRO F. QUINTEROMERCADO
JASON A. RAMNARINE
ROBERT J. RANSOM
MICHAEL R. REED
BRIAN S. REMSON
TIMOTHY G. RHODES
DAVID J. RICE
JAVIER R. RIVERASANCHEZ
LEE H. ROBERTS
JASON L. ROBINSON
ADAM P. ROBITAILLE
LUZ N. RODRIGUEZ
JOSE A. RODRIGUEZGUZMAN
EDDIE L. ROGERS
JOHN D. ROHN
PHILIP C. ROLL
DONALD R. ROSE
PATRICK G. ROUSH
JESSICA L. ROVERO
OWEN J. RYCKMAN
LASHANNA M. SAMUEL
MELVIN J. SANBORN
KEVIN C. SANDELL
JEREMIAH M. SASALA
SCOTT M. SAUNDERS
ALAN J. SAWYER
SEAN E. SCARCLIFF
GEDALIAH J. SCHAROLD
DAVID G. SCHLASEMAN
CODY R. SCHUETTE
CHRISTOPHER M. SEBAL
EDWIN J. SEDA
DAVID A. SEIDEN
ABEL A. SEIPLE
SAMUEL D. SELLERS
DAVID C. SENSEMAN
JOSEPH A. SHABBOTT
ADAM T. SHAW
LAWRENCE A. SHAW
MICHELLE E. SHED
ARLYNE R. SHELTON
MICHAEL J. SHEPARD
DAVID J. SHERMAN
SUSANNA L. SHIPMON
DAVID N. SIDES
VLADISLAV SILAYEV
TIFFANIE M. SITZE
SHAUN T. SLAWSON
BRIAN L. SMITH
BRYAN A. SMITH
CATHERINE E. SMITH
CHANCE L. SMITH
CHARLES A. SMITH
JASON K. SMITH
JAYLEN T. SMITH
LAURENCE S. SMITH
SHARONDA L. SMITH
WILLIAM B. SMITH
JESSE P. SODAM
MICHAEL K. SOGIOKA
DAVID M. SOLICH
PETER SONG
DAVID M. SONNEY
LEROY D. SPENCER, JR.
GREGORY P. STEWART, JR.
PETER M. STJOHN
JONATHAN W. STOCKWELL
JAMES E. STREAMS
STEPHANIE S. STUCK
KEVIN H. SUDSBERRY
PEARLE M. SURFACE
JOSHUA R. TAFT
ZACHARY R. TARON
BENJAMIN A. TEATER
MARK D. THIEME
DANIELLE M. THOMAN
ERNEST R. THOMPSON
CHARLES R. TIMM
ANDREW C. TOLLEFSON
NICHOLAS E. TOTH
TRUONG Q. TRAN
MARK E. TRAPP
NATHAN J. TRIBBLE
JOSEPH A. TRICOMI
JOHN P. TRIMBLE
ADA M. TRINIDAD
ALEXANDER M. TRIPLETT
CHAD D. TRUSLOW
LUKE A. TYREE
SHAHIN UDDIN
GENE F. UHLER
NICHOLAS M. UHORCHAK
MICHAEL J. URBANIAK
MELISSA A. VALKEN
BRIAN B. VARNS
KENDRICK B. VAUGHN
JOSEPH V. VESNESKY
WALTER R. VOGEL
ANTHONY E. VUKELICH
BRIAN P. WADAS
DARICK J. WAGUESPACK
BRIAN A. WALLACE
TIMOTHY C. WALSH
TYSON H. WALSH
PAUL A. WARD
WILLIAM S. WARNER
BOOKER T. WASHINGTON
IRA F. WATKINS
ZACHARY N. WATSON
CHRISTOPHER D. WEBB
KENNETH M. WEISS
LANARD S. WELCH
ZACHARY J. WEST
MARYDELL V. WESTMAN
LEROY WEYRICK IV
MICHAEL P. WHITE
JACQUELINE N. WIGFALL
ANDREW S. WILHELM
ANTHONY R. WILKINS
JUSTIN D. WILLIAMS
KENDRICK J. WILLIAMS
TIMOTHY D. WILSON
BENJAMIN M. WINCHESTER
JOSHUA T. WINSETT
BRET D. WISECUP
MATTHEW C. WOLFE
STEPHANIE R. WOOD
RYAN D. WOODWARD
CARMELA M. WOOTAN
KENNETH B. WORD
KELSEY L. WORLEY
MICHAEL B. WRIGHT
VONNIE L. WRIGHT
PHILLIP G. YEAKEY
AMARILIS D. YEN
JOSEPH A. YETTER
CATHERINE M. YEU
JUNGSANG YOON
CHRISTINE M. YOUNG
JUSTIN M. YOURTEE
WEI J. YUAN
ADAM S. ZERR
JEFFREY K. ZIZZ
D011887
D012259
D012595
D012605
D012690
D012835
D013065
D013083
D013103
D013178
D013291
D013295
D013476
D013477
D013530
D013554
G010280
G010287
G010360
G010432
G010452

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STEVEN ABADIA
DANIEL A. ABALDO
ADAM O. ABEYTA
KURT M. ABLE
JASON D. ACKERMANN
CAMILLE J. ACRED
BENJAMIN T. ADAMS
ELISSA J. ADAMS
RAYMOND M. ADAMS
DALE M. AEBISCHER
JEREMY E. AHO
ADAM D. AKERS
SAMUEL G. ALBERT III
MICHAEL D. ALCH
GERREN M. ALEXANDER
RYAN P. ALEXANDER
TRAVIS K. ALLARD
DANIEL M. ALLEN
JON C. ALLEN
MICHAEL E. ALLEN
STEVEN R. ALQUESTA
EDGARDO J. ALVAREZ
ERNESTO D. AMADOR
JOHN J. AMBELANG
RYAN P. ANDERSEN
AARON F. ANDERSON
STUART M. ANDERSON
BRANDON L. ANDREASEN
JEFFREY F. ANDRILIUNAS
JAMES R. ANTONIDES
ABLAM A. APEDJIHOUN
GREGORY D. ARCHBOLD
REAMER W. ARGO IV
PATRICK J. ARMOURKOENIG
PATRICK ARMSTRONG
CHARLES C. ASHCRAFT
JACQUELINE M. ASIS
KEVIN J. ATWELL
JOHN N. AUGER
ROBERT E. AULETTA
PAUL B. AUSTIN
ARCADIO AVALOS
JASON L. BAHMER
JONATHAN C. BAKER
JENNIFER M. BALES
CHRISTIAN E. BALLESTER
JAMES R. BARKER
BENJAMIN R. BARNARD
CURT A. BARNES
PATRICK A. BARONE
ALEXANDER C. BARRON
BRETT W. BARTLETT
DEREK F. BARTLETT
GREGORY D. BASCOMB II
SHAILENDRA BASNET
ANDREW M. BATULE
ANDREW B. P. BAUDER
BRENT B. BEADLE
DAVID B. BEALE
KEVIN A. BEAVERS
DAVID L. BECKER, JR.
MARK D. BEDRIN
BRENDA L. BEEGLE
PAUL T. BELL
JAMES S. BELLENDIR
GREGORY M. BENDER
BLAKE L. BENEDICT
GREGORY A. BENJAMIN
LEVI J. BERCUME
KEVIN M. BERNHARDT
JOHN P. BILLINGS
JENNIFER L. BISER
NATE W. BLACKFORD
ANDREW T. BLAKEMORE
MARCIE T. BLASINGAME
KURT H. BOEHM
JASON A. BOGARDUS
JESSICA R. BOHACHE
JUSTIN T. BOKMEYER
ERIK M. BONDHUS

DOUGLAS O. BOONE
JOSHUA M. BOSLEY
JAMES J. BOUCHARD
TRAVIS J. BOUDREAU
SHAWN G. BOURDON
LUKE C. BOWERS
KENNETH R. BOWLING II
JOSHUA C. BRACHER
JAKOB C. BRADFIELD
JOHN F. BRADLEY
LYLE R. BRANAGAN
SION D. BRANNAN
MICHAEL T. BRANTHOOVER
PEARSON R. BRANTLEY
JOHN T. BRASHER
STEVEN P. BRAZELL
NICHOLAS A. BREDENKAMP
EAMON P. BRESLIN
THOMAS J. BRETT
KYLE J. BRINKS
COLIN W. BRODMERKEL
SCOTT C. BROOME
BRADLEY D. BROWN
CRAIG L. BROWN
JAMES R. BROWN II
TAZH N. BROWN
ZACHERY G. BROWN
MICHAEL D. BRUCE
KYLE S. BRUFFY
LINWOOD L. BUBAR
MATTHEW P. BUCHANAN
KARL D. BUCKINGHAM
KELLY J. BUCKNER
JARED F. BUDENSKI
STEVEN P. BUHLER
ANTHONY L. BULACLAC
JEFFERY W. BURGETT
CORY L. BURIA
WILLIAM E. BURKE
COLBY M. BURKHART
JESSE B. BURNETTE
JUSTIN K. BURNEY
DAVID K. BURRIS
JAMES M. BURTON
TIMOTHY D. BURTON
JONATHAN M. BYRD
RICHARD L. BYRNE
EDWIN CABAN
JIM CABRERA
JESSE C. CAIN
MICHAEL A. CAIN
EDWIN C. CALLAHAN, JR.
JONATHAN D. CALLAHAN
CHRISTOPHER R. CAMPBELL
DOUGLAS R. CANNON
LAMAR K. CANTELOU
JACKIE E. CAPLE, JR.
STEPHEN J. CARALUZZI
WILLIE C. CARNES, JR.
BRENT A. CARR
FREDERICK J. CARR, JR.
ERIK R. CARROLL
GUSTAVO A. CARUSO
CHARLES W. CASSELS
JOSEPH K. CATLAW III
MATTHEW J. CAUDA
NATHANIEL C. CAVE
EDWARD M. CECIL
BRYAN C. CERCY
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DANIEL R. WINISTORFER
BRETT A. WITTERS
JOSHUA T. WOLF
TIMOTHY D. WOLF
DOUGLAS L. WOLFE
JAMES T. WOLFE
KENNETH A. WOLFE
CHRISTOPHER J. WONSETTLER
GABRIEL L. WOOD
JENNIFER D. WOODS
JUSTIN L. WOODWARD
VINCENT K. WORRELL
GENE E. WRICE
BRIAN M. WRIGHT
TIMOTHY P. WU
PAUL K. WYATT, JR.
TRISHA E. WYMAN
JAMES C. WYNN
ERIC P. W. YAGER
KRISTIN R. YAMPAGLIA
CHRISTOPHER T. YANKEY
CHRISTINA M. YEAGER
CHELSEY L. YINGLING
RODNEY E. YOST
BRADLEY J. YOUNG
JENNIFER L. YOUNG
RANDY J. YOUNG
TRAVIS H. YOUNG
BENJAMIN M. YOUROUS
HARRISON M. ZABELL
KERRY L. ZANDERS, JR.
STEVE Q. ZHANG
D011883
D012592
D012872
D013371
D013556
D013559
D013666
D013693
D013733
G010479

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

THOMAS A. ESPARZA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMAL L. HEADEN

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

PATRICK P. ARRIGO
JEREMY J. BRICCO
MATTHEW D. BURCHILL
JOHN A. BURNS
SCOTT A. CARPER
BRYAN R. CHAPMAN
JASON R. CROW
JESSE D. DAVIDSON
BRENDAN J. DOUGHERTY
MARSHALL J. FUGATE, JR.
LANDON M. FUHRIMAN
EMILY E. GEDDES
MIGUEL A. GONZALEZ
WILLIAM A. GORUM
JEREMY S. HALKIN
CALVIN S. HARGADINE
HUGH L. HARRON
JACOB R. HARTSFIELD
ANTONIO T. JONES
BENJAMIN S. KALKWARF
ALEXANDER M. KINNEY
GRANT H. LEE
MARTIN L. LEONARD
CHRISTOPHER M. LESTER
DIRK R. LUNDGREN
MIGUEL A. MALAGONCORDERO
AARON C. MARCHANT
JEFFREY S. MCCORMICK
EDWARD J. MCGUINNIS II
NICHOLAS M. MEADORS
BRADLEY T. OTREMBA
ALBERT J. PERRY
ADAM J. ROGELSTAD
DERIK W. ROTHCHILD
LANDON D. SHARRETT
KRISTIN L. SHAW
ZEBULUN J. SHAW
STEVEN D. SIDERI, JR.
JOHNNY L. STEVENSON, JR.
BRETT G. STEWART
SIAN E. STIMPERT
DIMITRY P. VINCENT
KRISTOFER L. YOST
OLIVER C. ZUFELT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be lieutenant commander

JESSICA M. FERRARO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

VIJAY M. RAVINDRA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

JUSTIN S. HEITMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

ELISABETH S. STEPHENS

IN THE MARINE CORPS

THE FOLLOWING NAMED WARRANT OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 6222:

To be major

DOUGLAS R. BURIAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL E. FEUQUAY
JEFFREY A. GARZA
GREGORY A. GRAYSON
COLE B. HODGE
VALERIE N. KYZAR
ARMANDO J. MARTINEZ
HEATH E. RUPPERT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BENJAMIN S. ADAMS
MATTHEW J. AGNOLI
TOM E. AGUILAR
KELLY B. ALLEN
STEVEN C. ALLSHOUSE
JUSTIN K. ARCHIBALD
JASON C. ARMAS
JONATHAN C. ASHMORE
DAVID J. BACHTA
WILLIAM V. BACKLUND III
JOHN BACON, JR.
CARL A. BAILEY
GABRIEL M. BALCH
JENIFFER P. BALLARD
ANTHONY P. BARILETTI
PAUL T. BARTOK
NATHAN P. BASTAR
BENJAMIN K. BAYLESS
MICHAEL S. BEAMES

SCOTT E. BEATTY
RICHARD A. BEHRMANN
JUSTIN M. BELLMAN
JAMES R. BERARD
LYNN W. BERENDSEN
JUSTIN P. BETZ
JOHN R. BITONTI II
MARC E. BLANKENBICKER
PAUL B. BOCK
NICOLE M. BOHANNON
BRETT A. BOHNE
RYAN T. BRANNON
BRIAN K. BRISCOE
CASEY M. BROCK
DAVID L. BROWN
LANCE E. BROWN
NEIL H. BRUBECK
ARTHUR Q. BRUGGEMAN
THEODORE A. BUCIERKA
KEITH W. BUCKLEW
JOSHUA A. BULLARD
SHANE J. BURSAE
ALFRED L. BUTLER IV
JACOB D. BUTZ
LAUCHLIN D. BYRD IV
MARC W. CALDWELL
CORY T. CALLISON
CARIN O. CALVIN
JOHN F. CAMPBELL
SEAN S. CARANO
TRAVIS D. CARLSON
DANIEL W. CAROFFINO
BRYCE W. CARTER
JOSE L. CASTILLO
MARCELO B. CASTRO
JESUS A. CHAPAGARCIA
BENJAMIN J. CHAVEZ
CARLOS CHAVEZ
ALLAN S. CHIU
ROBERT M. CHRISTAFORE, JR.
MICHAEL P. CICCHI
ZACHARY A. COATES
RYAN B. COHEN
AMANDA A. COLEMAN
MICHAEL T. CONTE
KEITH S. CRIM, JR.
DAVID M. DALBY
JASON N. DALE
JEREMY H. DAVIS
PHILLIP B. DAVIS
WILLIAM E. DELEAL II
JAMES J. DELIA II
CHRISTOPHER J. DENARDO
ARTURO J. DERRYBERRY
JARROD A. DEVORE
GABRIEL L. DIANA
ERIK S. DICKERSON
JOSEPH R. DIMAMBRO
JOHN D. DIRK
TRONG M. DO
AIXA R. DONES
BRIAN J. DONLON
DAVID J. DONNELL
TIMOTHY R. DRIESLEIN
JASON T. DUKE
TIMOTHY B. EGAN
JON S. ERSKINE
TODD F. ESLINGER
EDWIN A. ESPINET
ALEXANDER X. ESPINOZA
CHRISTOPHER Z. ESREY
CAMERON P. EVANS
SALLY A. FALCO
ALEXANDER FARSAAD
CHRISTIAN R. FELDER
TREVOR J. FELTER
DALE R. FENTON
DANIEL S. FIUST
GEORGE E. FLEMING
JAMES D. FLEMING
GREGORY K. FLETCHER
JULIAN X. FLORES
GEORGE J. FLYNN III
DAVID W. FORBELL
CHRISTOPHER A. FORMAN
GARRY L. FRANCIS II
JOSEPH F. FRESHOUR
BENJAMIN M. FRIEDRICK
BRADLEY N. FULTZ
THOMAS D. FUSS
JOHN L. GALLAGHER IV
TODD P. GAY
ALEXANDRA V. GERBRACHT
ROBERT P. GERBRACHT
THOMAS J. GIBBONS
FRED GLENCAMP III
JONATHAN C. GLOVER
JERRY A. GODFREY
CHARLES D. GODWIN, JR.
JASON R. GOODALE
ALEXANDER E. GOODNO
MELISSA I. GORDON
GEORGE R. GORDY IV
BRANDON J. GORMAN
MATTHEW J. GRABOWSKI
ANDREW J. GRAHAM
CHAD R. GRIMMETT
ROBERT M. GROCEMAN
MATTHEW J. GRUBA
MATTHEW L. HAGER
PATRICK M. HAINES, JR.
JAMES D. HALE
MATTHEW L. HALEY
BRADLEY W. HANSON
JAY D. HANSON
BRADLEY J. HAUSMANN
JONATHAN L. HAYES
LEE W. HEMMING
ANGELA S. HERRERA
MICHAEL S. HESTER
MARCUS A. HINCKLEY
BENJAMIN J. HODGINS
BRETT D. HOHMANN
TYLER J. HOLLAND
ROGER A. HOLLIDAY, JR.
JOSEPH C. HORVATH
CHRISTINE M. HOUSER
JONATHAN C. HOWARD
JUSTIN W. HUBER
STEVEN R. HULS
ALFRED E. HUNTER
CHRISTIAN P. HUR
ROBERT P. HURST
BRIAN P. HUYSMAN
CHARLES E. INGOLD, JR.
BROGAN C. ISSITT
DANIEL P. JAKAB
KELLY M. JOHNSON
RUSSELL V. JOHNSON IV
TROY A. JOHNSON
JASON R. JOHNSTON
CHRISTOPHER A. JONES
JACOB M. JONES
CHRISTOPHER A. JULIAN
CLINTON C. KAPPEL
STEPHAN P. KARABIN II
MEGHAN A. KENNERLY
CATALINA E. KESLER
DAVID S. KIM
SUNGWOOK KIM
DAVID L. KLINGENSMITH
DANIEL P. KNUTSON
ANDREW J. KONICKI
WALKER C. KOURY
SASHA J. KUHLOW
TIMOTHY J. KUHN
STEPHEN R. KULAS
MATTHEW J. KUTILEK
KEVIN R. LAMPINEN
KENNETH A. LARETTO
BRYAN E. LEAHY
HO K. LEE
THOMAS B. LEE
MATHEW K. LESNOWICZ
KEVAN D. LEWIS
MICHAEL A. LIGUORI
JOSEPH P. LOGAN
HOWARD L. LONGWELL
CLARENCE E. LOOMIS, JR.
NICHOLAS J. LOZAR
SERGIO H. LUNA III
MICHAEL R. LUPIENT
MICHAEL F. LYNCH
RYAN A. LYNCH
BROCK A. MANTZ
MARK A. MARKLEY
RICHARD D. MARSHALL, JR.
ISAIAH G. MARTINEZ
JOSHUA J. MAYORAL
CHRISTOPHER B. MAYS
JOSEPH J. MCMENAMIN
TAVIS C. MCNAIR
FRANK P. MEASE, JR.
JOE M. MEDEROS
ANTHONY M. MERCADO
BENJAMIN M. MIDDENDORF
WILLIAM F. MILES
SHAWN A. MILLER
TIMOTHY M. MILLER
KEVIN A. MISNER
JON D. MOHLER
MARK L. MONTGOMERY
ISAAC D. MOORE
SEAN R. MOORE
PATRICK H. MURRAY
DANIEL R. MYERS
SUMMER J. NAGY
FREDERIC R. NEUBERT
BRANDON H. NEWELL
MARK D. NICHOLSON
RANDALL L. NICKEL, JR.
JAMES W. NOLAN
ERIC R. NORTHAM, SR.
CHAD A. OBRIEN
JOSEPH E. OCONNOR
MICHAEL J. OGINSKY
JASON M. ONEIL
SANFORD C. ORRICK
PAGE C. PAYNE
CLAYTON R. PENTON
BRECK L. PERRY
DOUGLAS K. PETERSON
CHRISTIAN J. PFEFFER
PAUL D. PFEIFER
ZEBULON C. PHILPOTT
ERIC W. PICKELSIMER
JUSTIN D. POWELL
PETER F. PRIESTER
JAMES J. PRUDEN
BRIAN D. PSOLKA
COREY L. PULLIG
MATTHEW W. QUIGLEY
KERRY R. QUINBY
SEAMUS M. QUINN
SCOTT F. RAPIN
CRAIG Q. REESE
MICHAEL J. REGNER
ANNA V. REVES
PAUL E. REYES III
JAMES V. REYNOLDS
KEITH W. RICHARDSON
MATTHEW T. RITCHIE
JOHN L. ROACH
BENJAMIN A. ROBLES
MICHAEL C. ROCK
PAULINA S. ROJAS
MATTHEW C. ROMOSER
JULIAN D. ROSEMOND
KENNETH K. ROSSMAN
JAMES M. ROWLETT III
AMY B. ROZNOWSKI
JUSTIN M. SANDERS
KURTIS L. SARGENT
FRANK A. SAVARESE
JONATHAN D. SCHAAFSMA
BENJAMIN M. SCHNEIDER
MARK D. SCHOUTEN
JOEL C. SCHUMACHER
BRIAN W. SCHWEERS
RAYMOND J. SCOTT, JR.
ROBERTO SCRIBNER
SCOTT G. SHADFORTH
KEVIN D. SHEPHERD
CHRISTOPHER D. SHORE
THOMAS F. SHORT
TODD N. SHUCK
ROBERT E. SHUFORD
CHARLES S. SIEDLECKI, JR.
ARLON D. SMITH
TIMOTHY J. SMITH
MICHAEL SMYCZYNSKI
DAVID P. SNIPES
JOHN F. SOTO, JR.
WILLIAM R. SOUCIE
CHRISTOPHER J. STARK
ERIC N. STARR
KEVIN J. STEPP
RICHARD J. STINNETT, JR.
ERVIN R. STONE
NATHAN J. STORM
CHRISTOPHER D. STORY
RUSSELL A. STRANGE
THERESA P. STREBEL
GEORGE A. SWEETLAND, JR.
ERIC P. TEE
ANDREW E. TERRELL
KHALILAH M. THOMAS
RYAN E. THOMPSON
DANIEL L. THUNEN
ANTHONY A. TILELLI
AN K. TRUNG
CHRISTOPHER S. TSIRLIS
THOMAS B. TURNER
MICHAEL L. VALENTI
JEFFERY VANBOURGONDIEN
JOHN E. VAQUERANO
DAVID J. VENETTOZZI, JR.
JON K. VONSEGGERN
ANNA M. VOYNE
BRIAN D. VUKELIC
BENJAMIN P. WAGNER
KATHRYN E. WAGNER
ETHAN D. WAITE
ROBERT J. WALKER
STEVEN L. WALKER
WILLIAM R. WALLACE
BRENDAN M. WALSH
SCOTT W. WARMAN
PAUL M. WEBBER
DANIEL A. WEBER
RYAN P. WELBORN
LIZETTE G. WELCH
KARL C. WETHE
RONALD WHITE, JR.
BRAD E. WHITED
RODNEY G. WILSON
ARON K. WISHERD
LUCAS M. WOOD
JAMES M. WOULFE
SEAN B. WRIGHT
MICHAEL D. WYRSCH
SHAYNE P. YENZER
TAYLOR N. YOUNG
RICHARD V. YUDT, JR.
JAY M. ZARRA
DAVID Z. ZARTMAN
MANUEL O. ZEPEDA
CARL L. ZEPPEGNO

EXTENSIONS OF REMARKS

GIVE BACK, LOOK FORWARD—HONORING THE 89TH BIRTHDAY OF DR. EDISON HIROYUKI MIYAWAKI

HON. COLLEEN HANABUSA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Ms. HANABUSA. Mr. Speaker, today, when the hallowed words inscribed on the Statue of Liberty seem to disappear into the fog of debate over immigration, I proudly rise to recognize and honor Dr. Edison Hiroyuki Miyawaki of Honolulu, Hawaii. Dr. Miyawaki, an American healthcare executive and graduate of George Washington University School of Medicine, is a pioneer in Hawaii's skilled nursing industry. He is President of Pali Corporation, one of the largest privately-held healthcare businesses in Hawaii, whose facilities serve patients needing continuing, complex care after acute illness. In addition to his work in healthcare, Dr. Miyawaki's dedication to, influence on, and contributions to education and athletics have touched Americans of all ages, ethnicities, and social strata.

Dr. Miyawaki's story began over 100 years ago when his father, Kazumi Miyawaki, immigrated to Hawaii from Hiroshima, Japan. The son of farmers, he sought new opportunities and found them in real estate. He built a successful general contracting business and paved a path that his son, born February 6, 1929, to Kazumi and his wife Fujiko, has walked for 89 years, 51 of those years with his late wife Sallie. Simply as the result of one person who responded to the Statue of Liberty's entreaty and came to Hawaii to start a new life, America has reaped a plethora of unanticipated, valuable gifts.

Born on Oahu and a son of Hawaii in every sense, Edison Miyawaki witnessed the horrors of World War II that impacted his family. These included the atomic bomb that destroyed Hiroshima, his parents' birthplace where many relatives lived and where he spent the majority of his early years, and the federal government's threat to Japanese-Americans of internment despite their U.S. citizenship. While someone of lesser character might have turned inward because of those events, Dr. Miyawaki has followed his heart and applied his resources to make a difference to individuals, the State of Hawaii, and the people of the United States.

Millions throughout the country have enjoyed the entertainment Dr. Miyawaki has brought them through his support of professional football, baseball and basketball. He is the first Japanese-American to purchase an ownership interest in a National Football League (NFL) franchise, having been a co-owner of the Cincinnati Bengals since 1994. He has added to his sports portfolio through subsequent investments in the Cincinnati Reds and the Boston Celtics. As a member of the NFL Pro Bowl Committee, he was instrumental in convincing the NFL to keep the Pro Bowl in Hawaii for more than thirty years.

But his avid interest in sports and his largesse has extended beyond the professional arena, encompassing Hawaii high school student-athletes. His generosity is grounded in his belief that participation and competition in high school sports can enable student-athletes to develop character and leadership skills and learn the values of sportsmanship and teamwork, thus opening doors to higher education and successful careers. Dr. Miyawaki has provided Hawaii student-athletes with countless opportunities to receive university scholarships, including via the Miyawaki Scholarship Fund at Loyola Marymount University (LMU), his alma mater, where he served as a trustee for 13 years and which has named him a Distinguished Alumnus. To help those aspiring to play professional football, Dr. Miyawaki established an NFL training camp, opening doors and advocating for Hawaii players to gain tryouts with NFL teams for over three decades. Among the players who have successfully entered those ranks are Arnold Morgado (Kansas City Chiefs) and Paul Dombroski (Kansas City Chiefs, New England Patriots, Tampa Bay Buccaneers).

Dr. Miyawaki also values and provides financial support to a wide range of educational institutions and specialties. He is well-known for his generosity as a philanthropist in making educational opportunities available to young people in Hawaii and across the country. Among his major philanthropic projects are scholarships and research awards (Miyawaki ''Trainee in Neuroscience'' Award Endowment at University of Hawaii's John A. Burns School of Medicine; Edison H. and Sallie Y. Miyawaki Gifts for Teaching in Neurology at Harvard Medical School; Miyawaki Scholarship Fund at Temple Medical School), teaching chairs (Robert H. Taylor, S. J. Chair in the Department of Philosophy at LMU), and structures (Miyawaki Hall at the Middle School of Punahou School; Miyawaki Library at LMU; Miyawaki Law Journal Center at Loyola Law School in Los Angeles).

Dr. Miyawaki has volunteered liberally to help his community, state, and country. He has served on the Hawaii Criminal Justice Commission and on the boards of numerous organizations (Japanese-American National Museum in Los Angeles; Japanese Cultural Center in Hawaii; the Mid-Pacific Institute). He has been honored by many in Hawaii for his extensive contributions spanning decades. Hawaii alone has inducted Dr. Miyawaki into the Hawaii Business Hall of Fame, awarded him the Charles Reed Bishop Medal, and named him a recipient of the National Football Foundation's (Hawaii Chapter) Community Service Award.

From grandfather to father to grandson, the Miyawaki legacy of ''giving back and looking forward'' continues with Dr. Miyawaki's son, Dr. Edison Kazumi Miyawaki, a Boston-based neurologist, author, and philanthropist. Hawaii is proud of the Miyawaki family, proud of their contributions, and proud to acknowledge and express our gratitude for what we collectively have gained by long ago welcoming them and continuing to welcome them with a warm Aloha.

COMMENDING LIEUTENANT GARY KING

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. DIAZ-BALART. Mr. Speaker, I rise today to wish Lieutenant Gary King, of the City of Doral Police Department, a speedy recovery from the gunshot wound he received on January 16th while off-duty. Lieutenant King was confronted in his own driveway by two men who ambushed and attacked him and his wife. In the struggle, the attackers shot Lieutenant King in the arm.

A longstanding member of the City of Doral Police Department, who has protected the citizens of Florida for over forty-eight years, Lieutenant King was rushed to the Jackson South Medical Center where he underwent surgery. He is currently recovering and is expected to return to duty shortly.

I take this opportunity to commend Lieutenant King on his long career in the City of Doral Police Department and thank the whole Miami-Dade Police Department (MDPD) and other agencies involved for their swift action. Within days, MDPD officers arrested the two suspects and have charged them both with attempted second-degree murder, armed robbery, aggravated battery on a person sixty-five years or older, and armed burglary.

Lieutenant King began his long career in law enforcement in 1969 when he entered the police service with the City of Miami Police Department. After moving to the MDPD in 1982, where he served with honor in various roles, his hard work and dedication was rewarded in 1990 with a promotion to the rank of Sergeant.

In 2008, Lieutenant King went on to serve the City of Doral Police Department as Motorcycle Patrol Sergeant where his capabilities and experience were recognized with a promotion to the rank of Lieutenant in 2012. Since then, Lieutenant King has served as a Uniform Platoon Commander and is currently the Traffic Section Commander. He has always held true to the City of Doral's Police Department philosophy of guardianship and has proudly worn the shield with valor and reverence for the values for which it stands.

Mr. Speaker, I am honored to pay tribute to Lieutenant Gary King for his outstanding service to our community, and I ask my colleagues to join me in wishing him a prompt recovery.

OFFICER FRIENDLY RICHARD ZIPP—TEXAS LAWMAN, U.S. MARINE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. POE of Texas. Mr. Speaker, throughout his law enforcement career, fellow Texas officers called him "Officer Friendly." He spent his entire life in service to America.

Richard Zipp was born in Florida in 1949. He spent his youth in Albany, New York, with his mom, three younger brothers, and aunt and uncle. He moved to Ingleside, Texas, in 1966 and lived with the Harvey Family. He graduated from Ingleside High School in 1968.

Richard served America in combat in the U.S. Marine Corps during the Vietnam War (1968–1972). He was a platoon sniper and was shot in the shoulder on April 11, 1969. He was later awarded the Purple Heart. Richard was never bitter about the war, but he was proud to serve as a United States Marine.

While in the Marines, he also played TAPS for burials at sea for Marines and sailors on U.S. Naval Ships. When he was honorably discharged from the Marines in 1972, he had already graduated from the International Chief of Police Academy at Camp Lejeune, North Carolina.

Richard joined the Houston Police Department, where he served 20 years in the Houston Police Department Honor Guard continuing to play TAPS for fallen Texas Peace Officers. Richard marched in the Honor Guard for the inauguration of President George Bush Sr., carrying the Texas flag. He participated in the Honor Guard ceremonies for National Police week in Washington, D.C. and Texas.

It was while Richard was on patrol for HPD that he met his wife Nelda.

Richard also found time to be Director of Security for Houston Theater Under the Stars.

After leaving the Houston Police Department, Richard joined the Harris County Texas Sheriff Department where he continued his service in the Honor Guard. He also served as bailiff in the courts, including my court when I was a judge. This is where "Officer Friendly" took care of court security and looked after the jury during trials. His demeanor with juries made them at ease and made them realize their importance to our justice system.

Richard retired in 2003 and he and Nelda moved to Georgetown, Texas. He joined the Williamson County Sheriff's Department and was Sergeant over courthouse safety and security. Finally, he retired in 2003 after 35 years in law enforcement.

Somewhere along the way, he volunteered to be in charge of security at the weddings of my four children.

Richard and Nelda were active members of the Georgetown Church of Christ, always taking time to visit seniors. He also had a special fondness for the Cherokee Home for Children.

Officer Friendly spent a lot of time helping veterans. He was a member of the VFW (Veterans of Foreign Wars) and the American Legion.

Late last year, Richard was diagnosed with cancer. He knew his days were numbered, but had an amazing attitude about it all. He said, "I can wear pain but I'd rather wear peace."

When I talked to Richard, he was always the positive guy. He let me know that since he was a Christian, he was anxious to see the Lord.

Officer Zipp died last week.

Last Saturday was Richard's funeral. His neighbors decorated his front lawn with numerous American flags in his honor. Both the Houston Police Department, Honor Guard and the Harris County Sheriff's Department Honor Guard helped to conduct the very moving ceremony.

Richard was proud of his service as a Marine.

Richard was proud to be married to Nelda.

He was proud to wear the several badges of a Texas Peace Officer.

He was proud to be an American.

Richard was the true patriot.

TAPS has been played for the final time. This time it was for "Officer Friendly."

Semper Fi, Richard Zipp, Semper Fi.

And that's just the way it is.

UKRAINE CYBERSECURITY COOPERATION ACT OF 2017

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise today in strong support of H.R. 1997, the "Ukraine Cybersecurity Cooperation Act," legislation that will lead to greater cooperation between the United States and Ukraine on matters of cybersecurity and require State Department reporting to Congress on best practices to protect against future cyber-attacks.

In recent years, Ukraine has been the target of an increasing number of cyber-attacks that have infiltrated state institutions and critical infrastructure to the effect of undermining its democracy.

It is past time we step up to work with our ally Ukraine in furtherance of our mutual interest in cyber security, the modern battlefield.

Ukraine is a frontline for nation state-directed cyber-attacks, which are potential harbingers of attacks on the United States.

Helping Ukraine strengthen its cyber defenses will not only protect Ukraine from future attacks, but it will also help the United States develop new and more effective technologies and strategies.

As a former member of the House Foreign Affairs Committee, I am pleased to stand in support of the effort to advance the strategic interests of both the United States and Ukraine on a bipartisan basis.

Cybersecurity is a complex and serious national and economic security issue for any nation.

For years, Ukraine has been under siege from nation-state cyber-attacks that have sought to weaken its government and undermine hopes for an open and democratic society.

The United States must play an important role in this fight.

By not adequately responding and adapting to these cyber-threats in Eastern Europe, our nation is both letting down an ally as well as failing to take proactive steps to protect itself.

Standing strong with our trusted allies in the cause of freedom is liberty's best defense.

I am proud lo work with my colleague, Congressman BOYLE, in encouraging cooperation between the United States and Ukraine on this front, and look forward to continuing to work with members of the Foreign Affairs Committee to keep our focus on this 21st century battle.

I urge all Members to support H.R. 1997, the "Ukraine Cybersecurity Cooperation Act."

COLORADO THIRD CONGRESSIONAL DISTRICT 2018 OLYMPIANS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. TIPTON. Mr. Speaker, I rise today to honor the athletes from Colorado's Third Congressional District who are competing in the 2018 Winter Olympics in Pyeongchang, South Korea. The dedication, passion, and spirit of these 21 men and women prove that they are some of the best our nation has to offer, and they serve as a model for young adults all around the world. I am proud to recognize these athletes for their impressive achievement:

Competing in Alpine Skiing: David Chodounsky, Wiley Maple, Alice McKennis, and Mikaela Shiffrin;

Competing in Bobsled: Nathan Weber;

Competing in Cross-Country Skiing: Simi Hamilton and Noah Hoffman;

Competing in Freestyle Skiing: Aaron Blunck, Alex Ferreira, Gus Kenworthy, Keaton McCargo, and Torin Yater-Wallace;

Competing in Nordic Combined: Ben Berend, Bryan Fletcher, Taylor Fletcher, and Jasper Good;

And competing in Snowboarding: Mick Dierdorff, Arielle Gold, Hagen Kearney, Jake Pates, and Meghan Tierney.

While I am here to acknowledge the athletes that hail from my home district, I would like to thank every member of Team USA for their continued contribution to their sports and communities.

Mr. Speaker, it is truly an honor to recognize each of these accomplished athletes. Their talent, hard work, and commitment has allowed them to compete on an international platform and I have no doubt they will make our nation proud. I want to thank them for representing the United States and Colorado's Third Congressional District and I wish them luck as they prepare for their upcoming competitions.

HONORING LESSIE MOSES OF MILTON, WEST VIRGINIA

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to recognize my constituent, Lessie Moses. Lessie, who just turned 98 years old this past November, served as a Rosie the Riveter during World War II, working on airplanes in Ohio. Lessie was born and raised in her beloved hometown of Milton and is the oldest of nine children.

Lessie was part of the workforce that carried the nation while the men were at war, providing the warfighter the equipment they needed to get the job done. Lessie answered the

call when their nation asked and served in 1943 and 1944 on the home front to make sure our troops were well equipped. Lessie is a local pioneer of the Rosie movement in my district, and I am honored to recognize her achievements and help keep this history alive. We owe a debt of gratitude to all of the heroes of World War II.

May God bless Lessie, and I thank her for all she has done for the people of the great state of West Virginia and her community of Milton, and for her service to our nation.

PROSECUTION OF PERPETRATORS OF GENOCIDE OR WAR CRIMES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. SMITH of New Jersey. Mr. Speaker, I rise in support of H.R. 3851, the War Crimes Rewards Expansion Act, which targets perpetrators of genocide or war crimes, and commend my friend VIRGINIA FOXX for authoring it. The War Crimes Rewards Program, administered by the State Department, has helped apprehend perpetrators of atrocity crimes on the run from the International Criminal Tribunal for the Former Yugoslavia and the Criminal Tribunal for Rwanda. But our current law does not explicitly authorize rewards to enable prosecutions in the United States or domestic courts in other countries. This bill would make it clear rewards can be used to support domestic prosecutions.

Tribunals like those for the Former Yugoslavia and for Rwanda have done yeoman's work and we should continue to support them. That is why I have called for the United States to support and help stand up a Syria war crimes tribunal. But domestic courts are also essential for prosecuting perpetrators. With so many fugitive terrorists who committed atrocity crimes in Iraq or Syria, and can be tried in the domestic courts of their home country or another country, this legislation is especially timely.

I support this bill and encourage my colleagues to do likewise.

Finally, Mr. Speaker, I call on the Senate to finally vote on and pass H.R. 390, the Iraq and Syria Genocide Emergency Relief and Accountability Act.

This House passed it unanimously last June 6 and the Senate Foreign Relations Committee unanimously passed it last September 19. The Committee Chairman, Senator CORKER, has since been holding it hostage and will not permit it to proceed to the full Senate for a vote.

The bill would authorize the State Department and USAID to direct some aid to Christians, Yazidis and other religious and ethnic minorities targeted for genocide to enable them to survive in their ancient homelands. It would enable oversight to ensure the career bureaucrats are fully implementing the policy of the Administration and provide clear, detailed authorization for appropriations.

H.R. 390 also authorizes the State Department and USAID to support organizations conducting criminal investigations into ISIS perpetrators of atrocity crimes and collecting evidence that can be used in domestic courts and tribunals. This advances our counter-terrorism initiatives and justice for the victims. The House voted on H.R. 390 and the Senate should be given the same opportunity.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI MARINE LANCE CORPORAL (LCPL) EDWARD JOE DYCUS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Marine Lance Corporal (LCpl) Edward Joe Dycus who paid the ultimate sacrifice while defending our nation on February 1, 2012, during Operation Enduring Freedom. LCpl Dycus gave his life when he was mortally wounded by a member of the Afghan Security Forces in Helmand Province, Afghanistan. LCpl Dycus was assigned to 2nd Battalion, 9th Marines, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, North Carolina.

LCpl Dycus grew up in Greenville, Mississippi. He attended Riverside High School. LCpl Dycus joined the United States Marine Corps in November 2010. Eric Harmon, a friend and fellow student of LCpl Dycus, said he was a humble person who respected his elders. Eric said, ''everyone appreciated LCpl Dycus' sweet and soft-spoken nature. He was a great representative for the City of Greenville, his school, and the state of Mississippi.''

LCpl Dycus' funeral was held at the Riverside High School gym. Eric said he will never forget that day because hundreds of residents lined the highway all the way from the gym to the Greenville Cemetery. The procession was led by the Patriot Guard Riders. ''That is something I had not ever seen before,'' Eric said. ''The outpouring of love and support from the community forever touched the hearts of his family and all of us who were there.''

Theresa Carol Dycus, LCpl Dycus' mother, said her son joined the military because he wanted to serve our nation. ''I was behind him in his decision,'' Theresa Carol said. ''He was an awesome son who was loved by his family, friends, and community.'' She also remembers the day of the funeral when the town came to pay their respects. ''The town just stopped,'' Theresa Carol said. ''Greenville came together to support our family during our painful loss.''

LCpl Dycus is survived by his father, Randy Dycus; his mother, Theresa Carol Dycus; his stepfather, Franky Drury; his brother, Rodney Lee Frothingham Dycus; his three sisters, Stephanie Marie Dycus Johnson, Laura Elaine Dycus, and Martha Carol Agnes Dycus; his brothers-in-law, Chris Tice and Joseph Adams Johnson; his five nieces and nephews, Hayden Tice, Kaution Tice, Ryder Tice, Caleb Johnson, and Cayden Johnson.

LCpl Dycus' service and sacrifice to protect the freedoms we all enjoy will not be forgotten.

CONGRATULATING MR. WESLEY JENSEN ON HIS 100TH BIRTHDAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. REICHERT. Mr. Speaker, today I rise to congratulate Wesley Peder Jensen on his 100th birthday.

Born on February 6, 1918, Wesley has lived a full life, filled with adventure and service. He has witnessed many extraordinary historical events, from the Great Depression to the technology boom.

Wesley is part of the greatest generation. He served our country in the United States Army as a Tech Sergeant from 1942 through the end of World War II in September of 1945. During that time, he served in Australia and New Guinea.

In his dedication to his country and his community, Wesley has continued to make the world around him a better place throughout his lifetime.

I join with his family, friends, and Washington's Eighth District in congratulating him on this special occasion and wishing him a wonderful birthday.

HONORING THE GRADUATING SENIORS ON THE BUFFALO STATE MEN'S BASKETBALL TEAM

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. HIGGINS of New York. Mr. Speaker, I rise today to recognize four exceptional members of the senior class at Buffalo State College, Malik Turner, J.O. Spence, Mike Henry, and Rey Jordan. As members of the Buffalo State men's basketball team, these students are known as dedicated athletes and scholars. Their leadership and hard work has stood out among their peers and in our community. I commend these young men for their academic and athletic dedication and congratulate them on the completion of their college careers.

Malik Turner played for Buffalo State as a forward and majored in Sociology. Malik comes from New York, New York where he attended NIA Prep High School.

J.O. Spence comes to Buffalo State from his hometown of Limon, Costa Rica. A graduate of Bayard Rustin High School, J.O. played guard for the Buffalo State Bengals. He will be earning his degree in Health and Wellness.

Coming from Syracuse, New York, Mike Henry is a graduate of West Genesee High School. At Buffalo State he played the positions of forward and guard. He will earn his degree in individualized studies.

Rey Jordan is a Buffalo native who graduated from McKinley High School. He majored in Economics while succeeding as a guard on the Buffalo State Bengals.

Handling the responsibilities of being a student athlete is an incredible challenge, and all four of these students handled this challenge exceptionally. As an alumnus of Buffalo State, I will be proud to call them fellow alumni.

Mr. Speaker, I thank you for allowing my colleagues to join me in recognizing these extraordinary Buffalo State Bengals and in congratulating them as they obtain their undergraduate degrees. Their dedication and drive will propel them to success, and I wish them all the best in their future endeavors.

CRUZ SARMIENTO

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. CORREA. Mr. Speaker, I would like to dedicate some time to honor one of my constituents, Mr. Cruz Sarmiento, for the inspirational life he led.

Mr. Sarmiento passed away on January 29, 2018 peacefully, at the age of 95, and his life should and will be remembered. Mr. Sarmiento's life embodies this country's greatest ideals—opportunity, determination, and the American dream.

Born in Juarez, Chihuahua in 1922, Mr. Sarmiento spent his early years in both Mexico and America, but it was his dedication to family that kept him in Juarez, as he cared for his grandmother. There, he met his beloved wife, Juanita, and together they returned to the U.S. He worked diligently to provide for his family of 8 children, emphasizing the importance of education to them. After moving the family to California and performing a variety of jobs, he seized opportunity through investments and was able to retire at age 65. He and his wife flourished during this long retirement.

Mr. Sarmiento's life sets an example for all; his hard work, perseverance, and sacrifice earned him the respect of all who met him. Mr. Sarmiento could always be relied on to help others, whether he was helping coworkers fill out documents when they could not read or write in English, or when he co-founded Mayas, an organization that held dances with proceeds funding the scholarships of future students. His selflessness and dedication to all communities around him was admirable. Mr. Sarmiento is survived by his family, including his children and his many grandchildren and great-grandchildren. His family will carry on the values of his legacy. Mr. Speaker, I am honored to recognize Mr. Sarmiento for the inspiring example his life has set, and I thank him for coming to America and enriching the lives of all around him.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 51 and 52 on Monday, February 5, 2018. Had I been present, I would have voted Yea on Roll Call vote 51 and Nay on Roll Call vote 52.

HONORING THE LIFE AND LEGACY OF MR. JOHNNY JACKSON, JR.

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. RICHMOND. Mr. Speaker, I rise to honor the life and legacy of Mr. Johnny Jackson, Jr., a former New Orleans city councilman, state representative and Ninth Ward community leader, who died on January 24, 2018 at the age of 74.

A New Orleans native, Mr. Jackson was a 1961 graduate of George Washington Carver High School. He earned his bachelor's degree from Southern University at New Orleans in 1965, and his master's degree in social work from Tulane University in 1980.

In 1968, Mr. Jackson became director of the Desire Community Center and was its leader during the time of the 1970 standoff between New Orleans police and members of the Black Panther Party. He used the center to offer breakfast and tutoring programs for children.

In 1971, Mr. Jackson was elected to the Louisiana state legislature, as only the body's third African-American member. He served in the state House of Representatives for 14 years from 1972 until 1986. Mr. Jackson became the New Orleans delegation's floor leader soon after his election and was a founding member of the state's Legislative Black Caucus. He also served as a delegate to the 1973 convention which rewrote the state constitution.

Mr. Jackson was recruited to run for the state legislature by members of the Ninth Ward political organization Southern Organization of United Leadership, better known as SOUL. He was a member of the group and later a founding member of another political group, DAWN, which stood for Development Association for Wards and Neighborhoods.

In 1985, Mr. Jackson and Ms. Delories P. Francois started the Desire Community Housing Corporation Staff Christmas Show and gift exchange for the neighborhood kids. Eventually, the program grew into a community event. The purpose of this program was to provide Christmas gifts for children in the Desire-Florida areas and was extended to the City of New Orleans. The program grew to provide bikes, computers, and toys to kids within the city.

From 1986 until 1994, Mr. Jackson served as the District E representative on the New Orleans City Council, representing New Orleans East and the Lower Ninth Ward.

Mr. Jackson was a former board member of Total Community Action, Inc., the New Orleans East Economic Development Foundation, Desire-Florida Area Community Council, and the New Orleans Jazz and Heritage Foundation. He also chaired the "Gospel is Alive" program, and was former president of WWOZ public radio.

Mr. Jackson became a member of the Zulu Social Aid and Pleasure Club, Inc., in the 1980's. He soon thereafter became an active fundraiser for the club, which earned him an appointment to the Zulu Board. After the death of former King, Mr. Fred Thomas, Mr. Jackson was appointed as captain of the Zulu Diamond Cutters, a position he held for almost 28 years.

Mr. Jackson, always having a heart for the community, with the help of the Zulu Social Aid and Pleasure Club, Inc. revived the Desire Carver Housing Corporation's original vision and formed the Zulu Toys for Tots Christmas Talent Show, which focused on raising money and collecting toys for underprivileged youth.

Mr. Jackson loved the city and the people of New Orleans. His legacy will forever be a part of the city and his dedication to community embodies the spirit of New Orleans. We cannot match the sacrifices made by Mr. Jackson, but surely we can try to match his sense of service. We cannot match his courage, but we can strive to match his devotion.

Mr. Jackson's survivors include his wife, Mrs. Ara "Jean" Parker Jackson, his mother, Mrs. Josephine Jackson; two sons, Kevin Jackson of New Orleans and Johnny Jahi Jackson of Houston, Texas; four daughters, Kenyatta Jackson Morris of Dallas, Texas, Johnann Jackson of Tampa, Florida, and Jeanne Jackson and Samantha Spears, both of New Orleans; two brothers, Brandon Jackson, Sr. of New Orleans and Kevin Jackson of Slidell; two sisters, Cynthia Webster of Slidell and Cheryl Robinson of New Orleans; 13 grandchildren; and three great-grandchildren.

Mr. Speaker, I celebrate the life and legacy of Mr. Johnny Jackson, Jr.

HONORING MIKE FITZSIMMONS

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to celebrate Mr. Mike Fitzsimmons, Spokane's News Scope host on KXLY Newsradio 920 for his years of service to Eastern Washington. As an award-winning radio and television journalist, news director, and talk radio host, Mr. Fitzsimmons has served the people of Eastern Washington for more than 40 years. Mr. Fitzsimmons retired at the end of 2017 and I am pleased to recognize his accomplishments and contributions to our great community.

Mr. Fitzsimmons famously covered the eruption of Mount St. Helens in May of 1980 where he spent 56 continuous hours reporting about the effects of this unique event on Eastern Washington. In 1996, Mr. Fitzsimmons held another marathon broadcast during the giant regional power blackout known as Ice Storm '96. Outside of reporting, Mike served as a radio and television anchor for Unlimited Hydroplane Racing for 45 years.

In addition to his career on radio and TV, Mr. Fitzsimmons has also dedicated his time to Gonzaga University where he is a Senior Lecturer of Integrated Media. He teaches courses relating to media law, public relations, broadcast writing, and media literacy. He has aimed to provide platforms for interpretation and critical analysis of the current fast-paced media environment.

I would like to thank Mr. Fitzsimmons for his years of dedication to the people of Spokane and Eastern Washington, and wish him the best of luck in the next chapter of his life.

IN RECOGNITION OF THE NORTHWEST METROPORT CHAMBER OF COMMERCE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. BURGESS. Mr. Speaker, I rise today to pay tribute to the Northwest Metroport Chamber of Commerce as it marks 30 years of service to the North Texas community.

Formed in 1986 as the Roanoke Business Association, this organization has enjoyed significant growth, expanding service to include Argyle, Haslet, Justin, Northlake, Trophy Club, and Westlake. In its 30 years of service, the Northwest Metroport Chamber of Commerce has also grown from eight founding members to more than 420. These members—past and present—have worked diligently to create, promote, and enhance growth for the business community.

Since its inception, the Northwest Metroport Chamber of Commerce has sought to positively impact leadership, stewardship, and business relationships for the benefit of all six of the communities it represents in the Northwest Metroport region.

There is no doubt that the Northwest Metroport Chamber of Commerce leaders and members have made meaningful contributions to their communities and the North Texas region, and I am grateful for their steadfast service.

IN HONOR OF JENNIFER FRIZZEL FOR HER 15 YEARS OF SERVICE AT PLANNED PARENTHOOD OF NORTHERN NEW ENGLAND

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to offer my sincere gratitude for Jennifer Frizzell as she moves on after fifteen years from her role leading public policy work for Planned Parenthood of Northern New England.

Throughout Jennifer's long career as an advocate for reproductive rights and improved access to family planning resources, she has helped support women across New Hampshire in obtaining well-deserved quality healthcare. Whether it's been advocacy to protect buffer zones outside of clinics or fighting against a lawsuit to prevent the opening of a Planned Parenthood in downtown Manchester, Jennifer has made invaluable contributions to our state and the country. Her commitment and compassion have improved the lives of countless women in need, and she has cultivated a better future for Granite State women and families.

On behalf of New Hampshire's Second Congressional District and all those who have benefitted from Jennifer's work, I thank her for her incredible service and congratulate her on all that she has accomplished. I wish her the best of luck in the years ahead, and I look forward to our continued work together to make New Hampshire an even better place to live, work, and raise a family.

IN SUPPORT OF H. RESOLUTION 724

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H. Res. 724. This is an important resolution and I am proud to support it.

The recent wave of sexual harassment allegations has been an important moment for our country. The last many months represent a sea change in how we, as Americans, talk about and respond to allegations of sexual misconduct.

Fortunately, it has empowered women to share their story through the #MeToo movement. This movement has made the country realize that allegations of sexual harassment touch all pockets of society, including, sadly, the Congress of the United States.

These allegations have exposed numerous allegations against congressional offices. This is concerning because it tells us that those who come to our nation's capital and serve the country they love must contend with unwanted harassment.

Further still, and prior to this thoughtful legislation, victims of abuse had to contend with the separate and various office policies, if any at all, of every individual member. This is disorienting and unhelpful.

Congress must set the example. That is why I am proud to support H. Resolution 724.

H. Res. 724 would set mandatory anti-harassment and antidiscrimination policies for house offices.

Additionally, this Resolution would establish an Office of Employee Advocacy to provide legal assistance and consultation to employees of the House regarding procedures and proceedings under the Congressional Accountability Act.

And, critically, it would list sexual harassment as a violation of the House code of official conduct.

Mr. Speaker, if we are going to be able to speak with a moral voice about the problem of sexual harassment, then we must begin with this institution.

That is why I am proud to support this legislation.

HONORING THE MEMORY OF GEORGE P. SHADID

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mrs. BUSTOS. Mr. Speaker, I rise today to honor the memory of retired State Senator George P. Shadid, of Peoria, Illinois, who devoted his life to serving his community and the State of Illinois. George left us on February 3rd, and will be greatly missed by family, friends, former colleagues, and his community.

George was born on May 15, 1929 to Edna Massad Shadid and Philip A. Shadid; one of nine children born to the proud Lebanese immigrants. On May 30, 1953, George married Lorraine K. Unes. They had two children, George Jr., who sadly passed away in 2005, and James, who currently serves as chief U.S. District Judge for central Illinois. George and Lorraine were also blessed with four grandchildren.

Throughout his life, George embodied the role of a true public servant, dedicating his life to serving others. He started his long career in public service as a police officer for the Peoria Police Department. After serving in that capacity for twenty-three years, in 1976 he was elected Sheriff of Peoria County. In 1993, George was appointed to serve as State Senator of the 46th District of Illinois, representing Peoria, Tazewell and Fulton counties. In the Senate, George became lifelong friends with then State Senator Barack Obama. He retired from the Senate in 2006. He was a mentor and friend to many, and was admired by colleagues on both sides of the aisle. He will be remembered for his great sense of humor, his honesty, and his commitment to finding commonsense, bipartisan solutions with the goal of bettering his community and the State of Illinois.

Mr. Speaker, I would like to again formally recognize the late George Shadid on his extraordinary work and service to the State of Illinois. I am grateful for George's contributions to our community, and my condolences are with his loved ones at this difficult time. It is because of dedicated and selfless leaders such as former Senator Shadid that I am especially proud to serve Illinois' 17th Congressional District.

THE 70TH ANNIVERSARY OF SRI LANKA'S INDEPENDENCE

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. FRELINGHUYSEN. Mr. Speaker, I include in the RECORD the following Proclamation:

Whereas, Sri Lanka is a free, independent, and sovereign nation—a unique country with a rich history, dating back to its flourishing civilization of the 2nd Century B.C.;

Whereas, Sri Lanka is celebrating the 70th Anniversary of its independence;

Whereas, Sri Lanka has developed its economy based on its agriculture, cultivation of semi-precious stones, and manufacturing industries. And although Sri Lanka experienced invasions and rule by the Portuguese, Dutch, and British, Sri Lanka regained independence through a peaceful and constitutional process in 1948;

Whereas, after 70 years of independence, Sri Lanka has emerged as a key South Asian country committed to democracy, free market economics, and sound development policy;

Whereas, this year also marks the 70th Anniversary of the establishment of diplomatic relations between free Sri Lanka and the United States of America and bi-lateral relations between the U.S. and Sri Lanka have always been strong;

Whereas, trade and investment between the U.S. and Sri Lanka continue to grow. Recent U.S. goods exports were $372 million. U.S. exports consisted primarily of industrial machinery, medical instruments, aircraft parts, lentils, paper, specialized fabrics and textiles for use in the garment industry, fruits, and pharmaceuticals. Sri Lanka is currently the

115th largest export market for U.S. goods. Corresponding U.S. imports from Sri Lanka were $2.88 billion;

Whereas, as Sri Lanka celebrates seven decades of freedom, this is a wonderful opportunity for us to pay tribute to all of her national heroes and freedom fighters who fought for independence and extend congratulations to the approximately 100,000 Sri Lankans in the U.S., whose communities have made economic and social impacts throughout various communities across America;

Whereas, Sri Lanka's rich history of over 2,500 years, and its tremendous progress as a nation in 70 years alone, proves Sri Lanka's tremendous potential for the rest of the 21st Century and the future beyond; now be it *Resolved*, That in commemoration of Sri Lanka's 70th year of independence, members of the United States House of Representatives congratulate the government of President Maithripala Sirisena and Prime Minister Ranil Wickremesinghe and look forward to working with the government of Sri Lanka, Sri Lankan Americans, and the Sri Lankan community in the United States for years to come.

RECOGNIZING TEENS AGAINST INDIFFERENCE AND PALM BEACH COUNTY SUBSTANCE ABUSE COALITION YOUTH IN ACTION

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. DEUTCH. Mr. Speaker, opioids are prescribed to reduce acute pain and are used as anesthesia during surgery. But, as we are all too aware, they have a high potential for abuse. Approximately 2.4 million Americans are currently battling an opioid-use disorder.

In 2015, over 33,000 Americans died from an opioid-related overdose. In 2016, this number jumped to over 42,000. These tragic numbers show a worsening epidemic, which has been declared a national public health emergency.

Mr. Speaker, this epidemic significantly impacts our nation's youth, with the rate of nonmedical use of opioids by adolescents and teens doubling from 1991 to 2012. The rate of teen drug overdose deaths skyrocketed 19 percent from 2014 to 2015, with 772 drug overdose deaths reported nationwide for teens aged 15 to 19.

Students throughout Palm Beach County, Florida have responded to this emergency in an effort to save lives by raising community awareness of the epidemic and by reaching out to elected officials to urge them to action.

Mr. Speaker, I ask my colleagues to join me in recognizing these students and the work they have done to address this national public health emergency.

ECONOMIC JUSTICE IN THE BLACK COMMUNITY

SPEECH OF

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2018

Mrs. BEATTY. Mr. Speaker, as we all know, February is Black History Month. It is a time to reflect on the progress we have made in this country in the pursuit of equality and justice and to honor the people whose hard work and sacrifice contributed in that endeavor.

While we certainly have made progress in many areas, I think it is also important to acknowledge the problems that still persist so that we may continue the work of those who we honor, not just in February but throughout the year.

We will hear a lot about 2018 being the 50th anniversary of the assassination of Dr. Martin Luther King, Jr., but it is also the 50th anniversary of the Poor People's Campaign, which Dr. King championed before his death.

The Poor People's Campaign came to Washington in the spring of 1968 and set up a shantytown called Resurrection City where thousands lived on the National Mall, just a short distance from where I stand here tonight.

A central part of the Campaign was the drafting of an Economic Bill of Rights, which called for:

''A meaningful job at a living wage;''

''A secure and adequate income for all those unable to find or do a job;''

''Access to land for economic uses;''

''Access to capital for poor people and minorities to promote their own businesses;'' and

The ''ability for ordinary people to play a truly significant role in the government.''

Fifty years later, we are still fighting for these same economic rights.

In 1968, a nonwhite family in America had a median wealth of about $3,000 while white families had a median wealth of around $60,000.

The wealth gap since then has only expanded, with black families holding a median wealth of $17,000 versus $171,000 in white families—a wealth gap of a factor of ten.

Homeownership—an important tool for wealth creation—is only 42 percent for black families but 68 percent for white families.

Retirement savings for black families is now around $25,000 but over $157,000 for white families.

It is important to note that Hispanic families have to deal with a wealth gap just as bad as black families.

In the greatest country in the world, your economic security should not be so closely tied to your race or your zip code.

In his Nobel Prize address in 1964, Dr. King noted: ''There is nothing new about poverty. What is new, however, is that we have the resources to get rid of it.''

Mr. Speaker, we, as members of Congress have a responsibility to use those resources to address the problem head on.

Certainly, we in the Congressional Black Caucus are committed to solving the problems of the wealth gap and economic inequality to bring our country closer together.

We must promote policies that increase job creation in low-income communities; strengthen our social safety nets, not take away benefits; invest in training programs so workers can transition to high-skilled, high-wage jobs, and make investments in revitalizing schools, infrastructure, and neighborhoods.

Families of color, and all American families, deserve equal access to economic opportunity. They deserve better jobs, better wages, and a better future.

HONORING MARGOT CISNEROS TORRES WHO IS RETIRING

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. VELA. Mr. Speaker, today I rise to honor the distinguished career of Executive Director of Human Resources for San Benito Consolidated Independent School District (SBCISD), Margot Cisneros Torres who is retiring. As a director, principal, assistant principal, and educator, Mrs. Torres dedicated her life to bringing knowledge to others.

Mrs. Torres received her Bachelor of Arts degree from The University of Texas Pan American and her Master of Education in Educational Administration from the University of Texas in Brownsville. She holds Provisional Secondary Teaching Certificates in Secondary English and Spanish Grades 6–12, Mild Management Certificate PK–12, and Professional Superintendent Certificate PK–12.

Prior to serving as the Executive Director for Human Resources at SBCISD, Mrs. Torres worked for the Brownsville Independent School District for 26 years in many positions including high school English teacher, Assistant Principal, Human Resource Specialist, and Principal. Additionally, she served as a school principal at Point Isabel Independent School District for three years. Mrs. Torres will be completing an impressive 31 years in education upon her retirement at the end of this academic year.

The presence of Mrs. Torres will be missed at San Benito Consolidated Independent School District, but her legacy as a leader will be felt for years to come. Please join me in wishing Mrs. Torres and her family all the best as she begins the next chapter in her life.

HONORING DR. CARTER G. WOODSON OF HUNTINGTON, WEST VIRGINIA

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor Dr. Carter G. Woodson and to celebrate his legacy with my friends at Marshall University. Dr. Woodson is a former resident of Huntington, West Virginia, and is known as the ''Father of African-American History.'' He believed in the importance of education, served as a principal of his alma mater Douglas High School, and later earned a doctorate in history from Harvard University. Dr. Woodson pioneered the observation of Black History Month and devoted his life to documenting the important contributions African Americans have made to our nation's history.

The Carter G. Woodson Lyceum at Marshall University has the great honor to welcome Librarian of Congress Dr. Carla Hayden who will speak directly to the community and students of Marshall University. I extended my wishes for a successful event celebrating the life of Dr. Woodson and all that he has achieved.

I want to thank Professor Morris for his continued dedication to honoring the work of Dr. Woodson every year. He continues to ensure

future generations and students at Marshall have the opportunity to learn about the legacy of this remarkable historical icon. Dr. Woodson's legacy and his work to ensure that African-American history is preserved and recognized in our community will continue to inspire the students of Marshall University for many years to come.

PERSONAL EXPLANATION

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. GONZALEZ of Texas. Mr. Speaker, I was unable to cast my vote for Roll Call votes 51 and 52 on February 5, 2018. Had I been present, my votes would have been the following: Nay on 52, and Aye on Roll Call vote 51.

HONORING THE GRADUATING SENIORS ON THE BUFFALO STATE WOMEN'S BASKETBALL TEAM

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. HIGGINS of New York. Mr. Speaker, I rise today to recognize two exceptional members of the senior class at Buffalo State College, Mariah Rosario and Caleh McLean. As members of the Buffalo State women's basketball team, these students are known as gifted athletes and scholars. I commend these young women for their academic and athletic dedication and congratulate them on the completion of their college careers.

Mariah Rosario played for Buffalo State as a forward and majored in Criminal Justice. Mariah comes from Flushing, New York where she attended Robert F. Kennedy High School.

Caleh McLean comes to Buffalo State from her hometown of New Rochelle, New York. A graduate of New Rochelle High School, Caleh played guard for the Buffalo State Bengals. She will be earning her degree in Economics and Finance.

Handling the responsibilities of being a student athlete is an incredible challenge, and both of these students handled this challenge exceptionally. As an alumnus of Buffalo State, I will be proud to call them fellow alumni .

Mr. Speaker, I thank you for allowing my colleagues to join me in recognizing these extraordinary Buffalo State Bengals and in congratulating them as they obtain their undergraduate degrees. Their dedication and drive will propel them to success, and I wish them all the best in their future endeavors.

IN MEMORY OF BRIGADIER GENERAL VERNON RODNEY TATE, SR.

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. WILSON of South Carolina. Mr. Speaker, on February 3, 2018, a memorial service was conducted at the Evangelical Presbyterian Church of Annapolis, Maryland, to honor the life of Brigadier General Vernon Rodney Tate, Sr.

I include in the RECORD the following obituary published in The Post and Courier on February 1, 2018:

Brigadier General Vernon Rodney ''Rod'' Tate, Sr. passed away peacefully on January 28, 2018, in his home on Daniel Island, South Carolina, with his beloved wife, Lynn, his children and two faithful rescue cats, Frankie and Cooper, by his side. He celebrated his 80th birthday this past November with family. Rod was born on November 18, 1937, in Washington, D.C. to Dr. Vernon Dale Tate and Katherine Ann (Moore) Tate, and lived his childhood years in Hingham, Massachusetts. Rod earned his Eagle Scout rank as member of Troop 25 in Hingham, Massachusetts. He moved to Annapolis with his family in 1954 when his father began serving as Director of Libraries at the U.S. Naval Academy. Rod graduated from Cushing Academy, Ashburnham, Massachusetts, in 1957. He received a Bachelor of Science degree in Business Administration from the University of Maryland in 1961, where he was a member of the Phi Delta Theta Fraternity and the University of Maryland Swim Team. He later received a Masters of Business Administration at George Washington University with a focus on International Marketing in 1967. Rod began his career working at Xerox Corporation. He later founded Nationwide Fulfillment Systems located in Ridgely, Maryland, serving Fortune 500 companies. During this time, he served in the U.S. Air Force and spent his last five years in service as a Brigadier General, USAF, working in the Office of Special Investigations (AFOSI), which included duties at the Pentagon, Office of Secretary of the Air Force. He was also a Mobilization Assistant to the Inspector General (SAFIG). Upon retirement from the Air Force, Brigadier General Tate received the Distinguished Service Medal.

Rod and his late wife, Missy, founded Weems Creek Nursery School and Kindergarten, Annapolis, MD in 1972, which, 46 years later continues making a difference in children's lives. They also established Super Skate roller rink together in 1979. During retirement, Rod and his son, Vernon (Skip) Rodney Tate, Jr. founded Recreation World RV Center, Annapolis, MD. Over his lifetime, Rod was involved in many philanthropic causes, serving in various capacities including Anne Arundel Medical Center, the Evangelical Presbyterian Church of Annapolis, the Annapolis Area Christian School, the Summit School, Cushing Academy, Fellowship of Christian Athletes and other organizations. Rod was a member of the Evangelical Presbyterian Church of Annapolis, the Annapolis Yacht Club (AYC), the Rehoboth Beach Country Club, U.S. Naval Academy Golf Club, and the New Providence Club in Annapolis. Most recently, he has cherished his time attending East Cooper Baptist Church, Mount Pleasant, SC and hosting weekly Bible studies with his wife. He was an active member at the Daniel Island Club. Rod lived a full life and enjoyed sailing and Wednesday Night Races at AYC, traveling, golf, restoring historic homes, was an automobile enthusiast, and most of all, cherished spending time with his family.

Rod is survived by his wife, Lynn of 10 years; his sons, Vernon Rodney (Skip) Tate, Jr., (Katharine), William Paul Tate; his daughters, Hilda Margaret (Maggie) Tate Riith (Michael), all from Annapolis and Elizabeth Downing Jowett, (Marshall) of Yale, Michigan, from his 43 year marriage with the late Missy Tate; ten grandchildren; and a sister, Charlotte Tate Bendell (Alfred) of Hagerstown, MD. Visitation will be held on Friday, February 2, 2018, from 5:00pm–8:00pm at the John M. Taylor Funeral Home, 147 Duke of Gloucester Street, Annapolis, MD. The service will be held on Saturday, February 3, 2018 at 2:00pm at the Evangelical Presbyterian Church of Annapolis, 710 Ridgely Avenue, Annapolis, MD. Interment will follow at the St. Margaret's Episcopal Church Cemetery, 1601 Pleasant Plains Road, Annapolis, MD.

Those wishing to do so may make donations to one of the philanthropies mentioned above, Respite Care Charleston, Dementia & Alzheimer's Support, the Charleston Animal Society or the Senior Dog Sanctuary of Maryland. Condolences may be sent to the family at wwwjohnmtaylorfuneralhome.com.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. COHEN. Mr. Speaker, due to a flight delay on February 5, 2018, I was unable to vote on Roll Call numbers 51 and 52. If present, I would have voted yes on H.R. 4547, and would have voted no on approving the journal.

INTRODUCTION OF THE KEEPING SALVADORAN FAMILIES TOGETHER ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Ms. NORTON. Mr. Speaker, today, I introduce a bill to provide Salvadorans who have Temporary Protected Status (TPS) lawful permanent resident status and a pathway to citizenship after five years.

Of the 200,000 Salvadorans living in the U.S. with TPS, nearly 30,000 live in the Washington, D.C. metro region, the largest concentration in the nation. This bill would change the status of Salvadoran TPS holders to lawful permanent residents and allow them to apply for naturalization after five years. Deporting Salvadoran TPS holders raises unique issues because of the great number of years they have spent in the U.S. and the large number of their children who were born in this country and are American citizens. The Trump Administration's callous and unnecessary decision to end TPS for Salvadorans requires immediate pushback. I am also pleased to be a cosponsor of the American Promise Act (H.R. 4253), which would protect from deportation all individuals currently receiving TPS or Deferred Enforced Departure.

My bill would begin the effort to protect from deportation Salvadorans who have lived here for nearly two decades and have made long-term contributions to our region and to the nation. I urge its adoption.

INTRODUCTION OF NAMING THE POST OFFICE ON NORTH TUSTIN STREET IN ORANGE, CALIFORNIA THE SPECIALIST TREVOR A. WIN'E POST OFFICE

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. CORREA. Mr. Speaker, I rise today in honor and memory of Army Specialist Trevor Anthony Win'E from my district in the city of Orange, California.

Specialist Win'E was a young man of strong convictions. A few months after 9/11, he joined the Army on May 1, 2002, to serve his country. After Basic Training at Fort Benning, Georgia, he arrived at Fort Lee, Virginia for the petroleum supply specialist course. Upon his graduation from that course in October 2002, Specialist Win'E was then assigned to the 24th Quartermaster Supply Company at Fort Lewis, Washington. In November 2003, the Company, was scheduled to deploy to Iraq. At the same time, Specialist Win'E was on orders to move to South Korea but approached his commander and he asked to deploy and serve alongside his fellow soldiers in the unit. He was granted that request to continue with his unit to Iraq.

Sadly, while serving in Tikrit, his convoy was attacked by improvised explosive devices. Specialist Win'E was in the lead truck. Tragically, the following day, May 1, 2004, Specialist Win'E died from injuries sustained during that attack. He was only 22 years old.

Therefore, to honor his service to our nation, I am introducing legislation—with the support of the entire California delegation—to name the facility of the United States Postal Service located on North Tustin Street in Orange, California as the Specialist Trevor A. Win'E Post Office.

Mr. Speaker, I hope my colleagues will join me in honoring the memory of Specialist Trevor A. Win'E by supporting my legislation to name a Post Office facility in his hometown after the young man so that his service and sacrifice may be remembered.

HONORING PRINCE HALL UNIVERSAL LODGE NO. 1

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. BEYER. Mr. Speaker, I rise today to honor the 173 years of service of the Prince Hall Universal Lodge No. 1 of Alexandria, Virginia.

The Prince Hall Free Masonry began in Alexandria in 1845. Over the past 173 years, Universal Lodge No. 1 has worked on significant issues such as slavery, education and schools, church buildings, and the general welfare of African Americans. I greatly commend their many years of service to the Alexandria community.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mrs. BLACK. Mr. Speaker, on Roll Call No. 51 for final passage of H.R. 4547, which took place Monday, February 5, 2018, I am not recorded because I was unavoidably detained. As a cosponsor of this bill, I would have voted Aye had I been present.

CONGRATULATING DR. ROGER MCFARLIN

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Dr. Roger McFarlin, who retired at the end of last year after forty-five years of service as a family physician in my district.

Dr. McFarlin grew up in Hillsboro, Illinois, where he graduated high school in 1962. After finishing medical school in Louisville, Kentucky, Dr. McFarlin practiced in both Colorado and Montana before moving back to Hillsboro to be close to home.

Since then, Dr. McFarlin has taken care of hundreds of patients in the area, who, according to his wife, are not just their patients, but family and friends. For nearly fifty years, he's made house calls and hospital visits, and has become a familiar name to most in Montgomery County.

Dr. McFarlin has been an important voice in the healthcare community for over forty-five years. He previously sat on the board of directors for Hillsboro Area Hospital and was the medical director for the Montgomery Nursing and Rehabilitation Center. He also served on the board for the Montgomery County Health Department and is a longtime member of the American Academy of Family Physicians.

He has been awarded the Hillsboro Education Foundation's Distinguished Alumni Award in 2005 and also received the Rural Physician of Excellence Award from the Illinois Rural Health Association; true testaments to Dr. McFarlin's dedication to his patients and his commitment to providing excellent healthcare to families.

Dr. McFarlin plans to enjoy his retirement with his wife, Doris, on their farm. I'm thankful for Dr. McFarlin's many years of service to patients in Central Illinois. I wish him and his family the best as they start this new chapter.

IN RECOGNITION OF CHIEF ROBERT YOUNGDEER

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Chief Robert Youngdeer of the Qualla Boundary in Swain County, North Carolina. On behalf of the people of Western North Carolina, I would like to thank Chief Youngdeer for his decades of service to the Eastern Band of Cherokee Indians and the United States of America.

Chief Youngdeer was born in Ravensford, NC near the town of Cherokee, NC in Western North Carolina. After graduating from High School, he joined the United States Marine Corps and served in the Marines for eight years. Chief Youngdeer served in World War II and had been in the service for two years when he was wounded during the battle of Guadalcanal and was awarded with a Purple Heart. After serving with the Marines for eight years, he then joined the Army Paratroopers and retired after twenty years of military service to our nation.

After leaving the military, Chief Youngdeer served in numerous law enforcement positions in the Bureau of Indian Affairs Agencies, working with tribes in Alaska, Arizona, North Dakota, Mississippi and South Dakota. Chief Youngdeer returned to Cherokee, North Carolina and served as the Chief of the Eastern Band of Cherokee Indians from 1983 to 1987. Since his time as Chief of the Eastern Band, Chief Youngdeer has been bestowed the title of "Honored Man" by the Tribal Council of the Eastern Band of Cherokee Indians and has been honored by the Four Chaplains Memorial Foundation. Chief Youngdeer married Geneva Alene Stafford Youngdeer on Nov. 6, 1943, and together they have two children, Merritt and Judy.

Chief Youngdeer is revered by many for his lifetime of service to the Eastern Band of Cherokee Indians, and to the United States of America. As a serviceman and as Chief, he has always put the needs of others ahead of himself. Western North Carolina has been blessed to have such an extraordinary leader in our community. For his faithful service to the people of Western North Carolina, I express to Chief Youngdeer the gratitude and best wishes of the people of North Carolina.

HONORING VICTORIA GONZALEZ FOR RECEIVING THE GIRL SCOUT GOLD AWARD

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. VELA. Mr. Speaker, I rise today to salute Victoria Gonzalez, a young woman who has been honored with the Girl Scouts of the USA Gold Award—the highest achievement a Girl Scout can earn. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development.

Girl Scouts of the USA, an organization serving over 2.6 million girls, has issued more than 20,000 Gold Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must earn four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, and the Senior Girl Scout Challenge. She must also design and implement a Gold project.

Victoria's project was based on a need she observed firsthand. While volunteering at a Christmas party for the Ozanam Homeless Shelter in Brownsville, Texas, Victoria realized

the homeless did not have access to meals every day. With the help and encouragement of Mr. David Bonnett, her school's National Junior Honor Society sponsor, and funding approval from the administrators of Saint Joseph Academy, Victoria implemented a program to feed area homeless. Volunteers from Saint Joseph Academy now prepare and distribute meals on the fifth Friday of longer months, filling a gap in services. I applaud Victoria's efforts to help those most in need.

Earning the Girl Scout Gold Award is a major accomplishment for Victoria, and I ask my colleagues to join me in recognizing her for this significant service to her community.

PERSONAL EXPLANATION

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. JENKINS of West Virginia. Mr. Speaker, I missed votes due to travel conditions leaving West Virginia. Had I been present, I would have voted YEA on Roll Call No. 51.

KABUL ATTACKS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. POE of Texas. Mr. Speaker, a wave of terrorist attacks have rocked the Afghan capital over the last few weeks killing over 130 people and leaving hundreds more injured. These horrific assaults in Kabul were specifically designed to demonstrate Afghanistan's vulnerability and instability. By attacking in the heart of the young Afghan democracy, terrorist are attempting to show the world that our efforts have failed and that they can murder with impunity. We must not accept this.

Terrorism is designed for this purpose, to terrorize, to kill with the intention of coercing people to form political opinions or decisions that they would otherwise not make if they were not living in fear. But a future with the Taliban and al-Qaeda returning to power in Afghanistan is to accept that terrorism works and that millions who now live free, must again be subjected to the oppression of Taliban rule. We committed ourselves to the cause of defeating terrorism in Afghanistan after September 11, 2001, and we must hold to this course.

However, after sixteen years of war, there has always been one fundamental flaw with our strategy. It has assumed that Afghanistan's neighbor, Pakistan, shared our goals. The recent attacks in Kabul present more evidence that Pakistan is not our ally in this cause. In the investigation of the attacks, the Afghan government has determined that their source was in the safe havens of Pakistan. And why should we be surprised, when it was Pakistan's intelligence service which created the Taliban and fostered a partnership with al-Qaeda decades ago?

For years, we have attempted to pursue terrorists living across the Afghan border in Pakistan, including operations that killed Osama bin Laden and dozens of other senior terrorist leaders. But Pakistan pretends they were never there. It claims it has removed the safe havens but we know the Taliban leadership is still in places like Quetta and Peshawar—beyond the reach of U.S. and Afghan forces. We know that thousands are radicalized at Pakistani school and madrassas every year. And despite its bluster about being tough on terrorism, it frequently releases the terrorists it holds. Just last month it released a renown militant leader who recruited thousands of fighters for the Taliban and in December freed the leader of Lashkar-e-Taiba from house arrest. These terrorists walk free, direct attacks, and incite generations of young Pakistanis and Afghans, all while the Pakistani government collects billions of dollars in U.S. aid. This can no longer stand if we are to ever bring the war in Afghanistan to an acceptable conclusion.

I applaud the President's decision to suspend security assistance to Pakistan and to publicly shame it for its role in harboring terrorism. The peace and security of South Asia should not be held hostage by the reckless policies of Pakistan. Until it can forgo its sponsorship of this extremist ideology and joins the responsible nations of the world in actively combatting groups like al-Qaeda and the Taliban, we should cease our partnership with the government of Pakistan. And that's just the way it is.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. DUFFY. Mr. Speaker, on Monday, February 5, 2018 I missed the following votes and was not recorded. Had I been present, I would have voted YEA on Roll Call No. 51, and NAY Roll Call No. 52.

HONORING MS. WILLORA ''PEACHES'' CRAFT EPHRAM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to honor a remarkable public servant and hometown hero, Ms. Willora ''Peaches'' Craft Ephram.

Ms. Ephram owned a very popular soul food restaurant in downtown Jackson, Mississippi. Peaches opened in 1961 after Ms. Ephram was able to save up enough money to own her dream restaurant. Ms. Ephram's soul food restaurant took on her nickname, ''Peaches,'' and it served as a staple around the city of Jackson as well as the state of Mississippi. In 2007, Democratic Presidential Candidate, Barack Obama, stopped by Peaches during his campaign, where Ms. Ephram packed him an order of cobbler to go.

In 2013, Ms. Ephram stepped down from her famous restaurant due to open-heart surgery, and her son Roderick ran Peaches until its closure that same year. Last week, at 94-years-old, Ms. Ephram passed away due to pancreatic cancer.

Today, we honor the life of Ms. Willora ''Peaches'' Craft Ephram and her family.

IN RECOGNITION OF THE ''OUR THREE WINNERS'' ENDOWMENT FUND

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor the memory and legacy of Deah Barakat, Yusor Abu-Salha, and Razan Abu-Salha, whose lives were taken in a violent hate crime three years ago at their home in Chapel Hill.

Deah was a 23-year-old student in the School of Dentistry at the University of North Carolina at Chapel Hill and had recently married Yusor, who was set to enroll in the School of Dentistry in the fall of 2015. Yusor's sister, Razan, was a 19-year-old student of architecture at North Carolina State University in Raleigh.

Diligent in their studies, these promising young adults also demonstrated a strong commitment to community service, consistent with the tenets of their Muslim faith. Deah organized food drives and provided free dental supplies to local homeless and underserved communities. Razan utilized her artistic talent through selling portraits reflecting pacifism and tolerance, using proceeds to provide medical and humanitarian aid for children in the Middle East. Yusor, a leader in N.C. State's Muslim Student Association, traveled abroad to provide care for, and share the stories of, refugees displaced by war. In the months leading up to that devastating day, Deah, Yusor, and Razan were fundraising for the Project Refugee Smiles Dental Relief Mission to provide dental care to refugees from war-torn Syria.

These three exemplary lives were extinguished on February 10, 2015 by the acts of an anti-Muslim extremist who had long menaced the neighborhood and maintained an arsenal of lethal weapons. This appalling act of violence devastated our community and served as a harsh reminder of the bigotry and hatred that too many still face.

In the wake of the tragedy, classmates, friends, and family members came together to turn their grief into action by establishing the Our Three Winners Endowment Fund, a foundation to honor and continue the humanitarian efforts of Deah, Yusor, and Razan. The Foundation has provided grants to the annual Project Refugee Smiles Dental Relief Mission and scholarships for students who demonstrate values of academic excellence and community service.

Prejudice and violence against Muslim Americans and other religious, ethnic, or racial minorities has no place in American society, yet many of our fellow citizens continue to experience harassment and discrimination every day. On February 10 of each year, the anniversary of the senseless hate crime that took the lives of Deah, Yusor, and Razan, the people of Chapel Hill, Raleigh, and other communities touched by their lives come together to commemorate their humanitarian legacy and rededicate ourselves to building bridges of understanding, acceptance, and community.

PERSONAL EXPLANATION

HON. JACKY ROSEN

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Ms. ROSEN. Mr. Speaker, on February 5th, on roll call votes 51 and 52, I was not present due to illness. Had I been present, I would have voted ''yea'' on roll call vote 51 and ''nay'' on roll call vote 52.

HONORING BRUCE MOUNT, SR.

HON. VAL BUTLER DEMINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2018

Mrs. DEMINGS. Mr. Speaker, I rise today to honor the life of Mayor Bruce Mount, Sr. of the Historic Town of Eatonville, who passed away on Monday, January 29, 2018.

As we honor the life of Bruce Mount, Sr., we celebrate in particular the outstanding work he accomplished in the Town of Eatonville.

We all know Mayor Mount loved God, his family, and the citizens of Eatonville, Florida. Mayor Mount consistently put people first, believing that his service to humankind was an expression of his service to God.

Mayor Mount's accomplishments made a real difference in the lives of Eatonville's residents, and gained him much-deserved local, state and national recognition.

He believed in empowering the Town of Eatonville through economic development and housing rehabilitation. We are all proud of the Eatonville ''Rebuilding Together'' project, which restored dozens of unsafe homes for low-income families.

Under Mayor Mount's leadership, four million dollars was awarded for Phase II of the Kennedy Boulevard Streetscape project. This iconic Gateway was designed as a powerful symbol of the residents' compassion and determination through the years.

Mayor Mount was a public servant who loved children and invested in their well-being and future opportunities by leading the effort to bring the Boys & Girls Club and community gym to the Town of Eatonville.

Mayor Mount put people first, evidenced by his unwavering commitment to improving the lives of his constituents. He expanded access to diabetes treatment for senior citizens, and was a founder of the Historic Black Towns and Settlements Alliance. Mayor Mount worked to keep residents and business owners safe by securing much-needed equipment for Eatonville's first responders.

Mayor Bruce Mount, Sr. will be missed, but his positive contributions to Central Florida, the nation, and especially the Town of Eatonville will never leave us. He will always serve as an inspiration.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S617–S665

Measures Introduced: Ten bills and three resolutions were introduced, as follows: S. 2377–2386, and S. Res. 392–394. **Pages S651–52**

Measures Passed:

Minority Party's Committee Membership: Senate agreed to S. Res. 393, making minority party appointments for the 115th Congress. **Page S657**

National Mentoring Month: Senate agreed to S. Res. 394, recognizing January 2018 as National Mentoring Month. **Page S657**

House Messages:

Department of Defense Appropriations Act—Agreement: Senate began consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and taking action of the following motions and amendments proposed thereto:

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S627**

McConnell motion to refer the message of the House on the bill to the Committee on the Appropriations, with instructions, McConnell Amendment No. 1922, to change the enactment date. **Page S627**

McConnell Amendment No. 1923 (to (the instructions) Amendment No. 1922), of a perfecting nature. **Page S627**

McConnell Amendment No. 1924 (to Amendment No. 1923), of a perfecting nature. **Page S627**

A motion was entered to close further debate on the motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, February 8, 2018. **Page S627**

A unanimous-consent agreement was reached providing for further consideration of the motion to concur in the amendment of the House to the amendment of the Senate to the bill at approximately 11:30 a.m., on Wednesday, February 7, 2018. **Page S657**

Messages from the House: **Page S650**

Measures Referred: **Page S650**

Measures Placed on the Calendar: **Page S650**

Executive Communications: **Pages S650–51**

Additional Cosponsors: **Pages S652–53**

Statements on Introduced Bills/Resolutions: **Pages S653–54**

Additional Statements: **Pages S648–50**

Amendments Submitted: **Pages S655–56**

Authorities for Committees to Meet: **Pages S656–57**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:55 p.m., until 11:30 a.m. on Wednesday, February 7, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S657.)

Committee Meetings

(Committees not listed did not meet)

NATIONAL DEFENSE STRATEGY

Committee on Armed Services: Committee received a closed briefing on the National Defense Strategy from James N. Mattis, Secretary, and General Paul J. Selva, Vice Chairman, Joint Chiefs of Staff, both of the Department of Defense.

VIRTUAL CURRENCIES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine virtual currencies, focusing on the oversight role of the Securities and Exchange Commission and the Commodity Futures Trading Commission, after receiving

testimony from Jay Clayton, Chairman, Securities and Exchange Commission; and J. Christopher Giancarlo, Chairman, Commodity Futures Trading Commission.

DATA SECURITY AND BUG BOUNTY PROGRAMS

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security concluded a hearing to examine data security and bug bounty programs, focusing on lessons learned from the Uber breach and security researchers, after receiving testimony from John Flynn, Uber Technologies, Inc., and Marten G. Mickos, HackerOne, both of San Francisco, California; Katie Moussouris, Luta Security, Las Vegas, Nevada; and Justin Brookman, Consumers Union, Washington, D.C.

INSULAR AREAS LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2182, to provide for the resettlement and relocation of the people of Bikini, and S. 2325, to incentivize the hiring of United States workers in the Commonwealth of the Northern Mariana Islands, after receiving testimony from Representative Sablan; Northern Mariana Islands Governor Ralph Deleon Guerrero Torres; Douglas Domenech, Assistant Secretary for Insular Affairs, Department of the Interior; David Gootnick, Director, International Affairs and Trade, Government Accountability Office; and Mayor Anderson Jibas, Kili/Bikini/Ejit Local Government, and Jack Niedenthal, both of Majuro, Marshall Islands.

AFGHANISTAN STRATEGY

Committee on Foreign Relations: Committee concluded a hearing to examine the Administration's South Asia strategy on Afghanistan, after receiving testimony from John Sullivan, Deputy Secretary of State; and Randall Schriver, Assistant Secretary of Defense, Asia and Pacific Security Affairs.

GOVERNING THROUGH CONTINUING RESOLUTIONS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Spending Oversight and Emergency Management concluded a hearing to examine the cost to taxpayers of spending uncertainty caused by governing through continuing resolutions, omnibus spending bills, and shutdown crises, including management challenges presented by budget uncertainties, after receiving testimony from Heather Krause, Director, Strategic Issues, Government Accountability Office; Clinton T. Brass, Specialist in Government Organization and Management, Congressional Research Service, Library of Congress; and Alice M. Rivlin, Bipartisan Policy Center, and Maya MacGuineas, Committee for a Responsible Federal Budget, both of Washington, D.C.

HIGHER EDUCATION ACT REAUTHORIZATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine reauthorizing the Higher Education Act, focusing on improving college affordability, after receiving testimony from Sandy Baum, Urban Institute, Washington, D.C.; Zakiya Smith, Lumina Foundation, Indianapolis, Indiana; Jenna A. Robinson, The James G. Martin Center for Academic Renewal, Raleigh, North Carolina; Robert E. Anderson, State Higher Education Executive Officers, Boulder, Colorado; and DeRionne P. Pollard, Montgomery College, Rockville, Maryland.

THE "GIG ECONOMY" AND RETIREMENT SAVINGS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Retirement Security concluded a hearing to examine the "Gig Economy" and the future of retirement savings, after receiving testimony from Camille Olson, Seyfarth Shaw LLP, Chicago, Illinois, on behalf of the U.S. Chamber of Commerce; Vikki Nunn, Porter, Muirhead, Cornia and Howard, Casper, Wyoming; Troy Tisue, TAG Resources, LLC, Knoxville, Tennessee; and Monique Morrissey, Economic Policy Institute, Washington, D.C.

FIGHTING ILLICIT INTERNATIONAL FINANCIAL NETWORKS

Committee on the Judiciary: Committee concluded a hearing to examine beneficial ownership, focusing on fighting illicit international financial networks through transparency, including S. 1454, to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent the formation of corporations with hidden owners, stop the misuse of United States corporations by wrongdoers, and assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, tax evasion, and other criminal and civil misconduct involving United States corporations, after receiving testimony from M. Kendall Day, Acting Deputy Assistant Attorney General, Criminal Division, Department of Justice; and Gary Kalman, Financial Accountability and Corporate Transparency Coalition, Chip Poncy, Financial Integrity Network, Brian O'Shea, U.S. Chamber of Commerce Center for Capital Markets Competitiveness, and Clay R. Fuller, American Enterprise Institute, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4938–4956; and 3 resolutions, H. Con. Res. 104–105; and H. Res. 726 were introduced. **Pages H901–02**

Additional Cosponsors: **Pages H902–03**

Report Filed: A report was filed today as follows:

H. Res. 727, providing for consideration of the Senate amendment to the bill (H.R. 1892) to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty (H. Rept. 115–547). **Page H901**

Moment of Silence: The House observed a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families. **Page H787**

Recess: The House recessed at 9:15 a.m. and reconvened at 10 a.m. **Page H789**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H789, H896**

Question of Privilege: Representative Michelle Lujan Grisham (NM) rose to a question of the privileges of the House and submitted a privileged resolution. Upon examination of the resolution, the Chair determined that the resolution qualified. Subsequently, the House agreed to the Buck motion to table H. Res. 726, raising a question of the privileges of the House, by a yea-and-nay vote of 231 yeas to 187 nays, Roll No. 53. **Pages H794–95**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congressional Accountability Act of 1995 Reform Act: H.R. 4924, to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment; and **Pages H797–H813**

Requiring each employing office of the House of Representatives to adopt an anti-harassment and anti-discrimination policy for the office's workplace, and establishing the Office of Employee Advocacy to provide legal assistance and consultation to employees of the House regarding procedures and proceedings under the Congressional Accountability Act of 1995: H. Res. 724, requiring each employing office of the House of Representatives to adopt an anti-harassment and anti-discrimination policy for the office's workplace, and establishing the Office of Employee Advocacy to provide legal assistance and consultation to employees of the House regarding procedures and proceedings under the Congressional Accountability Act of 1995. **Pages H813–14**

Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the 200th anniversary of the birth of Frederick Douglass: The House agreed to H. Con. Res. 102, authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the 200th anniversary of the birth of Frederick Douglass. **Page H815**

Recess: The House recessed at 1:31 p.m. and reconvened at 3:08 p.m. **Page H821**

Common Sense Nutrition Disclosure Act of 2017: The House passed H.R. 772, to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A, by a yea-and-nay vote of 266 yeas to 157 nays with one answering "present", Roll No. 56. **Pages H815–21, H830–31**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as adopted. **Page H815**

H. Res. 725, the rule providing for consideration of the bills (H.R. 772), (H.R. 1153), and (H.R. 4771) was agreed to by a recorded vote of 231 ayes to 186 noes, Roll No. 55, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 188 nays, Roll No. 54. **Pages H790–94, H795–97**

Question of Privilege: Representative Pelosi rose to a question of the privileges of the House and submitted a privileged resolution. The Chair ruled that the resolution did not constitute a question of the privileges of the House. Subsequently, Representative Pelosi appealed the ruling of the Chair and Representative McCarthy moved to table the appeal. Agreed to the motion to table the appeal of the ruling of the Chair by a recorded vote of 236 ayes to 190 noes, Roll No. 57. **Pages H831–32**

Honoring Hometown Heroes Act: The House agreed to the motion to concur in the Senate amendment to H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty, with an amendment consisting of the text of Rules Committee Print 115–58, modified by the amendment printed in H. Rept. 115–547, by a yea-and-nay vote of 245 yeas to 182 nays, Roll No. 60. **Pages H833–34, H834–96**

H. Res. 727, the rule providing for consideration of the Senate amendment to the bill (H.R. 1892) was agreed to by a yea-and-nay vote of 236 yeas to 188 nays, Roll No. 59, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 189 nays, Roll No. 58. **Pages H833–34**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Monday, February 5th.

Swan Lake Hydroelectric Project Boundary Correction Act: H.R. 219, to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska. **Page H896**

Providing for a correction in the enrollment of H.R. 1892: The House agreed to H. Con. Res. 104, providing for a correction in the enrollment of H.R. 1892. **Pages H896–97**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, February 7th. **Page H897**

Quorum Calls—Votes: Six yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H795, H796–97, H830–31, H832, H833–34, and H896. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:40 p.m.

Committee Meetings

THE STATE OF THE RURAL ECONOMY

Committee on Agriculture: Full Committee held a hearing entitled "The State of the Rural Economy". Testimony was heard from Sonny Perdue, Secretary, Department of Agriculture.

THE NATIONAL DEFENSE STRATEGY AND THE NUCLEAR POSTURE REVIEW

Committee on Armed Services: Full Committee held a hearing entitled "The National Defense Strategy and the Nuclear Posture Review". Testimony was heard from James N. Mattis, Secretary, Department of Defense; and General Paul J. Selva, Vice Chairman of the Joint Chiefs of Staff.

ADDRESSING PHYSIOLOGICAL EPISODES IN FIGHTER, ATTACK, AND TRAINING AIRCRAFT

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing entitled "Addressing Physiological Episodes in Fighter, Attack, and Training Aircraft". Testimony was heard from Clinton H. Cragg, Principal Engineer, Engineering and Safety Center, National Aeronautics and Space Administration; Rear Admiral Lower Half Sara A. Joyner, Navy Physiological Events Action Team Lead, U.S. Navy; and Lieutenant General Mark Nowland, Deputy Chief of Staff for Operations, U.S. Air Force.

CBO OVERSIGHT: ECONOMIC ASSUMPTIONS, BASELINE CONSTRUCTION, COST ESTIMATING, AND SCORING

Committee on the Budget: Full Committee held a hearing entitled "CBO Oversight: Economic Assumptions, Baseline Construction, Cost Estimating, and Scoring". Testimony was heard from Mark Hadley, Deputy Director, Congressional Budget Office; Wendy Edelberg, Associate Director for Economic Analysis, Congressional Budget Office; and Teri Gullo, Assistant Director for Budget Analysis, Congressional Budget Office.

REVIEWING THE POLICIES AND PRIORITIES OF THE MINE SAFETY AND HEALTH ADMINISTRATION

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled "Reviewing the Policies and Priorities of the Mine Safety and Health Administration". Testimony was heard from David G. Zatezalo, Assistant Secretary of Labor, Mine Safety and Health Administration, Department of Labor.

DOE MODERNIZATION: ADVANCING THE ECONOMIC AND NATIONAL SECURITY BENEFITS OF AMERICA'S NUCLEAR INFRASTRUCTURE

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled "DOE Modernization: Advancing the Economic and National Security Benefits of America's Nuclear Infrastructure". Testimony was heard from Art Atkins, Associate Deputy Administrator for Global Material Security, National Nuclear Security Administration, Department of Energy; Victor McCree, Executive Director of Operations, Nuclear Regulatory Commission; Ed McGinnis, Principal Deputy Assistant Secretary, Office of Nuclear Energy, Department of Energy; James Owendoff, Principal Deputy Assistant Secretary, Office of Environmental Management, Department of Energy; David Trimble, Director, Natural Resources and Environment, Government Accountability Office; and public witnesses.

THE ANNUAL REPORT OF THE FINANCIAL STABILITY OVERSIGHT COUNCIL

Committee on Financial Services: Full Committee held a hearing entitled "The Annual Report of the Financial Stability Oversight Council". Testimony was heard from Steven T. Mnuchin, Secretary, Department of the Treasury.

U.S. CYBER DIPLOMACY IN AN ERA OF GROWING THREATS

Committee on Foreign Affairs: Full Committee held a hearing entitled "U.S. Cyber Diplomacy in an Era of Growing Threats". Testimony was heard from public witnesses.

SYRIA: WHICH WAY FORWARD?

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled "Syria: Which Way Forward?". Testimony was heard from public witnesses.

U.S.-PAKISTAN RELATIONS: REASSESSING PRIORITIES AMID CONTINUED CHALLENGES

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled "U.S.-Pakistan Relations: Reassessing Priorities Amid Continued Challenges". Testimony was heard from public witnesses.

ENSURING EFFECTIVE AND RELIABLE ALERTS AND WARNINGS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled "Ensuring Effective and Reliable Alerts and Warnings". Testimony was heard from Antwane Johnson, Director of Continuity Communications, Federal Emergency Management Agency, Department of Homeland Security; Lisa M. Fowlkes, Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission; Benjamin J. Krakauer, Assistant Commissioner, Strategy and Program Development, New York City Emergency Management Department; Peter T. Gaynor, Director, Rhode Island Emergency Management Agency; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Federal Lands held a hearing on H.R. 835, the "Florissant Fossil Beds National Monument"; H.R. 857, to provide for conservation and enhanced recreation activities in the California Desert Conservation Area, and for other purposes; and H.R. 4895, the "Medgar Evers National Monument Act". Testimony was heard from Representatives Thompson of Mississippi, Lamborn, and Cook; Norm Steen, County Commissioner, Teller County, Colorado; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing on H.R. 231, the "Canyon Village Land Conveyance Act"; and H.R. 4032, the "Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act". Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on H.R. 4887, the "GREAT Act"; H.R. 4917, the "IG Subpoena Authority Act"; H.R. 3076, the "Creating Advanced Streamlined Electronic Services (CASES) for Constituents Act of 2017"; H.R. 3398, the "REAL ID Act Modification for Freely Associated States Act"; H.R. 4631, the "Access to Congressionally Mandated Reports Act"; H.R. 3183, to designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the "U.S. Navy Seaman Dakota Kyle Rigsby Post Office"; H.R. 4188, to designate the facility of the United States Postal Service located at 621 Kansas Avenue in Atchison, Kansas, as the "Amelia Earhart Post Office Building"; H.R. 4405, to designate the facility of the United States Postal Service located at 4558 Broadway in New York, New York, as the "Stanley Michaels Post Office Building"; H.R. 4406, to designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the "Tuskegee Airman Post Office Building"; H.R.

4463, to designate the facility of the United States Postal Service located at 6 Doyers Street in New York, New York, as the ''Mabel Lee Memorial Post Office''; H.R. 4646, to designate the facility of the United States Postal Service located at 1900 Corporate Drive in Birmingham, Alabama, as the ''Lance Corporal Thomas E. Rivers, Jr. Post Office Building''; and H.R. 4685, to designate the facility of the United States Postal Service located at 515 Hope Street in Bristol, Rhode Island, as the ''First Sergeant P. Andrew McKenna Jr. Post Office''. H.R. 4887, H.R. 3076, H.R. 4631, and H.R. 4405 were ordered reported, as amended. H.R. 4917, H.R. 3398, H.R. 3183, H.R. 4188, H.R. 4406, H.R. 4463, H.R. 4646, and H.R. 4685 were ordered reported, without amendment.

SENATE AMENDMENT TO AN ACT TO AMEND TITLE 4, UNITED STATES CODE, TO PROVIDE FOR THE FLYING OF THE FLAG AT HALF-STAFF IN THE EVENT OF THE DEATH OF A FIRST RESPONDER IN THE LINE OF DUTY

Committee on Rules: Full Committee held a hearing on the Senate amendment to H.R. 1892, an Act to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty'' [Further Extension of Continuing Appropriations Act, 2018]. The Committee granted, by record vote of 8–4, a rule providing for the consideration of the Senate amendment to H.R. 1892. The rule makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115–58 modified by the amendment printed in the Rules Committee report. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. Testimony was heard from Representatives Granger, Visclosky, Barton, Kennedy, Roskam, Levin, and Polis.

IN DEFENSE OF SCIENTIFIC INTEGRITY: EXAMINING THE IARC MONOGRAPH PROGRAMME AND GLYPHOSATE REVIEW

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''In Defense of Scientific Integrity: Examining the IARC Monograph Programme and Glyphosate Review''. Testimony was heard from Anna Lowit, Senior Science Adviser, Office of Pesticide Programs, Environmental Protection Agency; and public witnesses.

VA CAREGIVER SUPPORT PROGRAM: CORRECTING COURSE FOR VETERAN CAREGIVERS

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''VA Caregiver Support Program: Correcting Course for Veteran Caregivers''. Testimony was heard from David Shulkin, M.D., Secretary, Department of Veterans Affairs; and public witnesses.

THE OPIOID CRISIS: REMOVING BARRIERS TO PREVENT AND TREAT OPIOID ABUSE AND DEPENDENCE IN MEDICARE

Committee on Ways and Means: Subcommittee on Health held a hearing entitled ''The Opioid Crisis: Removing Barriers to Prevent and Treat Opioid Abuse and Dependence in Medicare''. Testimony was heard from Phil Scott, Governor, Vermont; and public witnesses.

BUSINESS MEETING

Permanent Select Committee on Intelligence: Full Committee held a business meeting on February 5, 2018, to consider the public disclosure of executive session material, and other matters. The vote to disclose to the public, information contained in the classified executive session memo made available to the House by the Committee on January 29, 2018, passed. This meeting was closed.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 7, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine defending the homeland, focusing on Department of Defense's role in countering weapons of mass destruction, 2:30 p.m., SR–232A.

Subcommittee on Airland, to hold hearings to examine Army modernization, 3:30 p.m., SR–222.

Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining, to hold hearings to examine S. 414 and H.R. 1107, bills to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, S. 441, to designate the Organ Mountains and other public

land as components of the National Wilderness Preservation System in the State of New Mexico, S. 507, to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, S. 612 and H.R. 1547, bills to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City, S. 1046, to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to fully implement the White Pine County Conservation, Recreation, and Development Act, S. 1219 and H.R. 3392, bills to provide for stability of title to certain land in the State of Louisiana, S. 1222, to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, S. 1481, to make technical corrections to the Alaska Native Claims Settlement Act, S. 1665 and H.R. 2582, bills to authorize the State of Utah to select certain lands that are available for disposal under the Pony Express Resource Management Plan to be used for the support and benefit of State institutions, S. 2062, to require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona, S. 2206, to release certain wilderness study areas in the State of Montana, S. 2218, to provide for the conveyance of a Forest Service site in Dolores County, Colorado, to be used for a fire station, S. 2249, to permanently reauthorize the Rio Puerco Management Committee and the Rio Puerco Watershed Management Program, H.R. 995, to direct the Secretary of Agriculture and the Secretary of the Interior to modernize terms in certain regulations, and H.R. 1404, to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, 10 a.m., SD–366.

Committee on Environment and Public Works: business meeting to consider the nomination of Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency, 9:30 a.m., SD–406.

Full Committee, to hold hearings to examine the impact of Federal environmental regulations and policies on American farming and ranching communities, 10 a.m., SD–406.

Committee on Foreign Relations: business meeting to consider S. 2286, to amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, S. 2060, to promote democracy and human rights in Burma, S. Res. 92, expressing concern over the disappearance of David Sneddon, H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, H.R. 535, to encourage visits between the United States and Taiwan at all levels, and the nominations of Peter Hendrick Vrooman, of New York, to be Ambassador to the Republic of Rwanda, and Eric M. Ueland, of Oregon, to be an Under Secretary (Management), both of the Department of State, 4:30 p.m., S–116, Capitol.

Full Committee, to receive a closed briefing on Turkey, 5 p.m., SVC–217.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine reauthorizing the Department of Homeland Security, focusing on positioning DHS to address new and emerging threats to the Homeland, 10 a.m., SD–342.

Special Committee on Aging: to hold hearings to examine cost and competition among rheumatoid arthritis therapies, 9:30 a.m., SD–562.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled ''Senior Leader Misconduct: Prevention and Accountability'', 9 a.m., 2118 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing entitled ''Ensuring Social Security Serves America's Veterans'', 9 a.m., 2253 Rayburn.

Next Meeting of the **SENATE**

11:30 a.m., Wednesday, February 7

Senate Chamber

Program for Wednesday: Senate will continue consideration of the House Message to accompany H.R. 695, Department of Defense Appropriations Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Wednesday, February 7

House Chamber

Program for Wednesday: Complete consideration of H.R. 1153—Mortgage Choice Act of 2017.

Extensions of Remarks, as inserted in this issue

HOUSE

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