United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *116th* CONGRESS, FIRST SESSION

Vol. 165 WASHINGTON, TUESDAY, OCTOBER 22, 2019 *No. 167*

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

RECOGNIZING CYBERSECURITY AWARENESS MONTH

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize October as National Cybersecurity Awareness Month.

This month is a collaborative effort between government and industry to raise awareness about the importance of cybersecurity in our increasingly technology-driven world. We must emphasize the importance of cybersecurity and take proactive steps to enhance our security both at home and in the workplace.

That includes making a concerted effort to train dedicated professionals who work to protect citizen privacy, consumer data, and e-commerce. Training postsecondary students in cybersecurity-related fields of study will be an instrumental part in protecting data and the flow of sensitive information.

That is why I join my colleague, Congressman JIM LANGEVIN, in introducing a bipartisan bill to strengthen cybersecurity education in career and technical education programs.

H.R. 1592, the Cybersecurity Skills Integration Act, directs the Department of Education to create a competitive grant program that integrates cybersecurity education into new and established postsecondary career and technical education programs. This bill also requires the Secretary of Education to coordinate with the Department of Homeland Security, which oversees the defense of our critical infrastructure and networks, to promote a robust ecosystem of cybersecurity education and training.

We must prepare our next generation of learners to have the most sophisticated and comprehensive educational programs to protect our Nation's critical asset systems and networks.

Despite the real harm and damage that can result from cyberattacks, cybersecurity is rarely covered enough in our current workforce development programs. That is why, together with my friend Congressman LANGEVIN, we have introduced this bill to help protect our sensitive data and critical infrastructure from bad actors.

Madam Speaker, we must continue developing a 21st century workforce to meet the technical demands our country is facing now and in the future. This includes our cybersecurity.

I encourage my colleagues to support this bill and for every citizen to learn more about protecting their privacy and data online during this Cybersecurity Awareness Month.

CELEBRATING THE LIFE OF ELIJAH CUMMINGS

The SPEAKER pro tempore (Mr. CUELLAR). The Chair recognizes the gentleman from Maryland (Mr. BROWN) for 5 minutes.

Mr. BROWN of Maryland. Mr. Speaker, as we mourn our dear colleague, Elijah Cummings, I rise today to say farewell to a good man, a faithful servant, and a true friend.

During the past 2 days, much has been said about Elijah. His life was well documented, although his humility prevented him from seeking the attention or the limelight, either in life or in death.

I admired and respected Elijah. I looked up to him.

When I was first elected in 1998 to the Maryland House of Delegates, Elijah was one of the first calls I got. He didn't call to say congratulations, although his kind words meant a great deal to me. Rather, he called to tell me about my responsibility to the people whom I serve. Elijah told me, if you are going to be your best, you can only be so if you focus your work on empowering the people we serve.

Years later, when I struggled with the decision to run for Lieutenant Governor, I called Elijah for his advice. During our conversation, he didn't tell me what to do. Rather, Elijah challenged me to do that which best positioned me to empower the people.

For Elijah, everything we did was about empowering the people we serve.

In Elijah's first floor speech delivered 23½ years ago, after winning a special election, he told us that he was on "a mission and a vision to empower people, to make people realize that the power is within them."

Elijah, you did your job. You fulfilled your mission.

Elijah was not an ordinary man who lived an extraordinary life. No, Elijah was an extraordinary man who did extraordinary things during his life, things to empower people.

Raised out of poverty and through adversity, he achieved many successes despite the odds and the obstacles. The son of sharecroppers, he earned not only a law degree but received 12 honorary doctoral degrees, all of which represent his dedication to empowering people.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
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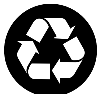
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I, like so many in this Chamber, was the recipient of Elijah's generosity. His greatest gift to us was the ability to challenge all of us to do better and not just to accept things as they are.

Elijah would always say, ''We are better than this.'' He led by example, taught us by doing and showing, not just talking—although his talk, his speech, his quiet advice, and most memorably, his powerful oratory were truly inspiring and matchless.

When I ran for Governor, Elijah supported me. What I will always remember is not that he stood by my side on the stage on the evening of my primary election victory, but, rather, that months later, he was standing by my side late into the night as I experienced a difficult general election defeat.

That was Elijah. His support was unwavering, his friendship unconditional, and his encouragement uplifting.

When I successfully ran for Congress, Elijah and Maya were there for me and Karmen, ready and eager to help us prepare for the rigors of Congress. I thank both Elijah and Maya from the bottom of my heart for always picking up the phone, answering my texts, lending an ear, and offering a word of encouragement, advice, and support.

Mr. Speaker, Elijah was distinguished. He not only mastered the science and statecraft of governing, but he was also conspicuous in the art of understanding and representing his constituents, the people of the city of Baltimore—their dreams and aspirations, their challenges and frustrations.

Elijah possessed a keen intellect and understanding of government as a vehicle to empower the people. He possessed a radiant, remarkable passion that was both commanding and, when necessary, calming, as only Elijah could accomplish.

Whether Elijah was wielding the gavel from his elevated positions as chairman of the Oversight and Reform Committee or when Elijah was wielding a bullhorn on the streets of Baltimore city, the community that he cherished and that adored him, Elijah was always leading at the intersection of intellect and compassion, bringing just the right mix, at the right moment, to address the right issues, and moved us and his people in the right direction. And that direction was always toward righteousness.

History will be kind to Elijah, even when others were not, because Elijah did his work with kindness and compassion, and with moral clarity.

Mr. Speaker, Elijah closed his floor speech in April 1996 with a poem. He said:

I only have a minute, 60 seconds in it.
Forced upon me, I did not choose it.
But I know that I must use it, give account if I abuse it, suffer if I lose it.
Only a tiny little minute, but eternity is in it.

Elijah, what you did with the minute that God gave you will last an eternity.

Rest, my dear friend. Rest well.

OPPOSING UN-AMERICAN IMPEACHMENT INVESTIGATION

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

Mr. RUTHERFORD. Mr. Speaker, I rise today in opposition to the secretive and un-American impeachment investigation taking place right now in the House of Representatives.

Behind closed doors, our President is being tried, tried by my colleagues on the other side of the aisle using an undemocratic process that wouldn't hold up in any American court of law.

Democrats talk about Russian collusion while using Soviet-style investigative techniques against President Trump, denying him due process.

In fact, one of my Democratic colleagues from New York recently said: ''The President says he is innocent, so all we are saying is prove it.''

Really? Mr. Speaker, I spent 41 years in law enforcement, and I know a little something about due process, and that sure isn't it.

What is taking place before us is an insult to fairness, a mockery of justice, and a political witch hunt designed to reverse the will of the American voter. There were over 62 million people who voted for this President.

The Speaker hasn't even formally held a vote on whether or not this is an impeachment inquiry. If this is an impeachment inquiry like the Speaker says, come to the floor and hold a vote.

Some have called this process fair because Republican Members of certain committees—only certain committees—are allowed to be in the room during depositions and interviews. However, they are not even allowed to call witnesses or openly discuss the smears that have been selectively leaked by the Democrats.

But this is not about us. It is not about the Members of this Congress. It is about transparency for the American public. The American people deserve to know what is going on.

Let's recap the last 3 years of searching for a smoking gun that just did not exist.

First, Democrats claimed that President Trump colluded with Russians to influence the 2016 election. That was the message played every single night on television—collusion, collusion, collusion.

Then, Democrats supported Robert Mueller and told him to go find that collusion, which, of course, he didn't.

So they dragged Robert Mueller into a congressional hearing room, and this time, they had no problem being open and transparent before the cameras.

But when that failed, I thought the dog and pony show was going to be over. I had to hope that my colleagues on the other side would get this legislative body back to work for the American public, but, no, here we go again. We have a whistleblower with secondary information, which the only way they could do that was to change the rule in secret—secret depositions in the underbelly of Congress, targeted leaks, and rampant speculation.

Mr. Speaker, this is the House of Representatives, not the KGB. It is about time my friends on the other side of the aisle started acting like it. If you actually believe the President has committed an impeachable offense, why hide the truth from the public?

If you don't like this President, you will have an opportunity to vote against him in November 2020. Until then, let's stop wasting the taxpayers' hard-earned money on frivolous, expensive investigations to nowhere and come together to solve America's problems.

□ 1015

STILL I RISE

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

Mr. GREEN of Texas. Mr. Speaker, and still I rise, Mr. Speaker. I rise today with a heavy heart and tears welling in my eyes.

I rise because how dare the President compare lynching to impeachment? How dare he do this?

Does he not know the history of lynching in this country?

Does he not know that thousands of African Americans were lynched—mob violence?

Does he not know that this is the equivalent of murder?

How dare the President compare Article II, Section 4 of the Constitution, a lawful constitutional process, to mob violence and lynching?

Mr. President, do you not understand the history that you are encroaching upon?

If you continue to weaponize racism and bigotry, this makes you no better than those who were screaming ''blood and soil'' and ''Jews will not replace us.'' It makes you no better than them. It makes you no better than those who burned crosses. It makes you no better than those who wear hoods and white robes.

Do you not understand what you are doing to this country?

More importantly, do we, the Members of this Congress, not understand how he is denigrating and berating decency in this country?

At some point, we must say that enough is enough. At some point, we must move on to impeach.

Mr. President, I beg that you would reconsider your thoughts; but for fear that you may not, I will say more of this tonight, because I have been promised 30 minutes, and I will use these 30 minutes to talk about what you have done and to also talk about what I may do to continue this impeachment movement.

You are unfit to hold this office.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President. Members are further reminded to address their remarks to the Chair and not to a perceived viewing audience.

THE NATION'S CATTLE MARKETS

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

Mr. GIANFORTE. Mr. Speaker, I rise today to bring attention to the state of our Nation's cattle markets.

Following the August fire at Tyson's beef packing plant in Holcomb, Kansas, live cattle prices hit a 5-year low. At the same time, retail beef prices rose. It makes sense: if you can process less cattle, then there is an oversupply in the live cattle market and less processed beef, which increases retail beef prices.

But the Holcomb processing plant represented only 5 percent of America's processing capacity, and yet live cattle prices fell 11 percent, while retail prices hit their highest levels since 2015.

I asked Secretary Perdue to investigate the cattle market following the Holcomb fire, and he agreed. The USDA expects the investigation to wrap up by the end of this year.

Mr. Speaker, I urge the House to do the right thing by America's ranchers and also to look into this cattle market. Montana ranchers produce the world's best beef, but current conditions in the market are hurting them. They deserve an explanation and to be treated fairly.

I look forward to a full accounting of the cattle market.

PRESCRIPTION DRUG COSTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. O'HALLERAN) for 5 minutes.

Mr. O'HALLERAN. Mr. Speaker, I rise today to discuss the high cost of prescription drugs in this country.

This year, I have held 26 townhalls across Arizona's First Congressional District. At each and every one, I hear from families, seniors, and veterans who are concerned about the overwhelmingly high cost of their prescription drugs.

I hear from people like Karen from Globe, Arizona, a 74-year-old widow who cannot afford her prescriptions and often goes without them; or Elizabeth from Tucson, Arizona, who said: "I don't have much hope." An American saying "I don't have much hope" is unacceptable in America.

Between the years 2012 and 2017, the average annual cost of prescription drug treatment increased by more than 50 percent—way above inflation rates—while the annual income for Arizonans increased by only 12 percent. In 2017, 26 percent of Arizona residents stopped taking medication that is prescribed, due to cost.

The skyrocketing cost of prescription drugs has become a crisis in this country, and something must be done. It is critical that we come together to identify commonsense, bipartisan solutions to address these costs and ensure that hardworking families can access the care and prescriptions they need at affordable prices.

I am working with my colleagues on both sides of the aisle to bring down these costs by identifying a holistic approach that allows Medicare to negotiate for lower prices, caps out-of-pocket drug expenses for seniors, and improves access to lower cost generic drugs. Throughout this process, we must protect innovation and allow for the research and development of new drugs on the market.

As we discuss these solutions, we must also remember the ways this crisis disproportionately affects medically underserved rural and Tribal communities. We need to identify solutions to address their unique needs because Americans deserve quality, affordable care regardless of their ZIP Code. No one should ever have to make the choice between the medication they need and putting food on the table.

Mr. Speaker, I am working hard to ensure this is a reality for all Americans. Let us all start to begin to have hope again.

A BURDEN ON SMALL BUSINESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. KEVIN HERN) for 5 minutes.

Mr. KEVIN HERN of Oklahoma. Mr. Speaker, I rise today in opposition to H.R. 2513, the so-called Corporate Transparency Act. I fear that, in the pursuit of "transparency," my colleagues have crossed a line.

This bill would be more appropriately titled the Small Business Registration and Surveillance Act because that is exactly what it would do. This bill would require America's small business owners—those with 20 or fewer employees—to register their confidential information with a Federal law enforcement and intelligence agency they have never heard of and allow that agency to surveil them without a subpoena or a warrant.

As a former small business owner for 34 years, I know that paperwork is incredibly burdensome and small business owners have to file paperwork themselves. Unlike the big banks, they don't have compliance departments to fill this information out.

NFIB estimates that this legislation will cost small business owners $5.7 billion over 10 years. CBO estimates that this bill will have a significant impact on 25 to 30 million small businesses in America. This is a slap in the face to the small business owners who are doing everything they can to achieve the American Dream.

Mr. Speaker, I urge my colleagues to vote "no" on H.R. 2513.

RECOGNIZING BETTY REID SOSKIN

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

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize the service of esteemed public servant, activist, and great American Betty Reid Soskin.

Betty is a constituent, a friend, and a pillar of Contra Costa County in the Bay Area in California. She is fondly known as the National Park Service's oldest serving ranger, at 98 years old, and is assigned to the Rosie the Riveter/World War II Home Front National Historical Park in Richmond, California.

As an interpretive park ranger for the past 13 years, Betty has educated thousands of visitors about the Rosies and her own experience as a young Black woman working in Richmond during World War II. She worked as a file clerk for the Boilermakers Union A–36, a Jim Crow, all African American union auxiliary.

Betty has been an activist her whole life. She fought for civil rights during Freedom Summer, was an activist against the Vietnam war, helped with faith-based racial healing work in the Unitarian Universalist church, and became a delegate to the 1972 Democratic National Convention.

Betty also served as a legislative aide for a Berkeley city council member and as a field representative for two California State Assembly members, which led to her involvement in designing the Rosie the Riveter National Park. Her advocacy ensured that marginalized communities' narratives and stories were included in the park's historical exhibits and resources on the war efforts in Richmond, California.

In 1995, Betty was named a Woman of the Year by the California State Legislature. She was also named one of the Nation's 10 outstanding women in 2006 by the National Women's History Project.

In 2015, she was formally recognized by President Barack Obama, who gave her a silver coin with the Presidential seal.

Born in 1921, Betty has lived through many pivotal moments in U.S. history and is a crucial voice in speaking to the value of American democracy, the realities of the African American struggle, and the importance of continued progress.

In an interview for a feature in Glamour magazine, Betty said, when she was Woman of the Year: "Democracy has been experiencing these periods of chaos since 1776. They come and go. And it's in those periods that democracy is redefined. History has been written by people who got it wrong, but the people who are always trying to get

it right have prevailed. If that were not true,'' Betty said, ''I would still be a slave like my great-grandmother.''

Betty's colleagues, fans, and friends deeply admire her activism, her leadership, and her dedication to social justice and to America. Her positivity, sense of self, and commitment to doing what is right and preserving and honoring our past continue to inspire us all.

Mr. Speaker, please join me in congratulating and celebrating this wonderful American's dedicated service and in wishing her a speedy recovery and good health. Her strong spirit and perseverance are an inspiration to us all.

BLOOD CANCER AWARENESS MONTH

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Blood Cancer Awareness Month this past September.

Including leukemia, non-Hodgkin's lymphoma, Hodgkin's lymphoma, and more, around 14,000 Americans are diagnosed with blood cancer types each month.

Although a staggering statistic, doctors and researchers across the globe have made significant advances since the 1960s. For some blood cancers, survival rates have more than quadrupled.

As with any illness, early detection is important; so I encourage everyone to see their doctor, get a check-up, and discuss whether they have had any symptoms that could be related to blood cancer.

Mr. Speaker, if you have had bone pain, frequent nose bleeds, or tiny red spots on your skin, I especially encourage you to see a doctor.

I will continue supporting researchers to make further advances in eradicating these diseases.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize October 2019 as National Disability Employment Awareness Month.

Workplaces that welcome the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and a strong economy.

In the First Congressional District of Georgia, I want to especially recognize Goodwill Southeast Georgia, which is working to raise awareness about disability employment issues and celebrate the many and varied contributions of people with disabilities.

Activities they are working on this month reinforce the value and talent that people with disabilities add to our workplaces and communities while affirming Goodwill Southeast Georgia's commitment to an inclusive community.

I encourage employers, schools, and other community organizations around the country to observe this month with programs and activities, and to advance the important message that people with disabilities are capable of surpassing any obstacle.

□ 1030

CONGRATULATIONS TO SCOTT ISAACKS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Scott Isaacks for receiving the inaugural South Carolina Hospital Association Drive to Zero Harm Leadership Award.

As director and CEO of the Ralph H. Johnson VA Medical Center in Charleston, South Carolina, Mr. Isaacks oversees 3,100 employees, who are some of the best that the VA has to offer.

The first award of its kind in South Carolina, Mr. Isaacks and his VA medical center are being recognized for their exceptional work in creating a culture of high reliability and eliminating harm from all facets of care.

This high-quality care is particularly important to the First Congressional District of Georgia because of the large number of veterans using the VA medical center there in Charleston. Our veterans are our Nation's heroes, and they deserve the best when they return home, which is why I am so proud to see Mr. Isaacks working hard to achieve this goal.

Mr. Speaker, I thank Mr. Isaacks for his service to our veterans and congratulations on his award.

IN REMEMBRANCE OF JAMES W. BOYKIN

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Mr. James W. Boykin, who passed away at the age of 80 on October 3.

In Jesup, Georgia, nearly everything and everyone seems to have been impacted by Mr. Boykin.

During his term serving as Wayne County commissioner, he was a staunch supporter of projects to boost recreation activities, and now there is even a community lake named in his honor.

He took over his father's construction company in 1975 and worked to grow the business for over 25 years, being largely responsible for its size and success today. But whether in business, government, church, or simply playing sports, Mr. Boykin was always well-respected and continuously mentoring all who knew him.

Through all of his passion to improve his community and the lives of others, he never let his four battles with cancer ever impact his attitude or dedication.

I am proud to have had someone like Mr. James Boykin in the First Congressional District of Georgia. His family and friends will be in my thoughts and prayers during this most difficult time.

STRENGTHEN OUR COUNTRY'S DEMOCRACY

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

Mr. LARSEN of Washington. Mr. Speaker, I rise today to speak on strengthening America's elections and the democratic process.

The task we face is very simple: Congress should secure elections from foreign interference and break down barriers that prevent Americans from accessing the ballot. And the SHIELD Act, which Congress will vote on this week, protects elections from foreign meddling by increasing oversight of campaign contacts and online political advertising.

U.S. citizens have a right to be fully informed of their ballot box choices without concerns of foreign interference. The 2016 election taught us in the United States many lessons as foreign governments sought to influence the outcome of our election.

The SHIELD Act builds on lessons learned from the 2016 election by creating an obligation to report contacts between campaigns and foreign nationals.

Additionally, the SHIELD Act presents modern-day solutions for the problems of manipulative online political advertisements by ensuring the same standards applied to other political ads will extend to these new advertisements.

Mr. Speaker, the House will vote on the SHIELD Act this week, and I urge Members of the House to vote for the SHIELD Act to strengthen our country's democracy.

RECESS

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

Accordingly (at 10 o'clock and 33 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUIZ) at noon.

PRAYER

Reverend Dr. Marilyn Monroe Harris, First Baptist Church of Teaneck, Teaneck, New Jersey, offered the following prayer:

O Lord, our God, how excellent is Your name in all the Earth. We thank You for this day, and we pray for those who gather in these hallowed Halls and serve the United States of America. We pray that You sustain their physical bodies and wrap Your arms around their loved ones.

On this day, we ask that Your holy presence become manifest. Guide all with wisdom and discernment to implement just and sound policy. Engulf all with compassion for humanity and creation. Infuse our hearts with Your love. For it is Your love, O Lord, that is

transformational. It is Your love that seeks the greater good. It is Your love that heals.

Let us face this day knowing that You are with us, and may all that is done in this place on this day bring You, and You alone, glory and honor.

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.

PLEDGE OF ALLEGIANCE

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

Mr. MURPHY of North Carolina led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR. MARILYN MONROE HARRIS

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey (Mr. GOTTHEIMER) is recognized for 1 minute.

There was no objection.

Mr. GOTTHEIMER. Mr. Speaker, I rise to welcome my dear friend and a true leader, Reverend Dr. Marilyn Monroe Harris, and thank her for delivering today's invocation.

Dr. Harris is the fifth pastor and the first female pastor of the First Baptist Church of Teaneck, Teaneck, New Jersey, and she is a beacon of leadership for north Jersey and our Nation.

She is joined today by her niece, Amma, and fellow pastors, colleagues, and friends from the Lott Carey Foreign Mission Convention.

Pastor Harris is a lifelong civil servant; the founder of the Christian Women's Alliance, allowing clergywomen to grow together; a founder of the Foundation Building Christian Institute; and a recipient of New Jersey's NAACP Award for Pastoral Leadership and Excellence.

She has preached across the globe, from Spain to South Africa. Reverend Harris also supports our first responders back home, serving as the first female African American chaplain of the Teaneck Fire Department, and she currently serves as the first female president of the United Missionary Baptist Convention of New Jersey.

Dr. Harris brings integrity and excellence to everything she does. With so much in our country dividing us, Reverend Harris' words can bring us together so that we can better serve our great country, the greatest country in the world.

I thank Reverend Harris for praying with us today.

May God continue to bless the United States of America.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Miss Kaitlyn Roberts, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HONORING AND LAYING TO REST 81 SOUTH VIETNAMESE SOLDIERS

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

Mr. LOWENTHAL. Mr. Speaker, in late 1965, a C–123 transport was shot down over Vietnam. The flight's four American crewmen were identified and their remains returned home.

The 81 South Vietnamese soldiers also on board were never identified, their remains never properly interred. The current Vietnamese Government has twice refused to allow the soldiers' remains to return home.

This Saturday, October 26, the remains of these 81 soldiers will be finally laid to rest in the Little Saigon community of Orange County, California, in my district.

I thank Senator Jim Webb, the Lost Soldiers Foundation, the Republic of Vietnam Airborne Division's national and local chapters, and everyone involved in making it possible to finally honor and properly inter these 81 soldiers.

HOLD VOTE ON IMPEACHMENT OR MOVE ON

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, efforts to impeach the President began in January 2017 with The Washington Post reporting: "The effort to impeach President Donald John Trump is already underway." This was just minutes after the President was sworn into office.

Now, 4 weeks into the Speaker's unprecedented impeachment inquiry, we learn of hidden transcripts, closed-door meetings, complete disregard for transparency and process, and the House has not even been afforded the opportunity to go on record with a vote to open an inquiry.

If this were serious, House Democrats would bring a vote to the floor to open a formal impeachment inquiry, but they won't do that. This is a political stunt beneath the dignity of this institution.

Perhaps more egregious, this stunt has consumed valuable time that we could have used to pass meaningful legislation for all Americans: lowering prescription drugs prices, securing the border, repairing our infrastructure, and moving the USMCA trade agreement forward.

Hold a vote or move on. The American people deserve better.

HONORING DR. ALVIN POUSSAINT

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

Mr. RUIZ. Madam Speaker, I rise today to honor the career of renown psychiatrist, a former associate dean of student affairs at Harvard Medical School, a lifelong public servant, and my mentor and friend, Dr. Alvin Poussaint.

Dr. Poussaint's career has been one of passion and service. During the civil rights movement, Dr. Poussaint marched from Selma to Montgomery with Martin Luther King, Jr., organizing Freedom Clinics with the Freedom Riders.

Over his accomplished career, Dr. Poussaint and his experience, insight, and intellect have been requested by the FBI, the White House, and the Department of Health and Human Services.

One of the biggest blessings of my life is that our paths crossed when I was a student at Harvard Medical School. Dr. Poussaint believed in me and supported me in my studies and my student advocacies.

Dr. Poussaint embraced me and my approach to learning. He encouraged me and guided my passion and energy, and he defended me from those who wanted me to think that I didn't belong there.

Dr. Alvin Poussaint is one of the reasons I am standing up here today as a physician and Congressman standing up for health and social justice.

I wish him well in his retirement and celebrate his decades of professional accomplishments and contributions to our society.

IN MEMORY OF FIRST LIEUTENANT FRANK MONROE "SKIP" MURPHY

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

Mr. WILSON of South Carolina. Madam Speaker, this month, a bronze statue was dedicated at Johnson Hagood Stadium at The Citadel in Charleston, South Carolina, in memory of Lieutenant Joe Missar and Lieutenant Skip Murphy, who died for freedom in Vietnam.

First Lieutenant Frank M. "Skip" Murphy was from Florham Park, New Jersey, graduating from The Citadel in 1965, achieving the dean's list, and

going from football walk-on to team captain, being an honorable mention in the All-Southern Conference.

On December 7, 1966, Lieutenant Murphy courageously rescued his fellow members of the 2nd Battalion, 12th Infantry Rescue Platoon, cited by Sergeant Ken Eising. Sadly, a command-detonated mine exploded under his vehicle, killing him and two of his men.

He was survived by his wife, Molly.

I am grateful Lieutenant Murphy was a student teacher with Ms. Sara Bookhart DeLapp's civic class at the High School of Charleston. I learned firsthand of his inspiring young people to be the best they can be, to promote freedom and democracy.

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

PRAISING THE BLACK STUDENT FUND

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

Mr. PAYNE. Madam Speaker, I would like to celebrate an organization right here in Washington, D.C., that fights every day to increase the academic achievements of local African American students, the Black Student Fund.

The fund has provided educational assistance and resources to promising Black students since 1964.

Officials work with students from pre-K to 12th grade to keep their grades up, graduate high school, and go on to college. Many of these students are the first in their families to go to college, and 70 percent of them are from single-parent households.

The benefits of a quality education to students and their communities are too numerous to mention in 1 minute. That is why we need more organizations like the Black Student Fund to keep more of our youth out of trouble and in the classrooms where they belong.

STOP SECRET, PARTISAN IMPEACHMENT INQUIRY

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

Mr. BUDD. Madam Speaker, last month, House Democrats announced an impeachment inquiry into the President without a formal vote, and they chose ADAM SCHIFF to lead the process.

This effectively means that, for the first time in American history, the impeachment of a duly elected President will take place in secret.

Chairman SCHIFF has been caught on at least three occasions making blatantly false statements about this investigation. He has a complete lack of credibility to lead this sham of an inquiry. This whole thing is profoundly unfair and just not worthy of Congress.

So I say to my Democrat colleagues: Stop this secret, partisan impeachment, and let's get back to work for the American people.

REMEMBERING ELIJAH CUMMINGS

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

Mr. TRONE. Madam Speaker, I rise today to remember my great friend and hero, Elijah Cummings.

The enormity of the loss felt with the passing of Elijah has reverberated throughout Maryland and this entire country. He was the voice of the powerless in the Halls of power. He had a giant heart and acted as the conscience of America when we needed it most.

Baltimore had no greater champion. Elijah and I shared a special concern for those impacted by the opioid epidemic and the criminal justice system. I will continue to work on those issues while drawing on Elijah's legacy for inspiration.

My wife, June, and I extend our condolences to Maya and his three children, and we take comfort in knowing that our friend and hero is dancing with the angels.

HONORING STATE TROOPER PETER R. STEPHAN

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

Mrs. BROOKS of Indiana. Madam Speaker, I rise today to honor Indiana State Trooper Peter R. Stephan, or "Bo," of Lafayette, Indiana, who paid the ultimate price and sacrificed his life while protecting his community.

He served with the Indiana State Police Department for 4 years and, tragically, will never return home to his wife, Jessica, or his 5-month-old daughter.

Two weeks ago, this 27-year-old trooper was on his way to assist another trooper who had called for assistance. On his way, Trooper Stephan's car hit a curve and, for unknown reasons, went off the road. The car rolled at least once and hit a utility pole, and he was pronounced dead at the scene.

Trooper Stephan is the 44th Indiana State Police trooper to die in the line of duty. A coworker of his said: "He did what was right. He wasn't pushed around by public opinion. If there were 100 people doing the wrong thing, he would be the one guy doing it right."

I offer my deepest condolences to his family, the Indiana State Police Department, all Hoosiers, and all of those officers around our country who mourn his loss and will forever cherish his memory.

We will never forget.

□ 1215

CONGRATULATING THE WASHINGTON NATIONALS

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

Ms. NORTON. Madam Speaker, I rise today to congratulate D.C.'s own Washington Nationals for winning the National League Championship to advance to the World Series—sweeping the St. Louis Cardinals in four straight games, no less. The Nationals will now face the Houston Astros to compete for the team's first World Series title.

The Nation's Capital has been on a roll lately. Last year, the Washington Capitals won their first Stanley Cup, and earlier this month, the Washington Mystics won their first WNBA championship.

But, Madam Speaker, I also rise today to issue a challenge to Houston Representative and, yes, my friend, SHEILA JACKSON LEE. I challenge my colleague that, if the Nats win the World Series—I should say, when the Nats win the World Series—she and her staff will wear, for a full day at least, and take a photo in D.C. statehood T-shirts to help us further nationalize the fight for D.C. statehood in Texas.

Although the Nats are underdogs, who doesn't love an underdog story?

Go Nats.

THE PRESIDENT DESERVES DUE PROCESS

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

Mr. MURPHY of North Carolina. Madam Speaker, today I rise in opposition to the unfair and unprecedented process that is being used by my colleagues across the aisle to smear the duly elected President of the United States and make a mockery of American justice.

Since the day he was sworn in, Democrats have dismissed their duty as the majority party to lead this country. Instead, their agenda has revolved around their desire to oust the duly elected President.

Since hearings with Robert Mueller, Joseph Maguire, and others did not yield their desired results, Democrats have changed their tactics. Those publicity stunts backfired.

So what has been their response? Hold Soviet-style, closed-door, "guilty until proven innocent" investigations.

President Trump deserves due process, and the American people deserve transparency and fairness; but, more importantly, Congress should be tending to the business of the people by passing substantive legislation instead of continuing to waste taxpayer time and money on yet another witch hunt.

CONGRATULATING THE HISTORIC ONCE-IN-A-CENTURY WIN OF THE WASHINGTON NATIONALS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, I accept the gentlewoman from the District of Columbia's—my dear friend—challenge.

While I congratulate the historic once-in-a-century-win of the Nationals, let me be very clear: The Houston Astros have won the most games of any of the Major League Baseball teams.

Let me thank the owner and management, but also the team, the unifying team, the team that does not have one icon, one star, but all of them are stars. Let me thank them for the great work they do in charity throughout our community helping our young people.

Madam Speaker, might I take you down memory lane, when the Astros—can you imagine that late-night game on Saturday night when you thought there was not any hope and there was going to be another game with the Astros and the Yankees?

But what happened? My friend, Altuve—what happened? You didn't even see the ball go. He hit a home run and two came in.

I know this is going to be a great game, and the new world champions of baseball will be the Houston Astros.

Go 'Stros. Go Astros.

I accept, Madam Speaker, and if we win, she will wear this shirt with her staff.

HOLD A VOTE ON IMPEACHMENT

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

Mr. GREEN of Tennessee. Madam Speaker, the Democrat leadership in this House, hell-bent on impeachment, is trampling on precedent, fairness, and our system of representative democracy.

We are in the midst of a so-called impeachment inquiry despite no vote ever having been held on the House floor, as was the case for Nixon and Clinton.

I guess the majority has no concern for what the people of Tennessee have to say. It is as if they are saying: Hey, you guys in Tennessee, we are going to proceed with something as grave as impeaching the President of the United States, and, oh, by the way, you don't get a say.

This is an insult to democracy.

This House—supposedly, the people's House—cannot pass a single law without a vote. We are a legislative body, and we speak after a vote is taken. Failing to do so allows unchecked factions to control the direction of the entire legislative branch. The Founders never intended it as such. In fact, this is the very definition of tyranny.

The people of Tennessee deserve to be heard, and the people of America deserve to be heard on this issue. We need to stop this charade now and hold a vote.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Ms. UNDERWOOD) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 2019.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 22, 2019, at 11:11 a.m.:

That the Senate passed with an amendment H.R. 150.

With best wishes, I am,
Sincerely,
CHERYL L. JOHNSON.

COMMUNICATION FROM DIRECTOR OF MEMBER SERVICES, HOUSE REPUBLICAN CONFERENCE

The SPEAKER pro tempore laid before the House the following communication from Caroline Boothe, Director of Member Services, House Republican Conference:

HOUSE REPUBLICAN CONFERENCE,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 21, 2019.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Caroline Boothe, have been served with a subpoena for documents and testimony issued by the United States District Court for the Southern District of New York.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,
CAROLINE BOOTHE,
Director of Member Services, House Republican Conference.

PROVIDING FOR CONSIDERATION OF H.R. 2513, CORPORATE TRANSPARENCY ACT OF 2019

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 646 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 646

Resolved, That at any time after adoption of this resolution the Speaker may, 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. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, 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 amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. 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 one motion to recommit with or without instructions.

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

Mr. PERLMUTTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Georgia (Mr. WOODALL), 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. PERLMUTTER. Madam Speaker, I ask unanimous consent that all Members be given 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. PERLMUTTER. Madam Speaker, the Rules Committee met last night and reported a structured rule, House Resolution 646, providing for consideration of H.R. 2513, the Corporate Transparency Act. The rule self-executes Chairwoman WATERS' manager's amendment and makes in order five amendments. The rule provides 1 hour of debate, equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services, and provides for one motion to recommit.

Madam Speaker, I am pleased we are here today to provide for consideration of this important, bipartisan legislation to help law enforcement do their job and protect our national security. The lack of transparency in parts of our financial system has created an environment in which criminals, who should be shut out of the financial system, can use anonymous shell companies to launder money, finance terrorism, and engage in other illicit activities.

I want to applaud the work of Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets Chairwoman CAROLYN MALONEY for her work over the last decade to understand these problems and develop the solution we have in front of us this week.

The Corporate Transparency Act would require corporations and limited liability companies to disclose their true beneficial owners to the Financial Crimes Enforcement Network, or FinCEN, at the time a company is formed and in annual corporate filings thereafter. This beneficial ownership information will be available to law enforcement so they can learn who controls or financially benefits from the company and end the current shell game used by bad actors.

There are many examples of how individuals have used shell companies to hide their activities. For instance, there is one involving Viktor Bout, otherwise known as the Merchant of Death, who used shell companies to hide his illicit weapons trafficking. In another example, a former Russian citizen moved $1.4 billion from Russia into 236 different U.S. bank accounts through the use of anonymous shell companies.

This bill will be a game changer for law enforcement investigating bad actors, and it will ensure criminals can no longer hide behind these shell companies. It would also bring the United States in line with other developed countries that already require beneficial ownership disclosure.

□ 1230

The rule will amend the bill to also include my friend, Congressman EMANUEL CLEAVER's H.R. 2514, known as the COUNTER Act, which would modernize and improve the Bank Secrecy Act.

This bill passed the Financial Services Committee unanimously in May. Specifically, it would expand communication about anti-money laundering data within financial institutions and safeguard privacy by creating a civil liberties and privacy officer within each financial regulator. Additionally, this legislation increases penalties for bad actors and reduces barriers to innovation.

For years, Congress has proposed reforms to the Bank Secrecy Act, but this is the first major legislation to receive broad bipartisan support. This bill strikes a careful balance between security and privacy and will be a big step forward to strengthen anti-money laundering tools.

Together, this combined legislation will create a more secure and transparent financial system. I urge all my colleagues to support the rule and the underlying bill, and I reserve the balance of my time.

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume. I thank my friend from Colorado (Mr. PERLMUTTER) for yielding me the time.

I don't want to take up too much time, because I know we have the chairwoman here. And as the gentleman from Colorado pointed out, she is one of the most studied Members in this Chamber on this topic.

We did meet in the Rules Committee last night. And for the second week in a row, Madam Speaker, we have brought rules out of the Rules Committee that gave the minority a voice that we have not seen throughout this Congress.

Candidly, the record of open rules in the Chamber has been abysmal on both sides of the aisle. I don't believe while Paul Ryan was Speaker, Republicans on the Rules Committee made a single open rule in order, and that has certainly been the way that things have continued in the Pelosi majority.

But I want to mention to my colleagues, as learned as the chairwoman is, I believe that Members in this Chamber have something to offer on these topics. And I just want to remind the Chamber that in 1970, when we passed the Bank Secrecy Act to begin with—that is the bill that this bill before us today amends, Madam Speaker, a very small portion of the Bank Secrecy Act that this bill amends—we brought the Bank Secrecy Act to the floor under an open rule, 2 hours of general debate, and then amended it under the 5-minute rule, ended up passing that bill unanimously out of this Chamber.

As my friend from Colorado knows, Madam Speaker, we had witnesses in the Rules Committee last night who had ideas that they wanted to have considered on the floor of the House by all of their colleagues, ideas that I would tell you deserve consideration.

The gentleman from Ohio (Mr. DAVIDSON), my friend, brought an amendment that said, Listen—as you heard the gentleman from Colorado discuss earlier—this is the creation of a new government database for the purpose of law enforcement querying it for its enforcement activities.

What my friend from Ohio said is, If this is going to be a law enforcement database, if we are creating new government databases, if we are creating them for the sole purpose of law enforcement to query them for the sole purpose of engaging in criminal prosecutions, shouldn't we ask for a warrant to query that database, just like we would ask law enforcement for a warrant in any other investigation? These are, after all, American citizens.

Perhaps, because I don't serve on the Financial Services Committee, Madam Speaker, I don't fully understand the ramifications of that, but I am not afraid of this body considering it in its collective wisdom. And I am disappointed that even as broad as the rule was, even the amendments that were made in order, Mr. DAVIDSON is not going to have a chance to talk about this question of fundamental civil liberties, which, again, I know is important, from the most liberal Democrat in this Chamber to the most conservative Republican.

There was a time in this Chamber where we thought enough of ourselves as a body and had enough respect for one another as individuals that we were not afraid of the open rule process. There is enough blame to go around on both sides of that. I am not proud of the Republican record of the last several years, but I do believe, and I would say to my friend from Colorado, because he has outsized influence on the committee, this would be the kind of bill where we could begin that open-rule process, a very narrowly tailored bill designed to do very specific things.

I will go one more: I offered an amendment last night, Madam Speaker, to allow consideration of an amendment from another Member of this body who thought that we should have a cost–benefit analysis done of this bill. I mean, undeniably, there is a paperwork burden associated with it. That is uncontested.

So the idea was, because we are doing this on behalf of the American people, do the costs outweigh the benefits or do the benefits outweigh the cost. Candidly, my constituency back home would imagine that we have that conversation about every piece of legislation that we pass every day. Of course, the Members of this Chamber know that we don't.

That amendment was offered for consideration. It was defeated on a party-line vote, not the nature of the amendment itself, Madam Speaker, but even the ability to discuss it. I don't think any of my colleagues would say that the legislative calendar of the last week has been so aggressive that they have no bandwidth to consider either civil liberties on the one hand or cost-benefit analysis on the other. I think we do have that bandwidth.

And I recognize that in this culture of outrage that we are in, Madam Speaker, this culture of offense that we have gotten ourselves into, it is oftentimes true that in political discussions, folks will believe that they can never do good enough. However good a rule the gentleman from Colorado crafts, the other side is always going to say, Well, you could have done better. I recognize that. In fact, that was confessed from the witness table last night. The gentleman from Ohio said, Listen, I have been trying to defeat this bill because I disagree with it on its merits.

Now, if we are going to pass this bill, I think we should protect civil liberties. And I am afraid my civil liberties concerns are being dismissed because I have developed a reputation for wanting to kill the bill altogether. We recognize that is a very real circumstance that we have before us. But when we pass the underlying legislation, the Bank Secrecy Act, I will remind my colleagues, again, we came together and did it unanimously, because it is important.

The chairwoman of the subcommittee put together a big bipartisan majority to move this legislation out of her committee. She recognizes how important that is. There are so many opportunities for us to divide ourselves in this Chamber, in this day. It is my regret that we have not taken this opportunity where the bill was so narrow, where the topic was so tailored, and where the expertise that is so obvious, to those of us in the Chamber who don't have it as to which Members do have it, that we did not allow a more full-throated debate on this issue.

For that reason, Madam Speaker, I will be opposing the rule, but I very much would like to get to consideration of the underlying bill. We offered an amendment last night to do this in an open rule. That amendment was rejected. Our ranking member offered it. It was rejected on a party-line vote.

Let us recognize that we are including more voices today than this Congress has historically included. This is, again, for only the second time this year that I remember, there being as many voices included as there are. But that is a step in the right direction. It is not the goal. The goal is to allow every Member, each one of us representing 700,000 American citizens whose voice needs to be heard, to come to the floor and have that debate.

Part of the reason you see the floor is empty, as you do today, Madam Speaker, is because folks know the word has already gone out. Folks have already seen the literature. They know their voices have already been shut out. Those Members who have offered improvements, they know they have already been rejected. They know there will not be a chance for their voice to be heard, and, thus, they are not on the floor today to pursue it.

So, again, to my friend from Colorado, I would ask him to use his influence. I know we can do it. I know we can be better.

And this, again, because of the chairwoman's expertise, because of the bipartisan way it moved through committee, this would have been the way, this would have been the time for us to begin trying to expect more of ourselves. And we have not taken advantage of that this time. I hope that we will not miss that opportunity next time.

Madam Speaker, I reserve the balance of my time.

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

I just want to remind my friend that we are dealing with a serious law enforcement issue here, something that the chairwoman, who will speak, has been dealing with for years, working with law enforcement across the country and has full-throated support from virtually every law enforcement agency in this country to deal with these phony companies. These are phony companies similar to the company that was created by Lev Parnas and Igor Fruman, who were friends of Rudy Giuliani, created to upset elections and elsewhere, who were arrested as they were leaving the country 2 weeks ago.

That is the purpose, it is to get bad actors who are using shell companies to really contort U.S. law, to park money in buildings where they have gotten bribes and they have taken them from their country and parked them in, you know, big townhouses in New York City or L.A. or Denver, Colorado. This is serious stuff that we are dealing with.

And I would remind my friend, as he spoke about the gentleman from Ohio (Mr. DAVIDSON), he is going to get to debate an amendment he proposed. We have five amendments that are going to be considered by the full House. That is after any amendment was allowed in committee to be, you know, voted up or down. And we have a big committee with a lot of Democrats and a lot of Republicans. And there are many Republicans supporting this bill, because they understand how important this is to, you know, get dirty money out of these shell companies.

David Petraeus, a former general, former head of the CIA, and SHELDON WHITEHOUSE wrote an op-ed in The Washington Post dated March 8, 2019, where they said, ''Russian President Vladimir Putin and other authoritarian rulers have worked assiduously to weaponize corruption as an instrument of foreign policy, using money in opaque and illicit ways to gain influence over other countries, subvert the rule of law and otherwise remake foreign governments in their own kleptocratic image.''

And I want to thank the chairwoman for working so hard on this bill and gaining so much support from Democrats, Republicans, law enforcement, and different organizations all across the country to stop this kind of stuff that could really undermine our democracy.

Madam Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, first, I would like to thank the gentleman from the great State of Colorado (Mr. PERLMUTTER), my good friend, for his extraordinary leadership, not only on the Rules Committee, but on the Financial Services Committee, and his work and support on this bill over a decade. So I thank him very much.

Madam Speaker, I rise in very strong support of this rule which would make a number of amendments in order, and I think would improve the underlying bill. Most importantly, the rule would make in order the Waters manager's amendment, which contains the text of Mr. CLEAVER's bill, called the COUNTER Act.

Mr. CLEAVER is the chairman of the Subcommittee on National Security and has been an exceptional leader on anti-money laundering issues. His bill would make a number of improvements to the Bank Secrecy Act that would protect our national security, make our anti-money laundering regime more effective, and would reduce burdens on financial institutions.

For example, the bill would close loopholes for high-risk commercial real estate transactions and the transfer of arts and antiquities, which we have heard testimony about in our committee.

It would also make modest increases to the threshold for currency transaction reports, which was a compromise that Mr. CLEAVER reached with Mr. LOUDERMILK on the other side of the aisle. This would provide financial institutions with regulatory relief, while also ensuring that law enforcement has the information they need to catch bad actors who are using our financial system to hide their illicit money.

Finally, the bill protects privacy by mandating a privacy and civil liberties officer, as well as an innovation officer in each of the Federal financial regulators. These officials are required to meet regularly, to consult on Bank Secrecy Act policy and regulation.

Madam Speaker, I want to thank Mr. CLEAVER and Chairwoman WATERS for this amendment, which I strongly believe will make my bill better and will improve the chances that it gets passed by the Senate and signed into law.

This bill before us today, the underlying bill, H.R. 2513, would crack down on illicit use of anonymous shell companies. This is one of the most pressing national security problems we face in this country, because anonymous shell companies are the vehicle of choice for money launderers, criminals, and terrorists.

Coming from New York, I am particularly concerned about cracking down on terrorism financing. Because of the importance of this bill, it has been endorsed by every single law enforcement agency in our country. They say that passing this bill will help them protect American citizens, Americans, visitors, anyone in our country.

Madam Speaker, I include in the RECORD a listing of all of the law enforcement agencies that support this bill, and it also has wide support from stakeholders, major stakeholders in our country from the business community, the NGOs, and the not-for-profit community.

[From FACTCOALITION, Updated: October 15, 2019]

ENDORSEMENTS FOR BENEFICIAL OWNERSHIP TRANSPARENCY

ENDORSED LEGISLATION

Anti-Corruption/Transparency:

Citizens for Responsibility & Ethics in Washington (CREW), Coalition for Integrity, Corruption Watch UK, Financial Accountability & Corporate Transparency (FACT) Coalition, Financial Transparency Coalition, Global Financial Integrity, Global Integrity, Global Witness, Government Accountability Project (GAP), Natural Resource Governance Institute, Open Contracting Partnership, Open Ownership, Open the Government, Project on Government Oversight (POGO), Publish What You Pay—U.S. Repatriation Group International, RepresentUs, Sunlight Foundation, Transparency International.

Anti-Human Trafficking:

Alliance to End Slavery and Trafficking (ATEST), Humanity United Action, Liberty Shared, Polaris, Street Grace, Verité.

Business (Large):

Allianz, The B Team, Celtel International, Chobani, Danone, Dow Chemical, Engie, The Kering Group, National Foreign Trade Council, Natura & Co., Safaricom, Salesforce, Thrive Global, Unilever, The Virgin Group.

Business (Small):

American Sustainable Business Council, Harpy IT Solutions, LLC (St. Louis, MO), Luna Global Networks & Convergence Strategies, LLC (Washington, DC), Maine Small Business Coalition, Main Street Alliance, Pax Advisory, Inc (Vienna, VA), Small Business Majority, South Carolina Small Business Chamber of Commerce.

Business (Financial Institutions):

Alabama Bankers Association, Alaska Bankers Association, American Bankers Association, Arizona Bankers Association, Arkansas Bankers Association, Bank Policy Institute, Bankers Association for Finance and Trade (BAFT), The Clearing House Association, Colorado Bankers Association, Connecticut Bankers Association, Consumer Bankers Association, Credit Union National Association (CUNA), Delaware Bankers Association, Financial Services Roundtable, Florida Bankers Association, Georgia Bankers Association, Hawaii Bankers Association, Idaho Bankers Association, Illinois Bankers Association, Independent Community Bankers of America (ICBA).

Indiana Bankers Association, Institute of International Bankers (IIB), Institute of International Finance (IIF), Iowa Bankers Association, Kansas Bankers Association, Kentucky Bankers Association, Louisiana Bankers Association, Maine Bankers Association, Maryland Bankers Association, Massachusetts Bankers Association, Michigan Bankers Association, Mid-Size Bank Coalition of America, Minnesota Bankers Association, Mississippi Bankers Association, Missouri Bankers Association, Montana Bankers Association, National Association of Federally-Insured Credit Unions (NAFCU), Nebraska Bankers Association, Nevada Bankers Association, New Hampshire Bankers Association, New Jersey Bankers Association.

New Mexico Bankers Association, New York Bankers Association, North Carolina Bankers Association, North Dakota Bankers Association, Ohio Bankers League, Oklahoma Bankers Association, Oregon Bankers Association, Pennsylvania Bankers Association, Puerto Rico Bankers Association, Regional Bank Coalition, Rhode Island Bankers Association, Securities Industry & Financial Markets Association (SIFMA), South Carolina Bankers Association, South Dakota Bankers Association, Tennessee Bankers Association, Texas Bankers Association, Utah Bankers Association, Vermont Bankers Association, Virginia Bankers Association, Washington Bankers Association, Western Bankers Association, West Virginia Bankers Association, Wisconsin Bankers Association, Wyoming Bankers Association.

Business (Insurance):

Coalition Against Insurance Fraud.

Business (Real Estate):

American Escrow Association, American Land Title Association (ALTA), National Association of REALTORS©, Real Estate Services Providers Council, Inc. (RESPRO).

Faith:

Interfaith Center on Corporate Responsibility (ICCR), Interfaith Worker Justice, Jubilee USA Network, Maryknoll Fathers and Brothers, Maryknoll Office for Global Concerns, Missionary Oblates, NETWORK Lobby for Catholic Social Justice, Society of African Missions (SMA Fathers), United Church of Christ, Justice and Witness Ministries, The United Methodist Church—General Board of Church and Society.

Human Rights:

Accountability Counsel, African Coalition for Corporate Accountability (ACCA), Amnesty International USA, Business and Human Rights (BHR), Business & Human Rights Resource Centre, Center for Constitutional Rights, EarthRights International. EG Justice, Enough Project, Freedom House, Human Rights First, Human Rights Watch, International Corporate Accountability Roundtable (ICAR), International Labor Rights Forum, International Rights Advocates, National Association for the Advancement of Colored People (NAACP), Responsible Sourcing Network, Rights and Accountability in Development (RAID), Rights CoLab, The Sentry.

International Development:

ActionAid USA, Bread for the World, ONE Campaign, Oxfam America.

Law Enforcement:

ATF Association, Federal Law Enforcement Officers Association (FLEOA), Dennis Lormel, former Chief of the FBI Financial Crimes and Terrorist Financing Operations Sections, Donald C. Semesky Jr., Former Chief of Financial Operations, Drug Enforcement Administration, John Cassara, former U.S. Treasury Special Agent, National Association of Assistant United States Attorneys (NAAUSA), National District Attorneys Association (NDAA), National Fraternal Order of Police (FOP), Society of Former Special Agents of the FBI; U.S. Marshals Service Association.

Lawyers:

Group of 11 business and human rights lawyers.

NGOs (Misc.):

Africa Faith & Justice Network; Amazon Watch; American Family Voices; Americans for Democratic Action (ADA); Americans for Financial Reform; Americans for Tax Fairness; Association of Concerned Africa Scholars (ACAS); Campaign for America's Future; Center for International Policy; Center for Popular Democracy Action; Coalition on Human Needs; Columban Center for Advocacy and Outreach; Columbia Center on Sustainable Investment; Consumer Action; Consumer Federation of America; Corporate Accountability Lab; CREDO Action; Demand Progress; Economic Policy Institute.

Environmental Investigation Agency; Fair Share; First Amendment Media Group; Foundation Earth; Friends of the Earth; Fund for Constitutional Government; Greenpeace USA; Health Care for America Now; Heartland Initiative; Institute for Policy Studies—Program on Inequality and the Common Good; Institute on Taxation and Economic Policy; International Campaign for Responsible Technology; iSolon.org; MomsRising; National Employment Law Project; National Organization for Women (NOW); New Rules for Global Finance; Patriotic Millionaires; People Demanding Action; Project Expedite Justice.

Project on Organizing, Development, Education, and Research (PODER); Public Citizen; Responsible Sourcing Network; Responsible Wealth; Responsive to Our Community II, LLC; RootsAction.org; Stand Up America; Sustentia; Take On Wall Street; Tax Justice Network; Tax Justice Network USA; Tax March; Trailblazers PAC; United for a Fair Economy; U.S.-Africa Network; U.S. Public Interest Research Group (U.S. PIRG); Voices for Progress; Win Without War; Working America.

Shareholders:

Avaron Asset Management; Bâtirente; Boston Common Asset Management; Candriam Investors Group; Capricorn Investment Group; Clean Yield Asset Management; CtW Investment Group; Domini Social Investment LLC; Dominican Sisters of Hope; Hermes Equity Ownership Services; Hexavest; Inflection Point Capital Management; Local Authority Pension Fund Forum; Magni Global Asset Management LLC; Maryknoll Sisters; Mercy Investment Services, Inc.; NorthStar Asset Management, Inc.; Oblate International Pastoral Investment Trust; Sisters of Charity, BVM; Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA.

Sisters of St. Dominic of Blauvelt, New York; Sisters of St. Francis of Philadelphia; Trillium Asset Management; Triodos Investment Advisory & Services BV; Ursuline Sisters of Tildonk, U.S. Province; Verka VK Kirchliche Vorsorge VVaG; Zevin Asset Management.

State Secretaries of State:

Delaware

Unions:

Alliance for Retired Americans; American Federation of Labor and Congress of Industrial Organizations (AFL–CIO); American Federation of State, County and Municipal Employees (AFCSME); American Federation of Teachers; Communications Workers of America (CWA); International Brotherhood of Teamsters; International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW; National Education Association; National Latino Farmers & Ranchers Trade Association; Service Employees International Union (SEIU).

ENDORSED CONCEPT

Anti-Human Trafficking:

3 Strands Global Foundation; Agape International Missions; Amirah, Inc.; Baptist Resource Network; Candle of Hope Foundation; Freedom Network USA; Shared Hope International; Youth Underground.

Business (Large):

BHP; Deloitte; International Chamber of Commerce; Philip Morris International; Rio Tinto; Siemens AG; Thomson Reuters.

Business (Financial Institutions):

BMO Capital Markets.

Business (Small):

77% of U.S. small business owners; O'Neill Electric (Portland; OR); Paperjam Press (Portland; OR); Popcorn Heaven (Waterloo; IA); Rivanna Natural Designs; Inc. (Charlottesville; VA).

Human Rights:

Better World Campaign; Center for Justice and Accountability; Center for Victims of Torture; Futures without Violence; Global Rights; Global Solutions; Physicians for Human Rights; Project on Middle East Democracy; United to End Genocide.

Law Enforcement:

National Sheriffs' Association.

National Security Officials:

2019 letter from bipartisan group of 61 national security experts; 2018 letter from bipartisan group of 3 dozen former national security leaders (military and civilian); David

Petraeus, GEN (Ret.) USA, former director of the Central Intelligence Agency; Ben Rhodes, former deputy national security adviser to President Barack Obama.

Scholars (Think Tanks):

Anders Aslund, Atlantic Council; David Mortlock, Atlantic Council; Josh Rudolph, Atlantic Council; William F. Wechsler, Atlantic Council; Clay Fuller, American Enterprise Institute; Michael Rubin, American Enterprise Institute; Norm Eisen, Brookings Institution; Aaron Klein, Brookings Institution; Jeff Hauser, Center for Economic and Policy Research; Jarrett Blanc, Carnegie Endowment for International Peace; Sarah Chayes, Carnegie Endowment for International Peace; Jake Sullivan, Carnegie Endowment for International Peace; Jodi Vittori, Carnegie Endowment for International Peace; Andrew Weiss, Carnegie Endowment for International Peace; Molly Elgin-Cossart, Center for American Progress; Diana Pilipenko, Center for American Progress; Trevor Sutton, Center for American Progress; Neil Bhatiya, Center for a New American Security; Ashley Feng, Center for a New American Security; Elizabeth Rosenberg, Center for a New American Security, Daleep Singh, Center for a New American Security; Heather Conley, Center for Strategic and International Studies. Matthew M. Taylor, Council on Foreign Relations; David Hamon, Economic Warfare Institute; David Asher, Foundation for Defense of Democracies; Yaya J. Fanusie, Foundation for Defense of Democracies; Eric Lorber, Foundation for Defense of Democracies; Emanuele Ottolenghi, Foundation for Defense of Democracies; Chip Poncy, Foundation for Defense of Democracies; Jonathan Schanzer, Foundation for Defense of Democracies; Juan C. Zarate, Foundation for Defense of Democracies; Jamie Fly, German Marshall Fund of the United States; Joshua Kirschenbaum, German Marshall Fund of the United States; Laura Rosenberger, German Marshall Fund of the United States; David Salvo, German Marshall Fund of the United States; Larry Diamond, Hoover Institution; Michael McFaul, Amb. (Ret.), Hoover Institution; Ben Judah, Hudson Institute; Nate Sibley, Hudson Institute; Richard Phillips, Institute on Taxation and Economic Policy; Michael Camilleri, Inter-American Dialogue; David J. Kramer, McCain Institute; Paul D. Hughes, COL (Ret.), USA, U.S. Institute of Peace.

Scholars (Universities):

Smriti Rao, Assumption College (MA); Daniel Nielson, Brigham Young University; Branko Milanovic, City University of New York; Martin Guzman, Columbia University; Matthew Murray, Columbia University; Jose Antonio Ocampo, Columbia University; Jeffrey D. Sachs, Columbia University; Joseph Stiglitz, Columbia University; Spencer J. Pack, Connecticut College; Lourdes Beneria, Cornell University; John Hoddinott, Cornell University; Ravi Kanbur, Cornell University; David Blanchflower, Dartmouth College; Mark Paul, Duke University; Michael J. Dziedzic, Col. (Ret.), USA, George Mason University; David M. Luna, George Mason University; Louise Shelley, George Mason University; Laurie Nisonoff, Hampshire College.

Matthew Stephenson, Harvard Law School; Dani Rodrik, Harvard University; June Zaccone, Hofstra University; Matteo M. Galizzi, London School of Economics (UK); John Hills, London School of Economics (UK); Simona Iammarino, London School of Economics (UK); Stephen Machin, London School of Economics (UK); Vassilis Monastiriotis, London School of Economics (UK); Cecilia Ann Winters, Manhattanville College (NY); Richard D. Wolff, New School University; Bilge Erten, Northeastern University; Mary C. King, Portland State University (OR); Angus Deaton, Princeton University; Kimberly A. Clausing, Reed College; Charles P. Rock, Rollins College (FL); Radhika Balakrishnan, Rutgers University; Aaron Pacitti, Siena College (NY); Smita Ramnarain, Siena College (NY).

Vanessa Bouché, Texas Christian University; Nora Lustig, Tulane University; Karen J. Finkenbinder, U.S. Army War College; Max G. Manwaring, COL (Ret.), USA, U.S. Army War College; Gabriel Zucman, University of California, Berkeley; Ha-Joon Chang, University of Cambridge (UK); Ilene Grabel, University of Denver; Tracy Mott, University of Denver; Arthur MacEwan, University of Massachusetts, Boston; Valpy Fitzgerald, University of Oxford (UK); Frances Stewart, University of Oxford (UK); Michael Carpenter, University of Pennsylvania; Dorene Isenberg, University of Redlands (CA); Mike Findley, University of Texas; Gunseli Berik, University of Utah; Al Campbell, University of Utah; Elaine McCrate, University of Vermont; Stephanie Seguino, University of Vermont; Thomas Pogge, Yale University.

State Attorneys General:

California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New Jersey, New Mexico, North Carolina, Northern Mariana Islands, Oregon, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, Washington.

U.S. Administration Officials:

Department of Justice, Department of the Treasury, Federal Bureau of Investigation (FBI), Financial Crimes Enforcement Network (FinCEN), Immigration and Customs Enforcement (ICE), Office of the Comptroller of the Currency (OCC), Special Inspector General for Afghanistan Reconstruction (SIGAR).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, this is a win-win for protecting our citizens, and like every national security issue, it should have strong bipartisan support. If you care about protecting American citizens, you should be supporting this bill.

□ 1245

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

Madam Speaker, I am willing to stipulate that almost everything my two friends have just said is absolutely true. Law enforcement absolutely supports this provision. Law enforcement absolutely believes pursuing criminals will be easier under this provision.

Now, it would also be easier if we allowed folks to kick in everybody's door, but we don't. Protecting civil liberties is about protecting American citizens.

I am not even here today arguing that we have to include the amendment for the bill to go to the President's desk. I am here arguing that civil liberties deserve a conversation.

Madam Speaker, we did not come in until noon today. We are not going to burn the midnight oil tonight. We did two small bills last week, in its entirety, coming out of the Rules Committee.

We have the bandwidth to talk about civil liberties. It does not advantage us to pretend that folks who care about civil liberties are somehow a threat to democracy. People who care about civil liberties are the ones who have always protected democracy.

Whenever bad things happen in this country, the pendulum automatically swings in favor of protection of the group against the protection of the civil liberties of the individual.

It happened after 9/11. It happened after Pearl Harbor. It happens time and time again in this country.

What was asked in the Rules Committee is that we take 5 minutes. That is not a figure of speech, Madam Speaker. It is actually 5 minutes that was requested to make the case on the floor that civil liberties were not being appropriately protected in this bill and that we could do better. The answer from the majority was, no, it is not worth 5 minutes.

I stipulate that what my friends have said about the value of this legislation is absolutely true. So, when I offered the amendment that said let's do a cost-benefit analysis to document the truth of that, I expected the answer to be yes. The answer wasn't just no. The answer was, no, we don't even have the ability to do a cost-benefit analysis of this legislation.

Madam Speaker, that is just nonsense. It is nonsense.

I was asking for 5 minutes—literally, 300 seconds—to talk about whether or not American citizens were going to get the value out of this bill that was being suggested. The answer was, no, we don't have 300 seconds to spend talking about it.

I would argue 300 seconds isn't enough. Three hundred seconds isn't enough to talk about civil liberties. Three hundred seconds isn't enough to talk about taxpayer responsibilities. But that was the ask, and that ask was declined.

I can't come to the House floor with many of the rules that I am assigned to carry, Madam Speaker, and make this request because I don't have partners like the two partners that I have today.

You may not have noticed it, Madam Speaker, and you are kind if you tell me that you didn't, but I am the least educated person on this House floor when it comes to this bill. I am the only one who doesn't sit on the committee.

I am, today, down here discussing this with two Members who have dedicated their careers to the improvement of the financial services system in America, and I respect the time and effort they have committed to it. I respect their counsel.

I don't believe these two individuals are threatened by 300 more seconds of debate on any issue. They know what they believe. They know why they believe it. They know why they believe what they believe is good for America, as do Members with opposing opinions.

I can't ask, if we are down here talking about a tax bill, to have an open rule on a Ways and Means bill because that gets more complicated. I can't

ask, if we are down here on a Judiciary bill, to have an open rule on a Judiciary bill because that gets more complicated.

What I have today, Madam Speaker, are two Members who have worked in a collaborative, bipartisan way to produce the very best bill they could out of their committee. I am asking for an opportunity for the other several hundred Members of this institution to have a voice in the debate.

Just so that we are clear on what my ask is, Madam Speaker, to make all the amendments in order—all the amendments—to allow for the free and open debate that I am asking for, it would have taken 1,200 more seconds, 20 minutes.

If the majority could have found, in its wisdom, 20 more minutes, every Member of this body could have been heard on an issue that you have heard the subject matter experts testify to how important it is.

We have gotten out of the habit of listening to one another. We have gotten out of the habit of trusting one another. I don't argue that either one of those things has happened without cause and effect. There is a reason we are in the box that we are in. We have to find narrowly tailored pieces of legislation to begin to reverse that cycle. This is one of those narrowly tailored provisions.

It modifies one part—one part—of what the Bank Secrecy Act tried to achieve. The Bank Secrecy Act was brought to the floor under a completely open rule with all voices to be heard. Now, we can't find 20 minutes to have a full-throated debate on this. If we defeat the previous question, I am going to amend the rule.

Madam Speaker, I ask unanimous consent to include the text of my amendment in the RECORD immediately prior to the vote on the previous question.

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

There was no objection.

Mr. WOODALL. It says: Upon adoption of this resolution, the Committees on the Judiciary, Ways and Means, Financial Services, Oversight and Reform, Foreign Affairs, and the Permanent Select Committee on Intelligence shall suspend pursuing matters referred to by the Speaker in her announcement of September 24, 2019, until such a time as a bill implementing the United States-Mexico-Canada Agreement becomes law.

That is a lot of text, Madam Speaker, and I am going to yield to one of my colleagues on the Rules Committee and a learned member of the Judiciary Committee to talk about it. But what it says, in effect, is that we have real legislative priorities that are not being met.

We didn't find the 20 minutes for a full-throated debate here. We are not finding the bandwidth to work on a trade deal, the single best trade deal done in my lifetime, a trade deal supported by the leadership in this House, the leadership in the Senate, and by the White House, a trade deal that is going to make real differences to men and women across this country, in your district and in mine.

It says let's stop the nonsense, let's stop the partisanship, and let's focus on some things that every single citizen in this country cares about. Let's prioritize that, and perhaps, in doing so, we will build some trust.

Madam Speaker, I yield 4 minutes to the gentlewoman from Arizona (Mrs. LESKO), my friend from the Rules Committee, to discuss this amendment in detail.

Mrs. LESKO. Madam Speaker, I thank my good friend from Georgia for yielding me the time to speak on this critical issue for my district, for the State of Arizona, and for the country.

First, before I get into the previous question amendment, I would like to note that, on the underlying bill, the ACLU, the Due Process Institute, and FreedomWorks all oppose the underlying bill because of civil rights protections they are worried about being lost.

I represent Arizona's Eighth Congressional District, and I regularly speak to my constituents. My district overwhelmingly opposes impeachment. They believe it is a waste of time. They believe that Congress should be tackling real issues, and I believe many Americans across the country feel the same way. They are like, what is Congress doing? Why don't you get anything done?

But Democrats have chosen to ignore the people they came to Congress to represent. They chose, instead, to prioritize impeachment. Instead of advancing legislation to make our Nation safer or to better the lives of our families, my Democratic colleagues have perpetuated a witch hunt to undo the 2016 election and to influence the 2020 election.

One of the key legislative items that my Democratic colleagues have sacrificed is the USMCA, the United States-Mexico-Canada Agreement.

I have met with numerous Arizona businesses that have told me, over and over and over again, the importance of the USMCA. I have told them that I support it. I have told them I want this to pass in Congress. But as we all know, it hasn't moved. It hasn't been heard.

My State of Arizona depends on trade with Canada and Mexico. Over 228,000 Arizona jobs are supported by U.S. trade with Canada and Mexico, and Arizona exports over $9 billion in goods and services to Canada and Mexico. We supply them with agricultural products, engines and turbines, and over $1 billion a year in metal ores.

The USMCA would support this trade through numerous key provisions. For example, new customs and trade rules will cut red tape and make it easier for small businesses to participate in trade.

It also protects American innovation by modernizing rules related to intellectual property. It also encourages greater market access for America's farmers.

America and Arizona stand to benefit from passage of the USMCA, but we are not doing the USMCA because our Speaker will not put it on the floor for a vote.

I ask the Democrats to put their constituents ahead of partisan politics and consider the USMCA immediately. I join my friend and Rules Committee colleague in urging Members to vote "no" on the rule and "no" on the previous question so that we can prioritize what is really important to America.

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

To my friends Mrs. LESKO and Mr. WOODALL from the Rules Committee, first, I remind my friend from Arizona that we are actually working on legislation that is bipartisan in nature and something that is tremendously serious that has to be addressed.

Again, I would quote from the CNBC article of October 17, where it talked about these two cronies of Rudy Giuliani: "Parnas and Fruman face other charges in the indictment, which alleges they created a shell company and then used it to donate to political committees, including a pro-Trump super-PAC, while concealing that they were the ones making the donations."

So here we have, on the political side, the reason for this particular bill.

There is a 36-story skyscraper in Midtown Manhattan at 650 Fifth Avenue, and I am reciting from an op-ed in The Washington Post, dated September 20, 2019: "It is home to a Nike flagship store and previously housed the corporate offices of Starwood Hotels & Resorts. It was also secretly owned by the Iranian Government for almost 20 years. By running its ownership stake in the building through an anonymous front company, the Iranian regime took advantage of the fact that firms in the United States are not legally required to disclose who ultimately profits from and controls them."

It goes on to say: "The story of 650 Fifth Avenue is not anomalous. The United States has become one of the world's leading destinations for hiding and legitimizing stolen wealth."

The purpose of this legislation, bipartisan in nature, is something that is very serious, and I appreciate the gentlewoman for having been so persevering to get this done, working with law enforcement, working with Republicans throughout.

In fact, one of the major cosponsors, or somebody with whom Mrs. MALONEY worked, was Mr. LUETKEMEYER, a senior member of the Republican Party on the Financial Services Committee, to come up with language that was acceptable not only to him but 11 or 10 other Republicans on the committee.

I would remind my friend Mr. WOODALL that, in connection with civil

liberties that he was just talking about, Mr. DAVIDSON raised his concern. He has on a number of occasions, and I have been there working with him on that subject. But he was defeated.

This bill contains many civil rights and privacy components. It protects the privacy of any beneficial ownership. It ensures that law enforcement agencies requesting beneficial ownership information from the Financial Crimes Enforcement Network have an existing investigatory basis for its requests so that there is already something going on.

□ 1300

There is an audit trail to make sure that that information is not being disclosed improperly, and there are penalties against the agencies if, in fact, there are improper disclosures.

Now, I would also say—and I would remind my friend, and we talked about this last night at Rules—that when people get together and they operate under a corporation or a limited liability company, they are drawing on law to say: We want to operate this group, and we want to have protection from liability. We are going to operate as a corporation. We want the State to protect us—State of Colorado, State of Arizona—to protect us against us being personally liable, individually liable.

All we are asking is stuff that you would put down on a normal bank account, which is the names of the individuals, their date of birth, their address, and identifying numbers; and, if they are from another country, we demand their passport numbers.

This is not terribly intrusive. This is just basic information to make sure that we don't have bad actors and scoundrels and people who would like to undermine our Nation having phony bank accounts or shell companies owning skyscrapers in New York. So this is serious stuff.

I have shared with the chairwoman concerns over time, and she has actually worked—not actually. She has worked with me to address concerns that I particularly have in saying that, before anybody is penalized for not disclosing information, they had to do it willfully or knowingly, and that negligence is not a basis for any kind of an action and that there are waivers if somebody had just made a mistake.

So I just want to, again, thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for working with Democrats and Republicans and all sorts of groups across the country to come up with something that balances the need for real national security and law enforcement measures with privacy.

We have allowed five amendments. Mr. DAVIDSON, who, I am sure, will address some of his concerns when he brings up one of his amendments, is going to be entitled to speak. And if people don't like the bill, they can vote against it.

My guess is it is going to get a strong bipartisan vote. I hope it does so that we can send it.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, you and I don't get to be down here on the rule together very often, and so I feel like I have got a fresh ear in you.

My friend from Colorado, he and I discuss these matters all the time, so I understand his tone. It is as if I am saying this bill has no merit because, very often, we are down here and I am saying exactly that.

This is a very different day that we are down here, and I want to say it again if I haven't said it loud enough. The chairwoman has worked incredibly hard to build a partnership on this issue. This bill came out of committee with broad bipartisan support.

Madam Speaker, I don't believe I have handled a rule this year that has had the partisan divide erased and had folks collaborate to make a bill better. All I am asking for is, because we have such a wonderful work product, that we go ahead and let every voice be heard.

In the same way that the gentleman from Colorado is used to me saying a bill has no merit whatsoever, he is used to defending silencing voices. It rolled off his tongue very easily: Oh, Mr. DAVIDSON, he gets to offer another amendment. We don't need his other ideas.

Well, for Pete's sake, he is a gentleman who serves on the Financial Services Committee. He has expertise that you and I do not have. He has a voice that needs to be heard on this floor. It was going to take 300 seconds for him to share it, and the answer was: No, no time for you.

We are better than that. We don't always have the bills to demonstrate it; and what I am saying today is that we have a good, solid work product that addresses a concern that we all agree on. Why can't we make the time to make it better?

They took that time in the Financial Services Committee, both in the two amendments they considered during the markup and in all the off-the-record discussions that have gone on behind closed doors, which are what really make bills better.

I am just asking for the opportunity to get out of the habit of making excuses for why we don't want to hear from our friends and colleagues in this Chamber and getting back into the habit of recognizing not just the merit of their voice, but the responsibility we have to hear their voice.

My friend from Colorado says, if you don't like this bill, just vote ''no.'' Well, there is some good stuff in this bill.

My response would be: If you don't like the amendments I am going to offer, just vote ''no.'' But he used the power of the Rules Committee to silence those voices. We won't even have votes on those amendments.

We have developed bad habits here as legislators. We don't always have the right leaders to lead us out of the corner in which we have strapped ourselves. We have the right leaders today on that side of the aisle, Madam Speaker, and that is why I am asking my colleagues—they wouldn't do it ordinarily, but I am asking my colleagues to defeat the previous question so that we can amend the rule.

And, even better, defeat the rule so we can go back up, have every voice heard, come back to this Chamber, take a few extra minutes, perfect this bill, and then do exactly what the chairwoman wants done and exactly what my friend from Colorado wants done, and that is to send this bill out of this Chamber not with a perfunctory party-line bipartisan vote, but with a full-throated, hearty bipartisan endorsement that says we are speaking with one voice on an issue that is important from corner to corner of this institution.

Madam Speaker, I had hoped that other learned voices would join me today. I find myself alone, and I would say to my friend from Colorado, I am prepared to close if he is.

Mr. PERLMUTTER. Madam Speaker, I was going to say to my friend: That sounded like that was your closing. Should we just take it as that?

Mr. WOODALL. Given that I did not hear either an ''amen'' or ''attaboy,'' I am thinking of saying it one more time in hopes that the response is different.

Mr. PERLMUTTER. Madam Speaker, I don't have any other speakers.

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

I want to say this as sincerely as I can. I know my colleagues believe me to be sincere.

We bring a lot of bills to this floor where no effort was made whatsoever to include disparate voices, where the party line, and the party line alone, was the primary consideration. Madam Speaker, that has been a flawed habit when both Republican leaders have sat in that chair and when Democratic leaders have sat in that chair.

That is not the bill we have before us today. The bill we have before us today, I have got a Republican from Georgia serving on the Financial Services Committee; I have got a Democrat from Georgia serving on the Financial Services Committee; and, truth be told, as often as not, they vote the same way on the Financial Services Committee.

I can always tell when good legislation is coming out, because they are not voting with a Republican or Democratic agenda in mind; they are voting with the service of their constituents in Georgia in the forefront of their mind, and they vote side by side and move arm in arm.

We don't always get that opportunity. And so, when we have it today, what a shame it is to waste it and not try to get back in the habit of doing a better job of hearing voices, defeating

those that need to be defeated, supporting those that need to be supported, and letting the Chamber work its will.

The National Federation of Independent Business, NFIB, as we all know it, represents mom-and-pop shops across this country. They don't represent mom-and-pop businesses because they think that big businesses are bad. They represent mom-and-pop businesses because they think mom-and-pop businesses are good.

This bill creates a new burden on those small businesses. That is undisputed. The question is: Is the burden worth it or not?

We won't get to hear amendments on civil liberties to decide if it is worth it or not; we won't get to hear amendments on cost-benefit analysis to decide if it is worth it or not. And that is a shame. That is a shame.

But when we have respected Members in this institution, respected policy shops outside of this institution saying, ''Hey, I just want to have my concerns heard by the full House,'' I think it is incumbent upon us to try to find some time to get that done.

I am not encouraging folks to defeat the underlying bill. I am encouraging folks to work with me to perfect the underlying bill so that we can move it forward collaboratively.

Defeat the previous question. Defeat the rule. Take this opportunity to do what all good institutions do.

Madam Speaker, we need good leaders, and we need good followers. We have got the good leaders on the other side of the aisle today to get back in the habit of making every voice heard. What we need are some good followers to defeat this rule and give them a chance to do exactly that.

Madam Speaker, I thank my friend from Colorado for yielding. I thank the chairwoman for her leadership on the issue.

I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I yield myself such time as I may consume to close.

I always enjoy debating with my friend from Georgia on these rules matters, and, quite frankly, he has heaped a lot of praise on this particular piece of legislation, which it deserves. It has gone through the crucible of a lot of meetings and compromise and work with a lot of different groups.

So I want to thank my colleagues for joining me here today to speak on the rule and the Corporate Transparency Act of 2019.

Law enforcement needs to have the tools necessary to shed light on the true beneficial owners of shell companies in order to do their jobs and root out illicit financial activity. They need to be able to find out if Russians, Iranians, North Koreans, ISIS, al-Qaida, or criminal cartels may be engaging in questionable activity, and this legislation will help law enforcement do exactly that. It will also make the first major reforms to the Bank Secrecy Act and our anti-money laundering laws since 2001.

These issues enjoy broad support from the law enforcement community, like the Fraternal Order of Police and the National District Attorneys Association, as well as human rights groups, anti-human trafficking organizations, banks and credit unions of all sizes, and many more.

These are bipartisan issues we have been working on in the Financial Services Committee, and I urge all my colleagues to vote for the bill. I encourage a ''yes'' vote on the rule and the previous question.

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

AMENDMENT TO HOUSE RESOLUTION 646

At the end of the resolution, add the following:

SEC. 2 Upon adoption of this resolution, the Committees on the Judiciary, Way and Means, Financial Services, Oversight and Reform, and Foreign Affairs and the Permanent Select Committee on Intelligence shall suspend pursuing matters referred to by the Speaker in her announcement of September 24, 2019, until such time as a bill implementing the United States-Mexico-Canada Trade Agreement becomes law.

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

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 9, as follows:

[Roll No. 571]

YEAS—228

Adams
Aguilar
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—194

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)

Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—9

Allred
Bishop (NC)
Cole
Collins (GA)
Gabbard
McEachin
Peters
Takano
Timmons

□ 1342

Messrs. BABIN and RICE of South Carolina changed their vote from ''yea'' to ''nay.''

Mr. VAN DREW and Mrs. HAYES changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Ms. UNDERWOOD). The question is on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 195, not voting 9, as follows:

[Roll No. 572]

YEAS—227

Adams
Aguilar
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—195

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—9

Allred
Bishop (NC)
Collins (GA)
Gabbard
McEachin
Peters
Serrano
Takano
Timmons

□ 1350

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. ALLRED. Madam Speaker, as I was back home in Dallas, Texas in light of the tornado and storm, I submit the following vote explanation. Had I been present, I would have voted "yea" on rollcall No. 571, and "yea" on rollcall No. 572.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE DEMOCRATIC REPUBLIC OF THE CONGO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 116–75)

The SPEAKER pro tempore (Mr. CARSON of Indiana) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To The Congress of The United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2019.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413 with respect to the situation in or in relation to the Democratic Republic of the Congo.

DONALD J. TRUMP.

THE WHITE HOUSE, *October 22, 2019.*

CORPORATE TRANSPARENCY ACT OF 2019

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 2513 and to insert extraneous material thereon.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 646 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2513.

The Chair appoints the gentlewoman from Illinois (Ms. UNDERWOOD) to preside over the Committee of the Whole.

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, with Ms. UNDERWOOD in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in House Resolution 646 and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentlewoman from California (Ms. WATERS) and the gentleman from North Carolina (Mr. MCHENRY) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of H.R. 2513, the Corporate Transparency Act of 2019, a bill introduced by Representative CAROLYN B. MALONEY of New York.

H.R. 2513 closes significant loopholes in the law that are commonly abused by bad actors and will make it harder for terrorists, traffickers, corrupt officials, and other criminals to hide, launder, move, and use their money.

Today, anyone can create a company without providing any information about the company's actual owners. This ability to remain anonymous gives criminals and terrorists unimpeded, hidden access to our banking and commercial systems.

It also makes it more difficult for law enforcement and even our banks, which have a duty to know their customers and evaluate risk, to detect illicit activity.

For example, unbeknownst to authorities for years, the skyscraper at 650 Fifth Avenue in New York City was owned by Iranian-controlled entities through shell companies. The Corporate Transparency Act closes these loopholes by requiring firms which do not already report ownership, for example through public SEC filings, to share this information with the Financial Crimes Enforcement Network, FinCEN.

This beneficial ownership database created by the bill will be accessible only by FinCEN-approved law enforcement agencies and by financial institutions, with customer consent, to fulfill requirements to identify their beneficial owners. Unapproved sharing of this information would be subject to criminal penalties, as would lying on or intentional omission of beneficial ownership information. For most firms, which have only one or two owners, this process would require only a few lines of data. But for law enforcement agencies, the additional information will have great benefit, as their investigations will no longer be stymied by anonymous shell companies.

The bill has also been broadened to include the entirety of H.R. 2514, the Coordinating Oversight, Upgrading and Innovating Technology, and Examiner Reform Act of 2019, the COUNTER Act, a bill introduced by Representative EMANUEL CLEAVER. The COUNTER Act closes loopholes in the Bank Secrecy Act, the key law aimed at countering money laundering, terrorist financing, and other criminal uses of the banking system.

□ 1400

For example, the bill requires the identification of owners behind high-risk commercial real estate transactions and transactions involving arts and antiquities, which are often used by criminals to launder money.

The COUNTER Act examines Chinese and Russian money laundering, an issue that is seen in opioid and methamphetamine production, as well as human and wildlife trafficking.

The bill also creates a national strategy to fight trade-based money laundering, which is considered the most pernicious but hard-to-detect form of money laundering.

Mrs. MALONEY and Mr. CLEAVER's bill also works to lower the compliance burden on financial institutions, most of which are community banks, by establishing several tools to allow for more targeted sharing of BSA-AML-related information.

The bill makes modest increases to the currency transaction reporting limit and studies ways to reduce the costs associated with researching and writing suspicious activity reports.

The bill also creates a new privacy and civil liberties officer, as well as an innovation officer in each of the Federal financial regulators.

Importantly, the bill imposes new penalties on financial institutions and personnel that violate the law and creates a whistleblower program to encourage and protect those who identify such bad acts.

H.R. 2513, as amended, has the strong support of financial institutions. It is also supported by NGOs like the AFL–CIO, Global Witness, Oxfam America, Friends of the Earth U.S., Jubilee USA Network, and the Small Business Majority, all of which are members of the transparency-focused FACT Coalition. It is widely supported by law enforcement organizations such as the Fraternal Order of Police, the National District Attorneys Association, and the Federal Law Enforcement Officers Association. In addition, this legislation is supported by the Department of the Treasury and the Federal Bureau of Investigation.

I commend Congresswoman MALONEY and Congressman CLEAVER for their very hard work on the legislation, as well as their collaboration to put together a comprehensive bill to reform how this country fights against illicit finance.

I urge passage of H.R. 2513, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume. I am opposed to H.R. 2513, and I want to begin by outlining my opposition.

This bill before us is a new small business mandate on the smallest businesses in America. The bill before us today requires some of the smallest businesses in America, those with fewer than 20 employees and those with less than $5 million in receipts, to file annually a list of all of their owners with the Financial Crimes Enforcement Network, or FinCEN.

For those who are watching on C–SPAN, I have a trivia question for them, Mr. Chairman. I bet most of them have never heard of FinCEN. I bet those in the House office buildings, Mr. Chairman, have not heard of FinCEN. It is a little-known agency even here in Washington that deals with financial crimes, in the Treasury Department.

Imagine you are a small business owner. You are getting a notice from the Financial Crimes Enforcement Network mandating that you disclose the owners of your entity. This would be the first consumer-facing intelligence bureau that we would have in the Federal Government.

This bill would require small business owners and small business investors to submit their personal information to a new Federal database without adequate privacy protections. This new Federal database will be accessible to law enforcement without a warrant and without a subpoena, a disturbing violation of due process, in my view.

This has the fewest civil liberties protections of any Federal intelligence

bureau database. It is a lower standard of accountability than what Congress provides in the PATRIOT Act, which largely targets foreign actors.

According to the National Federation of Independent Business, this bill would also add more than $5.7 billion in new regulatory costs for America's small businesses.

Supporters of the bill are calling for these changes without any direct evidence to justify the mandate. There is plenty of anecdote, but no data.

For several months leading up to the committee's consideration of this bill, I sought data from the intelligence bureau called FinCEN and from the Treasury Department, along with the Department of Justice, to better understand the need for this legislation. They provided none. They gave anecdotes of very scary stories to try to compel me as a legislator to vote for what is a very specific threshold in law and a very specific new small business mandate.

I refuse to legislate based off of anecdotes. I would like to have hard data. My questions have not been answered by FinCEN, the Treasury Department, or the Department of Justice.

We have no information on how beneficial ownership information will be protected, in addition to that. We do not have information on how the privacy of small businesses will be preserved. In fact, we have an amendment here considered on the House floor that could further expose their data to the public, so even that determination is not in stone now with the bill before us.

We don't have information on how many law enforcement agencies will have access to the database, how many financial institutions will have access to the database, or what threshold for amount of sales and the number of employees will yield the most effective outcome.

In the bill, we have $5 million of revenue and under, and 20 employees and under. We have no data to back up that that is the right threshold for either the dollar amount or the number of employees.

We will have stories, and we will have Members come to the House floor telling us stories of bad actors, but that is anecdote. That is not data to provide for this threshold.

If we are going to have such an encroachment on America's personally identifiable information of small businesses across this country, shouldn't we have solid data? I believe so.

I believe we have a number of issues that need to be dealt with to make this bill sustainable and provide protections for civil liberties. I believe that combating illicit finance is a nonpartisan issue that all Members want to address. Our actions must be thoughtful and data-driven.

For example, in committee, we came together in support of H.R. 2514, the COUNTER Act, introduced by the gentleman from Missouri (Mr. CLEAVER) and the gentleman from Ohio (Mr. STIVERS). H.R. 2514 is a compilation of bipartisan policies that modernize and reform the Bank Secrecy Act and anti-money laundering regimes. It balances security and privacy. I think we have a nice bipartisan bill that was reported out of the committee without a dissenting vote. It provides the Treasury Department and other Federal agencies with the resources they need to help catch bad actors.

There have been years of work in the production of that bill that is wrapped up in this larger bill. I am disappointed that the COUNTER Act is not being considered as a standalone bill, instead being swept into this bill. Because I believe as a standalone bill, we could get that bill through the House, through the Senate, and signed by the President into law this year. I think it is unfortunate that we are not considering that as a standalone measure.

I thank my colleagues on the other side of the aisle for listening to some of our concerns on the Republican side of the aisle. We will have some Republican Members who vote for this bill. I, however, will not.

The encroachment on the question of civil liberties, the lack of separation of powers, the lack of the use of a subpoena, and the lack of regulatory relief for those who are collecting this data, both in terms of small businesses and financial institutions, has not been fixed nor dealt with.

In particular, the Rules Committee last night rejected amendments that would require law enforcement to obtain a subpoena before accessing—I am sorry, during committee, there was a rejection of a subpoena in our discussions, and then last night, the Rules Committee rejected my amendment that would provide greater certainty for small businesses and for community banks by repealing the customer due diligence rule, which requires financial institutions to collect similar data that is being required in this bill.

I believe that issue still merits a more thoughtful solution that doesn't treat legitimate small businesses as collateral damage, like the current bill does.

Mr. Chair, I am opposed to the bill, and I reserve the balance of my time.

Ms. WATERS. Mr. Chair, I yield 5 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of the bill and chair of the Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding and for her leadership on the Financial Services Committee and on this bill.

Mr. Chair, I rise in support of H.R. 2513, the Corporate Transparency Act. This bill would crack down on the illicit use of anonymous shell companies. This is one of the most pressing national security problems that we face as a country because anonymous shell companies are the vehicle of choice for money launderers, criminals, and terrorists.

The reason they are so popular is because they cannot be traced back to their true owners. Shell companies allow criminals and terrorists to move money around in the United States financial system and finance their operations freely and legally.

Unfortunately, we know that the U.S. is one of the easiest places in the entire world to set up an anonymous shell company. The reason why these shell companies are anonymous is because States do not require companies to name their true beneficial owners, the individuals who are collecting the profits and who outright own the company.

As any FBI agent or prosecutor will tell you, far too many of their investigations hit a dead-end at an anonymous shell company. They know there is illegal money, yet they can't pursue and stop it.

Because they can't find out who the real owner of that shell company is, they can't follow the money past the shell company, past this pile of cash that they know is financing illegal activity. The trail goes cold, and the investigation is stopped dead in its tracks.

Treasury actually conducted a pilot program a couple of years ago when they collected beneficial ownership information for real estate transactions in Manhattan and Miami over a 6-month period. The results were stunning.

Treasury found that about 30 percent of the transactions reported in those 6 months involved a beneficial owner or purchaser representative that had previously been the subject of a suspicious activity report. In other words, these were potentially suspicious people buying these properties. And this was after the Treasury Department had announced to the world through the press that they would be collecting beneficial ownership information in these two cities for 6 months, so this didn't even capture the money launderers who simply avoided those two cities for that 6-month period.

Our bill would fix this problem by requiring companies to disclose their true beneficial owners to the Financial Crimes Enforcement Network, or FinCEN, at the time the company is formed. This information would only be available to law enforcement and to financial institutions so they can comply with their know-your-customer rules.

This bill would plug a huge hole in our national security defenses and would be a massive benefit to law enforcement.

We have a very large coalition supporting the bill. We have the support of 127 NGOs. All of the law enforcement groups in our Nation support this bill, all of the banking trade associations, the credit union trade associations, human rights groups, antitrafficking groups, State secretaries of state, and

most of the real estate industry, and many more because law enforcement has said that enacting this bill will make our residents and our country safer.

I want to specifically thank the FACT Coalition, Global Witness, and Global Financial Integrity for their support. I want to thank the Bank Policy Institute, which has been a strong supporter from the beginning. And I want to thank my personal staff, especially Ben Harney.

□ 1415

I also want to thank my Republican partners on this bill, most notably PETER KING from New York and BLAINE LUETKEMEYER from Missouri. They have been both fantastic to work with, and I believe the changes that they negotiated in good faith on this bill have made it an even better bill.

The two people I want to thank the most are Congresswoman WATERS, who has been a steadfast supporter of this bill for years, and Congressman CLEAVER, who has worked so hard on the COUNTER Act, which has been added to this bill. His leadership on the anti-money laundering reforms in the COUNTER Act have been indispensable.

Mr. Chairman, this bill will make our country safer, and I urge a strong ''yes'' vote for this bill.

Mr. MCHENRY. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I would like to commend the chair of the Investor Protection, Entrepreneurship, and Capital Markets Subcommittee, Mrs. MALONEY, for the work that she has put into this bill. She has been willing to address many concerns from Republicans about her legislation, though we are not able to come to final terms between her and me; but, as she knows and as I have stated clearly, it is for lack of data from the Treasury Department and from FinCEN itself, and those issues still remain.

It is not because of a lack of good will on her behalf or her staff's behalf, but an enormous amount of frustration we have from one of our intelligence bureaus that is not complying with reasonable oversight from Congress.

So I want to commend Mrs. MALONEY for her work that she put into this important piece of legislation, and I do wish that we were able to come to terms on the details in the finer points of this bill.

Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. BARR), who is the Oversight and Investigations Subcommittee ranking member.

Mr. BARR. Mr. Chairman, I thank my friend from North Carolina for yielding.

Mr. Chairman, I rise today in opposition to H.R. 2513, the Corporate Transparency Act. I do so regrettably.

While I agree with the objective of the bill to help law enforcement crack down on the financing of illegal operations, this bill's solution places undue burdens on small businesses and presents unacceptable due process concerns for millions of small business owners whose sensitive personally identifiable information will be collected and stored in a new Federal database accessible without a warrant or a Federal subpoena.

I want to thank my friend, the sponsor of this bill, for her good faith attempt to streamline beneficial ownership reporting. I agree with her that we need to do more to combat terrorist financing, money laundering, drug trafficking, and other national security threats. I am sympathetic, also, to the needs of law enforcement to identify the financing sources of illicit operations and shut them down.

That said, the bill before us today seeks to achieve these ends unnecessarily on the backs of America's small businesses. The bill would create additional regulatory reporting requirements for existing and newly created small businesses. These businesses do not have the compliance resources comparable to larger firms. This reporting requirement will take a toll on their productivity and their bottom line.

According to the U.S. Small Business Administration, 95 percent of new firms begin with fewer than 20 employees and, thus, would most likely be subject to the reporting and compliance burdens of this bill. Accounting for this growth and conservative estimates of the time and expenses associated with completing the paperwork required by the bill, the National Federation of Independent Business forecasts that the bill would cost America's small businesses $5.7 billion over 10 years and result in 131 million new hours of paperwork. These are dollars that companies could spend on making new investments or hiring new staff and time they could spend on building their businesses.

H.R. 2513 would require small business owners or officers to report personally identifiable information such as name, Social Security number, and driver's license number to a newly created Federal Government database operated by FinCEN. Law enforcement can access this database without due process, and the sensitive personal information contained in it is subject to the ever-growing threat of malicious cybercriminals.

Even with all the new requirements and privacy concerns created by this bill, it still does not fully address the root issue with current beneficial ownership reporting rules. The supposed justification of the bill is to ease the burden on financial institutions associated with implementing FinCEN's customer due diligence rule. However, H.R. 2513 fails to repeal and replace the CDD rule, and the rule will continue to coexist with the additional regulatory burdens on small businesses created by the bill.

Finally, the bill falls short if the goal is to relieve financial institutions of burdensome reporting requirements that do not materially contribute to countering money laundering and illicit finance. That is because it fails to make inflation-adjusted changes to the thresholds for filing suspicious activity reports and currency transaction reports.

While I recognize the need to combat financing of illicit operations, this bill attempts to do so by placing unjustified reporting requirements on our small businesses that could cost them time and money and hinder their growth.

The Acting CHAIR (Mr. CUELLAR). The time of the gentleman has expired.

Mr. MCHENRY. Mr. Chairman, I yield the gentleman from Kentucky an additional 30 seconds.

Mr. BARR. So, to conclude and to summarize, Mr. Chairman, we can and should update our AML/BSA laws, and we can and should give FinCEN and law enforcement better visibility into the beneficial ownership information of firms vulnerable to money laundering and illicit finance, but this is the wrong solution. I am hopeful that the concerns of Main Street small businesses can be addressed if this bill moves to the U.S. Senate.

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), who is the chair on the Task Force on Artificial Intelligence.

Mr. FOSTER. Mr. Chairman, I thank the chairwoman for yielding, and I thank my friend from New York, Chairwoman MALONEY, for her leadership on this issue.

Mr. Chairman, I rise in support of H.R. 2513, which would help to end the abuse of anonymous shell companies. These entities have a well-documented history of being used to hide money in a wide variety of crimes, including sanctions evasion, terrorist financing, human trafficking, drug trafficking, illegal arms dealing, tax evasion, and corruption. Anonymous shell corporations are also being subverted by criminals in ever-evolving schemes involving emerging digital technologies.

One of the many hats that I wear is being a co-chair of the Blockchain Caucus. Just in the past week, I have had disquieting updates from officials from the FBI and FinCEN about trends in the abuse of cryptocurrencies for nefarious purposes.

What was clear from these briefings is that the use of anonymous shell companies has greatly inhibited the ability of law enforcement to go after criminals who use cryptocurrency to engage in illicit financing. The use of anonymous shell companies also makes it extremely difficult to uncover abusive trading practices in unregulated crypto exchanges.

In short, criminals and law enforcement officers are engaged in a very sophisticated cat-and-mouse game in which law enforcement is always playing catch-up. Passing the Corporate Transparency Act will give law enforcement officers a significant new

tool that could potentially lead them to taking down more of the bad guys.

Let us not forget, the use of the beneficial ownership registries is not some wild-eyed, crazy concept where the U.S. would be going out on a limb. This is an area where the U.S. is significantly behind other developed nations.

The Financial Action Task Force, a respected intergovernmental policy-making body established by the G7 countries in 2016, gave the U.S. a failing grade for its efforts to prevent the laundering of criminal proceeds by shell companies. According to FATF's report, the U.S. has not done enough to rein in corporate secrecy, which presents serious gaps in law enforcement efforts, leaving our financial system vulnerable to dirty money.

They were blunt. We were scored as noncompliant—the lowest possible score—on our ability to determine the true owners of shell companies. That is simply unacceptable.

I would like to think that the U.S. should be a standard setter amongst nations when it comes to things like anti-money laundering enforcement. The current status quo, however, woefully fails to measure up to our lofty goals. We need to do better, and that is why I support the commonsense measures put forth in H.R. 2513.

Mr. Chairman, I thank Congresswoman MALONEY for her determined and dogged leadership on this issue for many years, and I urge a ''yes'' vote on H.R. 2513.

Mr. MCHENRY. Mr. Chairman, I yield 4 minutes to the gentleman from Little Rock, Arkansas (Mr. HILL).

Mr. HILL of Arkansas. Mr. Chairman, I thank the ranking member.

I am grateful for the opportunity to come to the floor and talk about H.R. 2513, the Corporate Transparency Act.

I want to thank my good friend from New York (Mrs. CAROLYN B. MALONEY) for her leadership in this area for well over a decade, her hard work, and her determination on improving our anti-money laundering and Bank Secrecy Act rules.

I appreciate the chair of the committee and her work as well.

The legislation addresses how we might combat illicit finance activities by appropriately strengthening the collection of beneficial ownership information.

Now, Mr. Chairman, a beneficial owner is a person who enjoys the benefits of ownership even though the title to some form of property is in another name. We have long debated in Congress the best way for this information to be collected. Let's be clear here. It is being collected by our financial services industry under our know-your-customer rules.

The ability to set up legal entities without accurate beneficial ownership information, however, has long represented a key vulnerability in the U.S. financial system.

As I say, all U.S. banks, brokerage firms, and financial services companies have a know-your-customer obligation to collect ownership information and, importantly, collect beneficial ownership information. This was further defined in May 2008 by a FinCEN rule.

But not all shell companies are established for malicious purposes. Owners might create one temporarily to finance a company that has not yet started operations or to proceed with an acquisition in coming years. But in this instance, they would have no employees and no revenue, so the structure would look like a shell company, but it would be otherwise legal.

It is true, though, there are too many instances of anonymous shell companies serving as a vehicle for ill-intended activities, including money laundering and terrorist financing. The anti-money laundering system and the sanctions system, both independently and in tandem, are more important than ever before, as we have seen in recent debates.

For well over a decade, Congresswoman MALONEY, author of the legislation, has been leading and working hard to pass a bill that would enhance our AML regime, including on beneficial ownership. She and I agree, as do all the Members of this House, Mr. Chair, that it is vital to U.S. national security to have a vigorous and good AML/BSA system.

However, I cannot support the legislation as currently written. In my view, H.R. 2513 places a significant burden on small business and, in my view, unnecessarily. The rules have been outlined here.

I believe there is a better path forward, which is why I have long supported aligning tax filing with the collection of beneficial ownership information. Small businesses are already familiar with filing taxes.

A small business already files their taxes, which includes disclosing their owners, their capital, and their business structure. On their returns, they declare domestic and foreign aspects of their business—all subject to common existing processes and parameters, all subject to privacy, and all subject to existing penalties for failure to accurately report.

I think we can all agree that closing off access to illicit finance is laudable, necessary, and appropriate; and I expect that we can agree that the collection of accurate beneficial ownership information is a step in the right direction. I would just like to see us get there without subjecting small businesses to new, unnecessarily complicated reporting with the burden of exceedingly severe penalties for failure to comply.

Mr. Chairman, I hope that we can reach a simple compromise that sees stronger collection without jeopardizing small business.

□ 1430

Ms. WATERS. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. CLEAVER), who is the sponsor of the COUNTER Act which is part of this bill. He is also the chair of the Subcommittee on National Security, International Development and Monetary Policy.

Mr. CLEAVER. Mr. Speaker, I thank the chairwoman for her work in this area, and for allowing those of us who are interested in this legislation to play a major role.

As many of my colleagues are aware, national security is one of the most pressing matters facing the United States of America and the world. I am excited for the opportunities that this moment presents to address these issues head on.

Our most profound responsibility as Members of Congress is to preserve America's national security and the United States' global position as an international leader in free and fair markets.

Since the last major anti-money laundering reforms of 2001, the national security threats that face our country have evolved profoundly and significantly, and frighteningly. Cyber and technological attacks have risen to the top of our most recent worldwide threat assessment as a paramount national security risk.

Underground online trafficking now allows for simplified avenues to transport illicit material across the Nation and around the globe, and cryptocurrencies now allow for streamlined means to fund criminal organizations. With virtual currency, dark web marketplaces and illicit technologies expanding to threaten citizens safety and hard-earned savings, it is critically important, Mr. Speaker, that our federal agencies evolve to meet and conquer these new challenges.

The COUNTER Act will do just that. This legislation will empower the Treasury Department to protect our national security and explicitly safeguard our financial systems through the Bank Secrecy Act.

It codifies a voluntary information-sharing program between law enforcement, financial institutions, and the Treasury Department, better ensuring the capture of illicit activities.

It balances national security and personal privacy by requiring Treasury and financial regulators to create the position of civil liberty and privacy officer. This officer will ensure that policies being developed and implemented are not intruding or undermining citizens' constitutional rights.

While the bill will close a number of loopholes that have allowed for financial crimes to be committed, it will also pull us into the 21st century by positioning the United States to face tomorrow's challenges.

The bill encourages financial regulators to work with companies to implement innovative approaches to meet the requirements in complying with existing law and encourages the use of innovative pilot programs.

Financial regulators will establish an innovation lab that will provide outreach to law enforcement, financial institutions, and others, to coordinate on

innovative and new technologies, ensuring they comply with existing law while fostering the implementation of new technologies. An innovation council will also be created, represented by the directors from each innovation lab, who will coordinate on active Bank Secrecy Act compliance.

It is imperative that we modernize our efforts to combat financial crimes because our adversaries will continue to modernize. I am happy that this bill is coming before us, the COUNTER Act, as an amendment to Congresswoman MALONEY's bill, the Corporate Transparency Act, which I know she and her team have worked very hard to produce.

The straightforward bill, Mr. Speaker, provides needed visibility by requiring companies and the United States to disclose the financial beneficiary in order to prevent criminals and wrongdoers from exploiting their status as a company.

Mr. Speaker, these are critical proposals. I urge my colleagues to support this legislation, and I thank Chairwoman WATERS.

Mr. MCHENRY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. STIVERS), the ranking member of Subcommittee on Housing, Community Development and Insurance.

Mr. STIVERS. Mr. Speaker, I rise in opposition to H.R. 2513, although I do want to acknowledge that the sponsor has worked hard and in good faith to try to make the bill work, and I think the bill is well-intended.

There are two primary reasons why I oppose the legislation:

Number 1, it imposes an undue burden on small business, and;

Number 2, it doesn't adequately protect personally identifiable information of millions of Americans from cyberattacks.

First, it imposes a new burden on millions of small businesses, our constituents, who aren't aware we are having this debate today. In fact, most of them don't even know what FinCen is, but they will be forced to provide sensitive personal information to FinCen, an agency almost nobody knows, and failure to do so could lead to up to 3 years of imprisonment.

I feel the bill was well-intended, though, because I know that shell companies are used by criminals to move illicit money through our financial system. But there is a better way to address the problem. In committee, the gentleman from Arkansas (Mr. HILL), my colleague, offered an amendment that would transfer the information collected under this bill from FinCen to the IRS as part of the annual tax filing process. That approach will impose less burden on our constituents, the small businesses that create jobs in this country.

But a bigger obstacle would be here on the Hill, because it would result in shared jurisdiction with the Ways and Means Committee, so that ''good idea'' couldn't work because of jurisdictional lines.

Second, my issue is this agency, FinCen, will be the repository of a lot of data from millions of Americans with personally identifiable information. It is Cybersecurity Awareness Month; yet, there is not enough adequate protections in this bill to ensure that private data is secure from cyberattacks.

For these reasons, I can't vote for the bill, but I do want to congratulate the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), my colleague, and sponsor of this bill, for her hard work in trying to make the bill work.

Finally, I want to thank and recognize my colleague, Representative CLEAVER, whose bill, the COUNTER Act, H.R. 2514, was rolled into this bill. Representative CLEAVER worked with Republicans and Democrats to ensure our anti-money laundering and Bank Secrecy Act regime was reformed in a bipartisan way that makes our national security stronger.

I want to thank him and congratulate him on that work. And if that bill was a standalone bill, I think it would pass this institution nearly unanimously, if not unanimously. Again, unfortunately, I have to oppose H.R. 2513.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. LAWSON).

Mr. LAWSON of Florida. Mr. Speaker, I thank the chairwoman for yielding me time.

Mr. Speaker, I rise to support H.R. 2513, the Corporate Transparency Act.

The bill would close loopholes that bad actors have taken advantage of in order to aid terrorist organizations, corrupt officials, and other criminal enterprises. Specifically, this bill requires that those who form corporations must disclose who the true beneficial owners are in order to thwart hidden criminal activity.

Instilling these measures in place will benefit consumers and small businesses by preventing unfair contracting practices, including false billing, fraudulent certifications, and defrauding taxpayers.

In addition, this bill will help to curb and prevent human trafficking, which is very prevalent now, by eliminating anonymous companies who hide the identities of criminals engaged in trafficking enterprises masked by a legitimate business structure.

According to a study by the University of Texas, among over 100 countries studied, the United States ranked the easiest place for suspicious individuals to incorporate an anonymous company.

Further, according to a 2017 GAO study, it found that GAO was unable to identify ownership information for about one-third of the GSA's high security leases.

Mr. Speaker, the Corporate Transparency Act will fix these issues and provide much-needed transparency into the corporate governing structure. I encourage my colleagues on both sides to support this bill.

Mr. MCHENRY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the ranking member of the Subcommittee on Diversity and Inclusion, and the vice ranking member of the Committee on Financial Services.

Mrs. WAGNER. Mr. Speaker, I thank the gentleman from North Carolina (Mr. MCHENRY), ranking member, for yielding.

Mr. Speaker, I rise today in support of H.R. 2513, the Corporate Transparency Act. I thank my friend, CAROLYN MALONEY, for her tremendous work to fight trafficking and expose criminals who make money for exploitation; and my friend and colleague, BLAINE LUETKEMEYER, the ranking member of the Subcommittee on Consumer Protection and Financial Institutions for all his work on this issue of beneficial ownership.

I agree with my colleagues that we should not place unnecessary requirements on small businesses, and I believe that this legislation strikes the right balance.

It helps hardworking law enforcement officials expose traffickers who are laundering money through shell companies without placing onerous mandates on small businesses.

Human trafficking is an incredibly lucrative industry, with profits estimated at $150 billion a year. America lags behind our peers in other countries in collecting the beneficial ownership information that helps us to go after these anonymous companies that are exploiting the most vulnerable in our society.

Mr. Speaker, my amendment further simplifies the reporting process, and prevents identity theft and fraud. It creates a fast-tracked process for beneficial ownership where any citizen who is a frequent investor can be preverified. I am glad to see my amendment included in this underlying bill today.

Mr. Speaker, I urge my colleagues to join me in voting ''yes'' so that Congress can finally close the loopholes that allow criminals to rapidly move money and conceal illicit profits in the U.S. banking process.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. CASTEN).

Mr. CASTEN of Illinois. Mr. Speaker, I rise in support of H.R. 2513. As a member of the Committee on Financial Services, I have witnessed firsthand Representative MALONEY's commitment to advancing this important piece of legislation, and I am so glad that we are discussing it on the floor today.

Sunlight is the best disinfectant. The need for sunlight is especially urgent today as it relates to the involvement of foreign bad actors in our economy and our political process. We have, all of us here, taken an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, but regardless of whether you take that oath, I would submit to you that all patriotic Americans feel that obligation. I certainly

do, and this bill is a furtherance of that oath.

Before I got here, I was a CEO of an LLC. In fact, I was the CEO of a lot of LLCs. I couldn't even tell you how many LLCs I was the CEO of. And the reason is, because like a lot of modern companies, we set up a corporate structure to have a nested set of LLCs that could isolate liabilities to be matched to different rounds of investors in our company.

Now, that is a great feature of LLCs, but as is so often the case, a strength is also a weakness. It is a weakness because if it allows us to hide investors who want to use our financial system in a nefarious way—like to launder money—they can take advantage of that strength.

And that is why this bill is so necessary. Because companies like mine already collect the data. Because FinCen data is already classified as FISMA high, which is the highest level of cybersecurity for government agencies. So the argument that data of all filers is not protected is simply not true. But ultimately, because sunlight is the best disinfectant, and because we are in a moment when too many powerful people are seeking to hide their sources of capital, putting the trust in our government and financial system at risk.

This is the right bill for business. It is the right bill for our financial system. And it is the right bill for our country.

Mr. MCHENRY. Mr. Speaker, I yield 2 minutes to the gentleman from Troy, Ohio (Mr. DAVIDSON).

Mr. DAVIDSON of Ohio. Mr. Speaker, I thank my colleagues for the important reforms that have been included in this bill, very thoughtfully, to reform our Bank Secrecy Act.

The United States puts heavy burdens on banks to know their customers, to protect our country and our financial system, and to make it easier for the folks in law enforcement, and, frankly, all layers of national security to defend America.

It is an important way that our sanctions regime works. It is an important way that we detect and prosecute crime. And it has worked very successfully for years in the current form.

The biggest complaint is often that we required too much of banks. And so that led to this consumer due diligence rule that FinCen put out that put an extra burden on banks, some would say a redundant burden on banks, to report the beneficial ownership of their companies.

And so that created this provision that is now blended into a single bill rather than a standalone bill that was known as the Corporate Transparency Act. This is a horrible solution to a real problem. And the solution is horrible because it presumes that everyone that would own a company that has fewer than 20 employees is somehow part of an illicit finance scheme in America. The smallest, least-sophisticated businesses are now required to report annually and more frequently if they change the composition of the beneficial owners.

This is a violation of civil liberties and constitutional rights that our body should take seriously. Historically, that has been something that has united the parties.

□ 1445

When Congress did the reforms to the PATRIOT Act and the Foreign Intelligence Surveillance Act, they put these provisions in place with great hesitation because it created a big database and collected a great deal of information.

This data would not be subject to subpoena or control. It is a horrible solution to a real problem, and I urge greater consideration of alternatives in opposition to this bill.

Mr. MCHENRY. May I inquire of the Chair the time remaining.

The Acting CHAIR. The gentleman from North Carolina has 7½ minutes remaining. The gentlewoman from California has 8½ minutes remaining.

Mr. MCHENRY. Mr. Chair, I reserve the balance of my time.

Ms. WATERS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, the United States is vulnerable. According to a 2017 report by the Government Accountability Office, "GAO was unable to identify ownership information for about one-third of GSA's 1,406 high-security leases as of March 2016 because ownership information was not readily available for all buildings."

This finding was a leading factor in Congress voting to adopt a provision in the fiscal year 2018 National Defense Authorization Act for the Department of Defense to collect beneficial ownership information for all high-security office space it leases.

As a matter of fact, there is more information required to obtain a library card. According to a 2019 Global Financial Integrity analysis, "The Library Card Project: The Ease of Forming Anonymous Companies in the United States," in all 50 States and the District of Columbia, "more personal information is needed to obtain a library card than to establish a legal entity that can be used to facilitate tax evasion, money laundering, fraud, and corruption."

The British model: The United Kingdom has a beneficial ownership directory, and an analysis found that the average number of owners per business in the U.K. is 1.13. Eighty-eight percent had two or fewer owners. The most common number of owners is one. More than 99 percent of businesses listed less than six owners.

According to the U.S. Small Business Administration, approximately 78 percent of all businesses in the U.S. are nonemployer firms, meaning there is only one person in the enterprise. This suggests that the experience in the U.S. would be similar to that in the U.K.

Mr. Chair, I would like to share with you that this legislation has tremendous support, for example, from Main Street Alliance, a network of over 30,000 small businesses; American Bankers Association; Bank Policy Institute; Mid-Size Bank Coalition of America; National Foreign Trade Council; Consumer Bankers Association; Financial Services Forum; Bankers Association for Finance and Trade; American Land Title Association; National Association of Realtors; One; FACT Coalition, a collection of 100-plus NGOs, including AFL–CIO, Global Witness, Oxfam America, Friends of the Earth U.S., Jubilee USA Network, Public Citizen, and Small Business Majority.

We could go on and on and on, but I think it is important to know that members of the Financial Services Committee, Representatives Maloney, Luetkemeyer, and Cleaver, have worked in good faith, along with the Department of the Treasury, nonprofit groups, and the financial services sector, to find consensus to close a massive loophole in our anti-money laundering framework.

The resulting pieces of legislation to modernize the anti-money laundering processes and to create a secure financial ownership registry of legal entities held at the Financial Crimes Enforcement Network at the Department of the Treasury represent the best path forward to provide law enforcement with needed information to pursue money criminals looking to exploit our financial system.

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

Mr. MCHENRY. Mr. Chair, I include in the RECORD a letter from the National Federation of Independent Businesses in opposition to this bill and a letter dated October 18, 2019, in opposition to the bill.

NFIB,
Washington, DC, October 21, 2019.

DEAR REPRESENTATIVE: On behalf of NFIB, the nation's leading small business advocacy organization, I write in strong opposition to H.R. 2513, the Corporate Transparency Act of 2019. This bill saddles America's smallest businesses with 131.7 million new paperwork hours at a cost of $5.7 billion, and treats small business owners as criminals by threatening them with jail time and oppressive fines for paperwork violations. To make matters even worse, the legislation puts the personal information of small business owners at serious risk.

The Corporate Transparency Act of 2019 requires corporations and limited liability companies with 20 or fewer employees to file new reports with the Treasury Department's Financial Crimes Enforcement Network (FinCEN) regarding the personally identifiable information of businesses' beneficial owners and update that information every year. The legislation imposes its reporting mandates only on America's small businesses, those least equipped to handle new paperwork requirements. Moreover, the legislation makes it a federal crime to fail to provide completed and updated reports, with civil penalties of up to $10,000, criminal penalties of up to 3 years in prison, or both.

The nonpartisan Congressional Budget Office (CBO) agrees that this legislation would

impose a significant new regulatory burden on small businesses. The CBO wrote, ''Because of the high volume of businesses that must meet the new reporting requirements and the additional administrative burden to file a new report, CBO estimates that the total costs to comply with the mandate would be substantial.'' The Corporate Transparency Act would generate between 25 million to 30 million new reports annually.

NFIB members report that the burden of federal paperwork ranks in the top 20% of the problems they encounter as small business owners. While large businesses and financial institutions may have access to teams of lawyers, accountants, and compliance experts to gather beneficial ownership information and report it to the government, small business owners do not. Small business owners have difficulty affording accounting and legal experts to help them understand and comply with federal reporting requirements. And small business owners lack the time to track and gather information to fill out yet more forms for the government.

When NFIB surveyed its membership concerning beneficial ownership reporting in August 2018, 80% opposed the idea of Congress requiring small business owners to file paperwork with the Treasury Department each time they form or change ownership of a business.

The Corporate Transparency Act of 2019 raises serious privacy concerns for small businesses. This bill would allow federal, state, tribal, local, and even foreign law enforcement access to business owners' personally identifiable information, via the FinCEN database, without a subpoena or warrant. The potential for improper disclosure or misuse of private information increases as the number of people with access to the information increases.

The Corporate Transparency Act of 2019 establishes a first of its kind federal registry of small business owners. While this registry will not be publicly available initially, NFIB has serious concerns that this legislation would be a first step towards establishing a publicly accessible federal registry, which can be used to name and shame small business owners.

NFIB strongly opposes H.R. 2513, the Corporate Transparency Act of 2019 and will consider it a Key Vote for the 116th Congress.

Sincerely,

JUANITA D. DUGGAN,
President & CEO, NFIB.

OCTOBER 18, 2019.

DEAR REPRESENTATIVE: While we support the goal of preventing wrongdoers from exploiting United States corporations and limited liability companies (LLCs) for criminal gain, the undersigned organizations write to express our strong opposition to H.R. 2513, the Corporate Transparency Act of 2019.

The Corporate Transparency Act would impose burdensome, duplicative reporting burdens on millions of small businesses in the United States and threatens the privacy of law-abiding, legitimate small business owners.

The Financial Crimes Enforcement Network's (FinCEN) Customer Due Diligence (CDD) rule became applicable on May 11, 2018. The CDD rule requires financial institutions to collect the ''beneficial ownership'' information of legal entities with which they conduct commerce. This legislation would attempt to shift the reporting requirements from large banks—those best equipped to handle reporting requirements—to millions of small businesses—those least equipped to handle reporting requirements.

The reporting requirements in the legislation would not only be duplicative, they would also be burdensome. Under this legislation, millions of small businesses would be required to register personally identifiable information with FinCEN upon incorporation and file annual reports with FinCEN for the life of the business. Failure to comply with these reporting requirements would be a federal crime with civil penalties up to $10,000, criminal penalties up to 3 years in prison, or both.

The Congressional Budget Office wrote, ''Because of the high volume of businesses that must meet the new reporting requirements and the additional administrative burden to file a new report, CBO estimates that the total costs to comply with the mandate would be substantial.'' The Corporate Transparency Act would generate between 25 million to 30 million new reports annually.

This legislation contains a definition of ''beneficial ownership'' that expands upon the current CDD rule. The CDD rule requires disclosure of individuals with a 25 percent ownership interest in a business and an individual with significant responsibilities to control a business. The Corporate Transparency Act would expand that definition, requiring disclosure of any individual who ''receives substantial economic benefits from the assets of'' a small business. The legislation defers to regulators at the Department of Treasury to determine ''substantial economic benefits.''

In addition, this legislation would impose a ''look-through'' reporting requirement, necessitating small business owners to look through every layer of corporate and LLC affiliates to identify if any individuals associated with such entities are qualifying beneficial owners. Ownership of an entity by one or more other corporations or LLCs is common. Corporate and LLC shareholders would already have their own independent reporting obligation under this bill to disclose any beneficial owners, making this provision excessively burdensome.

The Corporate Transparency Act raises significant privacy concerns as the proposed FinCEN ''beneficial ownership'' database would contain the names, dates of birth, addresses, and unexpired drivers' license numbers or passport numbers of millions of small business owners. This information would be accessible upon request ''through appropriate protocols'' to any local, state, tribal, or federal law enforcement agency or to law enforcement agencies from other countries via requests by U.S. federal agencies. This type of regime presents unacceptable privacy risks.

The Corporate Transparency Act also introduces serious data breach and cybersecurity risks. Under the legislation, FinCEN would maintain a database of private information that could be hacked for nefarious reasons. As the 2015 breach of the Office of Personnel Management demonstrated, the federal government is not immune from cyber-attacks and harmful disclosure of information. In addition, millions of American companies would be required to maintain and distribute information about owners and investors in the company, thus creating another point of vulnerability for attack. This risk is particularly acute because the Corporate Transparency Act is focused only on small businesses and those entities are often the least equipped to fight off cyber intrusions.

While this letter does not enumerate every concern, it highlights fundamental problems the Corporate Transparency Act would cause for millions of small businesses in the United States.

Because of the new reporting requirements and privacy concerns, the undersigned organizations urge a no vote on H.R. 2513, the Corporate Transparency Act.

Sincerely,

Air Conditioning Contractors of America, American Business Conference, American Farm Bureau Federation, American Foundry Society, American Hotel and Lodging Association, American Rental Association, Asian American Hotel Owners Association, Associated Builders and Contractors, Associated General Contractors of America, Auto Care Association, Family Business Coalition, International Foodservice Distributors Association, International Franchise Association.

National Apartment Association, National Association for the Self-Employed, National Association of Home Builders, National Association of Wholesaler-Distributors, NFIB, National Grocers Association, National Lumber and Building Material Dealers Association, National Pest Management Association, National Restaurant Association, National Retail Federation, National Roofing Contractors Association.

National Small Business Association, National Tooling and Machining Association, Petroleum Equipment Institute, Petroleum Marketers Association of America, Policy and Taxation Group, Precision Machined Parts Association, Precision Metalforming Association, Service Station Dealers of America and Allied Trades, S-Corporation Association, Small Business & Entrepreneurship Council, Specialty Equipment Market Association, The Real Estate Roundtable, Tire Industry Association.

Mr. MCHENRY. Mr. Chair, I include in the RECORD an article on behalf of the Due Process Institute, the American Civil Liberties Union, and FreedomWorks in opposition to this bill.

[From the Due Process Institute, ACLU, and FreedomWorks]

NO BENEFIT TO A BENEFICIAL OWNERSHIP REPORTING SYSTEM THAT INCREASES AMERICA'S OVER-INCARCERATION PROBLEM AND FAILS TO ADEQUATELY PROTECT PRIVACY

H.R. 2513 would require people who form or already own businesses, particularly small businesses, to submit extensive personal, financial, and business-related information to the government's Financial Crimes Enforcement Network (FinCEN). Legislative efforts to stop international crime by trying to ''follow the money'' such as H.R. 2513 likely have the best intentions in mind. However, the Due Process Institute, the American Civil Liberties Union, and FreedomWorks have serious concerns with several provisions of the Corporate Transparency Act of 2019 and believe the House should vote no TODAY on H.R. 2513 until these issues are fully addressed.

In sum, the creation of at least 5 new federal crimes for first-time ''paperwork'' violations that are felony criminal offenses calling for prison time is a dramatic step in the wrong direction. No matter how well-intentioned, this bill bears no real relation to combatting terrorism or money laundering and instead eliminates a significant amount of personal and financial privacy. On that score, the bill fails to adequately address how all of the personal and financial information disclosed to, and collected by, the government will be used solely for legitimate purposes or specifically address how privacy interests will be protected.

KEY TERMS ARE TOO VAGUE

Importantly, numerous key terms and phrases in the bill are poorly defined. For example, the current definition of ''beneficial owner'' includes anyone who ''directly or indirectly'' exercises substantial control or receives substantial economic benefit from an

entity. What does it mean to indirectly control an entity? The bill does not explain. We also cannot look to current FinCEN regulations to divine meaning. The bill does not replicate current FinCEN definitions of beneficial ownership and broadens the current definition to include an individual that ''receives substantial economic benefits from the assets of a corporation.'' Again, the bill does not explain the term. This lack of clarity has very serious consequences when a bill creates at least 5 new federal criminal laws that do nothing but increase this nation's overreliance on criminalization as a cure for every problem. Vague or overly broad statutory text leaves people vulnerable to unfair criminal investigations and prosecutions.

COMPLEX CRIMINAL COMPLIANCE LAWS UNFAIRLY BURDEN SMALL BUSINESSES & NON-PROFITS

Furthermore, this bill exempts most large entities with the compliance teams necessary to help them navigate new and burdensome requirements. Determining what is to be reported, when, and by whom, in a complex regulatory scheme is difficult. Large corporations are exempt—leaving the reporting burdens solely to small or independent businessowners as well as many non-profits. Compounding this problem, these new disclosure requirements would apply not only to newly formed entities but also to those that have already been in existence—yet a businessowner (even a first-time offender) who fails to comply with any aspect of the requirements could face a prison sentence, as might a non-profit organization that inadvertently fails to meet all of the requirements to qualify for an exemption in the bill. These kinds of requirements easily set traps for honest people trying to faithfully comply with complex laws, particularly owners who lack experience or significant funds and volunteer-based nonprofits also lacking in funds and expertise to retain sophisticated business lawyers who can help them.

BENEFICIAL OWNERSHIP INFORMATION WOULD LACK SUFFICIENT PRIVACY PROTECTION

The bill currently would permit beneficial ownership information to be shared with local, Tribal, State, or Federal law enforcement under nearly any circumstances where they may assert an existing investigatory basis and agree to abide by vague privacy standards. The receiving agency may then use that information, without meaningful limitation, for any other law enforcement, national security, or intelligence purpose. These standards are entirely too broad and leave far too much personal information vulnerable to disclosure. The bill should permit FinCEN to disclose beneficial ownership information only when presented with a warrant based on probable cause. Without a clear standard limiting information disclosure, there would be few if any limits on the sharing of this information. Search warrants based on probable cause are the standard for obtaining information in criminal investigations and it would be reasonable to require them in this context. Moreover, the bill contains inadequate safeguards for protecting against the improper disclosure of information or for appropriately limiting the use of the information disclosed. At a minimum, the bill should limit use of the information to the investigative purposes for which it was collected and require the deletion of information after it is no longer useful for its investigative purpose. And it fails to provide either.

The truth is: there are already hundreds of federal criminal laws on the books, along with a wide swath of powerful investigative tools and authorities, that the government can use to adequately address or prevent money laundering and this bill is an unnecessary step in the wrong direction.

We hope you share our bipartisan concerns and oppose this legislation when voting today unless serious amendments are made.

Mr. McHENRY. And, Mr. Chair, I include in the RECORD two newspaper pieces, or news articles, if you will, from The Wall Street Journal and from The Verge.

From The Verge, it says: ''FBI violated Americans' privacy by abusing access to NSA surveillance data, court rules.'' And the second, from The Wall Street Journal, says: ''FBI's Use of Surveillance Database Violated Americans' Privacy Rights, Court Found.'' These are two recent articles that have been published in the last 10 days.

[From The Verge, Oct. 8, 2019]

FBI VIOLATED AMERICANS' PRIVACY BY ABUSING ACCESS TO NSA SURVEILLANCE DATA, COURT RULES

(By Nick Statt)

FBI AGENTS MADE TENS OF THOUSANDS OF UNAUTHORIZED SEARCHES ON AMERICAN CITIZENS

The Federal Bureau of Investigation made tens of thousands of unauthorized searches related to US citizens between 2017 and 2018, a court ruled. The agency violated both the law that authorized the surveillance program they used and the Fourth Amendment of the US Constitution.

The ruling was made in October 2018 by the Foreign Intelligence Surveillance Court (FISC), a secret government court responsible for reviewing and authorizing searches of foreign individuals inside and outside the US. It was just made public today.

THE FBI MADE UNAUTHORIZED, WARRANTLESS ELECTRONIC SEARCHES ON AMERICAN CITIZENS

The program itself, called Section 702 and part of the broad and aggressive expansion of US spy programs in the years after 9/11, granted FBI agents the ability to search a database of electronic intelligence, including phone numbers, emails, and other identifying data. It's intended for use primarily by the National Security Agency.

There's a key limitation on Section 702: it can only be used to search for evidence of a crime or as part of an investigation into a foreign target. The idea is to monitor terrorism suspects and cyberthreats.

Yet the FBI vetted American sources using the database, according to The Wall Street Journal. The agents also used the database to search for information about themselves. Less amusingly, they also looked up friends, family, and coworkers. The court deemed this a clear violation of the Fourth Amendment, which protects against unreasonable search and seizure, because none of the searches of US citizens had proper warrants attached.

The FISC is responsible for evaluating the use of these spy tools in secret as part of the Foreign Intelligence Surveillance Act of 1978, which pushed these governmental deliberations behind closed doors under the guise of protecting national security. That's why this ruling went a full year before seeing the light of day.

It's public now because the government lost an appeal in a separate, secret appeals court, the WSJ says. The FBI must now create new oversight procedures and a compliance review team to protect against further surveillance abuse.

[From WSJ, October 8, 2019]

FBI'S USE OF SURVEILLANCE DATABASE VIOLATED AMERICANS' PRIVACY RIGHTS, COURT FOUND

(By Dustin Volz and Byron Tau)

U.S. DISCLOSES RULING LAST YEAR BY FOREIGN INTELLIGENCE SURVEILLANCE COURT THAT FBI'S DATA QUERIES OF U.S. CITIZENS WERE UNCONSTITUTIONAL

Washington—Some of the Federal Bureau of Investigation's electronic surveillance activities violated the constitutional privacy rights of Americans swept up in a controversial foreign intelligence program, a secretive surveillance court has ruled.

The ruling deals a rare rebuke to U.S. spying programs that have generally withstood legal challenge and review since they were dramatically expanded after the Sept. 11, 2001, attacks. The opinion resulted in the FBI agreeing to better safeguard privacy and apply new procedures, including recording how the database is searched to detect possible future compliance issues.

The intelligence community disclosed Tuesday that the Foreign Intelligence Surveillance Court last year found that the FBI's efforts to search data about Americans ensnared in a warrantless internet-surveillance program intended to target foreign suspects have violated the law authorizing the program, as well as the Constitution's Fourth Amendment protections against unreasonable searches. The issue was made public by the government only after it lost an appeal of the judgment earlier this year before another secret court.

The court concluded that in at least a handful of cases, the FBI had been improperly searching a database of raw intelligence for information on Americans—raising concerns about oversight of the program, which as a spy program operates in near total secrecy.

The October 2018 court ruling identifies improper searches of raw intelligence databases by the bureau in 2017 and 2018 that were deemed problematic in part because of their breadth, which sometimes involved queries related to thousands or tens of thousands of pieces of data, such as emails or telephone numbers. In one case, the ruling suggested, the FBI was using the intelligence information to vet its personnel and cooperating sources. Federal law requires that the database only be searched by the FBI as part of seeking evidence of a crime or for foreign intelligence information.

In other instances, the court ruled that the database had been improperly used by individuals. In one case, an FBI contractor ran a query of an intelligence database—searching information on himself, other FBI personnel and his relatives, the court revealed.

The Trump administration failed to make a persuasive argument that modifying the program to better protect the privacy of Americans would hinder the FBI's ability to address national security threats, wrote U.S. District Judge James Boasberg, who serves on the PISA Court, in the partially redacted 138-page opinion released Tuesday.

In one case central to the court's opinion, the FBI in March 2017 conducted a broad search for information related to more than 70,000 emails, phone numbers and other digital identifiers. The bureau appeared to be looking for data to conduct a security review of people with access to its buildings and computers—meaning the FBI was searching for data linked to its own employees.

Judge Boasberg wrote that the case demonstrated how a ''single improper decision or assessment'' resulted in a search of data belonging to a large number of individuals. He said the government had reported since April 2017 ''a large number of FBI queries that

were not reasonably likely to return foreign-intelligence information or evidence of a crime,'' the standard required for such searches.

''The court accordingly finds that the FBI's querying procedures and minimization procedures are not consistent with the requirements of the Fourth Amendment,'' Judge Boasberg concluded.

The legal fight over the FBI's use of the surveillance tool has played out in secret since the courts that adjudicate these issues under the Foreign Intelligence Surveillance Act of 1978 rarely publicize their work. It was resolved last month after the government created new procedures in the wake of losing an appeal to the U.S. Foreign Intelligence Surveillance Court of Review—a secret appeals court that is rarely consulted and seldom releases opinions publicly. That resolution cleared the way for the disclosure Tuesday.

Additionally, FBI Director Chris Wray ordered the creation of a compliance review team following the October decision, a bureau official said.

The program in question, known as Section 702 surveillance, has roots in the national-security tools set up by the George W. Bush administration following the Sept. 11, 2001, terrorist attacks. It was later enshrined in law by Congress to target the electronic communications of nonAmericans located overseas. The program is principally used by the National Security Agency to collect certain categories of foreign intelligence from international phone calls and emails about terrorism suspects, cyber threats and other security risks.

Information from that surveillance is often shared with relevant federal government agencies with the names of any U.S. persons redacted to protect their privacy, unless an agency requests that identities be unmasked.

Privacy advocates have long criticized the Section 702 law for allowing broad surveillance that can implicate Americans and doesn't require individualized warrants. U.S. intelligence officials have defended it as among the most valuable national-security tools at their disposal, even as intelligence agencies have acknowledged that some communications from Americans are swept up in the process.

The court documents released Tuesday reveal unprecedented detail about how communications from Americans were ensnared and searched by intelligence collection programs that U.S. officials have publicly said are aimed mainly at foreigners. They cast doubt on whether law-enforcement and intelligence agencies are carefully complying with privacy procedures Congress has mandated.

Sen. Ron Wyden (D., Ore.), a critic of U.S. surveillance programs, said the disclosure ''reveals serious failings in the FBI's backdoor searches, underscoring the need for the government to seek a warrant before searching through mountains of private data on Americans.''

President Trump signed into law a six-year renewal of the Section 702 program in early 2018. Changes to the law allowed the court to review the FBI's data handling ultimately led to the October ruling.

The surveillance court opinions are the latest setback for U.S. surveillance practices during the Trump administration. The NSA last year turned off a program that collects domestic phone metadata—the time and duration of a call but not its content—amid at least two compliance issues involving the overcollection of data the spy agency wasn't authorized to obtain.

The FBI has also been under intense political pressure from Mr. Trump and his allies, who allege that the bureau's surveillance of a Trump campaign associate was improper. That surveillance of the aide, Carter Page, fell under a different provision of the foreign intelligence law but has nevertheless sparked a major debate about the scope of the bureau's authorities.

CORRECTIONS & AMPLIFICATIONS

U.S District Judge James Boasberg's opinion on FBI surveillance was 138 pages long. An earlier version of this article incorrectly called it a 167-page opinion. (Oct. 8, 2019)

Mr. MCHENRY. Mr. Chair, I yield 2 minutes to the gentleman from Tennessee (Mr. JOHN W. ROSE), from Temperance Hall.

Mr. JOHN W. ROSE of Tennessee. Mr. Chair, I rise in opposition to H.R. 2513, the Corporate Transparency Act.

As a farmer and as someone who has started a small business from the ground up, I know firsthand the unnecessary burden government regulations can place on small business owners.

Unlike large corporations, America's 5 million small businesses do not have the manpower, time, or resources to comply with more undue regulatory burdens.

Furthermore, it is concerning that H.R. 2513 lacks provisions that would ensure our small business owners' privacy. Under H.R. 2513, small business owners, after submitting their personal information, cannot trust that it would be safe or protected. As offered, H.R. 2513 lacks the safeguards necessary to provide our small business owners the confidence that their personal information will be safe and protected, once submitted.

At a minimum, if Big Government demands personal information, it must protect that data.

In addition, H.R. 2513 is built around arbitrary thresholds. I have yet to see a convincing explanation for why the threshold is a maximum of 20 employees or $5 million in gross receipts.

Under this legislation, if small business owners are unable to submit the required personal information, they may face criminal penalties of $10,000 and 3 years in prison. That would kill any small business.

Let us not forget, small businesses are the heart and drivers of job creation in many rural communities, as is the case for many of the communities I proudly represent in Tennessee's Sixth District.

We cannot unleash innovation in our country when we continue to force Big Government on America's small farmers and business owners.

The esteemed ranking member from North Carolina and I urge our fellow Members to join us in voting against H.R. 2513, the latest rendition of burdensome regulations and personal privacy invasions.

Ms. WATERS. Mr. Chair, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) sponsor of the legislation, H.R. 2513.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, critics on the other side of the aisle have made wild claims about the bill costing small businesses millions of dollars. But in the U.K., where they already collect this information, the cost of compliance for the average small business was only about $200, and that is a one-time cost. To me, that is a very modest price to pay for national security.

Every law enforcement agency in this country is asking for this reform, in order to make us safer.

In the U.K., the median company had 1.1 owners, which means that the vast majority of small businesses only have one owner, so that these businesses only have to file one name.

We are asking for only four pieces of information, and it is basic: name, date of birth, current address, and driver's license.

Does that sound burdensome? For most small business owners, it would take less than 5 minutes to fill out the form.

According to studies, it was pointed out earlier, you have to disclose more information to get a library card than you need to disclose to create a corporation or an LLC. And you don't hear people complaining about filling out forms for library cards.

I think the idea that the disclosure would be unduly burdensome is simply and completely false.

The bill also goes out of its way to exempt every category of business that already discloses their beneficial owners, either to regulators or the public filings. This includes banks, credit unions, insurance companies, and investment advisers, brokers, utilities, and nonprofits.

The bill even exempts companies with more than 20 employees and over $5 million in revenues because, if you have 20 employees, you are actually generating a significant amount of revenues and you are, certainly, a real business and not a shell company that is being used to launder money.

In fact, in almost all the cases where law enforcement has uncovered a shell company that is being used for illicit purposes, the company had either zero employees or one employee. That is why we felt very comfortable exempting companies with more than 20 employees.

I think we have gone way out of our way to ensure that the bill is appropriately tailored and is not burdensome to small businesses.

I would like to repeat that, usually, national security bills are bipartisan, and I am proud that we had significant support in the vote from our friends on the other side of the aisle. I urge my colleagues on both sides of the aisle to support this important bill that will make our citizens safer, will help law enforcement do their jobs, and, therefore, will save lives in our country.

This is a serious bill. Most countries already have it, and we are way behind. We are the money laundering capital of the world. It is just plain common sense to protect our citizens.

Vote for national security, and vote for this bill.

Mr. MCHENRY. Mr. Chair, I am prepared to close, and I yield myself the remainder of my time.

Mr. Chair, this is a disappointing bill. According to the National Federation of Independent Businesses, this will create $5.7 billion in new regulatory costs for America's smallest businesses.

My friend and colleague just said one or two employees, but the bill before us today says 20 or fewer employees. Traditionally, Congress has exempted small businesses from onerous government regulation, and Congress, in its wisdom, has set a threshold of small businesses that is 50 and above for most regulations that are of national import.

This bill turns all that on its head. It turns it all on its head and says: No, no, no. We are going to have a special carve-out for all small businesses, $5 billion and under of revenue and 20 employees and fewer.

The whole mindset here is absolutely wrong. We are putting a new small business mandate on America's smallest businesses, and we have an intelligence bureau that is going to go out to the public and request information directly from the public.

We don't do that with NSA to look at your cell phone records. In fact, we require the NSA to go before a court in order to look at a cell phone database, and there is an enormous amount of litigation around that.

What we have here is a new Federal Government database by an intelligence bureau most people haven't heard of, and it is a mandate on small businesses.

There are no due process protections here. You don't have to go before a court in order to look at this. In fact, they can just peruse it at will.

You have no data security standards, so we don't even know if this will be held to the same standard of data breaches that have already occurred in our intelligence bureaus and for Federal employees, nor the same liability standards for Federal users as the private sector has to protect personally identifiable information.

Again, there is not regulatory relief. Our friends in the banks want this because they want to be relieved of the burden of collecting this information. I certainly understand that. But they are still going to have to collect that information.

There is no repeal of the underlying rule that requires the banks to collect that type of information in order to transact business with those small businesses and businesses of other sizes.

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So there is no regulatory relief, with few civil liberty protections. We don't have a cybersecurity standard in the database. And it is a new mandate on small businesses.

But if you are content with that, vote "yes," and if you don't think that is sufficient, vote "no."

I am going to stand with the NFIB, the American Farm Bureau, the National Association of Home Builders, National Association of General Contractors of America, the National Retail Federation, the Real Estate Roundtable, and other organizations here in Washington, like the ACLU, Heritage Action for America, the FreedomWorks Foundation, and the American Civil Liberties Union, as I mentioned, but I want to mention them twice so that people hear that clearly.

There is bipartisan opposition to this, and so I encourage my colleagues to vote "no" against this new mandate. Stand with your small business folks, and we will come to a better compromise than what we have here before us today. Please vote "no."

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

Ms. WATERS. Mr. Chairman, I would like to inquire as to how much time I have left.

The Acting CHAIR. The gentlewoman from California has 1½ minutes remaining.

Ms. WATERS. Mr. Chair, I would like to thank Representatives MALONEY and CLEAVER for their work on these reforms.

I would like to just add that H.R. 2513 is an important, commonsense measure that stops criminals from being able to hide behind anonymous shell companies. It closes loopholes in the Bank Secrecy Act, increases penalties for those who break the law, and helps provide financial institutions with new tools to more easily and accurately fulfill their obligations under the law.

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

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, modified by the amendment printed in part A of House Report 116–247, shall be considered as adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 2513

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

DIVISION A—CORPORATE TRANSPARENCY ACT OF 2019

SECTION 1. SHORT TITLE.

(a) IN GENERAL.—This Act may be cited as the "Corporate Transparency Act of 2019".

(b) REFERENCES TO THIS ACT.—In this division—

(1) any reference to "this Act" shall be deemed a reference to "this division"; and

(2) except as otherwise expressly provided, any reference to a section or other provision shall be deemed a reference to that section or other provision of this division.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Very few States require information about the beneficial owners of the corporations and limited liability companies formed under their laws.

(3) A person forming a corporation or limited liability company within the United States typically provides less information at the time of incorporation than is needed to obtain a bank account or driver's license and typically does not name a single beneficial owner.

(4) Criminals have exploited State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to commit crimes affecting interstate and international commerce such as terrorism, proliferation financing, drug and human trafficking, money laundering, tax evasion, counterfeiting, piracy, securities fraud, financial fraud, and acts of foreign corruption.

(5) Law enforcement efforts to investigate corporations and limited liability companies suspected of committing crimes have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Department of the Treasury, and the Government Accountability Office, and others.

(6) In July 2006, the leading international antimoney laundering standard-setting body, the Financial Action Task Force on Money Laundering (in this section referred to as the "FATF"), of which the United States is a member, issued a report that criticizes the United States for failing to comply with a FATF standard on the need to collect beneficial ownership information and urged the United States to correct this deficiency by July 2008. In December 2016, FATF issued another evaluation of the United States, which found that little progress has been made over the last ten years to address this problem. It identified the "lack of timely access to adequate, accurate and current beneficial ownership information" as a fundamental gap in United States efforts to combat money laundering and terrorist finance.

(7) In response to the 2006 FATF report, the United States has urged the States to obtain beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(8) In contrast to practices in the United States, all 28 countries in the European Union are required to have corporate registries that include beneficial ownership information.

(9) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with hidden owners, to protect interstate and international commerce from criminals misusing United States corporations and limited liability companies, to strengthen law enforcement investigations of suspect corporations and limited liability companies, to set a clear, universal standard for State incorporation practices, and to bring the United States into compliance with international anti-money laundering standards, Federal legislation is needed to require the collection of beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

SEC. 3. TRANSPARENT INCORPORATION PRACTICES.

(a) IN GENERAL.—

(1) AMENDMENT TO THE BANK SECRECY ACT.—Chapter 53 of title 31, United States Code, is amended by inserting after section 5332 the following new section:

"§ 5333 Transparent incorporation practices

"(a) REPORTING REQUIREMENTS.—

"(1) BENEFICIAL OWNERSHIP REPORTING.—

"(A) IN GENERAL.—Each applicant to form a corporation or limited liability company under

the laws of a State or Indian Tribe shall file a report with FinCEN containing a list of the beneficial owners of the corporation or limited liability company that—

''(i) except as provided in paragraphs (3) and (4), and subject to paragraph (2), identifies each beneficial owner by—

''(I) full legal name;

''(II) date of birth;

''(III) current residential or business street address; and

''(IV) a unique identifying number from a non-expired passport issued by the United States, a non-expired personal identification card, or a non-expired driver's license issued by a State; and

''(ii) if the applicant is not a beneficial owner, also provides the identification information described in clause (i) relating to such applicant.

''(B) UPDATED INFORMATION.—Each corporation or limited liability company formed under the laws of a State or Indian Tribe shall—

''(i) submit to FinCEN an annual filing containing a list of—

''(I) the current beneficial owners of the corporation or limited liability company and the information described in subparagraph (A) for each such beneficial owner; and

''(II) any changes in the beneficial owners of the corporation or limited liability company during the previous year; and

''(ii) pursuant to any rule issued by the Secretary of the Treasury under subparagraph (C), update the list of the beneficial owners of the corporation or limited liability company within the time period prescribed by such rule.

''(C) RULEMAKING ON UPDATING INFORMATION.—Not later than 9 months after the completion of the study required under section 4(a)(1) of the Corporate Transparency Act of 2019, the Secretary of the Treasury shall consider the findings of such study and, if the Secretary determines it to be necessary or appropriate, issue a rule requiring corporations and limited liability companies to update the list of the beneficial owners of the corporation or limited liability company within a specified amount of time after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner.

''(D) STATE NOTIFICATION.—Each State in which a corporation or limited liability company is being formed shall notify each applicant of the requirements listed in subparagraphs (A) and (B).

''(2) CERTAIN BENEFICIAL OWNERS.—If an applicant to form a corporation or limited liability company or a beneficial owner, or similar agent of a corporation or limited liability company who is required to provide identification information under this subsection, does not have a nonexpired passport issued by the United States, a nonexpired personal identification card, or a non-expired driver's license issued by a State, each such person shall provide to FinCEN the full legal name, current residential or business street address, a unique identifying number from a non-expired passport issued by a foreign government, and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for each beneficial owner, and each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a written certification by a person residing in the State or Indian country under the jurisdiction of the Indian Tribe forming the entity that the applicant, corporation, or limited liability company—

''(A) has obtained for each such beneficial owner, a current residential or business street address and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for the person;

''(B) has verified the full legal name, address, and identity of each such person;

''(C) will provide the information described in subparagraph (A) and the proof of verification described in subparagraph (B) upon request of FinCEN; and

''(D) will retain the information and proof of verification under this paragraph until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State or Indian Tribe.

''(3) EXEMPT ENTITIES.—

''(A) IN GENERAL.—With respect to an applicant to form a corporation or limited liability company under the laws of a State or Indian Tribe, if such entity is described in subparagraph (C) or (D) of subsection (d)(4) and will be exempt from the beneficial ownership disclosure requirements under this subsection, such applicant, or a prospective officer, director, or similar agent of the applicant, shall file a written certification with FinCEN—

''(i) identifying the specific provision of subsection (d)(4) under which the entity proposed to be formed would be exempt from the beneficial ownership disclosure requirements under paragraphs (1) and (2);

''(ii) stating that the entity proposed to be formed meets the requirements for an entity described under such provision of subsection (d)(4); and

''(iii) providing identification information for the applicant or prospective officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (2).

''(B) EXISTING CORPORATIONS OR LIMITED LIABILITY COMPANIES.—On and after the date that is 2 years after the final regulations are issued to carry out this section, a corporation or limited liability company formed under the laws of the State or Indian Tribe before such date shall be subject to the requirements of this subsection unless an officer, director, or similar agent of the entity submits to FinCEN a written certification—

''(i) identifying the specific provision of subsection (d)(4) under which the entity is exempt from the requirements under paragraphs (1) and (2);

''(ii) stating that the entity meets the requirements for an entity described under such provision of subsection (d)(4); and

''(iii) providing identification information for the officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (2).

''(C) EXEMPT ENTITIES HAVING OWNERSHIP INTEREST.—If an entity described in subparagraph (C) or (D) of subsection (d)(4) has or will have an ownership interest in a corporation or limited liability company formed or to be formed under the laws of a State or Indian Tribe, the applicant, corporation, or limited liability company in which the entity has or will have the ownership interest shall provide the information required under this subsection relating to the entity, except that the entity shall not be required to provide information regarding any natural person who has an ownership interest in, exercises substantial control over, or receives substantial economic benefits from the entity.

''(4) FINCEN ID NUMBERS.—

''(A) ISSUANCE OF FINCEN ID NUMBER.—

''(i) IN GENERAL.—FinCEN shall issue a FinCEN ID number to any individual who requests such a number and provides FinCEN with the information described under subclauses (I) through (IV) of paragraph (1)(A)(i).

''(ii) UPDATING OF INFORMATION.—An individual with a FinCEN ID number shall submit an annual filing with FinCEN updating any information described under subclauses (I) through (IV) of paragraph (1)(A)(i).

''(B) USE OF FINCEN ID NUMBER IN REPORTING REQUIREMENTS.—Any person required to report the information described under paragraph (1)(A)(i) with respect to an individual may instead report the FinCEN ID number of the individual.

''(C) TREATMENT OF INFORMATION SUBMITTED FOR FINCEN ID NUMBER.—For purposes of this section, any information submitted under subparagraph (A) shall be deemed to be beneficial ownership information.

''(5) RETENTION AND DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION BY FINCEN.—

''(A) RETENTION OF INFORMATION.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State or Indian Tribe shall be maintained by FinCEN until the end of the 5-year period (or such other period of time as the Secretary of the Treasury may, by rule, determine) beginning on the date that the corporation or limited liability company terminates.

''(B) DISCLOSURE OF INFORMATION.—Beneficial ownership information reported to FinCEN pursuant to this section shall be provided by FinCEN only upon receipt of—

''(i) subject to subparagraph (C), a request, through appropriate protocols, by a local, Tribal, State, or Federal law enforcement agency;

''(ii) a request made by a Federal agency on behalf of a law enforcement agency of another country under an international treaty, agreement, or convention, or an order under section 3512 of title 18 or section 1782 of title 28; or

''(iii) a request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act, the USA PATRIOT Act, or other applicable Federal, State, or Tribal law.

''(C) APPROPRIATE PROTOCOLS.—

''(i) PRIVACY.—The protocols described in subparagraph (B)(i) shall—

''(I) protect the privacy of any beneficial ownership information provided by FinCEN to a local, Tribal, State, or Federal law enforcement agency;

''(II) ensure that a local, Tribal, State, or Federal law enforcement agency requesting beneficial ownership information has an existing investigatory basis for requesting such information;

''(III) ensure that access to beneficial ownership information is limited to authorized users at a local, Tribal, State, or Federal law enforcement agency who have undergone appropriate training, and that the identity of such authorized users is verified through appropriate mechanisms, such as two-factor authentication;

''(IV) include an audit trail of requests for beneficial ownership information by a local, Tribal, State, or Federal law enforcement agency, including, as necessary, information concerning queries made by authorized users at a local, Tribal, State, or Federal law enforcement agency;

''(V) require that every local, Tribal, State, or Federal law enforcement agency that receives beneficial ownership information from FinCEN conducts an annual audit to verify that the beneficial ownership information received from FinCEN has been accessed and used appropriately, and consistent with this paragraph; and

''(VI) require FinCEN to conduct an annual audit of every local, Tribal, State, or Federal law enforcement agency that has received beneficial ownership information to ensure that such agency has requested beneficial ownership information, and has used any beneficial ownership information received from FinCEN, appropriately, and consistent with this paragraph.

''(ii) LIMITATION ON USE.—Beneficial ownership information provided to a local, Tribal, State, or Federal law enforcement agency under this paragraph may only be used for law enforcement, national security, or intelligence purposes.

''(b) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corporation or limited liability company formed under the laws of a State or Indian Tribe may not issue a certificate in bearer form evidencing either a whole or fractional interest in the corporation or limited liability company.

''(c) PENALTIES.—

''(1) IN GENERAL.—It shall be unlawful for any person to affect interstate or foreign commerce by—

''(A) knowingly providing, or attempting to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph, to FinCEN in accordance with this section;

''(B) willfully failing to provide complete or updated beneficial ownership information to FinCEN in accordance with this section; or

''(C) knowingly disclosing the existence of a subpoena or other request for beneficial ownership information reported pursuant to this section, except—

''(i) to the extent necessary to fulfill the authorized request; or

''(ii) as authorized by the entity that issued the subpoena, or other request.

''(2) CIVIL AND CRIMINAL PENALTIES.—Any person who violates paragraph (1)—

''(A) shall be liable to the United States for a civil penalty of not more than $10,000; and

''(B) may be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.

''(3) LIMITATION.—Any person who negligently violates paragraph (1) shall not be subject to civil or criminal penalties under paragraph (2).

''(4) WAIVER.—The Secretary of the Treasury may waive the penalty for violating paragraph (1) if the Secretary determines that the violation was due to reasonable cause and was not due to willful neglect.

''(5) CRIMINAL PENALTY FOR THE MISUSE OR UNAUTHORIZED DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.—The criminal penalties provided for under section 5322 shall apply to a violation of this section to the same extent as such criminal penalties apply to a violation described in section 5322, if the violation of this section consists of the misuse or unauthorized disclosure of beneficial ownership information.

''(d) DEFINITIONS.—For the purposes of this section:

''(1) APPLICANT.—The term 'applicant' means any natural person who files an application to form a corporation or limited liability company under the laws of a State or Indian Tribe.

''(2) BANK SECRECY ACT.—The term 'Bank Secrecy Act' means—

''(A) section 21 of the Federal Deposit Insurance Act;

''(B) chapter 2 of title I of Public Law 91–508; and

''(C) this subchapter.

''(3) BENEFICIAL OWNER.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'beneficial owner' means a natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

''(i) exercises substantial control over a corporation or limited liability company;

''(ii) owns 25 percent or more of the equity interests of a corporation or limited liability company; or

''(iii) receives substantial economic benefits from the assets of a corporation or limited liability company.

''(B) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(i) a minor child, as defined in the State or Indian Tribe in which the entity is formed;

''(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(iii) a person acting solely as an employee of a corporation or limited liability company and whose control over or economic benefits from the corporation or limited liability company derives solely from the employment status of the person;

''(iv) a person whose only interest in a corporation or limited liability company is through a right of inheritance; or

''(v) a creditor of a corporation or limited liability company, unless the creditor also meets the requirements of subparagraph (A).

''(C) SUBSTANTIAL ECONOMIC BENEFITS DEFINED.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), a natural person receives substantial economic benefits from the assets of a corporation or limited liability company if the person has an entitlement to more than a specified percentage of the funds or assets of the corporation or limited liability company, which the Secretary of the Treasury shall, by rule, establish.

''(ii) RULEMAKING CRITERIA.—In establishing the percentage under clause (i), the Secretary of the Treasury shall seek to—

''(I) provide clarity to corporations and limited liability companies with respect to the identification and disclosure of a natural person who receives substantial economic benefits from the assets of a corporation or limited liability company; and

''(II) identify those natural persons who, as a result of the substantial economic benefits they receive from the assets of a corporation or limited liability company, exercise a dominant influence over such corporation or limited liability company.

''(4) CORPORATION; LIMITED LIABILITY COMPANY.—The terms 'corporation' and 'limited liability company'—

''(A) have the meanings given such terms under the laws of the applicable State or Indian Tribe;

''(B) include any non-United States entity eligible for registration or registered to do business as a corporation or limited liability company under the laws of the applicable State or Indian Tribe;

''(C) do not include any entity that is—

''(i) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d));

''(ii) a business concern constituted, sponsored, or chartered by a State or Indian Tribe, a political subdivision of a State or Indian Tribe, under an interstate compact between two or more States, by a department or agency of the United States, or under the laws of the United States;

''(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

''(iv) a credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

''(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841)) or a savings and loan holding company (as defined in section 10(a) of the Home Owners' Loan Act (12 U.S.C. 1467a(a));

''(vi) a broker or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

''(vii) an exchange or clearing agency (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 6 or 17A of the Securities Exchange Act of 1934 (15 U.S.C. 78f and 78q–1);

''(viii) an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) or an investment adviser (as defined in section 202(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(11))), if the company or adviser is registered with the Securities and Exchange Commission, has filed an application for registration which has not been denied, under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or the Investment Adviser Act of 1940 (15 U.S.C. 80b–1 et seq.), or is an investment adviser described under section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l));

''(ix) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a–2));

''(x) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission;

''(xi) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212) or an entity controlling, controlled by, or under common control of such a firm;

''(xii) a public utility that provides telecommunications service, electrical power, natural gas, or water and sewer services, within the United States;

''(xiii) a church, charity, nonprofit entity, or other organization that is described in section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code of 1986, that has not been denied tax exempt status, and that has filed the most recently due annual information return with the Internal Revenue Service, if required to file such a return;

''(xiv) a financial market utility designated by the Financial Stability Oversight Council under section 804 of the Dodd-Frank Wall Street Reform and Consumer Protection Act;

''(xv) an insurance producer (as defined in section 334 of the Gramm-Leach-Bliley Act);

''(xvi) any pooled investment vehicle that is operated or advised by a person described in clause (iii), (iv), (v), (vi), (viii), (ix), or (xi);''.

''(xvii) any business concern that—

''(I) employs more than 20 employees on a full-time basis in the United States;

''(II) files income tax returns in the United States demonstrating more than $5,000,000 in gross receipts or sales; and

''(III) has an operating presence at a physical office within the United States; or

''(xviii) any corporation or limited liability company formed and owned by an entity described in this clause or in clause (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv), or (xvi); and

''(D) do not include any individual business concern or class of business concerns which the Secretary of the Treasury and the Attorney General of the United States have jointly determined, by rule of otherwise, to be exempt from the requirements of subsection (a), if the Secretary and the Attorney General jointly determine that requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or prosecute terrorism, money laundering, tax evasion, or other misconduct.

''(5) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network of the Department of the Treasury.

''(6) INDIAN COUNTRY.—The term 'Indian country' has the meaning given that term in section 1151 of title 18.

''(7) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given that term under section 102 of the Federally Recognized Indian Tribe List Act of 1994.

''(8) PERSONAL IDENTIFICATION CARD.—The term 'personal identification card' means an identification document issued by a State, Indian Tribe, or local government to an individual solely for the purpose of identification of that individual.

''(9) STATE.—The term 'State' means any State, commonwealth, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, or the United States Virgin Islands.''.

(2) RULEMAKING.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out this Act and the amendments made by this

Act, including, to the extent necessary, to clarify the definitions in section 5333(d) of title 31, United States Code.

(B) REVISION OF FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall revise the final rule titled ''Customer Due Diligence Requirements for Financial Institutions'' (May 11, 2016; 81 Fed. Reg. 29397) to—

(i) bring the rule into conformance with this Act and the amendments made by this Act;

(ii) account for financial institutions' access to comprehensive beneficial ownership information filed by corporations and limited liability companies, under threat of civil and criminal penalties, under this Act and the amendments made by this Act; and

(iii) reduce any burdens on financial institutions that are, in light of the enactment of this Act and the amendments made by this Act, unnecessary or duplicative.

(3) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(A) in section 5321(a)—

(i) in paragraph (1), by striking ''sections 5314 and 5315'' each place it appears and inserting ''sections 5314, 5315, and 5333''; and

(ii) in paragraph (6), by inserting ''(except section 5333)'' after ''subchapter'' each place it appears; and

(B) in section 5322, by striking ''section 5315 or 5324'' each place it appears and inserting ''section 5315, 5324, or 5333''.

(4) TABLE OF CONTENTS.—The table of contents of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

''5333. Transparent incorporation practices.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $20,000,000 for each of fiscal years 2020 and 2021 to the Financial Crimes Enforcement Network to carry out this Act and the amendments made by this Act.

(c) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, to require any contractor or subcontractor who is subject to the requirement to disclose beneficial ownership information under section 5333 of title 31, United States Code, to provide the information required to be disclosed under such section to the Federal Government as part of any bid or proposal for a contract with a value threshold in excess of the simplified acquisition threshold under section 134 of title 41, United States Code.

SEC. 4. STUDIES AND REPORTS.

(a) UPDATING OF BENEFICIAL OWNERSHIP INFORMATION.—

(1) STUDY.—The Secretary of the Treasury, in consultation with the Attorney General of the United States, shall conduct a study to evaluate—

(A) the necessity of a requirement for corporations and limited liability companies to update the list of their beneficial owners within a specified amount of time after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner, taking into account the annual filings required under section 5333(a)(1)(B)(i) of title 31, United States Code, and the information contained in such annual filings; and

(B) the burden that a requirement to update the list of beneficial owners within a specified period of time after a change in such list of beneficial owners would impose on corporations and limited liability companies.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report on the study required under paragraph (1) to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate

(3) PUBLIC COMMENT.—The Secretary of the Treasury shall seek and consider public input, comments, and data in order to conduct the study required under subparagraph paragraph (1).

(b) OTHER LEGAL ENTITIES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report—

(1) identifying each State or Indian Tribe that has procedures that enable persons to form or register under the laws of the State or Indian Tribe partnerships, trusts, or other legal entities, and the nature of those procedures;

(2) identifying each State or Indian Tribe that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State or Indian Tribe to provide information about the beneficial owners (as that term is defined in section 5333(d)(1) of title 31, United States Code, as added by this Act) or beneficiaries of such entities, and the nature of the required information;

(3) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(A) raises concerns about the involvement of such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct;

(B) has impeded investigations into entities suspected of such misconduct; and

(C) increases the costs to financial institutions of complying with due diligence requirements imposed under the Bank Secrecy Act, the USA PATRIOT Act, or other applicable Federal, State, or Tribal law; and

(4) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism and what steps, if any, the United States has taken or is planning to take in response.

(c) EFFECTIVENESS OF INCORPORATION PRACTICES.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report assessing the effectiveness of incorporation practices implemented under this Act and the amendments made by this Act in—

(1) providing law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of law enforcement agencies to combat incorporation abuses, civil and criminal misconduct, and detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

SEC. 5. DEFINITIONS.

In this Act, the terms ''Bank Secrecy Act'', ''beneficial owner'', ''corporation'', and ''limited liability company'' have the meaning given those terms, respectively, under section 5333(d) of title 31, United States Code.

DIVISION B—COUNTER ACT OF 2019

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Coordinating Oversight, Upgrading and Innovating Technology, and Examiner Reform Act of 2019'' or the ''COUNTER Act of 2019''.

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

DIVISION B—COUNTER ACT OF 2019

Sec. 1. Short title; table of contents.
Sec. 2. Bank Secrecy Act definition.

TITLE I—STRENGTHENING TREASURY

Sec. 101. Improving the definition and purpose of the Bank Secrecy Act.
Sec. 102. Special hiring authority.
Sec. 103. Civil Liberties and Privacy Officer.
Sec. 104. Civil Liberties and Privacy Council.
Sec. 105. International coordination.
Sec. 106. Treasury Attachés Program.
Sec. 107. Increasing technical assistance for international cooperation.
Sec. 108. FinCEN Domestic Liaisons.
Sec. 109. FinCEN Exchange.
Sec. 110. Study and strategy on trade-based money laundering.
Sec. 111. Study and strategy on de-risking.
Sec. 112. AML examination authority delegation study.
Sec. 113. Study and strategy on Chinese money laundering.

TITLE J—IMPROVING AML/CFT OVERSIGHT

Sec. 201. Pilot program on sharing of suspicious activity reports within a financial group.
Sec. 202. Sharing of compliance resources.
Sec. 203. GAO Study on feedback loops.
Sec. 204. FinCEN study on BSA value.
Sec. 205. Sharing of threat pattern and trend information.
Sec. 206. Modernization and upgrading whistleblower protections.
Sec. 207. Certain violators barred from serving on boards of United States financial institutions.
Sec. 208. Additional damages for repeat Bank Secrecy Act violators.
Sec. 209. Justice annual report on deferred and non-prosecution agreements.
Sec. 210. Return of profits and bonuses.
Sec. 211. Application of Bank Secrecy Act to dealers in antiquities.
Sec. 212. Geographic targeting order.
Sec. 213. Study and revisions to currency transaction reports and suspicious activity reports.
Sec. 214. Streamlining requirements for currency transaction reports and suspicious activity reports.

TITLE K—MODERNIZING THE AML SYSTEM

Sec. 301. Encouraging innovation in BSA compliance.
Sec. 302. Innovation Labs.
Sec. 303. Innovation Council.
Sec. 304. Testing methods rulemaking.
Sec. 305. FinCEN study on use of emerging technologies.
Sec. 306. Discretionary surplus funds.

(c) REFERENCES TO THIS ACT.—In this division—

(1) any reference to ''this Act'' shall be deemed a reference to ''this division''; and

(2) except as otherwise expressly provided, any reference to a section or other provision shall be deemed a reference to that section or other provision of this division.

SEC. 2. BANK SECRECY ACT DEFINITION.

Section 5312(a) of title 31, United States Code, is amended by adding at the end the following:

''(7) BANK SECRECY ACT.—The term 'Bank Secrecy act' means—

''(A) section 21 of the Federal Deposit Insurance Act;

''(B) chapter 2 of title I of Public Law 91–508; and

''(C) this subchapter.''.

TITLE I—STRENGTHENING TREASURY

SEC. 101. IMPROVING THE DEFINITION AND PURPOSE OF THE BANK SECRECY ACT.

Section 5311 of title 31, United States Code, is amended—

(1) by inserting ''to protect our national security, to safeguard the integrity of the international financial system, and'' before ''to require''; and

(2) by inserting ''to law enforcement and'' before ''in criminal''.

SEC. 102. SPECIAL HIRING AUTHORITY.

(a) IN GENERAL.—Section 310 of title 31, United States Code, is amended—

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

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

''(d) SPECIAL HIRING AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service (as defined in section 2102 of that title) in FinCEN.

''(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed pursuant to paragraph (1) shall be to provide substantive support in support of the duties described in subparagraphs (A), (B), (E), and (F) of subsection (b)(2).''.

(b) REPORT.—Not later than 360 days after the date of enactment of this Act, and every year thereafter for 7 years, the Director of the Financial Crimes Enforcement Network shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

(1) the number of new employees hired since the preceding report through the authorities described under section 310(d) of title 31, United States Code, along with position titles and associated pay grades for such hires; and

(2) a copy of any Federal Government survey of staff perspectives at the Office of Terrorism and Financial Intelligence, including findings regarding the Office and the Financial Crimes Enforcement Network from the most recently administered Federal Employee Viewpoint Survey.

SEC. 103. CIVIL LIBERTIES AND PRIVACY OFFICER.

(a) APPOINTMENT OF OFFICERS.—Not later than the end of the 3-month period beginning on the date of enactment of this Act, a Civil Liberties and Privacy Officer shall be appointed, from among individuals who are attorneys with expertise in data privacy laws—

(1) within each Federal functional regulator, by the head of the Federal functional regulator;

(2) within the Financial Crimes Enforcement Network, by the Secretary of the Treasury; and

(3) within the Internal Revenue Service Small Business and Self-Employed Tax Center, by the Secretary of the Treasury.

(b) DUTIES.—Each Civil Liberties and Privacy Officer shall, with respect to the applicable regulator, Network, or Center within which the Officer is located—

(1) be consulted each time Bank Secrecy Act or anti-money laundering regulations affecting civil liberties or privacy are developed or reviewed;

(2) be consulted on information-sharing programs, including those that provide access to personally identifiable information;

(3) ensure coordination and clarity between anti-money laundering, civil liberties, and privacy regulations;

(4) contribute to the evaluation and regulation of new technologies that may strengthen data privacy and the protection of personally identifiable information collected by each Federal functional regulator; and

(5) develop metrics of program success.

(c) DEFINITIONS.—For purposes of this section:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

(2) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

SEC. 104. CIVIL LIBERTIES AND PRIVACY COUNCIL.

(a) ESTABLISHMENT.—There is established the Civil Liberties and Privacy Council (hereinafter in this section referred to as the ''Council''), which shall consist of the Civil Liberties and Privacy Officers appointed pursuant to section 103.

(b) CHAIR.—The Director of the Financial Crimes Enforcement Network shall serve as the Chair of the Council.

(c) DUTY.—The members of the Council shall coordinate on activities related to their duties as Civil Liberties Privacy Officers, but may not supplant the individual agency determinations on civil liberties and privacy.

(d) MEETINGS.—The meetings of the Council—

(1) shall be at the call of the Chair, but in no case may the Council meet less than quarterly;

(2) may include open and partially closed sessions, as determined necessary by the Council; and

(3) shall include participation by public and private entities and law enforcement agencies.

(e) REPORT.—The Chair of the Council shall issue an annual report to the Congress on the program and policy activities, including the success of programs as measured by metrics of program success developed pursuant to section 103(b)(5), of the Council during the previous year and any legislative recommendations that the Council may have.

(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

SEC. 105. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Secretary of the Treasury shall work with the Secretary's foreign counterparts, including through the Financial Action Task Force, the International Monetary Fund, the World Bank, the Egmont Group of Financial Intelligence Units, the Organisation for Economic Co-operation and Development, and the United Nations, to promote stronger anti-money laundering frameworks and enforcement of anti-money laundering laws.

(b) COOPERATION GOAL.—In carrying out subsection (a), the Secretary of the Treasury may work directly with foreign counterparts and other organizations where the goal of cooperation can best be met.

(c) INTERNATIONAL MONETARY FUND.—

(1) SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

''SEC. 1629. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

''The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to support the increased use of the administrative budget of the Fund for technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism.''.

(2) NATIONAL ADVISORY COUNCIL REPORT TO CONGRESS.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) a description of—

(A) the activities of the International Monetary Fund in the most recently completed fiscal year to provide technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(B) the efficacy of efforts by the United States to support such technical assistance through the use of the Fund's administrative budget, and the level of such support.

(3) SUNSET.—Effective on the date that is the end of the 4-year period beginning on the date of enactment of this Act, section 1629 of the International Financial Institutions Act, as added by paragraph (1), is repealed.

SEC. 106. TREASURY ATTACHÉS PROGRAM.

(a) IN GENERAL.—Title 31, United States Code, is amended by inserting after section 315 the following:

''§ 316. Treasury Attachés Program

''(a) IN GENERAL.—There is established the Treasury Attachés Program, under which the Secretary of the Treasury shall appoint employees of the Department of the Treasury, after nomination by the Director of the Financial Crimes Enforcement Network ('FinCEN'), as a Treasury attaché, who shall—

''(1) be knowledgeable about the Bank Secrecy Act and anti-money laundering issues;

''(2) be co-located in a United States embassy;

''(3) perform outreach with respect to Bank Secrecy Act and anti-money laundering issues;

''(4) establish and maintain relationships with foreign counterparts, including employees of ministries of finance, central banks, and other relevant official entities;

''(5) conduct outreach to local and foreign financial institutions and other commercial actors, including—

''(A) information exchanges through FinCEN and FinCEN programs; and

''(B) soliciting buy-in and cooperation for the implementation of—

''(i) United States and multilateral sanctions; and

''(ii) international standards on anti-money laundering and the countering of the financing of terrorism; and

''(6) perform such other actions as the Secretary determines appropriate.

''(b) NUMBER OF ATTACHÉS.—The number of Treasury attachés appointed under this section at any one time shall be not fewer than 6 more employees than the number of employees of the Department of the Treasury serving as Treasury attachés on March 1, 2019.

''(c) COMPENSATION.—Each Treasury attaché appointed under this section and located at a United States embassy shall receive compensation at the higher of—

''(1) the rate of compensation provided to a Foreign Service officer at a comparable career level serving at the same embassy; or

''(2) the rate of compensation the Treasury attaché would otherwise have received, absent the application of this subsection.

''(d) BANK SECRECY ACT DEFINED.—In this section, the term 'Bank Secrecy Act' has the meaning given that term under section 5312.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 3 of title 31, United States Code, is amended by inserting after the item relating to section 315 the following:

''316. Treasury Attachés Program.''.

SEC. 107. INCREASING TECHNICAL ASSISTANCE FOR INTERNATIONAL COOPERATION.

(a) IN GENERAL.—There is authorized to be appropriated for each of fiscal years 2020 through 2024 to the Secretary of the Treasury for purposes of providing technical assistance that promotes compliance with international standards and best practices, including in particular those aimed at the establishment of effective anti-money laundering and countering the financing of terrorism regimes, in an amount equal to twice the amount authorized for such purpose for fiscal year 2019.

(b) ACTIVITY AND EVALUATION REPORT.—Not later than 360 days after enactment of this Act, and every year thereafter for five years, the Secretary of the Treasury shall issue a report to the Congress on the assistance (as described under subsection (a)) of the Office of Technical Assistance of the Department of the Treasury containing—

(1) a narrative detailing the strategic goals of the Office in the previous year, with an explanation of how technical assistance provided in the previous year advances the goals;

(2) a description of technical assistance provided by the Office in the previous year, including the objectives and delivery methods of the assistance;

(3) a list of beneficiaries and providers (other than Office staff) of the technical assistance;

(4) a description of how technical assistance provided by the Office complements, duplicates, or otherwise affects or is affected by technical assistance provided by the international financial institutions (as defined under section 1701(c) of the International Financial Institutions Act); and

(5) a copy of any Federal Government survey of staff perspectives at the Office of Technical Assistance, including any findings regarding the Office from the most recently administered Federal Employee Viewpoint Survey.

SEC. 108. FINCEN DOMESTIC LIAISONS.

Section 310 of title 31, United States Code, as amended by section 102, is further amended by inserting after subsection (d) the following:

''(e) FINCEN DOMESTIC LIAISONS.—

''(1) IN GENERAL.—The Director of FinCEN shall appoint at least 6 senior FinCEN employees as FinCEN Domestic Liaisons, who shall—

''(A) each be assigned to focus on a specific region of the United States;

''(B) be located at an office in such region (or co-located at an office of the Board of Governors of the Federal Reserve System in such region); and

''(C) perform outreach to BSA officers at financial institutions (including non-bank financial institutions) and persons who are not financial institutions, especially with respect to actions taken by FinCEN that require specific actions by, or have specific effects on, such institutions or persons, as determined by the Director.

''(2) DEFINITIONS.—In this subsection:

''(A) BSA OFFICER.—The term 'BSA officer' means an employee of a financial institution whose primary job responsibility involves compliance with the Bank Secrecy Act, as such term is defined under section 5312.

''(B) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given that term under section 5312.''.

SEC. 109. FINCEN EXCHANGE.

Section 310 of title 31, United States Code, as amended by section 108, is further amended by inserting after subsection (e) the following:

''(f) FINCEN EXCHANGE.—

''(1) ESTABLISHMENT.—The FinCEN Exchange is hereby established within FinCEN, which shall consist of the FinCEN Exchange program of FinCEN in existence on the day before the date of enactment of this paragraph.

''(2) PURPOSE.—The FinCEN Exchange shall facilitate a voluntary public-private information sharing partnership among law enforcement, financial institutions, and FinCEN to—

''(A) effectively and efficiently combat money laundering, terrorism financing, organized crime, and other financial crimes;

''(B) protect the financial system from illicit use; and

''(C) promote national security.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than one year after the date of enactment of this subsection, and annually thereafter for the next five years, the Secretary of the Treasury shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing—

''(i) an analysis of the efforts undertaken by the FinCEN Exchange and the results of such efforts;

''(ii) an analysis of the extent and effectiveness of the FinCEN Exchange, including any benefits realized by law enforcement from partnership with financial institutions; and

''(iii) any legislative, administrative, or other recommendations the Secretary may have to strengthen FinCEN Exchange efforts.

''(B) CLASSIFIED ANNEX.—Each report under subparagraph (A) may include a classified annex.

''(4) INFORMATION SHARING REQUIREMENT.—Information shared pursuant to this subsection shall be shared in compliance with all other applicable Federal laws and regulations.

''(5) RULE OF CONSTRUCTION.—Nothing under this subsection may be construed to create new information sharing authorities related to the Bank Secrecy Act (as such term is defined under section 5312 of title 31, United States Code).

''(6) FINANCIAL INSTITUTION DEFINED.—In this subsection, the term 'financial institution' has the meaning given that term under section 5312.''.

SEC. 110. STUDY AND STRATEGY ON TRADE-BASED MONEY LAUNDERING.

(a) STUDY.—The Secretary of the Treasury shall carry out a study, in consultation with appropriate private sector stakeholders and Federal departments and agencies, on trade-based money laundering.

(b) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) proposed strategies to combat trade-based money laundering.

(c) CLASSIFIED ANNEX.—The report required under this section may include a classified annex.

(d) CONTRACTING AUTHORITY.—The Secretary may contract with a private third-party to carry out the study required under this section. The authority of the Secretary to enter into contracts under this subsection shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts.

SEC. 111. STUDY AND STRATEGY ON DE-RISKING.

(a) REVIEW.—The Secretary of the Treasury, in consultation with appropriate private sector stakeholders, examiners, and the Federal functional regulators (as defined under section 103) and other relevant stakeholders, shall undertake a formal review of—

(1) any adverse consequences of financial institutions de-risking entire categories of relationships, including charities, embassy accounts, money services businesses (as defined under section 1010.100(ff) of title 31, Code of Federal Regulations) and their agents, countries, international and domestic regions, and respondent banks;

(2) the reasons why financial institutions are engaging in de-risking;

(3) the association with and effects of de-risking on money laundering and financial crime actors and activities;

(4) the most appropriate ways to promote financial inclusion, particularly with respect to developing countries, while maintaining compliance with the Bank Secrecy Act, including an assessment of policy options to—

(A) more effectively tailor Federal actions and penalties to the size of foreign financial institutions and any capacity limitations of foreign governments; and

(B) reduce compliance costs that may lead to the adverse consequences described in paragraph (1);

(5) formal and informal feedback provided by examiners that may have led to de-risking;

(6) the relationship between resources dedicated to compliance and overall sophistication of compliance efforts at entities that may be experiencing de-risking versus those that have not experienced de-risking; and

(7) any best practices from the private sector that facilitate correspondent bank relationships.

(b) DE-RISKING STRATEGY.—The Secretary shall develop a strategy to reduce de-risking and adverse consequences related to de-risking.

(c) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary, in consultation with the Federal functional regulators and other relevant stakeholders, shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed pursuant to subsection (b).

(d) DEFINITIONS.—In this section:

(1) DE-RISKING.—The term ''de-risking'' means the wholesale closing of accounts or limiting of financial services for a category of customer due to unsubstantiated risk as it relates to compliance with the Bank Secrecy Act.

(2) BSA TERMS.—The terms ''Bank Secrecy Act'' and ''financial institution'' have the meaning given those terms, respectively, under section 5312 off title 31, United States Code.

SEC. 112. AML EXAMINATION AUTHORITY DELEGATION STUDY.

(a) STUDY.—The Secretary of the Treasury shall carry out a study on the Secretary's delegation of examination authority under the Bank Secrecy Act, including—

(1) an evaluation of the efficacy of the delegation, especially with respect to the mission of the Bank Secrecy Act;

(2) whether the delegated agencies have appropriate resources to perform their delegated responsibilities; and

(3) whether the examiners in delegated agencies have sufficient training and support to perform their responsibilities.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary of the Treasury shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) recommendations to improve the efficacy of delegation authority, including the potential for de-delegation of any or all such authority where it may be appropriate.

(c) BANK SECRECY ACT DEFINED.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 off title 31, United States Code.

SEC. 113. STUDY AND STRATEGY ON CHINESE MONEY LAUNDERING.

(a) STUDY.—The Secretary of the Treasury shall carry out a study on the extent and effect of Chinese money laundering activities in the United States, including territories and possessions of the United States, and worldwide.

(b) STRATEGY TO COMBAT CHINESE MONEY LAUNDERING.—Upon the completion of the study required under subsection (a), the Secretary shall, in consultation with such other Federal departments and agencies as the Secretary determines appropriate, develop a strategy to combat Chinese money laundering activities.

(c) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Secretary of the Treasury shall issue a report to Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed under subsection (b).

TITLE J—IMPROVING AML/CFT OVERSIGHT

SEC. 201. PILOT PROGRAM ON SHARING OF SUSPICIOUS ACTIVITY REPORTS WITHIN A FINANCIAL GROUP.

(a) IN GENERAL.—

(1) SHARING WITH FOREIGN BRANCHES AND AFFILIATES.—Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

''(5) PILOT PROGRAM ON SHARING WITH FOREIGN BRANCHES, SUBSIDIARIES, AND AFFILIATES.—

''(A) IN GENERAL.—The Secretary of the Treasury shall issue rules establishing the pilot

program described under subparagraph (B), subject to such controls and restrictions as the Director of the Financial Crimes Enforcement Network determines appropriate, including controls and restrictions regarding participation by financial institutions and jurisdictions in the pilot program. In prescribing such rules, the Secretary shall ensure that the sharing of information described under such subparagraph (B) is subject to appropriate standards and requirements regarding data security and the confidentiality of personally identifiable information.

''(B) PILOT PROGRAM DESCRIBED.—The pilot program required under this paragraph shall—

''(i) permit a financial institution with a reporting obligation under this subsection to share reports (and information on such reports) under this subsection with the institution's foreign branches, subsidiaries, and affiliates for the purpose of combating illicit finance risks, notwithstanding any other provision of law except subparagraphs (A) and (C);

''(ii) terminate on the date that is five years after the date of enactment of this paragraph, except that the Secretary may extend the pilot program for up to two years upon submitting a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

''(I) a certification that the extension is in the national interest of the United States, with a detailed explanation of the reasons therefor;

''(II) an evaluation of the usefulness of the pilot program, including a detailed analysis of any illicit activity identified or prevented as a result of the program; and

''(III) a detailed legislative proposal providing for a long-term extension of the pilot program activities, including expected budgetary resources for the activities, if the Secretary determines that a long-term extension is appropriate.

''(C) PROHIBITION INVOLVING CERTAIN JURISDICTIONS.—In issuing the regulations required under subparagraph (A), the Secretary may not permit a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in—

''(i) the People's Republic of China;

''(ii) the Russian Federation; or

''(iii) a jurisdiction that—

''(I) is subject to countermeasures imposed by the Federal Government;

''(II) is a state sponsor of terrorism; or

''(III) the Secretary has determined cannot reasonably protect the privacy and confidentiality of such information or would otherwise use such information in a manner that is not consistent with the national interest of the United States.

''(D) IMPLEMENTATION UPDATES.—Not later than 360 days after the date rules are issued under subparagraph (A), and annually thereafter for three years, the Secretary, or the Secretary's designee, shall brief the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

''(i) the degree of any information sharing permitted under the pilot program, and a description of criteria used by the Secretary to evaluate the appropriateness of the information sharing;

''(ii) the effectiveness of the pilot program in identifying or preventing the violation of a United States law or regulation, and mechanisms that may improve such effectiveness; and

''(iii) any recommendations to amend the design of the pilot program.

''(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as limiting the Secretary's authority under provisions of law other than this paragraph to establish other permissible purposes or methods for a financial institution sharing reports (and information on such reports) under this subsection with the institution's foreign headquarters or with other branches of the same institution.

''(F) NOTICE OF USE OF OTHER AUTHORITY.—If the Secretary, pursuant to any authority other than that provided under this paragraph, permits a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in a foreign jurisdiction, the Secretary shall notify the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of such permission and the applicable foreign jurisdiction.

''(6) TREATMENT OF FOREIGN JURISDICTION-ORIGINATED REPORTS.—A report received by a financial institution from a foreign affiliate with respect to a suspicious transaction relevant to a possible violation of law or regulation shall be subject to the same confidentiality requirements provided under this subsection for a report of a suspicious transaction described under paragraph (1).''.

(2) NOTIFICATION PROHIBITIONS.—Section 5318(g)(2)(A) of title 31, United States Code, is amended—

(A) in clause (i), by inserting after ''transaction has been reported'' the following: ''or otherwise reveal any information that would reveal that the transaction has been reported''; and

(B) in clause (ii), by inserting after ''transaction has been reported,'' the following: ''or otherwise reveal any information that would reveal that the transaction has been reported,''.

(b) RULEMAKING.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out the amendments made by this section.

SEC. 202. SHARING OF COMPLIANCE RESOURCES.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, is amended by adding at the end the following:

''(o) SHARING OF COMPLIANCE RESOURCES.—

''(1) SHARING PERMITTED.—Two or more financial institutions may enter into collaborative arrangements in order to more efficiently comply with the requirements of this subchapter.

''(2) OUTREACH.—The Secretary of the Treasury and the appropriate supervising agencies shall carry out an outreach program to provide financial institutions with information, including best practices, with respect to the sharing of resources described under paragraph (1).''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to require financial institutions to share resources.

SEC. 203. GAO STUDY ON FEEDBACK LOOPS.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on—

(1) best practices within the United States Government for providing feedback (''feedback loop'') to relevant parties (including regulated private entities) on the usage and usefulness of personally identifiable information (''PII''), sensitive-but-unclassified (''SBU'') data, or similar information provided by such parties to Government users of such information and data (including law enforcement or regulators); and

(2) any practices or standards inside or outside the United States for providing feedback through sensitive information and public-private partnership information sharing efforts, specifically related to efforts to combat money laundering and other forms of illicit finance.

(b) REPORT.—Not later than the end of the 18-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) with respect to each of paragraphs (1) and (2) of subsection (a), any best practices or significant concerns identified by the Comptroller General, and their applicability to public-private partnerships and feedback loops with respect to U.S. efforts to combat money laundering and other forms of illicit finance; and

(3) recommendations to reduce or eliminate any unnecessary Government collection of the information described under subsection (a)(1).

SEC. 204. FINCEN STUDY ON BSA VALUE.

(a) STUDY.—The Director of the Financial Crimes Enforcement Network shall carry out a study on Bank Secrecy Act value.

(b) REPORT.—Not later than the end of the 30-day period beginning on the date the study under subsection (a) is completed, the Director shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under this section.

(c) CLASSIFIED ANNEX.—The report required under this section may include a classified annex, if the Director determines it appropriate.

(d) BANK SECRECY ACT DEFINED.—For purposes of this section, the term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

SEC. 205. SHARING OF THREAT PATTERN AND TREND INFORMATION.

Section 5318(g) of title 31, United States Code, as amended by section 201(a)(1), is further amended by adding at the end the following:

''(7) SHARING OF THREAT PATTERN AND TREND INFORMATION.—

''(A) SAR ACTIVITY REVIEW.—The Director of the Financial Crimes Enforcement Network shall restart publication of the 'SAR Activity Review – Trends, Tips & Issues', on not less than a semi-annual basis, to provide meaningful information about the preparation, use, and value of reports filed under this subsection by financial institutions, as well as other reports filed by financial institutions under the Bank Secrecy Act.

''(B) INCLUSION OF TYPOLOGIES.—In each publication described under subparagraph (A), the Director shall provide financial institutions with typologies, including data that can be adapted in algorithms (including for artificial intelligence and machine learning programs) where appropriate, on emerging money laundering and counter terror financing threat patterns and trends.

''(C) TYPOLOGY DEFINED.—For purposes of this paragraph, the term 'typology' means the various techniques used to launder money or finance terrorism.''.

SEC. 206. MODERNIZATION AND UPGRADING WHISTLEBLOWER PROTECTIONS.

(a) REWARDS.—Section 5323(d) of title 31, United States Code, is amended to read as follows:

''(d) SOURCE OF REWARDS.—For the purposes of paying a reward under this section, the Secretary may, subject to amounts made available in advance by appropriation Acts, use criminal fine, civil penalty, or forfeiture amounts recovered based on the original information with respect to which the reward is being paid.''.

(b) WHISTLEBLOWER INCENTIVES.—

Chapter 53 of title 31, United States Code, is amended—

(1) by inserting after section 5323 the following:

''§ 5323A. Whistleblower incentives

''(a) DEFINITIONS.—In this section:

''(1) COVERED JUDICIAL OR ADMINISTRATIVE ACTION.—The term 'covered judicial or administrative action' means any judicial or administrative action brought by FinCEN under the Bank Secrecy Act that results in monetary sanctions exceeding $1,000,000.

''(2) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network.

''(3) MONETARY SANCTIONS.—The term 'monetary sanctions', when used with respect to any judicial or administrative action, means—

''(A) any monies, including penalties, disgorgement, and interest, ordered to be paid; and

''(B) any monies deposited into a disgorgement fund as a result of such action or any settlement of such action.

''(4) ORIGINAL INFORMATION.—The term 'original information' means information that—

''(A) is derived from the independent knowledge or analysis of a whistleblower;

''(B) is not known to FinCEN from any other source, unless the whistleblower is the original source of the information; and

''(C) is not exclusively derived from an allegation made in a judicial or administrative hearing, in a governmental report, hearing, audit, or investigation, or from the news media, unless the whistleblower is a source of the information.

''(5) RELATED ACTION.—The term 'related action', when used with respect to any judicial or administrative action brought by FinCEN, means any judicial or administrative action that is based upon original information provided by a whistleblower that led to the successful enforcement of the action.

''(6) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(7) WHISTLEBLOWER.—The term 'whistleblower' means any individual who provides, or 2 or more individuals acting jointly who provide, information relating to a violation of laws enforced by FinCEN, in a manner established, by rule or regulation, by FinCEN.

''(b) AWARDS.—

''(1) IN GENERAL.—In any covered judicial or administrative action, or related action, the Secretary, under such rules as the Secretary may issue and subject to subsection (c), shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to FinCEN that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action.

''(2) SOURCE OF AWARDS.—For the purposes of paying any award under paragraph (1), the Secretary may, subject to amounts made available in advance by appropriation Acts, use monetary sanction amounts recovered based on the original information with respect to which the award is being paid.

''(c) DETERMINATION OF AMOUNT OF AWARD; DENIAL OF AWARD.—

''(1) DETERMINATION OF AMOUNT OF AWARD.—

''(A) DISCRETION.—The determination of the amount of an award made under subsection (b) shall be in the discretion of the Secretary.

''(B) CRITERIA.—In responding to a disclosure and determining the amount of an award made, FinCEN staff shall meet with the whistleblower to discuss evidence disclosed and rebuttals to the disclosure, and shall take into consideration—

''(i) the significance of the information provided by the whistleblower to the success of the covered judicial or administrative action;

''(ii) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in a covered judicial or administrative action;

''(iii) the mission of FinCEN in deterring violations of the law by making awards to whistleblowers who provide information that lead to the successful enforcement of such laws; and

''(iv) such additional relevant factors as the Secretary may establish by rule.

''(2) DENIAL OF AWARD.—No award under subsection (b) shall be made—

''(A) to any whistleblower who is, or was at the time the whistleblower acquired the original information submitted to FinCEN, a member, officer, or employee of—

''(i) an appropriate regulatory agency;

''(ii) the Department of Justice;

''(iii) a self-regulatory organization; or

''(iv) a law enforcement organization;

''(B) to any whistleblower who is convicted of a criminal violation, or who the Secretary has a reasonable basis to believe committed a criminal violation, related to the judicial or administrative action for which the whistleblower otherwise could receive an award under this section;

''(C) to any whistleblower who gains the information through the performance of an audit of financial statements required under the Bank Secrecy Act and for whom such submission would be contrary to its requirements; or

''(D) to any whistleblower who fails to submit information to FinCEN in such form as the Secretary may, by rule, require.

''(3) STATEMENT OF REASONS.—For any decision granting or denying an award, the Secretary shall provide to the whistleblower a statement of reasons that includes findings of fact and conclusions of law for all material issues.

''(d) REPRESENTATION.—

''(1) PERMITTED REPRESENTATION.—Any whistleblower who makes a claim for an award under subsection (b) may be represented by counsel.

''(2) REQUIRED REPRESENTATION.—

''(A) IN GENERAL.—Any whistleblower who anonymously makes a claim for an award under subsection (b) shall be represented by counsel if the whistleblower anonymously submits the information upon which the claim is based.

''(B) DISCLOSURE OF IDENTITY.—Prior to the payment of an award, a whistleblower shall disclose their identity and provide such other information as the Secretary may require, directly or through counsel for the whistleblower.

''(e) APPEALS.—Any determination made under this section, including whether, to whom, or in what amount to make awards, shall be in the discretion of the Secretary. Any such determination, except the determination of the amount of an award if the award was made in accordance with subsection (b), may be appealed to the appropriate court of appeals of the United States not more than 30 days after the determination is issued by the Secretary. The court shall review the determination made by the Secretary in accordance with section 706 of title 5.

''(f) EMPLOYEE PROTECTIONS.—The Secretary of the Treasury shall issue regulations protecting a whistleblower from retaliation, which shall be as close as practicable to the employee protections provided for under section 1057 of the Consumer Financial Protection Act of 2010.''; and

(2) in the table of contents for such chapter, by inserting after the item relating to section 5323 the following new item:

''5323A. Whistleblower incentives.''.

SEC. 207. CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.

Section 5321 of title 31, United States Code, is amended by adding at the end the following:

''(f) CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.—

''(1) IN GENERAL.—An individual found to have committed an egregious violation of a provision of (or rule issued under) the Bank Secrecy Act shall be barred from serving on the board of directors of a United States financial institution for a 10-year period beginning on the date of such finding.

''(2) EGREGIOUS VIOLATION DEFINED.—With respect to an individual, the term 'egregious violation' means—

''(A) a felony criminal violation for which the individual was convicted; and

''(B) a civil violation where the individual willfully committed such violation and the violation facilitated money laundering or the financing of terrorism.''.

SEC. 208. ADDITIONAL DAMAGES FOR REPEAT BANK SECRECY ACT VIOLATORS.

(a) IN GENERAL.—Section 5321 of title 31, United States Code, as amended by section 208, is further amended by adding at the end the following:

''(g) ADDITIONAL DAMAGES FOR REPEAT VIOLATORS.—In addition to any other fines permitted by this section and section 5322, with respect to a person who has previously been convicted of a criminal provision of (or rule issued under) the Bank Secrecy Act or who has admitted, as part of a deferred- or non-prosecution agreement, to having previously committed a violation of a criminal provision of (or rule issued under) the Bank Secrecy Act, the Secretary may impose an additional civil penalty against such person for each additional such violation in an amount equal to up three times the profit gained or loss avoided by such person as a result of the violation.''.

(b) PROSPECTIVE APPLICATION OF AMENDMENT.—For purposes of determining whether a person has committed a previous violation under section 5321(g) of title 31, United States Code, such determination shall only include violations occurring after the date of enactment of this Act.

SEC. 209. JUSTICE ANNUAL REPORT ON DEFERRED AND NON-PROSECUTION AGREEMENTS.

(a) ANNUAL REPORT.—The Attorney General shall issue an annual report, every year for the five years beginning on the date of enactment of this Act, to the Committees on Financial Services and the Judiciary of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and the Judiciary of the Senate containing—

(1) a list of deferred prosecution agreements and non-prosecution agreements that the Attorney General has entered into during the previous year with any person with respect to a violation or suspected violation of the Bank Secrecy Act;

(2) the justification for entering into each such agreement;

(3) the list of factors that were taken into account in determining that the Attorney General should enter into each such agreement; and

(4) the extent of coordination the Attorney General conducted with the Financial Crimes Enforcement Network prior to entering into each such agreement.

(b) CLASSIFIED ANNEX.—Each report under subsection (a) may include a classified annex.

(c) BANK SECRECY ACT DEFINED.—For purposes of this section, the term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

SEC. 210. RETURN OF PROFITS AND BONUSES.

(a) IN GENERAL.—Section 5322 of title 31, United States Code, is amended by adding at the end the following:

''(e) RETURN OF PROFITS AND BONUSES.—A person convicted of violating a provision of (or rule issued under) the Bank Secrecy Act shall—

''(1) in addition to any other fine under this section, be fined in an amount equal to the profit gained by such person by reason of such violation, as determined by the court; and

''(2) if such person is an individual who was a partner, director, officer, or employee of a financial institution at the time the violation occurred, repay to such financial institution any bonus paid to such individual during the Federal fiscal year in which the violation occurred or the Federal fiscal year after which the violation occurred.''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to prohibit a financial institution from requiring the repayment of a bonus paid to a partner, director, officer, or employee if the financial institution determines that the partner, director, officer, or employee engaged in unethical, but non-criminal, activities.

SEC. 211. APPLICATION OF BANK SECRECY ACT TO DEALERS IN ANTIQUITIES.

(a) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, is amended—

(1) in subparagraph (Y), by striking ''or'' at the end;

(2) by redesignating subparagraph (Z) as subparagraph (AA); and

(3) by inserting after subsection (Y) the following:

''(Z) a person trading or acting as an intermediary in the trade of antiquities, including an advisor, consultant or any other person who engages as a business in the solicitation of the sale of antiquities; or''.

(b) STUDY ON THE FACILITATION OF MONEY LAUNDERING AND TERROR FINANCE THROUGH THE TRADE OF WORKS OF ART OR ANTIQUITIES.—

(1) STUDY.—The Secretary of the Treasury, in coordination with Federal Bureau of Investigation, the Attorney General, and Homeland Security Investigations, shall perform a study on the facilitation of money laundering and terror finance through the trade of works of art or antiquities, including an analysis of—

(A) the extent to which the facilitation of money laundering and terror finance through the trade of works of art or antiquities may enter or affect the financial system of the United States, including any qualitative data or statistics;

(B) whether thresholds and definitions should apply in determining which entities to regulate;

(C) an evaluation of which markets, by size, entity type, domestic or international geographical locations, or otherwise, should be subject to regulations, but only to the extent such markets are not already required to report on the trade of works of art or antiquities to the Federal Government;

(D) an evaluation of whether certain exemptions should apply; and

(E) any other points of study or analysis the Secretary determines necessary or appropriate.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under paragraph (1).

(c) RULEMAKING.—Not later than the end of the 180-day period beginning on the date the Secretary issues the report required under subsection (b)(2), the Secretary shall issue regulations to carry out the amendments made by subsection (a).

SEC. 212. GEOGRAPHIC TARGETING ORDER.

The Secretary of the Treasury shall issue a geographic targeting order, similar to the order issued by the Financial Crimes Enforcement Network on November 15, 2018, that—

(1) applies to commercial real estate to the same extent, with the exception of having the same thresholds, as the order issued by FinCEN on November 15, 2018, applies to residential real estate; and

(2) establishes a specific threshold for commercial real estate.

SEC. 213. STUDY AND REVISIONS TO CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) CURRENCY TRANSACTION REPORTS.—

(1) CTR INDEXED FOR INFLATION.—

(A) IN GENERAL.—Every 5 years after the date of enactment of this Act, the Secretary of the Treasury shall revise regulations issued with respect to section 5313 of title 31, United States Code, to update each $10,000 threshold amount in such regulation to reflect the change in the Consumer Price Index for All Urban Consumers published by the Department of Labor, rounded to the nearest $100. For purposes of calculating the change described in the previous sentence, the Secretary shall use $10,000 as the base amount and the date of enactment of this Act as the base date.

(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary may make appropriate adjustments to the threshold amounts described under subparagraph (A) in high-risk areas (e.g., High Intensity Financial Crime Areas or HIFCAs), if the Secretary has demonstrable evidence that shows a threshold raise would increase serious crimes, such as trafficking, or endanger national security.

(2) GAO CTR STUDY.—

(A) STUDY.—The Comptroller General of the United States shall carry out a study of currency transaction reports. Such study shall include—

(i) a review (carried out in consultation with the Secretary of the Treasury, the Financial Crimes Enforcement Network, the United States Attorney General, the State Attorneys General, and State, Tribal, and local law enforcement) of the effectiveness of the current currency transaction reporting regime;

(ii) an analysis of the importance of currency transaction reports to law enforcement; and

(iii) an analysis of the effects of raising the currency transaction report threshold.

(B) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Comptroller General shall issue a report to the Secretary of the Treasury and the Congress containing—

(i) all findings and determinations made in carrying out the study required under subparagraph (A); and

(ii) recommendations for improving the current currency transaction reporting regime.

(b) MODIFIED SARS STUDY AND DESIGN.—

(1) STUDY.—The Director of the Financial Crimes Enforcement Network shall carry out a study, in consultation with industry stakeholders (including money services businesses, community banks, and credit unions), regulators, and law enforcement, of the design of a modified suspicious activity report form for certain customers and activities. Such study shall include—

(A) an examination of appropriate optimal SARs thresholds to determine the level at which a modified SARs form could be employed;

(B) an evaluation of which customers or transactions would be appropriate for a modified SAR, including—

(i) seasoned business customers;

(ii) financial technology (Fintech) firms;

(iii) structuring transactions; and

(iv) any other customer or transaction that may be appropriate for a modified SAR; and

(C) an analysis of the most effective methods to reduce the regulatory burden imposed on financial institutions in complying with the Bank Secrecy Act, including an analysis of the effect of—

(i) modifying thresholds;

(ii) shortening forms;

(iii) combining Bank Secrecy Act forms;

(iv) filing reports in periodic batches; and

(v) any other method that may reduce the regulatory burden.

(2) STUDY CONSIDERATIONS.—In carrying out the study required under paragraph (1), the Director shall seek to balance law enforcement priorities, regulatory burdens experienced by financial institutions, and the requirement for reports to have a ''high degree of usefulness to law enforcement'' under the Bank Secrecy Act.

(3) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Director shall issue a report to Congress containing—

(A) all findings and determinations made in carrying out the study required under subsection (a); and

(B) sample designs of modified SARs forms based on the study results.

(4) CONTRACTING AUTHORITY.—The Director may contract with a private third-party to carry out the study required under this subsection. The authority of the Director to enter into contracts under this paragraph shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts.

(c) DEFINITIONS.—For purposes of this section:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

(2) REGULATORY BURDEN.—The term ''regulatory burden'' means the man-hours to complete filings, cost of data collection and analysis, and other considerations of chapter 35 of title 44, United States Code (commonly referred to as the Paperwork Reduction Act).

(3) SAR; SUSPICIOUS ACTIVITY REPORT.—The term ''SAR'' and ''suspicious activity report'' mean a report of a suspicious transaction under section 5318(g) of title 31, United States Code.

(4) SEASONED BUSINESS CUSTOMER.—The term ''seasoned business customer'', shall have such meaning as the Secretary of the Treasury shall prescribe, which shall include any person that—

(A) is incorporated or organized under the laws of the United States or any State, or is registered as, licensed by, or otherwise eligible to do business within the United States, a State, or political subdivision of a State;

(B) has maintained an account with a financial institution for a length of time as determined by the Secretary; and

(C) meet such other requirements as the Secretary may determine necessary or appropriate.

SEC. 214. STREAMLINING REQUIREMENTS FOR CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) REVIEW.—The Secretary of the Treasury (in consultation with Federal law enforcement agencies, the Director of National Intelligence, and the Federal functional regulators and in consultation with other relevant stakeholders) shall undertake a formal review of the current financial institution reporting requirements under the Bank Secrecy Act and its implementing regulations and propose changes to further reduce regulatory burdens, and ensure that the information provided is of a ''high degree of usefulness'' to law enforcement, as set forth under section 5311 of title 31, United States Code.

(b) CONTENTS.—The review required under subsection (a) shall include a study of—

(1) whether the timeframe for filing a suspicious activity report should be increased from 30 days;

(2) whether or not currency transaction report and suspicious activity report thresholds should be tied to inflation or otherwise periodically be adjusted;

(3) whether the circumstances under which a financial institution determines whether to file a ''continuing suspicious activity report'', or the processes followed by a financial institution in determining whether to file a ''continuing suspicious activity report'' (or both) can be narrowed;

(4) analyzing the fields designated as ''critical'' on the suspicious activity report form and whether the number of fields should be reduced;

(5) the increased use of exemption provisions to reduce currency transaction reports that are of little or no value to law enforcement efforts;

(6) the current financial institution reporting requirements under the Bank Secrecy Act and its implementing regulations and guidance; and

(7) such other items as the Secretary determines appropriate.

(c) REPORT.—Not later than the end of the one year period beginning on the date of the enactment of this Act, the Secretary of the Treasury, in consultation with law enforcement and persons subject to Bank Secrecy Act requirements, shall issue a report to the Congress containing all findings and determinations made in carrying out the review required under subsection (a).

(d) DEFINITIONS.—For purposes of this section:

(1) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' has the meaning given that term under section 103.

(2) OTHER TERMS.—The terms ''Bank Secrecy Act'' and ''financial institution'' have the meaning given those terms, respectively, under section 5312 of title 31, United States Code.

TITLE K—MODERNIZING THE AML SYSTEM

SEC. 301. ENCOURAGING INNOVATION IN BSA COMPLIANCE.

Section 5318 of title 31, United States Code, as amended by section 202, is further amended by adding at the end the following:

''(p) ENCOURAGING INNOVATION IN COMPLIANCE.—

''(1) IN GENERAL.—The Federal functional regulators shall encourage financial institutions to consider, evaluate, and, where appropriate, responsibly implement innovative approaches to meet the requirements of this subchapter, including through the use of innovation pilot programs.

''(2) EXEMPTIVE RELIEF.—The Secretary, pursuant to subsection (a), may provide exemptions from the requirements of this subchapter if the Secretary determines such exemptions are necessary to facilitate the testing and potential use of new technologies and other innovations.

''(3) RULE OF CONSTRUCTION.—This subsection may not be construed to require financial institutions to consider, evaluate, or implement innovative approaches to meet the requirements of the Bank Secrecy Act.

''(4) FEDERAL FUNCTIONAL REGULATOR DEFINED.—In this subsection, the term 'Federal functional regulator' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.''.

SEC. 302. INNOVATION LABS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''§ 5333. Innovation Labs

''(a) ESTABLISHMENT.—There is established within the Department of the Treasury and each Federal functional regulator an Innovation Lab.

''(b) DIRECTOR.—The head of each Innovation Lab shall be a Director, to be appointed by the Secretary of the Treasury or the head of the Federal functional regulator, as applicable.

''(c) DUTIES.—The duties of the Innovation Lab shall be—

''(1) to provide outreach to law enforcement agencies, financial institutions, and other persons (including vendors and technology companies) with respect to innovation and new technologies that may be used to comply with the requirements of the Bank Secrecy Act;

''(2) to support the implementation of responsible innovation and new technology, in a manner that complies with the requirements of the Bank Secrecy Act;

''(3) to explore opportunities for public-private partnerships; and

''(4) to develop metrics of success.

''(d) FINCEN LAB.—The Innovation Lab established under subsection (a) within the Department of the Treasury shall be a lab within the Financial Crimes Enforcement Network.

''(e) FEDERAL FUNCTIONAL REGULATOR DEFINED.—In this subsection, the term 'Federal functional regulator' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.''.

(b) CLERICAL AMENDMENT.—The table of contents for subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''5333. Innovation Labs.''.

SEC. 303. INNOVATION COUNCIL.

(a) IN GENERAL.—Subchapter II of chapter 53 of Title 31, United States Code, as amended by section 302, is further amended by adding at the end the following:

''§ 5334. Innovation Council

''(a) ESTABLISHMENT.—There is established the Innovation Council (hereinafter in this section referred to as the 'Council'), which shall consist of each Director of an Innovation Lab established under section 5334 and the Director of the Financial Crimes Enforcement Network.

''(b) CHAIR.—The Director of the Innovation Lab of the Department of the Treasury shall serve as the Chair of the Council.

''(c) DUTY.—The members of the Council shall coordinate on activities related to innovation under the Bank Secrecy Act, but may not supplant individual agency determinations on innovation.

''(d) MEETINGS.—The meetings of the Council—

''(1) shall be at the call of the Chair, but in no case may the Council meet less than semi-annually;

''(2) may include open and closed sessions, as determined necessary by the Council; and

''(3) shall include participation by public and private entities and law enforcement agencies.

''(e) REPORT.—The Council shall issue an annual report, for each of the 7 years beginning on the date of enactment of this section, to the Secretary of the Treasury on the activities of the Council during the previous year, including the success of programs as measured by metrics of success developed pursuant to section 5334(c)(4), and any regulatory or legislative recommendations that the Council may have.''.

(b) CLERICAL AMENDMENT.—The table of contents for subchapter II of chapter 53 of title 31, United States Code, is amended by adding the end the following:

''5334. Innovation Council.''.

SEC. 304. TESTING METHODS RULEMAKING.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, as amended by section 301, is further amended by adding at the end the following:

''(q) TESTING.—

''(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the head of each agency to which the Secretary has delegated duties or powers under subsection (a), shall issue a rule to specify—

''(A) with respect to technology and related technology-internal processes ('new technology') designed to facilitate compliance with the Bank Secrecy Act requirements, the standards by which financial institutions are to test new technology; and

''(B) in what instances or under what circumstance and criteria a financial institution may replace or terminate legacy technology and processes for any examinable technology or process without the replacement or termination being determined an examination deficiency.

''(2) STANDARDS.—The standards described under paragraph (1) may include—

''(A) an emphasis on using innovative approaches, such as machine learning, rather than rules-based systems;

''(B) risk-based back-testing of the regime to facilitate calibration of relevant systems;

''(C) requirements for appropriate data privacy and security; and

''(D) a requirement that the algorithms used by the regime be disclosed to the Financial Crimes Enforcement Network, upon request.

''(3) CONFIDENTIALITY OF ALGORITHMS.—If a financial institution or any director, officer, employee, or agent of any financial institution, voluntarily or pursuant to this subsection or any other authority, discloses the institution's algorithms to a Government agency, such algorithms and any materials associated with the creation of such algorithms shall be considered confidential and not subject to public disclosure.''.

(b) UPDATE OF MANUAL.—The Financial Institutions Examination Council shall ensure—

(1) that any manual prepared by the Council is updated to reflect the rulemaking required by the amendment made by subsection (a); and

(2) that financial institutions are not penalized for the decisions based on such rulemaking to replace or terminate technology used for compliance with the Bank Secrecy Act (as defined under section 5312 of title 31, United States Code) or other anti-money laundering laws.

SEC. 305. FINCEN STUDY ON USE OF EMERGING TECHNOLOGIES.

(a) STUDY.—

(1) IN GENERAL.—The Director of the Financial Crimes Enforcement Network (''FinCEN'') shall carry out a study on—

(A) the status of implementation and internal use of emerging technologies, including artificial intelligence (''AI''), digital identity technologies, blockchain technologies, and other innovative technologies within FinCEN;

(B) whether AI, digital identity technologies, blockchain technologies, and other innovative technologies can be further leveraged to make FinCEN's data analysis more efficient and effective; and

(C) how FinCEN could better utilize AI, digital identity technologies, blockchain technologies, and other innovative technologies to more actively analyze and disseminate the information it collects and stores to provide investigative leads to Federal, State, Tribal, and local law enforcement, and other Federal agencies (collective, ''Agencies''), and better support its ongoing investigations when referring a case to the Agencies.

(2) INCLUSION OF GTO DATA.—The study required under this subsection shall include data collected through the Geographic Targeting Orders (''GTO'') program.

(3) CONSULTATION.—In conducting the study required under this subsection, FinCEN shall consult with the Directors of the Innovations Labs established in section 302.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Director shall issue a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) with respect to each of subparagraphs (A), (B) and (C) of subsection (a)(1), any best practices or significant concerns identified by the Director, and their applicability to AI, digital identity technologies, blockchain technologies, and other innovative technologies with respect to U.S. efforts to combat money laundering and other forms of illicit finance; and

(3) any policy recommendations that could facilitate and improve communication and coordination between the private sector, FinCEN, and Agencies through the implementation of innovative approaches, in order to meet their Bank Secrecy Act (as defined under section 5312 of title 31, United States Code) and anti-money laundering compliance obligations.

SEC. 306. DISCRETIONARY SURPLUS FUNDS.

(a) IN GENERAL.—Section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by striking ''$6,825,000,000'' and inserting ''$6,798,000,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 30, 2029.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116–247. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not

be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116–247.

Mr. BURGESS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, after line 8, insert the following:

(d) ANNUAL REPORT ON BENEFICIAL OWNERSHIP INFORMATION.—

(1) REPORT.—The Secretary of the Treasury shall issue an annual report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with respect to the beneficial ownership information collected pursuant to section 5333 of title 31, United States Code, that contains—

(A) aggregate data on the number of beneficial owners per reporting corporation or limited liability company;

(B) the industries or type of business of each reporting corporation or limited liability company; and

(C) the locations of the beneficial owners.

(2) PRIVACY.—In issuing reports under paragraph (1), the Secretary shall not reveal the identities of beneficial owners or names of the reporting corporations or limited liability companies.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, amendment No. 1 to H.R. 2513 requires an annual report to Congress of anonymized, aggregate data on the number of beneficial owners per reporting corporation or limited liability company, the industry of each reporting corporation or limited liability company, and the location of the beneficial owners.

One of the greatest beneficiaries of the crisis on our southern border has been the cartels and coyotes. They charge from $6,000 to $10,000 to smuggle people into our country who do not have legal documentation.

Despite the danger, these individuals borrow money from normal banks in their home country. Their family members put up collateral—their farms, their houses—to pay these cartels and coyotes. If the individual makes it into the United States, they will send remittances home through the same legitimate financial transaction to pay back those family loans.

Throughout this process, the coyotes and cartels are making a significant amount of money off of these very vulnerable individuals. While many of them likely deal mostly in cash, the possibility exists that they are using shell companies to store or move this illicit money.

Providing data to Congress on how many beneficial owners are behind a company, the industries of the reporting companies, and the locations of the beneficial owners will help identify trends and patterns that could aid in the fight to combat money laundering and the financing of human trafficking.

We should not be facilitating coyotes and cartels to take advantage of desperate people. Providing this aggregate, anonymized data to Congress will provide some transparency on the networks behind the illicit financing of human and drug smuggling and other nefarious financial activities.

I urge the support of this amendment, and I reserve the balance of my time.

Ms. WATERS. Mr. Chair, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, the Burgess amendment would require an annual report to Congress that examines the aggregated submissions to the beneficial ownership database, thus providing a snapshot of the size, type, and location of reporting entities.

I agree that an examination of this data will be helpful to FinCEN as it contemplates rulemakings and to Congress should we consider future refinements of the law. So I would encourage Members to support the amendment.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I urge support of the amendment, and I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of this important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I support this amendment, which would simply require Treasury to submit an annual report to Congress with basic statistics on the beneficial ownership information that is filed under the bill.

This is very similar to a recent report that the U.K. conducted, that they started collecting beneficial information. The U.K.'s report was very helpful because it highlighted that the vast majority of companies have only one beneficial owner, which makes compliance with the bill extremely easy.

I think that the data that Treasury would be required to report to Congress under this amendment would be helpful in case we decide that we need to tweak the bill in the future to address any unforeseeable future issues that arise.

So I want to thank the gentleman from Texas for offering the amendment. I think it is a very good idea, and I urge my colleagues to support it and to support the underlying bill, which will increase national security for our country.

Ms. WATERS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HILL OF ARKANSAS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116–247.

Mr. HILL of Arkansas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, after line 19, insert the following:

''(D) ACCESS PROCEDURES.—FinCEN shall establish stringent procedures for the protection and proper use of beneficial ownership information disclosed pursuant to subparagraph (B), including procedures to ensure such information is not being inappropriately accessed or misused by law enforcement agencies.

''(E) REPORT TO CONGRESS.—FinCEN shall issue an annual report to Congress stating—

''(i) the number of times law enforcement agencies and financial institutions have accessed beneficial ownership information pursuant to subparagraph (B);

''(ii) the number of times beneficial ownership information reported to FinCEN pursuant to this section was inappropriately accessed, and by whom; and

''(iii) the number of times beneficial ownership information was disclosed under subparagraph (B) pursuant to a subpoena.''.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Arkansas (Mr. HILL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. HILL of Arkansas. Mr. Chair, I want to again thank my friend from New York for her hard work on crafting this legislation. While we have had differences along the way, it is critical that we strengthen our national security and AML BSA system and strengthen the transparency of beneficial ownership.

As I have previously discussed, I am concerned with several aspects of the bill, and I am offering this amendment which I believe will help improve its overall purpose.

When we heard testimony, a retired FBI agent testified to our committee acknowledging that law enforcement wants this data, this new database at FinCEN to search, essentially, without a warrant or a subpoena.

My amendment would require the Financial Crimes Enforcement Network to develop stringent procedures around the beneficial ownership database pertaining to who and how it has been accessed.

Per the bill's requirements, many businesses will be providing this information into a repository that will contain sensitive information. Who can access and how they can access it should

have clearer guidelines and ensure that this information is not being inappropriately accessed.

Additionally, the amendment requires FinCEN to report to Congress, annually, the number of times law enforcement, banks, or other parties access the database, how many times it was inappropriately accessed, and the number of subpoenas obtained to gain access to the database. This will ensure that Congress maintains oversight of the database and that banks or law enforcement are not abusing this new system.

Our committee has heard hours of testimony about Federal Government data breaches over these years: OPM, the SEC, IRS, CFPB. As such, we have to make sure this information is as secure as possible.

As previously mentioned, this information is highly sensitive and should remain extremely confidential to the extent possible. As policymakers, we have an obligation to our constituents to ensure that we uphold their privacy, and this amendment will better help us achieve that goal.

I urge my colleagues to support this commonsense amendment. It is good for businesses, good for our bankers and lawmakers, and, ultimately, good for our citizens.

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

Ms. WATERS. Mr. Chair, I claim the time in opposition, although I do not oppose.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, the Hill amendment requires FinCEN to develop protocols governing how law enforcement and others can access the beneficial ownership database.

Today, in order for law enforcement to access FinCEN's Bank Secrecy Act database, they must comply with a stringent process requiring assessment, training, and review.

H.R. 2513 also includes protocols governing access to the new beneficial ownership database, including creating an audit trail of the law enforcement agencies that access the data.

Mr. HILL's amendment would provide an added measure of protection, reinforcing the importance of clear procedures to ensure that such information is not inappropriately accessed or misused by law enforcement agencies. I will vote in support of this amendment.

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

Mr. HILL of Arkansas. Mr. Chairman, may I ask how much time I have remaining.

The Acting CHAIR. The gentleman from Arkansas has 2½ minutes remaining.

Mr. HILL of Arkansas. I yield such time as he may consume to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chair, I appreciate my colleague for yielding.

I do believe, notwithstanding the lack of warrant or subpoena, the gentleman's amendment gives us greater confidence that the agency and law enforcement officials will be using this database more appropriately. I think this is a necessary amendment for this bill to move forward, though we still have greater issues to contend with.

I appreciate the gentleman working in such a constructive way and bipartisan way.

Ms. WATERS. Mr. Chairman, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of this important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I support this amendment, and I would like to thank Mr. HILL for offering it.

This amendment would require FinCEN to establish stringent procedures to ensure the beneficial ownership information isn't being inappropriately accessed or misused by law enforcement agencies.

I believe the underlying bill already addresses these issues—certainly, it was the intent to protect against unauthorized access and misuse of beneficial ownership information—but I am not opposed to making that language even more explicit.

His amendment would also require FinCEN to submit an annual report to Congress detailing the number of times beneficial ownership information was accessed, either by law enforcement or by financial institutions.

□ 1515

I think this information would be very helpful because it would tell us how useful the information is to both law enforcement and financial institutions. So while Mr. HILL and I have had disagreements over this bill, I think this amendment is a helpful addition to the bill, and I want to thank him for offering it.

I urge my colleagues to support it and the underlying bill.

Ms. WATERS. Mr. Chairman, I yield back the balance of my time.

Mr. HILL of Arkansas. Mr. Chairman, I want to thank my friend from New York for her working with me on this amendment. I thank her for accepting it. And I want to thank the Chair of the full committee for its report.

I want to just close and emphasize that under the law as drafted today there are about 10,000 law-enforcement qualified people that can access that database. That is a lot of people, Mr. Chair, that have access to this database that we are concerned about in making sure that it is maintained in a very confidential manner.

I appreciate the consideration of the amendment, and I appreciate its adoption. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. HILL).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BROWN OF MARYLAND

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 116–247.

Mr. BROWN of Maryland. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 8, after ''training,'' insert the following: ''and refresher training no less than every two years,''.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Maryland (Mr. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BROWN of Maryland. Mr. Chair, I yield myself such time as I may consume.

I want to thank my colleague from California, the chairwoman of the committee, Chairwoman WATERS, for her leadership on the Financial Services Committee. And I want to recognize the hard work of my colleague and friend from New York, Chairwoman CAROLYN B. MALONEY, on the underlying bill. I also want to thank you, Representative MALONEY, for inviting me last Congress to visit several European countries to explore and better understand how those countries address the problems that this bill seeks to address.

Currently, no state requires companies to provide the identities of their true beneficial owners. This lack of oversight and transparency makes it easy for criminals, dictators, and kleptocrats to launder money, hide their illicit activities, and invade law enforcement through anonymous shell companies.

These anonymous shell companies can be used for everything from funding terrorist organizations, supporting human traffickers, and helping corrupt foreign leaders evade sanctions and threaten our national security. These so-called companies have no employees, no physical offices but are established simply to access our banking system.

The 2016 Panama Papers leak exposed just how powerful and corrupt these anonymous shell companies are. And the United States is the only advanced economy in the world that doesn't already require this disclosure. To combat this, this bill requires corporations to disclose their beneficial owners at the time the company is formed. This is a commonsense requirement, considering you often need more documentation to get a library card than to start a company or an LLC.

This bill provides much needed transparency without being burdensome on legitimate businesses. The bill also protects the privacy of Americans by ensuring law enforcement officials at the State and Federal level with access

to this new information are properly trained, have an existing investigatory basis before searching, and maintain an audit log.

Mr. Chair, my amendment strengthens and builds upon these protections. It requires law enforcement officials tasked with handling a beneficial owner's personal information to go through retraining at a minimum of every 2 years. This will ensure they are keeping up with the latest rules, systems, and processes and will lower the risk of misuse or improper disclosure.

The retraining is critical to ensuring that our law enforcement officials, at all levels of government, are undertaking best practices when handling sensitive information during their investigations. Together we can finally tackle the issues surrounding shell companies and their opaque beneficial ownership structure and give law enforcement the tools they need to track the money that threatens our national security.

I strongly encourage my colleagues to support the underlying bill and my amendment. I yield back the balance of my time

Mr. MCHENRY. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. MCHENRY. The gentleman's amendment would ensure that law enforcement professionals who access the beneficial ownership's database understand the importance of protecting the privacy of beneficial owners. I think this is a necessary and proper addition to the bill. I think this highlights the fact that we don't have the basic due process rights or constitutional protections that we have under the FISA court or under the Patriot Act.

The Wall Street Journal recently reported that the FISA ''court concluded that in at least a handful of cases, the FBI had been improperly searching a database of raw intelligence for information on Americans—raising concerns about oversight of the program.''

This refresher training is an important step to ensure individuals who have access to highly sensitive and private information of millions of Americans are properly trained. Authorized users should only be able to access information for officially sanctioned uses.

I thank the gentleman for offering this amendment. And while this amendment is not a sufficient replacement for a warrant or subpoena, it recognizes that law enforcement must know how to handle personal information and the need to protect that information. I urge its adoption.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BROWN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LEVIN OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116–247.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I rise as the designee of the gentleman from Michigan (Mr. LEVIN) to offer amendment No. 4.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, after line 19, insert the following:

''(D) DISCLOSURE OF NON-PII DATA.—Notwithstanding subparagraph (B), FinCEN may issue guidance and otherwise make materials available to financial institutions and the public using beneficial ownership information reported pursuant to this section if such information is aggregated in a manner that removes all personally identifiable information. For purposes of this subparagraph, 'personally identifiable information' includes information that would allow for the identification of a particular corporation or limited liability company.''.

The Acting CHAIR. Pursuant to House Resolution 646, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, this amendment is a clarifying amendment. It would clarify that FinCEN can actually use the beneficial ownership information it is collecting under the bill. This was always our intent, but we were concerned that because FinCEN technically isn't a law enforcement agency, their authority to use the information under the bill might be unclear.

Mr. LEVIN's amendment fixes this by explicitly stating that FinCEN can use the information to issue public advisories and to share the information with financial institutions in order to improve compliance with their know-your-customer rules. However, FinCEN would only be able to disclose the information in an aggregated format so that it protects the disclosure of personally identifiable information.

I want to thank Mr. LEVIN for working closely with my office and with the committee on this amendment. I urge my colleagues to support the amendment and the underlying bill, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The Gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment exposes the very problem I have with this new governmental database. We put enormous protections into the collection of foreigners into our database and intelligence bureaus. We have granted rights to special courts and that is for information that is less specific than the information that will be a part of this beneficial owner or ownership database of America's small businesses. The amendment here says that basically you redact the specific personally identifiable information of the beneficial owners of the small business.

Now, it doesn't have provision for small areas. Let's say that you are from my hometown or you are from the town I lived in for nearly a decade, a small town that only has a handful of businesses, and so, you aggregate the data, but you can still expose people to enormous amounts of unwanted targeting.

It also exposes to me the additional issues that we have with another government database, that a future Congress could then take this data and make it public or some congressional investigator could just want this for partisan political reasons and try to seek it out of the executive branch.

This amendment highlights to me the grave concerns I have with a mass collection of this type of data, no matter how justified the anecdotes are from law enforcement.

The amendment specifically allows FinCEN to ''issue guidance and otherwise make materials available to financial institutions and the public using beneficial ownership information.'' That is deeply problematic, and I do not believe appropriate protections are in place for an amendment like this to be made reasonable. I think if you have civil liberties concerns, I would say that this amendment highlights the very civil liberties concerns you would have with the new Federal Government database.

I would like to ask the bill's sponsor, though he is not here, about the intent of creating this type of information, but he is not here. I don't think this is a wise amendment. I think it should be rejected for a number of different counts. I would urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, I yield myself the balance of my time. I include in the RECORD a letter in opposition to this very amendment from the National Federation of Independent Business opposing this amendment.

[From NFIB]

HOUSE MAKES LAST MINUTE BAIT-AND-SWITCH ON CORPORATE TRANSPARENCY ACT

In advance of today's vote, an amendment filed last night shows the true motivations of those pushing the Corporate Transparency Act of 2019 (H.R. 2513).

Despite months of rhetoric about protecting the privacy of small business owners, this last-minute amendment would allow the Treasury Department's Financial Crimes Enforcement Network to make public the individual names, addresses, birth dates, and even the driver's license numbers of small business owners. This is a complete reversal of what promoters of this bill have been saying over the last several months.

Purportedly about national security, in reality, this bill shifts a burden from big

banks, something they said today is merely ''a client pain point,'' to small businesses who simply cannot absorb an additional 131.7 million hours of paperwork over the first 10 years at a cost of $5.7 billion. And, with the last-minute amendment, it allows for the creation a public registry.

''Supporters of this bill have revealed their cards today,'' said Brad Close, NFIB's Senior Vice President, Public Policy. ''This amendment confirms one of small business owners' greatest fears—that the true intention of those pushing this bill is to establish a public registry of every small business owner—something that can be used to shame law-abiding small business owners for free speech activities or political purposes. This is a serious breach of the privacy and first amendment rights, and we urge members of the United States House of Representatives to defeat this amendment today.''

The amendment filed last night would prohibit FinCEN from making public the names of specific businesses but would not prohibit FinCEN from listing the names of business owners or the personally identifiable information of business owners such as home addresses.

This morning, The Hill published an op-ed by NFIB President and CEO Juanita D. Duggan on the significant risks and penalties the Corporate Transparency Act imposes on small business owners. This followed on the heels of an announcement by NFIB of a coalition of 38 business groups, including NFIB, who joined together in strong oppositior of this legislation.

To read more on NFIB's efforts to protect small business privacy, visit https://nfib.com/protectprivacy.

Mr. MCHENRY. Mr. Chair, again, I would highlight that the civil liberties concerns here are enormous. When you do minimal redaction of specific personally identifiable information, you could still expose data in certain jurisdictions of small business owners in a way that I don't think is warranted, nor do I think the bill's sponsor would like to seek, and I think this is deeply problematic.

I would urge my colleagues to look at the contents of this amendment and then to think through the concerns that they would have if it were their information exposed in a minimally redacted way. I don't think they would be quite comfortable with it.

Now, think of asking every small business owner in your district to submit this information to another Federal database and then explain to them that they will minimally redact their information, maybe not their name, maybe their address, right, and then otherwise the explanation of their business would be exposed to the public.

I don't think it is a smart way to go here. I don't think this is the way we should be legislating. I do think it outlines the underlying concerns I have with this type of database, in not being required to get a subpoena in order to access it. And then an amendment that says that we are going to basically, I don't know, outline in Cherryville, North Carolina, every small business ownership structure in our little town or in Denver, North Carolina, which is an unincorporated area that I live in, likewise, taking a small population with a few small businesses and exposing the ownership structure of small businesses.

I don't think this is a smart amendment. I don't think it is what we should be intending as Members of Congress, and I think both folks on the left and the right and in the middle can look at this and think this is not the way to go. So I urge you to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MCHENRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

□ 1530

AMENDMENT NO. 5 OFFERED BY MR. DAVIDSON OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 116–247.

Mr. DAVIDSON of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1 through 5 and insert the following:

SECTION 1. TERMINATION OF CDD RULE.

The final rule of the Department of the Treasury titled ''Customer Due Diligence Requirements for Financial Institutions'' (published May 11, 2016; 81 Fed. Reg. 29397) shall have no force or effect.

SEC. 2. FINCEN STUDY.

(a) STUDY.—FinCEN shall carry out a study that shall include—

(1) a review of all existing data collected by the Department of the Treasury (including the Internal Revenue Service), by State Secretaries of State, by financial institutions due to current statutory and regulatory mandates (excluding the CDD rule), or by other Federal Government entities, that in whole or in part would allow FinCEN to discern the beneficial owners of companies operating in the United States financial system;

(2) recommendations for the sharing of information described under paragraph (1) with FinCEN along with proposed safeguards for protecting personally identifiable information from unauthorized access, including by Federal intelligence and law enforcement officials, as well as internal risk control mechanisms for prevention of unauthorized access through a cyber breach; and

(3) an estimation of the cost of the compliance burden for the CDD rule.

(b) REPORT.—Not later than September 30, 2019, FinCEN shall issue a report to the Congress containing all findings and determinations made in carrying out the study required under subsection (a).

(c) DEFINITIONS.—For purposes of this section:

(1) CDD RULE.—The term ''CDD rule'' means the final rule of the Department of the Treasury described under section 1.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given that tem under section 5312 of title 31, United States Code.

(3) FINCEN.—The term ''FinCEN'' means the Financial Crimes Enforcement Network.

The Acting CHAIR. Pursuant to House Resolution 646, the gentleman from Ohio (Mr. DAVIDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. DAVIDSON of Ohio. Mr. Chairman, today, I offer an amendment to address the serious flaws within the underlying bill.

Under the guise of tracking money laundering, this bill imposes a crushing paperwork burden squarely targeted at small business owners. It creates a massive new Federal Government database containing the addresses of innocent American citizens and will do nothing to track down criminals.

Under the Obama administration, FinCEN issued regulations that banks collect the beneficial ownership information of these businesses. The regulations have proven so confusing, burdensome, and unnecessary that banks have sought relief from these regulations.

This bill effectively shifts the reporting burden onto mom-and-pop businesses that have never even heard of FinCEN.

The bill adopts a different definition of beneficial ownership that is even more confusing and vague than the one used by Treasury's rules, which has already puzzled regulators and banks for years.

According to the Congressional Budget Office, the bill would generate 25 to 30 million new filings every year. Failure to comply could result in jail time up to 3 years, thousands of dollars in fines, compromise of private information, and more.

The bill also raises serious privacy concerns by creating yet another database that is effectively the first-of-its-kind Federal registry of small businesses and small business ownership. It contains no subpoena or warrant-type restrictions for Federal law enforcement to access.

In the era of naming and shaming of companies and owners for political purposes, and findings that Federal law enforcement have abused their existing authorities in accessing section 702 FISA data, this bill should give serious pause about how we as Members of Congress protect civil liberties for American citizens.

My amendment would simply strike the underlying bill's burdensome mandate, nullify the Obama-era regulations on banks, and instead require FinCEN to go back to the drawing board by reviewing how already existing Federal datasets from banking know-your-customer and anti-money laundering rules can assist law enforcement in determining the beneficial owners of businesses.

As my colleague FRENCH HILL has offered, the IRS already contains all of this information.

Lastly, I would say that if we are going to criminalize private ownership of businesses, why not do that in the beginning rather than criminalize failure to report to an agency that doesn't exist.

All of these questions have failed to be addressed directly by the executive branch, and they are blown through with the way this bill addresses the problem.

This type of information already exists. We do not need another Federal database prone to be abused or a crushing mandate that will harm law-abiding Americans and be ignored by criminals.

Mr. Chair, I urge support for my amendment and opposition to the bill without it.

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

Ms. WATERS. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chair, I firmly oppose the Davidson amendment because it would gut the bill.

After years of working to ensure that criminals, terrorists, and enemies of the United States can no longer use loopholes to cloak their dangerous acts from law enforcement, this amendment heedlessly tries to jettison this significant layer of defense.

If the amendment is adopted, there would be no requirement to share the identities of the beneficial owners of corporations and LLCs that currently do not make such disclosures.

If adopted, there would be no ability for law enforcement to get information that it needs to unmask the wrongdoers who abuse State laws to hide their global criminal activities.

To make things worse, the amendment would repeal the FinCEN customer due diligence, or CDD, rule, which currently requires banks to identify and verify the beneficial ownership of corporate customers. It prevents criminals, kleptocrats, and others looking to hide ill-gotten proceeds from accessing the financial system anonymously.

The Director of FinCEN said that the CDD rule is ''but one critical step toward closing this national security gap. The second critical step . . . is collecting beneficial ownership information at the corporate formation stage.''

An outright and immediate repeal of this rule endangers the financial system by leaving a dangerous new gap in information about bank customers while the implementation of H.R. 2513 gears up.

The safer approach, and one supported by the financial institutions, is to require the Treasury to remove identified redundancies after the database becomes operational. This is precisely what H.R. 2513 already does.

Mr. Chairman, the AFL–CIO, Oxfam, the FACT Coalition, FBI, Treasury, DOJ, FinCEN, as well as the Fraternal Order of Police, the Federal Law Enforcement Officers Association, and most State attorneys general have urged Congress to pass H.R. 2513 to develop a Federal beneficial ownership database.

The Davidson amendment would undermine this effort before it can begin.

Mr. Chair, I urge my colleagues to vote ''no'' on this amendment, and I reserve the balance of my time.

Mr. DAVIDSON of Ohio. Mr. Chairman, may I inquire as to the balance of my time.

The Acting CHAIR. The gentleman from Ohio has 2 minutes remaining.

Mr. MCHENRY. Will the gentleman yield?

Mr. DAVIDSON of Ohio. I yield to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chair, I appreciate my colleague for yielding.

I think this highlights the very fact that this bill provides no regulatory relief for financial institutions to collect information under the customer due diligence rule. It highlights the nature of this obligation, especially on small businesses, and the paperwork burden on small businesses and, on top of that, the paperwork burden on financial institutions to collect enormous amounts of information.

The very nature of this amendment highlights the missing elements of the underlying bill.

Mr. Chair, I appreciate my colleague for yielding.

Mr. DAVIDSON of Ohio. Mr. Chairman, I yield myself the balance of my time to close.

In closing, I would simply say that this would presume that criminals are somehow going to cease their criminal activity, all because they have to file a report.

The reality is this is going to criminalize business ownership, violate the civil liberties of business owners across America, and make them vulnerable to further abuse by criminals.

Mr. Chair, I urge support for this amendment and opposition to the underlying bill without its adoption.

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

Ms. WATERS. Mr. Chair, I yield the balance of my time to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the sponsor of this important legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I thank the chairwoman for yielding.

Mr. Chair, I strongly oppose this amendment, which would completely gut the bill and would dramatically weaken our national security.

Right now, the only protection we have in place against bad actors using anonymous shell companies to launder their money through the U.S. is FinCEN's customer due diligence rule, which requires financial institutions to find out the beneficial owners of the corporations and the entities that open accounts with them.

The FinCEN rule, which is very important, is still only half a measure. When FinCEN passed the rule, they explicitly said that Congress still needed to pass the bill that is before us today.

Mr. DAVIDSON's amendment would not only delete the underlying bill but would also repeal the FinCEN rule. In other words, it is worse than the status quo and practically invites criminals and money launderers to use the U.S. financial system.

Mr. Chair, this is a deeply irresponsible amendment, and I strongly urge my colleagues to oppose it and to support the underlying bill.

Ms. WATERS. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. DAVIDSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. WATERS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

Ms. WATERS. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PAPPAS) having assumed the chair, Mr. CUELLAR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

RODCHENKOV ANTI-DOPING ACT OF 2019

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 835) to impose criminal sanctions on certain persons involved in

international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 835

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 ''Rodchenkov Anti-Doping Act of 2019''.

SEC. 2. DEFINITIONS.

(1) ANTI-DOPING ORGANIZATION.—The term ''anti-doping organization'' has the meaning given the term in Article 2 of the Convention.

(2) ATHLETE.—The term ''athlete'' has the meaning given the term in Article 2 of the Convention.

(3) CODE.—The term ''Code'' means the World Anti-Doping Code most recently adopted by WADA on March 5, 2003.

(4) CONVENTION.—The term ''Convention'' means the United Nations Educational, Scientific, and Cultural Organization International Convention Against Doping in Sport done at Paris October 19, 2005, and ratified by the United States in 2008.

(5) MAJOR INTERNATIONAL SPORT COMPETITION.—The term ''Major International Sport Competition''—

(A) means a competition—

(i) in which 1 or more United States athletes and 3 or more athletes from other countries participate;

(ii) that is governed by the anti-doping rules and principles of the Code; and

(iii) in which—

(I) the competition organizer or sanctioning body receives sponsorship or other financial support from an organization doing business in the United States; or

(II) the competition organizer or sanctioning body receives compensation for the right to broadcast the competition in the United States; and

(B) includes a competition that is a single event or a competition that consists of a series of events held at different times which, when combined, qualify an athlete or team for an award or other recognition.

(6) PERSON.—The term ''person'' means any individual, partnership, corporation, association, or other entity.

(7) PROHIBITED METHOD.—The term ''prohibited method'' has the meaning given the term in Article 2 of the Convention.

(8) PROHIBITED SUBSTANCE.—The term ''prohibited substance'' has the meaning given the term in Article 2 of the Convention.

(9) SCHEME IN COMMERCE.—The term ''scheme in commerce'' means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication.

(10) USADA.—The term ''USADA'' means the United States Anti-Doping Agency.

(11) WADA.—The term ''WADA'' means the World Anti-Doping Agency.

SEC. 3. MAJOR INTERNATIONAL DOPING FRAUD CONSPIRACIES.

(a) IN GENERAL.—It shall be unlawful for any person, other than an athlete, to knowingly carry into effect, attempt to carry into effect, or conspire with any other person to carry into effect a scheme in commerce to influence by use of a prohibited substance or prohibited method any major international sports competition.

(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

SEC. 4. CRIMINAL PENALTIES AND STATUTE OF LIMITATIONS.

(a) IN GENERAL.—

(1) CRIMINAL PENALTY.—Whoever violates section 3 shall be sentenced to a term of imprisonment for not more than 10 years, fined $250,000 if the person is an individual or $1,000,000 if the defendant is other than an individual, or both.

(2) FORFEITURE.—Any property real or personal, tangible or intangible, may be seized and criminally forfeited to the United States if that property—

(A) is used or intended to be used, in any manner, to commit or facilitate a violation of section 3; or

(B) constitutes or is traceable to the proceeds taken, obtained, or retained in connection with or as a result of a violation of section 3.

(b) LIMITATION ON PROSECUTION.—

(1) IN GENERAL.—No person shall be prosecuted, tried, or punished for violation of section 3 unless the indictment is returned or the information is filed within 10 years after the date on which the offense was completed.

(2) TOLLING.—Upon application in the United States, filed before a return of an indictment, indicating that evidence of an offense under this chapter is in a foreign country, the district court before which a grand jury is impaneled to investigate the offense shall suspend the running of this statute of limitation for the offense if the court finds by a preponderance of the evidence that an official request has been made for such evidence and that it reasonably appears, or reasonably appeared at the time the request was made, that such evidence is, or was, in such foreign country.

SEC. 5. RESTITUTION.

Section 3663A of title 18, United States Code, is amended in subsection (c)—

(1) in paragraph (1)(A)—

(A) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following:

''(iii) an offense described in section 3 of the Rodchenkov Anti-Doping Act of 2019;''; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''or (iii)'' after ''paragraph (1)(A)(ii)''.

SEC. 6. COORDINATION AND SHARING OF INFORMATION WITH USADA.

Except as otherwise prohibited by law and except in cases in which the integrity of a criminal investigation would be affected, in furtherance of the obligation of the United States under Article 7 of the Convention, the Department of Justice, the Department of Homeland Security, and the Food and Drug Administration shall coordinate with USADA with regard to any investigation related to a potential violation of section 3 of this Act, to include sharing with USADA all information in the possession of the Department of Justice, the Department of Homeland Security, or the Food and Drug Administration which may be relevant to any such potential violation.

SEC. 7. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, and the amendments made by this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON LEE) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I thank all of my sponsors, but I particularly thank Dr. BURGESS, who I will mention again, who joined me more than a year ago to move forward on a bill that we hope will give fairness to all the wonderful young athletes around the world.

H.R. 835, the Rodchenkov Anti-Doping Act of 2019, would strengthen the integrity of international sports competitions by imposing criminal sanctions on certain persons involved in international doping fraud conspiracies. It would also provide restitution for victims of such conspiracies and would require coordination and sharing of information with the United States Anti-Doping Agency to assist its fight against doping.

Mr. Speaker, I include in the RECORD an article from The New York Times regarding manipulated drug tests.

RUSSIAN DOPING CHIEF SAYS THOUSANDS OF DRUG TESTS WERE MANIPULATED

[From the New York Times, Oct. 14, 2019]

(By Tariq Panja)

COLORADO SPRINGS.—Russia made thousands of changes to the drug-test results of an unspecified number of its athletes, the head of the country's own antidoping agency said this week, confirming the suspicions of global officials who are considering severe penalties against Russian sports programs.

The official, Yuri Ganus, the director general of the Russian antidoping agency, suggested in an interview at a conference in Colorado that the data had been concealed or altered to protect the reputations and positions of former star athletes who now have roles in government or who function as senior sports administrators in Russia.

His comments went farther than his previous remarks about possible Russian manipulation of doping results, and they could complicate the country's efforts to avoid new punishments from global antidoping officials. Russian was already barred from international sporting events, including the 2018 Winter Olympics, after the discovery of a broad, state-sponsored doping program in 2015.

In less than two weeks, a committee at the World Anti-Doping Agency will decide whether to press for more serious bans against Russian sports federations. Russia faces possible expulsion from international sports—a return to the pariah status that followed the 2015 discovery—if its authorities

cannot provide an explanation for missing or manipulated test results in a database that Russia turned over to WADA.

Russia's promise to deliver that database of thousands of athlete records was a key factor in WADA's decision to lift a suspension of the country's antidoping agency in late 2018. That determination, criticized by athletes and other antidoping officials at the time, ended a three-year suspension that had been imposed after the discovery of one of the most audacious and sophisticated cheating schemes in history, a conspiracy that corrupted a number of major international sporting events, including several Olympics.

Ganus, 55, said Sunday that he believed only individuals with access to some of Russia's most powerful institutions could have been able to manipulate the data, which WADA investigators crosschecked against a separate set provided by a whistle-blower in 2017.

''In this case, you have to understand what has to be the power which will receive access,'' Ganus said.

Ganus said he had spoken out to ensure that current and future generations of Russian athletes do not suffer because of the actions of others.

But his outspokenness has come as a surprise to some, given the risks whistle-blowers with information related to the case appear to face. Two other Russian antidoping officials with ties to the scandal—including one of Ganus's predecessors—have died under suspicious circumstances in recent years, and Ganus said he believed the Russian authorities were monitoring his electronic communications and his phone calls, as well as conducting surveillance near his home.

''It's really dangerous for me,'' he said. But Ganus said he was driven to complete what he described as ''the mission'' to assure that a new generation of Russian athletes could return, untainted, to international sports.

''Russia is a high level sports country, but those people who are responsible to solve this situation for many years chose the wrong way, the wrong approach,'' he said.

There is a suspicion in sporting circles that Russia has allowed Ganus to speak out publicly so that he can separate the work of his agency, which has drawn praise from WADA for changes it has made, from that of the state authorities that control the Moscow laboratory where the athletes' data was stored. The government still considers that lab a crime scene under the control of state officials, not of domestic antidoping regulators.

''Certainly if he's speaking truth to power, maybe he's going to defect sometime soon or it's a strategic move,'' Travis Tygart, the head of the United States Anti-Doping Agency, said of Ganus. ''I think the real issue is: Can the WADA system hold the national antidoping system responsible for something that the minister's office is ultimately responsible for?''

By lifting its ban on Russia last year before the country had complied with two remaining provisions of its so-called road map to reinstatement—namely, providing the athletes' data to WADA and acknowledging that Russia's doping program was state-controlled—WADA effectively freed the authorities who control the lab from the need to follow the terms of that agreement. Those officials might not fall under WADA's jurisdiction, as the Russian antidoping agency, known as Rusada, does.

''When they let them out of that road map, it put a lot of pressure on their ability under the new rules to hold Russia's state minister's office and sport community responsible through their authority over the national antidoping organization,'' Tygart said. ''That's what's going to come to a head. And let's hope it does:'

Last month, the English lawyer Jonathan Taylor, who leads the WADA committee overseeing Russian compliance, said the country would need to ''pull a rabbit out of the hat'' to provide a credible explanation for anomalies in the data extracted from the Moscow lab.

Taylor's committee will convene, probably by phone, on Oct. 23 to decide whether to recommend to WADA's executive board that Russia be designated ''noncompliant:'' If the board agrees, a case most likely will be fast-tracked to the international Court of Arbitration for Sport for a final ruling.

In the past, individual sports had the power to decide whether to punish countries for doping offenses. But rules adopted in April 2018 mean a negative ruling for Russia at the arbitration court could trigger an automatic suspension for the country across a wide range of sports and federations bound by the WADA code. Under such a ban, Russian teams and athletes would be ineligible to compete in international sporting events, and the country would be barred from hosting them, until the WADA suspension was lifted.

That could lead to Russia's missing out on next summer's Olympics in Tokyo, and even put at risk its national soccer team's participation in qualification matches for the 2022 World Cup in Qatar.

[From the New York Times, June 12, 2018]

U.S. LAWMAKERS SEEK TO CRIMINALIZE DOPING IN GLOBAL COMPETITIONS

(By Rebecca R. Ruiz)

United States lawmakers took a step on Tuesday toward criminalizing doping in international sports, introducing a bill in the House that would attach prison time to the use, manufacturing or distribution of performance-enhancing drugs in global competitions.

The legislation, inspired by the Russian doping scandal, would echo the Foreign Corrupt Practices Act, which makes it illegal to bribe foreign officials to gain a business advantage. The statute would be the first of its kind with global reach, empowering American prosecutors to act on doping violations abroad, and to file fraud charges of a different variety than those the Justice Department brought against top international soccer officials in 2015.

Although American leagues like Major League Baseball would not be affected by the legislation, which would apply only to competitions among countries, it could apply to a league's athletes when they participate in global events like the Ryder Cup, the Davis Cup or the World Baseball Classic.

The law would establish America's jurisdiction over international sports events, even those outside of the United States, if they include at least three other nations, with at least four American athletes participating or two American companies acting as sponsors. It would also enhance the ability of cheated athletes and corporate sponsors to seek damages, expanding the window of time during which civil lawsuits could be filed.

To justify the United States' broader jurisdiction over global competitions, the House bill invokes the United States' contribution to the World Anti-Doping Agency, the global regulator of drugs in sports. At $2.3 million, the United States' annual contribution is the single largest of any nation. ''Doping fraud in major international competitions also effectively defrauds the United States:' the bill states.

The lawmakers behind the bill were instrumental in the creation of the 2012 Magnitsky Act, which gave the government the right to freeze financial assets and impose visa restrictions on Russian nationals accused of serious human rights violations and corruption. On Tuesday, the lawmakers framed their interest in sports fraud around international relations and broader networks of crime that can accompany cheating.

''Doping fraud is a crime in which big money, state assets and transnational criminals gain advantage and honest athletes and companies are defrauded;' said Sheila Jackson Lee, Democrat of Texas, who introduced the legislation on Tuesday. ''This practice, some of it state-sanctioned, has the ability to undermine international relations, and is often connected to more nefarious actions by state actors?'

Along with Ms. Jackson Lee, the bill was sponsored by two other congressional representatives, Michael C. Burgess, Republican of Texas, and Gwen Moore, Democrat of Wisconsin.

It was put forward just as Russia prepares to host soccer's World Cup, which starts Thursday. That sporting event will be the nation's biggest since the 2014 Sochi Olympics, where one of the most elaborate doping ploys in history took place.

The bill, the Rodchenkov Anti-Doping Act, takes its name from Dr. Grigory Rodchenkov, the chemist who ran Russia's antidoping laboratory for 10 years before he spoke out about the state-sponsored cheating he had helped carry out—most notoriously in Sochi. At those Games, Dr. Rodchenkov said, he concealed widespread drug use among Russia's top Olympians by tampering with more than 100 urine samples with the help of Russia's Federal Security Service.

Investigations commissioned by international sports regulators confirmed his account and concluded that Russia had cheated across competitions and years, tainting the performance of more than 1,000 athletes. In early 2017, American intelligence officials concluded that Russia's meddling in the 2016 American election had been, in part, a form of retribution for the Olympic doping scandal, whose disclosures Russian officials blamed on the United States.

Nations including Germany, France, Italy, Kenya and Spain have established criminal penalties for sports doping perpetrated within their borders. Russia, too, passed a law in 2017 that made it a crime to assist or coerce doping, though no known charges have been brought under that law to date.

Under the proposed American law, criminal penalties for offenders would include a prison term of up to five years as well as fines that could stretch to $250,000 for individuals and $1 million for organizations.

''We could have real change if people think they could actually go to jail for this,'' said Jim Walden, a lawyer for Dr. Rodchenkov, who met with the lawmakers as they considered the issue in recent months. ''I think it will have a meaningful impact on coaches and athletes if they realize they might not be able to travel outside of their country for fear of being arrested?'

The legislation also authorizes civil actions for doping fraud, giving athletes who may have been cheated in competitions—as well as corporations acting as sponsors—the right to sue in federal court to recover damages from people who may have defrauded competitions.

Ms. Jackson Lee cited the American runner Alysia Montaño, who placed fifth in the 800 meters at the 2012 Summer Olympics. Two Russian women who placed first and third in that race were later disqualified for doping, elevating Ms. Montaño years later. ''She had rightfully finished third, which would have earned her a bronze medal:' Ms. Jackson Lee said, noting the financial benefits and sponsorships Ms. Montaño could have captured.

The bill would establish a window of seven years for criminal actions and 10 years for civil lawsuits. It also seeks to protect whistle-blowers from retaliation, making it illegal to take ''adverse action'' against a person because he or she has disclosed information about doping fraud.

Dr. Rodchenkov, who has lived in the United States since fall 2015, has been criminally charged in Russia after he publicly deconstructed the cheating he said he carried out on orders from a state minister.

''While he was complicit in Russia's past bad acts, Dr. Rodchenkov regrets his past role in Russia's state-run doping program and seeks to atone for it by aiding the effort to clean up international sports and to curb the corruption rampant in Russia,'' Ms. Jackson Lee said, calling Tuesday's bill ''an important step to stemming the tide of Russian corruption in sport and restoring confidence in international competition.''

Ms. JACKSON LEE. Mr. Speaker, I introduced this bill, as I said, with Mr. BURGESS of Texas because the widespread use of performance-enhancing substances had come to light in recent years, harming athletes and fans alike.

Clean U.S. athletes and sports organizations that participate in these competitions, as well as their U.S. sponsors, are denied their due recognition and economic rewards. Young people who have worked all of their lives for this miraculous and important time in their lives and their fans lose when the legitimacy and integrity of the competition they enjoy are debased.

□ 1545

In recent years, there have been numerous allegations and instances of doping by professional and amateur athletes. The Summer and Winter Olympic Games, in particular, have been plagued with doping scandals, which has left an indelible stain on the reputation of those major international sports events.

The infamous Russian doping scandal during the 2014 Sochi Winter Olympics is one notable example of the corruption and fraud that has damaged the integrity of sports competitions. After the Sochi games, whistleblowers Yuliya Stepanova, a former Russian track star, and her husband, Vitaly Stepanov, a former employee at the Russian Anti-Doping Agency, exposed the Russian Government's vast state-sponsored doping system, which subsequently led to further revelations by Dr. Grigory Rodchenkov, the chemist who ran the Russian anti-doping laboratory.

Mr. Speaker, they simply could not take it anymore. Mr. Rodchenkov became a whistleblower and exposed the dozens of Russian athletes participating in the Sochi games, including 15 medal winners, who were part of a state-run doping program.

In addition, Dr. Rodchenkov revealed that with the help of Russian intelligence—I want our Members to hear that again—Russian intelligence—the laboratory switched steroid-tainted urine of the Russian national team with clean samples, evading positive detection. It was an intelligence catastrophe, using that community to undermine the healthy work and the healthy commitment and participation of athletes all around the world.

The ineffective response from international organizations with oversight responsibilities, such as the World Anti-Doping Agency, the Court of Arbitration for Sport, and the International Olympic Committee has only emboldened the Russian Government.

Although Russia has denied its involvement, evidence shows that it operated a systematic state-sponsored doping program and cover-up scheme.

Russia has cheated and defrauded all Olympic athletes, including its own and the general public, and has degraded the meaning and purpose of the games. Unfortunately, because the orchestrators of the Russian doping scandal operated with the blessing of the Russian Government, and because there is no legal mechanism in the United States to bring them to justice, they all escaped punishment for their actions. But imagine the hurt of all of these young athletes, in all of the countries, who worked so hard all of their life.

Currently, there is no Federal statute that provides explicit, comprehensive protection against doping conspiracies in international sports competitions, and the actions are crying out for relief. The Federal statutory protections that currently exist are limited, and criminalize activities, such as conspiracies to commit wire and mail fraud, bribery, kickbacks, and money laundering.

This legislation that we have introduced would fill that gap by establishing appropriate criminal penalties and civil penalties for international doping fraud. In addition to imposing criminal penalties on the conspirators, the bill would authorize private civil actions for doping fraud, which would give athletes and corporate sponsors the right to sue in Federal court to recover damages from individuals who may have defrauded competitions.

We thought it was extremely important to cover our corporate sponsors. They willingly and enthusiastically help these young athletes, particularly these amateur athletes who have no other sources of income. They provide our international competition the support to have these athletes travel and provide other necessities so that they can compete without worry.

This bill will provide justice to clean U.S. athletes, such as Olympic runner Alysia Montano, skeleton racer Katie Uhlaender, bobsledder Steve Holcomb, and many other champions who pursue excellence over glory. They have been denied medals that were rightfully theirs and cheated out of lucrative opportunities such as sponsorships. Most importantly, they have been deprived of the pride of seeing their country's flag being raised on the Olympic podium, an emotional moment that was stolen from them.

In the case of Mr. Holcomb, his bobsled team's bronze medal was upgraded to silver in the spring of 2019 after the Russian teams were disqualified for doping offenses during the 2014 Sochi games. Tragically, Mr. Holcomb was not here to see it, having died in 2017.

This bill also would provide much-needed protection and support for brave whistleblowers, such as Dr. Rodchenkov, who appeared here in the United States before the Helsinki Commission, and the Stepanovs, who have exposed major international doping fraud conspiracies, all at considerable personal risk and sacrifice. They should be honored. The exposure of this criminal activity would not have occurred without the courage and strength of these individuals, and this legislation would not have the very strong basis upon which it is written.

Accordingly, I support H.R. 835, and I ask my colleagues to do so.

Mr. Speaker, the proliferation of legal performance-enhancing drugs (''PEDs'') in sports damages the integrity of competition and defrauds individuals and corporate entities who participate in sporting competitions, including clean U.S. athletes and U.S. corporate sponsors.

However, due to the efforts of gallant whistleblowers, the complex inner workings of large-scale doping schemes are public knowledge.

In 2016, Dr. Grigory Rodchenkov exposed the Russian state-sponsored doping scandal during the 2014 Sochi Olympics, which teams were disqualified for doping offenses during the 2014 Sochi Games.

Tragically, Mr. Holcomb was not here to see it, having died in 2017.

The Rodchenkov Act comes at a crucial time for the international fight against doping in sports and is supported by the U.S. Helsinki Commission.

On October 14, 2019, the New York Times reported that, as suspected, Russia made thousands of changes to the drug-test results of an unspecified number of its athletes, the head of the country's own antidoping agency said this week, confirming the suspicions of global officials who are considering severe penalties against Russian sports programs.

The Russian doping fraud scandal shook the very foundations of the global anti-doping system and the problem shows no signs of stopping.

The ultimate victims of doping fraud are clean athletes, who want nothing more than to compete on a level playing field.

There are countless examples of U.S. athletes who have been defrauded by international doping fraud conspiracies.

These athletes are deprived of Olympic glory and denied their rightful prize money and sponsorships.

The Rodchenkov Act is fully compatible with the UNESCO Convention Against Doping in Sport and the World Anti-Doping Code, greatly enhances the fight against doping by creating additional legal tools to help guard against the type of behavior discovered in the Russian doping scandal.

By criminalizing international doping conspiracies, the Rodchenkov Act provides law enforcement with a greater ability to investigate and pursue, and ultimately hold accountable, doping fraud perpetrators.

In addition, this act will provide doping whistleblowers the same protections that are given

to whistleblowers of other serious crimes, and are all acutely aware of the current importance of protecting whistleblowers.

This legislation is not only vital, but it is fully consistent with international law.

I urge my colleagues on both sides of the aisle to support this legislation.

Mr. Speaker, we all have an interest in ensuring that our country and our athletes are not defrauded in international sports competitions. This bipartisan bill would fill an unfortunate gap with regard to the U.S. law enforcement to hold accountable those who engage in such fraud. It would also serve as a deterrent to those considering engaging in doping fraud conspiracies, and would provide a mechanism to gain visibility into a wider net of international corrupt practices that are connected to doping fraud.

I urge my colleagues to support this commonsense measure.

Mr. Speaker, H.R. 835, the "Rodchenkov Anti-Doping Act of 2019," would strengthen the integrity of international sports competitions by imposing criminal sanctions on certain persons involved in international doping fraud conspiracies. It would also provide restitution for victims of such conspiracies, and would require coordination and sharing of information with the United States Anti-Doping Agency to assist its fight against doping.

I introduced this bill along with Mr. BURGESS of Texas, because the widespread use of performance enhancing substances has come to light in recent years, harming athletes and fans alike. Clean U.S. athletes and sports organizations who participate in these competitions, as well as their U.S. sponsors, are denied their due recognition and economic rewards. And their fans lose when the legitimacy and integrity of the competitions they enjoy are debased.

In recent years, there have been numerous allegations and instances of doping by professional and amateur athletes. The summer and winter Olympic Games, in particular, have been plagued with doping scandals, which has left an indelible stain on the reputation of these major international sports events.

The infamous Russian doping scandal during the 2014 Sochi Winter Olympics is one notable example of the corruption and fraud that has damaged the integrity of sports competitions. After the Sochi Games, whistleblowers Yuliya Stepanova, a former Russian track star, and her husband Vitaly Stepanov, a former employee at the Russian Anti-Doping Agency, exposed the Russian Government's vast state-sponsored doping system, which subsequently led to further revelations by Dr. Grigory Rodchenkov, the chemist who ran the Russian anti-doping laboratory.

Dr. Rodchenkov became a whistleblower and exposed the dozens of Russian athletes participating in the Sochi Games, including 15 medal winners, who were part of a state-run doping program. In addition, Dr. Rodchenkov revealed that with the help of Russian intelligence, the laboratory switched steroid-tainted urine of the Russian national team with clean samples, evading positive detection.

The ineffective response from international organizations with oversight responsibilities, such as the World Anti-Doping Agency, the Court of Arbitration for Sport, and the International Olympic Committee, has only emboldened the Russian Government. Although Russia has denied its involvement, evidence shows that it operated a systematic, state-sponsored doping program and cover-up scheme.

Russia has cheated and defrauded all the Olympic athletes, including its own, and the general public, and has degraded the meaning and purpose of the Games. Unfortunately, because the orchestrators of the Russian doping scandal operated with the blessing of the Russian government, and because there is no legal mechanism in the United States to bring them to justice, they all escaped punishment for their actions.

Currently, there is no federal statute that provides explicit comprehensive protection against doping conspiracies in international sports competitions. The federal statutory protections that currently exist are limited, and criminalize activities such as conspiracies to commit wire and mail fraud, bribery, kickbacks, and money laundering.

This legislation would fill that gap by establishing appropriate criminal penalties and civil remedies for international doping fraud. In addition to imposing criminal penalties on the conspirators, the bill would authorize private civil actions for doping fraud, which would give athletes and corporate sponsors the right to sue in federal court to recover damages from individuals who may have defrauded competitions.

This bill would provide justice to clean U.S. athletes, such as Olympic runner Alysia Montario, skeleton racer Katie Uhlaender, bobsledder Steve Holcomb, and many other champions who pursue excellence over glory. They have been denied medals that were rightfully theirs and cheated out of lucrative opportunities, such as sponsorships. Most importantly, they have been deprived of the pride of seeing their country's flag being raised on the Olympic podium an emotional moment that was stolen from them.

In the case of Mr. Holcomb, his bobsled team's bronze medals were upgraded to silver in the spring of 2019, after the Russian teams were disqualified for doping offenses during the 2014 Sochi Games. Tragically, Mr. Holcomb was not here to see it, having died in 2017.

This bill also would also provide much-needed protection and support for brave whistleblowers, such as Dr. Rodchenkov and the Stepanovas, who have exposed major international doping fraud conspiracies at considerable personal risk and sacrifice. The exposure of this criminal activity would not have occurred without the courage and strength of these individuals.

Accordingly, I support H.R. 835.

Mr. Speaker, we all have an interest in ensuring that our country and our athletes are not defrauded in international sports competitions. This bipartisan bill would fill an unfortunate gap with regard to the U.S. law enforcement to hold accountable those who engage in such fraud. It would also serve as a deterrent to those considering engaging in doping fraud conspiracies, and would provide a mechanism to gain visibility into a wider net of international corrupt practices that are connected to doping fraud.

I urge my colleagues to support this commonsense measure.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 18, 2019.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to you concerning H.R. 835, the "Rodchenkov Anti-Doping Act of 2019."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider H.R. 835 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 835 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 18, 2019.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: I am writing to you concerning H.R. 835, the "Rodchenkov Anti-Doping Act of 2019," which was additionally referred to the Committee on Energy and Commerce. Certain provisions in the bill fall within the jurisdiction of the Committee on Energy and Commerce. In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, the Committee on Energy and Commerce agrees to waive formal consideration of the bill.

The Committee takes this action with the mutual understanding that it is not waiving any jurisdictional claim over this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I further request that you support my request to name members of the Committee on Energy and Commerce to any conference committee to consider such provisions.

Finally, I would appreciate a response to this letter confirming this understanding and your inclusion of that response into the Congressional Record during floor consideration of H.R. 835.

Sincerely,

FRANK PALLONE, JR,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 18, 2019.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to acknowledge your letter dated October 18, 2019 responding to our request to your Committee that it waive any jurisdictional claims over the matters contained in H.R. 835, the "Rodchenkow Anti-Doping Act of 2019," that fall within your Committee's Rule X jurisdiction. The Committee on the Judiciary confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation,

and your Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within your Committee's jurisdiction.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

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

Mr. Speaker, I thank the gentlewoman from Texas for her leadership on this issue, and I thank the members of the committee for their hard work.

Mr. Speaker, amateur and professional sports are an essential part of American society. We spend over $50 billion each year on sporting events. Billions more in revenue are generated from advertising, athlete endorsements, and broadcast rights of thousands of sporting events each year. The impact of sports in the United States is over half a trillion dollars, and the effects on local, State, national, and global economies are considerable.

In other words, there is a great deal at stake. The integrity of leagues, coaches, athletes, and their sponsors is critical. Governments around the world sponsor their athletes in amateur sports, most notably in the Olympics. Scandals over the past 20 years involving doping and the use of performance-enhancing drugs have tarnished the reputations of players and coaches, and especially clean athletes who follow the rules and do not use prohibited drugs and substances.

The widespread doping by Russian athletes at the 2014 Winter Olympics led to Russia being banned from the 2018 Winter Olympics. Subsequent investigation revealed a massive government-sponsored doping program where a Russian drug testing laboratory director used a three-drug cocktail of anabolic steroids to boost the performance of Russian athletes. Even more distressing, Russian intelligence operatives switched the steroid-tainted urine samples of the Russian athletes with clean samples. In the end, 43 Olympic medals were stripped from Russia for doping violations.

Federal law already contains penalties for kickbacks, bribery, corruption, foreign corrupt practices, and related crimes. However, it does not criminalize fraud through doping in international sport competitions, nor does it provide protections for the victims of doping fraud, such as athletes and whistleblowers.

H.R. 835 would enhance America's jurisdiction over international sports and help ensure the integrity of athletes and coaches in the Olympics and similar competitions.

Doping fraud conspiracies harm clean athletes and their coaches and cosponsors. They also defraud those who pay to watch sporting events and set an extremely poor example for our youth. It is time for the United States to join several European nations and add another means by which criminals engaged in doping fraud can be held accountable for their actions and no longer tarnish the honor and image of clean athletes.

This bill is a unique example of bipartisan efforts. I am encouraged by the ability of Members and staff from both sides of the aisle to craft legislation which will help root out fraud and corruption in international sports.

As the lead sponsor of several other bipartisan pieces of legislation, I look forward to finding more common ground for the benefit of the American people. I am pleased to support this bill, and I urge my colleagues to support it, as well.

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

Ms. JACKSON LEE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CLINE. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. BURGESS).

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

Mr. Speaker, I rise today in support of H.R. 835, the Rodchenkov Anti-Doping Act, a bill that was introduced with Ms. JACKSON LEE to combat international doping schemes.

The bill is named after Dr. Grigory Rodchenkov, the former head of Russia's anti-doping agency lab that blew the whistle on the massive, state-run doping scheme that led the International Olympic Committee to suspend Russia from the 2018 Winter Olympics.

From 2011 to 2015, over 1,000 Russian athletes in 30 sports benefited from an illegal program executed by numerous Russian state agencies at the direction of Russian President Putin.

Another whistleblower, Yuliya Stepanova, revealed information that led to the formation of an independent commission at the World Anti-Doping Agency that investigated finding a deeply-rooted culture of cheating that existed in Russia. We heard from Ms. Stepanova and the lawyer for Dr. Rodchenkov during the Helsinki Commission hearing in July of 2018. Also present was Katie Uhlaender, who had been defrauded and cheated out of an Olympic medal as a result of the Russian doping scheme. No athlete should be subjected to doping, either through a state-run program or as a clean competitor.

In 2015, the Russian Anti-Doping Agency entered into a Roadmap to Code Compliance agreement with the World Anti-Doping Agency involving 31 criteria for the Russian agency to be reinstated. Russia's agreement to deliver additional drug-test lab samples is one of the reasons the World Anti-Doping Agency agreed to reinstate the Russian Anti-Doping Agency in 2018.

But, just last week, the current head of the Russian Anti-Doping Agency said thousands of changes were made to those drug-test results. The World Anti-Doping Agency had only been able to verify the authenticity of a portion of the provided samples, and these statements confirmed that Russia is still intent on cheating in international sport competitions. The World Anti-Doping Agency is currently considering how to respond, including possibly designating Russia as noncompliant and suspending Russian athletes from international sport competitions until that country is again designated as compliant.

But the doping program goes beyond just harming clean athletes. President Putin views this type of illegal scheme as a geopolitical tool to characterize the West as unfair and oppressive. One year ago, the United States Department of Justice indicted seven Russian military intelligence officials for a cyberattack on the United States and other international organizations because they exposed Russia's state-run doping scheme and for protecting the whistleblowers, namely Dr. Rodchenkov.

The Rodchenkov Anti-Doping Act would combat this type of illegal doping scheme and limit Russia's sphere of influence as they seek to undermine Western values around the world. This bill will criminalize knowingly facilitating a doping scheme in a major international sport competition where United States athletes are competing, and the competition organizer receives sponsorship or financial support from a U.S. entity. The bill also allows U.S. citizens to pursue civil action against deceptive competition and provides protection for whistleblowers.

The Rodchenkov Anti-Doping Act will ensure that athletes' rights are respected, whistleblowers are protected, and criminals are brought to justice. The bill will restore the integrity of international sport competition and uphold the rule of law around the world.

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

Ms. JACKSON LEE. Mr. Speaker, I have no further speakers, and I continue to reserve the balance of my time.

Mr. CLINE. Mr. Speaker, in closing, again, I would say that this is an important bill designed to restore integrity to international sport competition. Right now, you only need to look outside in the Nation's Capital to see that World Series fear has hit our Nation's Capital. As we all watch with enthusiasm, we are reminded of the noble goals and noble values inherent in sport and competition and look to preserve those goals and values with the passage of this legislation.

Mr. Speaker, I urge its passage, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Virginia for his kind remarks and support. And I thank Dr. BURGESS, as well, for his involvement and commitment to this

legislation. I also thank the chairman and ranking member of the Judiciary Committee for really helping us move this bill very quickly. I thank the staffs of both the majority and the minority who have worked so very hard on moving this bill forward. And I acknowledge, in particular, the staff on the Subcommittee on Crime, Terrorism, and Homeland Security for their particular help and leadership on this.

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Mr. Speaker, I am glad that we are talking about healthy sports and the recognition and the acceptance, if you will, of those who worked so long and so hard, many from their earlier years, to be Olympians, to play baseball, basketball, football, track, and the many sports that come under the Olympic mandate.

This bill, in particular, I wish to remind our colleagues, again, provides relief, but we really hope it is a deterrent and works to move other nations, the European Union, to be able to establish these kinds of responses to doping.

This act establishes criminal penalties for participating in a scheme in commerce to influence a major international sports competition through prohibitive substances or methods. It also provides restitution to victims of such conspiracy, athletes in particular, many of whom have suffered great losses because of this fraud.

It protects whistleblowers from retaliation by criminalizing participation in international doping fraud conspiracies. Whistleblowers will be included under existing witness protection laws.

It establishes coordination and sharing information with the U.S. Anti-Doping Agency to establish a matrix, if you will, a format.

I want to say that we all have an interest in ensuring our country and our athletes are not defrauded in international sports competitions. This bipartisan bill would fill an unfortunate gap with regard to U.S. law enforcement to hold accountable those who engage in such fraud.

It would also serve as a deterrent to those considering engaging in doping-fraud conspiracies and would provide a mechanism to gain visibility in a wider net of international corrupt practices that are connected to doping fraud.

I leave my colleagues with the very visual that so many of us, if we were not able to be at the Olympics, watched as our athletes were able to stand under our flag, the emotion of that moment, the emotion of the athletes, the emotion of those watching, the excitement of standing in honor of your Nation and representing your Nation. Anyone who has talked to an Olympian knows that that is one of their greatest honors. Let's give them that honor fair and square, if you will.

Since we believe in fairness and squareness in all of our athletic endeavors here in the United States, I certainly will end, as my friend commented here on the floor, I will end with the healthiness and the upstanding of the World Series and those who will play in it.

I will take the opportunity at this time to say: Go Astros.

I urge my colleagues to support the underlying, commonsense measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, H.R. 835, as amended.

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

A motion to reconsider was laid on the table.

COPYRIGHT ALTERNATIVE IN SMALL-CLAIMS ENFORCEMENT ACT OF 2019

Mr. JEFFRIES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2426) to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2426

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 ''Copyright Alternative in Small-Claims Enforcement Act of 2019'' or the ''CASE Act of 2019''.

SEC. 2. COPYRIGHT SMALL CLAIMS.

(a) IN GENERAL.—Title 17, United States Code, is amended by adding at the end the following:

''CHAPTER 15—COPYRIGHT SMALL CLAIMS

''Sec.
''1501. Definitions.
''1502. Copyright Claims Board.
''1503. Authority and duties of the Copyright Claims Board.
''1504. Nature of proceedings.
''1505. Registration requirement.
''1506. Conduct of proceedings.
''1507. Effect of proceeding.
''1508. Review and confirmation by district court.
''1509. Relationship to other district court actions.
''1510. Implementation by Copyright Office.
''1511. Funding.

''§ 1501. Definitions

''In this chapter—

''(1) the term 'party'—

''(A) means a party; and

''(B) includes the attorney of a party, as applicable;

''(2) the term 'claimant' means the real party in interest that commences a proceeding before the Copyright Claims Board under section 1506(e), pursuant to a permissible claim of infringement brought under section 1504(c)(1), noninfringement brought under section 1504(c)(2), or misrepresentation brought under section 1504(c)(3);

''(3) the term 'counterclaimant' means a respondent in a proceeding before the Copyright Claims Board that—

''(A) asserts a permissible counterclaim under section 1504(c)(4) against the claimant in the proceeding; and

''(B) is the real party in interest with respect to the counterclaim described in subparagraph (A); and

''(4) the term 'respondent' means any person against whom a proceeding is brought before the Copyright Claims Board under section 1506(e), pursuant to a permissible claim of infringement brought under section 1504(c)(1), noninfringement brought under section 1504(c)(2), or misrepresentation brought under section 1504(c)(3).

''§ 1502. Copyright Claims Board

''(a) IN GENERAL.—There is established in the Copyright Office the Copyright Claims Board, which shall serve as an alternative forum in which parties may voluntarily seek to resolve certain copyright claims regarding any category of copyrighted work, as provided in this chapter.

''(b) OFFICERS AND STAFF.—

''(1) COPYRIGHT CLAIMS OFFICERS.—The Register of Copyrights shall recommend 3 full-time Copyright Claims Officers to serve on the Copyright Claims Board in accordance with paragraph (3)(A). The Officers shall be appointed by the Librarian of Congress to such positions after consultation with the Register of Copyrights.

''(2) COPYRIGHT CLAIMS ATTORNEYS.—The Register of Copyrights shall hire not fewer than 2 full-time Copyright Claims Attorneys to assist in the administration of the Copyright Claims Board.

''(3) QUALIFICATIONS.—

''(A) COPYRIGHT CLAIMS OFFICERS.—

''(i) IN GENERAL.—Each Copyright Claims Officer shall be an attorney who has not fewer than 7 years of legal experience.

''(ii) EXPERIENCE.—Two of the Copyright Claims Officers shall have—

''(I) substantial experience in the evaluation, litigation, or adjudication of copyright infringement claims; and

''(II) between those 2 Officers, have represented or presided over a diversity of copyright interests, including those of both owners and users of copyrighted works.

''(iii) ALTERNATIVE DISPUTE RESOLUTION.—The Copyright Claims Officer not described in clause (ii) shall have substantial familiarity with copyright law and experience in the field of alternative dispute resolution, including the resolution of litigation matters through that method of resolution.

''(B) COPYRIGHT CLAIMS ATTORNEYS.—Each Copyright Claims Attorney shall be an attorney who has not fewer than 3 years of substantial experience in copyright law.

''(4) COMPENSATION.—

''(A) COPYRIGHT CLAIMS OFFICERS.—

''(i) DEFINITION.—In this subparagraph, the term 'senior level employee of the Federal Government' means an employee, other than an employee in the Senior Executive Service, the position of whom is classified above GS–15 of the General Schedule.

''(ii) PAY RANGE.—Each Copyright Claims Officer shall be compensated at a rate of pay that is not less than the minimum, and not more than the maximum, rate of pay payable for senior level employees of the Federal Government, including locality pay, as applicable.

''(B) COPYRIGHT CLAIMS ATTORNEYS.—Each Copyright Claims Attorney shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–15 of the General Schedule, including locality pay, as applicable.

''(5) TERMS.—

''(A) IN GENERAL.—Subject to subparagraph (B), a Copyright Claims Officer shall serve for a renewable term of 6 years.

''(B) INITIAL TERMS.—The terms for the first Copyright Claims Officers appointed under this chapter shall be as follows:

''(i) The first such Copyright Claims Officer appointed shall be appointed for a term of 4 years.

''(ii) The second Copyright Claims Officer appointed shall be appointed for a term of 5 years.

''(iii) The third Copyright Claims Officer appointed shall be appointed for a term of 6 years.

''(6) VACANCIES AND INCAPACITY.—

''(A) VACANCY.—

''(i) IN GENERAL.—If a vacancy occurs in the position of a Copyright Claims Officer, the Librarian of Congress shall, upon the recommendation of and in consultation with the Register of Copyrights, act expeditiously to appoint a Copyright Claims Officer for that position.

''(ii) VACANCY BEFORE EXPIRATION.—An individual appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the individual was appointed shall be appointed to serve a 6-year term.

''(B) INCAPACITY.—If a Copyright Claims Officer is temporarily unable to perform the duties of the Officer, the Librarian of Congress shall, upon recommendation of and in consultation with the Register of Copyrights, act expeditiously to appoint an interim Copyright Claims Officer to perform such duties during the period of such incapacity.

''(7) SANCTION OR REMOVAL.—Subject to section 1503(b), the Librarian of Congress may sanction or remove a Copyright Claims Officer.

''(8) ADMINISTRATIVE SUPPORT.—The Register of Copyrights shall provide the Copyright Claims Officers and Copyright Claims Attorneys with necessary administrative support, including technological facilities, to carry out the duties of the Officers and Attorneys under this chapter.

''(9) LOCATION OF COPYRIGHT CLAIMS BOARD.—The offices and facilities of the Copyright Claims Officers and Copyright Claims Attorneys shall be located at the Copyright Office.

''§ 1503. Authority and duties of the Copyright Claims Board

''(a) FUNCTIONS.—

''(1) COPYRIGHT CLAIMS OFFICERS.—Subject to the provisions of this chapter and applicable regulations, the functions of the Copyright Claims Officers shall be as follows:

''(A) To render determinations on the civil copyright claims, counterclaims, and defenses that may be brought before the Officers under this chapter.

''(B) To ensure that claims, counterclaims, and defenses are properly asserted and otherwise appropriate for resolution by the Copyright Claims Board.

''(C) To manage the proceedings before the Officers and render rulings pertaining to the consideration of claims, counterclaims, and defenses, including with respect to scheduling, discovery, evidentiary, and other matters.

''(D) To request, from participants and nonparticipants in a proceeding, the production of information and documents relevant to the resolution of a claim, counterclaim, or defense.

''(E) To conduct hearings and conferences.

''(F) To facilitate the settlement by the parties of claims and counterclaims.

''(G)(i) To award monetary relief; and

''(ii) to include in the determinations of the Officers a requirement that certain activities under section 1504(e)(2) cease or be mitigated, if the party to undertake the applicable measure has so agreed.

''(H) To provide information to the public concerning the procedures and requirements of the Copyright Claims Board.

''(I) To maintain records of the proceedings before the Officers, certify official records of such proceedings as needed, and, as provided in section 1506(t), make the records in such proceedings available to the public.

''(J) To carry out such other duties as are set forth in this chapter.

''(K) When not engaged in performing the duties of the Officers set forth in this chapter, to perform such other duties as may be assigned by the Register of Copyrights.

''(2) COPYRIGHT CLAIMS ATTORNEYS.—Subject to the provisions of this chapter and applicable regulations, the functions of the Copyright Claims Attorneys shall be as follows:

''(A) To provide assistance to the Copyright Claims Officers in the administration of the duties of those Officers under this chapter.

''(B) To provide assistance to members of the public with respect to the procedures and requirements of the Copyright Claims Board.

''(C) To provide information to potential claimants contemplating bringing a permissible action before the Copyright Claims Board about obtaining a subpoena under section 512(h) for the sole purpose of identifying a potential respondent in such an action.

''(D) When not engaged in performing the duties of the Attorneys set forth in this chapter, to perform such other duties as may be assigned by the Register of Copyrights.

''(b) INDEPENDENCE IN DETERMINATIONS.—

''(1) IN GENERAL.—The Copyright Claims Board shall render the determinations of the Board in individual proceedings independently on the basis of the records in the proceedings before it and in accordance with the provisions of this title, judicial precedent, and applicable regulations of the Register of Copyrights.

''(2) CONSULTATION.—The Copyright Claims Officers and Copyright Claims Attorneys—

''(A) may consult with the Register of Copyrights on general issues of law; and

''(B) subject to section 1506(x), may not consult with the Register of Copyrights with respect to—

''(i) the facts of any particular matter pending before the Officers and the Attorneys; or

''(ii) the application of law to the facts described in clause (i).

''(3) PERFORMANCE APPRAISALS.—Notwithstanding any other provision of law or any regulation or policy of the Library of Congress or Register of Copyrights, any performance appraisal of a Copyright Claims Officer or Copyright Claims Attorney may not consider the substantive result of any individual determination reached by the Copyright Claims Board as a basis for appraisal except to the extent that result may relate to any actual or alleged violation of an ethical standard of conduct.

''(c) DIRECTION BY REGISTER.—Subject to subsection (b), the Copyright Claims Officers and Copyright Claims Attorneys shall, in the administration of their duties, be under the general direction of the Register of Copyrights.

''(d) INCONSISTENT DUTIES BARRED.—A Copyright Claims Officer or Copyright Claims Attorney may not undertake any duty that conflicts with the duties of the Officer or Attorney in connection with the Copyright Claims Board.

''(e) RECUSAL.—A Copyright Claims Officer or Copyright Claims Attorney shall recuse himself or herself from participation in any proceeding with respect to which the Copyright Claims Officer or Copyright Claims Attorney, as the case may be, has reason to believe that he or she has a conflict of interest.

''(f) EX PARTE COMMUNICATIONS.—Except as may otherwise be permitted by applicable law, any party to a proceeding before the Copyright Claims Board shall refrain from ex parte communications with the Copyright Claims Officers and the Register of Copyrights concerning the substance of any active or pending proceeding before the Copyright Claims Board.

''(g) JUDICIAL REVIEW.—Actions of the Copyright Claims Officers and Register of Copyrights under this chapter in connection with the rendering of any determination are subject to judicial review as provided under section 1508(c) and not under chapter 7 of title 5.

''§ 1504. Nature of proceedings

''(a) VOLUNTARY PARTICIPATION.—Participation in a Copyright Claims Board proceeding shall be on a voluntary basis in accordance with this chapter and the right of any party to instead pursue a claim, counterclaim, or defense in a district court of the United States, any other court, or any other forum, and to seek a jury trial, shall be preserved. The rights, remedies, and limitations under this section may not be waived except in accordance with this chapter.

''(b) STATUTE OF LIMITATIONS.—

''(1) IN GENERAL.—A proceeding may not be maintained before the Copyright Claims Board unless the proceeding is commenced, in accordance with section 1506(e), before the Copyright Claims Board within 3 years after the claim accrued.

''(2) TOLLING.—Subject to section 1507(a), a proceeding commenced before the Copyright Claims Board shall toll the time permitted under section 507(b) for the commencement of an action on the same claim in a district court of the United States during the period in which the proceeding is pending.

''(c) PERMISSIBLE CLAIMS, COUNTERCLAIMS, AND DEFENSES.—The Copyright Claims Board may render determinations with respect to the following claims, counterclaims, and defenses, subject to such further limitations and requirements, including with respect to particular classes of works, as may be set forth in regulations established by the Register of Copyrights:

''(1) A claim for infringement of an exclusive right in a copyrighted work provided under section 106 by the legal or beneficial owner of the exclusive right at the time of the infringement for which the claimant seeks damages, if any, within the limitations set forth in subsection (e)(1).

''(2) A claim for a declaration of noninfringement of an exclusive right in a copyrighted work provided under section 106, consistent with section 2201 of title 28.

''(3) A claim under section 512(f) for misrepresentation in connection with a notification of claimed infringement or a counter notification seeking to replace removed or disabled material, except that any remedies relating to such a claim in a proceeding before the Copyright Claims Board shall be limited to those available under this chapter.

''(4) A counterclaim that is asserted solely against the claimant in a proceeding—

''(A) pursuant to which the counterclaimant seeks damages, if any, within the limitations set forth in subsection (e)(1); and

''(B) that—

''(i) arises under section 106 or section 512(f) and out of the same transaction or occurrence that is the subject of a claim of infringement brought under paragraph (1), a claim of noninfringement brought under paragraph (2), or a claim of misrepresentation brought under paragraph (3); or

''(ii) arises under an agreement pertaining to the same transaction or occurrence that is the subject of a claim of infringement

brought under paragraph (1), if the agreement could affect the relief awarded to the claimant.

''(5) A legal or equitable defense under this title or otherwise available under law, in response to a claim or counterclaim asserted under this subsection.

''(6) A single claim or multiple claims permitted under paragraph (1), (2), or (3) by one or more claimants against one or more respondents, but only if all claims asserted in any one proceeding arise out of the same allegedly infringing activity or continuous course of infringing activities and do not, in the aggregate, result in the recovery of such claim or claims for damages that exceed the limitations under subsection (e)(1).

''(d) EXCLUDED CLAIMS.—The following claims and counterclaims are not subject to determination by the Copyright Claims Board:

''(1) A claim or counterclaim that is not a permissible claim or counterclaim under subsection (c).

''(2) A claim or counterclaim that has been finally adjudicated by a court of competent jurisdiction or that is pending before a court of competent jurisdiction, unless that court has granted a stay to permit that claim or counterclaim to proceed before the Copyright Claims Board.

''(3) A claim or counterclaim by or against a Federal or State governmental entity.

''(4) A claim or counterclaim asserted against a person or entity residing outside of the United States, except in a case in which the person or entity initiated the proceeding before the Copyright Claims Board and is subject to counterclaims under this chapter.

''(e) PERMISSIBLE REMEDIES.—

''(1) MONETARY RECOVERY.—

''(A) ACTUAL DAMAGES, PROFITS, AND STATUTORY DAMAGES FOR INFRINGEMENT.—With respect to a claim or counterclaim for infringement of copyright, and subject to the limitation on total monetary recovery under subparagraph (D), the Copyright Claims Board may award either of the following:

''(i) Actual damages and profits determined in accordance with section 504(b), with that award taking into consideration, in appropriate cases, whether the infringing party has agreed to cease or mitigate the infringing activity under paragraph (2).

''(ii) Statutory damages, which shall be determined in accordance with section 504(c), subject to the following conditions:

''(I) With respect to works timely registered under section 412, so that the works are eligible for an award of statutory damages in accordance with that section, the statutory damages may not exceed $15,000 for each work infringed.

''(II) With respect to works not timely registered under section 412, but eligible for an award of statutory damages under this section, statutory damages may not exceed $7,500 per work infringed, or a total of $15,000 in any 1 proceeding.

''(III) The Copyright Claims Board may not make any finding that, or consider whether, the infringement was committed willfully in making an award of statutory damages.

''(IV) The Copyright Claims Board may consider, as an additional factor in awarding statutory damages, whether the infringer has agreed to cease or mitigate the infringing activity under paragraph (2).

''(B) ELECTION OF DAMAGES.—With respect to a claim or counterclaim of infringement, at any time before final determination is rendered, and notwithstanding the schedule established by the Copyright Claims Board under section 1506(k), the claimant or counterclaimant shall elect—

''(i) to recover actual damages and profits or statutory damages under subparagraph (A); or

''(ii) not to recover damages.

''(C) DAMAGES FOR OTHER CLAIMS.—Damages for claims and counterclaims other than infringement claims, such as those brought under section 512(f), shall be subject to the limitation under subparagraph (D).

''(D) LIMITATION ON TOTAL MONETARY RECOVERY.—Notwithstanding any other provision of law, a party that pursues any one or more claims or counterclaims in any single proceeding before the Copyright Claims Board may not seek or recover in that proceeding a total monetary recovery that exceeds the sum of $30,000, exclusive of any attorneys' fees and costs that may be awarded under section 1506(y)(2).

''(2) AGREEMENT TO CEASE CERTAIN ACTIVITY.—In a determination of the Copyright Claims Board, the Board shall include a requirement to cease conduct if, in the proceeding relating to the determination—

''(A) a party agrees—

''(i) to cease activity that is found to be infringing, including removing or disabling access to, or destroying, infringing materials; or

''(ii) to cease sending a takedown notice or counter notice under section 512 to the other party regarding the conduct at issue before the Board if that notice or counter notice was found to be a knowing material misrepresentation under section 512(f); and

''(B) the agreement described in subparagraph (A) is reflected in the record for the proceeding.

''(3) ATTORNEYS' FEES AND COSTS.—Notwithstanding any other provision of law, except in the case of bad faith conduct as provided in section 1506(y)(2), the parties to proceedings before the Copyright Claims Board shall bear their own attorneys' fees and costs.

''(f) JOINT AND SEVERAL LIABILITY.—Parties to a proceeding before the Copyright Claims Board may be found jointly and severally liable if all such parties and relevant claims or counterclaims arise from the same activity or activities.

''(g) PERMISSIBLE NUMBER OF CASES.—The Register of Copyrights may establish regulations relating to the permitted number of proceedings each year by the same claimant under this chapter, in the interests of justice and the administration of the Copyright Claims Board.

''§ 1505. Registration requirement

''(a) APPLICATION OR CERTIFICATE.—A claim or counterclaim alleging infringement of an exclusive right in a copyrighted work may not be asserted before the Copyright Claims Board unless—

''(1) the legal or beneficial owner of the copyright has first delivered a completed application, a deposit, and the required fee for registration of the copyright to the Copyright Office; and

''(2) a registration certificate has either been issued or has not been refused.

''(b) CERTIFICATE OF REGISTRATION.—Notwithstanding any other provision of law, a claimant or counterclaimant in a proceeding before the Copyright Claims Board shall be eligible to recover actual damages and profits or statutory damages under this chapter for infringement of a work if the requirements of subsection (a) have been met, except that—

''(1) the Copyright Claims Board may not render a determination in the proceeding until—

''(A) a registration certificate with respect to the work has been issued by the Copyright Office, submitted to the Copyright Claims Board, and made available to the other parties to the proceeding; and

''(B) the other parties to the proceeding have been provided an opportunity to address the registration certificate;

''(2) if the proceeding may not proceed further because a registration certificate for the work is pending, the proceeding shall be held in abeyance pending submission of the certificate to the Copyright Claims Board, except that, if the proceeding is held in abeyance for more than 1 year, the Copyright Claims Board may, upon providing written notice to the parties to the proceeding, and 30 days to the parties to respond to the notice, dismiss the proceeding without prejudice; and

''(3) if the Copyright Claims Board receives notice that registration with respect to the work has been refused, the proceeding shall be dismissed without prejudice.

''(c) PRESUMPTION.—In a case in which a registration certificate shows that registration with respect to a work was issued not later than 5 years after the date of the first publication of the work, the presumption under section 410(c) shall apply in a proceeding before the Copyright Claims Board, in addition to relevant principles of law under this title.

''(d) REGULATIONS.—In order to ensure that actions before the Copyright Claims Board proceed in a timely manner, the Register of Copyrights shall establish regulations allowing the Copyright Office to make a decision, on an expedited basis, to issue or deny copyright registration for an unregistered work that is at issue before the Board.

''§ 1506. Conduct of proceedings

''(a) IN GENERAL.—

''(1) APPLICABLE LAW.—Proceedings of the Copyright Claims Board shall be conducted in accordance with this chapter and regulations established by the Register of Copyrights under this chapter, in addition to relevant principles of law under this title.

''(2) CONFLICTING PRECEDENT.—If it appears that there may be conflicting judicial precedent on an issue of substantive copyright law that cannot be reconciled, the Copyright Claims Board shall follow the law of the Federal jurisdiction in which the action could have been brought if filed in a district court of the United States, or, if the action could have been brought in more than 1 such jurisdiction, the jurisdiction that the Copyright Claims Board determines has the most significant ties to the parties and conduct at issue.

''(b) RECORD.—The Copyright Claims Board shall maintain records documenting the proceedings before the Board.

''(c) CENTRALIZED PROCESS.—Proceedings before the Copyright Claims Board shall—

''(1) be conducted at the offices of the Copyright Claims Board without the requirement of in-person appearances by parties or others; and

''(2) take place by means of written submissions, hearings, and conferences carried out through internet-based applications and other telecommunications facilities, except that, in cases in which physical or other nontestimonial evidence material to a proceeding cannot be furnished to the Copyright Claims Board through available telecommunications facilities, the Copyright Claims Board may make alternative arrangements for the submission of such evidence that do not prejudice any other party to the proceeding.

''(d) REPRESENTATION.—A party to a proceeding before the Copyright Claims Board may be, but is not required to be, represented by—

''(1) an attorney; or

''(2) a law student who is qualified under applicable law governing representation by law students of parties in legal proceedings and who provides such representation on a pro bono basis.

''(e) COMMENCEMENT OF PROCEEDING.—In order to commence a proceeding under this

chapter, a claimant shall, subject to such additional requirements as may be prescribed in regulations established by the Register of Copyrights, file a claim with the Copyright Claims Board, that—

''(1) includes a statement of material facts in support of the claim;

''(2) is certified under subsection (y)(1); and

''(3) is accompanied by a filing fee in such amount as may be prescribed in regulations established by the Register of Copyrights.

''(f) REVIEW OF CLAIMS AND COUNTERCLAIMS.—

''(1) CLAIMS.—Upon the filing of a claim under subsection (e), the claim shall be reviewed by a Copyright Claims Attorney to ensure that the claim complies with this chapter and applicable regulations, subject to the following:

''(A) If the claim is found to comply, the claimant shall be notified regarding that compliance and instructed to proceed with service of the claim under subsection (g).

''(B) If the claim is found not to comply, the claimant shall be notified that the claim is deficient and be permitted to file an amended claim not later than 30 days after the date on which the claimant receives the notice, without the requirement of an additional filing fee. If the claimant files a compliant claim within that 30-day period, the claimant shall be so notified and be instructed to proceed with service of the claim. If the claim is refiled within that 30-day period and still fails to comply, the claimant shall again be notified that the claim is deficient and shall be provided a second opportunity to amend the claim within 30 days after the date of that second notice, without the requirement of an additional filing fee. If the claim is refiled again within that second 30-day period and is compliant, the claimant shall be so notified and shall be instructed to proceed with service of the claim, but if the claim still fails to comply, upon confirmation of such noncompliance by a Copyright Claims Officer, the proceeding shall be dismissed without prejudice. The Copyright Claims Board shall also dismiss without prejudice any proceeding in which a compliant claim is not filed within the applicable 30-day period.

''(C)(i) Subject to clause (ii), for purposes of this paragraph, a claim against an online service provider for infringement by reason of the storage of or referral or linking to infringing material that may be subject to the limitations on liability set forth in subsection (b), (c), or (d) of section 512 shall be considered noncompliant unless the claimant affirms in the statement required under subsection (e)(1) of this section that the claimant has previously notified the service provider of the claimed infringement in accordance with subsection (b)(2)(E), (c)(3), or (d)(3) of section 512, as applicable, and the service provider failed to remove or disable access to the material expeditiously upon the provision of such notice.

''(ii) If a claim is found to be noncompliant under clause (i), the Copyright Claims Board shall provide the claimant with information concerning the service of such a notice under the applicable provision of section 512.

''(2) COUNTERCLAIMS.—Upon the filing and service of a counterclaim, the counterclaim shall be reviewed by a Copyright Claims Attorney to ensure that the counterclaim complies with the provisions of this chapter and applicable regulations. If the counterclaim is found not to comply, the counterclaimant and the other parties to the proceeding shall be notified that the counterclaim is deficient, and the counterclaimant shall be permitted to file and serve an amended counterclaim within 30 days after the date of such notice. If the counterclaimant files and serves a compliant counterclaim within that 30-day period, the counterclaimant and such other parties shall be so notified. If the counterclaim is refiled and served within that 30-day period but still fails to comply, the counterclaimant and such other parties shall again be notified that the counterclaim is deficient, and the counterclaimant shall be provided a second opportunity to amend the counterclaim within 30 days after the date of the second notice. If the counterclaim is refiled and served again within that second 30-day period and is compliant, the counterclaimant and such other parties shall be so notified, but if the counterclaim still fails to comply, upon confirmation of such noncompliance by a Copyright Claims Officer, the counterclaim, but not the proceeding, shall be dismissed without prejudice.

''(3) DISMISSAL FOR UNSUITABILITY.—The Copyright Claims Board shall dismiss a claim or counterclaim without prejudice if, upon reviewing the claim or counterclaim, or at any other time in the proceeding, the Copyright Claims Board concludes that the claim or counterclaim is unsuitable for determination by the Copyright Claims Board, including on account of any of the following:

''(A) The failure to join a necessary party.

''(B) The lack of an essential witness, evidence, or expert testimony.

''(C) The determination of a relevant issue of law or fact that could exceed either the number of proceedings the Copyright Claims Board could reasonably administer or the subject matter competence of the Copyright Claims Board.

''(g) SERVICE OF NOTICE AND CLAIMS.—In order to proceed with a claim against a respondent, a claimant shall, within 90 days after receiving notification under subsection (f) to proceed with service, file with the Copyright Claims Board proof of service on the respondent. In order to effectuate service on a respondent, the claimant shall cause notice of the proceeding and a copy of the claim to be served on the respondent, either by personal service or pursuant to a waiver of personal service, as prescribed in regulations established by the Register of Copyrights. Such regulations shall include the following requirements:

''(1) The notice of the proceeding shall adhere to a prescribed form and shall set forth the nature of the Copyright Claims Board and proceeding, the right of the respondent to opt out, and the consequences of opting out and not opting out, including a prominent statement that, by not opting out within 60 days after receiving the notice, the respondent—

''(A) loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States; and

''(B) waives the right to a jury trial regarding the dispute.

''(2) The copy of the claim served on the respondent shall be the same as the claim that was filed with the Copyright Claims Board.

''(3) Personal service of a notice and claim may be effected by an individual who is not a party to the proceeding and is older than 18 years of age.

''(4) An individual, other than a minor or incompetent individual, may be served by—

''(A) complying with State law for serving a summons in an action brought in courts of general jurisdiction in the State where service is made;

''(B) delivering a copy of the notice and claim to the individual personally;

''(C) leaving a copy of the notice and claim at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there; or

''(D) delivering a copy of the notice and claim to an agent designated by the respondent to receive service of process or, if not so designated, an agent authorized by appointment or by law to receive service of process.

''(5)(A) A corporation, partnership, or unincorporated association that is subject to suit in courts of general jurisdiction under a common name shall be served by delivering a copy of the notice and claim to its service agent. If such service agent has not been designated, service shall be accomplished—

''(i) by complying with State law for serving a summons in an action brought in courts of general jurisdiction in the State where service is made; or

''(ii) by delivering a copy of the notice and claim to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process in an action brought in courts of general jurisdiction in the State where service is made and, if the agent is one authorized by statute and the statute so requires, by also mailing a copy of the notice and claim to the respondent.

''(B) A corporation, partnership or unincorporated association that is subject to suit in courts of general jurisdiction under a common name may elect to designate a service agent to receive notice of a claim against it before the Copyright Claims Board by complying with requirements that the Register of Copyrights shall establish by regulation. The Register of Copyrights shall maintain a current directory of service agents that is available to the public for inspection, including through the internet, and may require such corporations, partnerships, and unincorporated associations designating such service agents to pay a fee to cover the costs of maintaining the directory.

''(6) In order to request a waiver of personal service, the claimant may notify a respondent, by first class mail or by other reasonable means, that a proceeding has been commenced, such notice to be made in accordance with regulations established by the Register of Copyrights, subject to the following:

''(A) Any such request shall be in writing, shall be addressed to the respondent, and shall be accompanied by a prescribed notice of the proceeding, a copy of the claim as filed with the Copyright Claims Board, a prescribed form for waiver of personal service, and a prepaid or other means of returning the form without cost.

''(B) The request shall state the date on which the request is sent, and shall provide the respondent a period of 30 days, beginning on the date on which the request is sent, to return the waiver form signed by the respondent. The signed waiver form shall, for purposes of this subsection, constitute acceptance and proof of service as of the date on which the waiver is signed.

''(7)(A) A respondent's waiver of personal service shall not constitute a waiver of the respondent's right to opt out of the proceeding.

''(B) A respondent who timely waives personal service under paragraph (6) and does not opt out of the proceeding shall be permitted a period of 30 days, in addition to the period otherwise permitted under the applicable procedures of the Copyright Claims Board, to submit a substantive response to the claim, including any defenses and counterclaims.

''(8) A minor or an incompetent individual may only be served by complying with State law for serving a summons or like process on such an individual in an action brought in the courts of general jurisdiction of the State where service is made.

''(9) Service of a claim and waiver of personal service may only be effected within the United States.

''(h) NOTIFICATION BY COPYRIGHT CLAIMS BOARD.—The Register of Copyrights shall establish regulations providing for a written notification to be sent by, or on behalf of, the Copyright Claims Board to notify the respondent of a pending proceeding against the respondent, as set forth in those regulations, which shall—

''(1) include information concerning the respondent's right to opt out of the proceeding, the consequences of opting out and not opting out, and a prominent statement that, by not opting out within 60 days after the date of service under subsection (g), the respondent loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States and waives the right to a jury trial regarding the dispute; and

''(2) be in addition to, and separate and apart from, the notice requirements under subsection (g).

''(i) OPT-OUT PROCEDURE.—Upon being properly served with a notice and claim, a respondent who chooses to opt out of the proceeding shall have a period of 60 days, beginning on the date of service, in which to provide written notice of such choice to the Copyright Claims Board, in accordance with regulations established by the Register of Copyrights. If proof of service has been filed by the claimant and the respondent does not submit an opt-out notice to the Copyright Claims Board within that 60-day period, the proceeding shall be deemed an active proceeding and the respondent shall be bound by the determination in the proceeding to the extent provided under section 1507(a). If the respondent opts out of the proceeding during that 60-day period, the proceeding shall be dismissed without prejudice, except that, in exceptional circumstances and upon written notice to the claimant, the Copyright Claims Board may extend that 60-day period in the interests of justice.

''(j) SERVICE OF OTHER DOCUMENTS.—Documents submitted or relied upon in a proceeding, other than the notice and claim, shall be served in accordance with regulations established by the Register of Copyrights.

''(k) SCHEDULING.—Upon confirmation that a proceeding has become an active proceeding, the Copyright Claims Board shall issue a schedule for the future conduct of the proceeding. The schedule shall not specify a time that a claimant or counterclaimant is required make an election of damages that is inconsistent with section 1504(e). A schedule issued by the Copyright Claims Board may be amended by the Copyright Claims Board in the interests of justice.

''(l) CONFERENCES.—One or more Copyright Claims Officers may hold a conference to address case management or discovery issues in a proceeding, which shall be noted upon the record of the proceeding and may be recorded or transcribed.

''(m) PARTY SUBMISSIONS.—A proceeding of the Copyright Claims Board may not include any formal motion practice, except that, subject to applicable regulations and procedures of the Copyright Claims Board—

''(1) the parties to the proceeding may make requests to the Copyright Claims Board to address case management and discovery matters, and submit responses thereto; and

''(2) the Copyright Claims Board may request or permit parties to make submissions addressing relevant questions of fact or law, or other matters, including matters raised sua sponte by the Copyright Claims Officers, and offer responses thereto.

''(n) DISCOVERY.—Discovery in a proceeding shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission, as provided in regulations established by the Register of Copyrights, except that—

''(1) upon the request of a party, and for good cause shown, the Copyright Claims Board may approve additional relevant discovery, on a limited basis, in particular matters, and may request specific information and documents from participants in the proceeding and voluntary submissions from nonparticipants, consistent with the interests of justice;

''(2) upon the request of a party, and for good cause shown, the Copyright Claims Board may issue a protective order to limit the disclosure of documents or testimony that contain confidential information; and

''(3) after providing notice and an opportunity to respond, and upon good cause shown, the Copyright Claims Board may apply an adverse inference with respect to disputed facts against a party who has failed to timely provide discovery materials in response to a proper request for materials that could be relevant to such facts.

''(o) EVIDENCE.—The Copyright Claims Board may consider the following types of evidence in a proceeding, and such evidence may be admitted without application of formal rules of evidence:

''(1) Documentary and other nontestimonial evidence that is relevant to the claims, counterclaims, or defenses in the proceeding.

''(2) Testimonial evidence, submitted under penalty of perjury in written form or in accordance with subsection (p), limited to statements of the parties and nonexpert witnesses, that is relevant to the claims, counterclaims, and defenses in a proceeding, except that, in exceptional cases, expert witness testimony or other types of testimony may be permitted by the Copyright Claims Board for good cause shown.

''(p) HEARINGS.—The Copyright Claims Board may conduct a hearing to receive oral presentations on issues of fact or law from parties and witnesses to a proceeding, including oral testimony, subject to the following:

''(1) Any such hearing shall be attended by not fewer than two of the Copyright Claims Officers.

''(2) The hearing shall be noted upon the record of the proceeding and, subject to paragraph (3), may be recorded or transcribed as deemed necessary by the Copyright Claims Board.

''(3) A recording or transcript of the hearing shall be made available to any Copyright Claims Officer who is not in attendance.

''(q) VOLUNTARY DISMISSAL.—

''(1) BY CLAIMANT.—Upon the written request of a claimant that is received before a respondent files a response to the claim in a proceeding, the Copyright Claims Board shall dismiss the proceeding, or a claim or respondent, as requested, without prejudice.

''(2) BY COUNTERCLAIMANT.—Upon written request of a counterclaimant that is received before a claimant files a response to the counterclaim, the Copyright Claims Board shall dismiss the counterclaim, such dismissal to be without prejudice.

''(3) CLASS ACTIONS.—Any party in an active proceeding before the Copyright Claims Board who receives notice of a pending or putative class action, arising out of the same transaction or occurrence, in which that party is a class member may request in writing dismissal of the proceeding before the Board. Upon notice to all claimants and counterclaimants, the Copyright Claims Board shall dismiss the proceeding without prejudice.

''(r) SETTLEMENT.—

''(1) IN GENERAL.—At any time in an active proceeding, some or all of the parties may—

''(A) jointly request a conference with a Copyright Claims Officer for the purpose of facilitating settlement discussions; or

''(B) submit to the Copyright Claims Board an agreement providing for settlement and dismissal of some or all of the claims and counterclaims in the proceeding.

''(2) ADDITIONAL REQUEST.—A submission under paragraph (1)(B) may include a request that the Copyright Claims Board adopt some or all of the terms of the parties' settlement in a final determination in the proceeding.

''(s) FACTUAL FINDINGS.—Subject to subsection (n)(3), the Copyright Claims Board shall make factual findings based upon a preponderance of the evidence.

''(t) DETERMINATIONS.—

''(1) NATURE AND CONTENTS.—A determination rendered by the Copyright Claims Board in a proceeding shall—

''(A) be reached by a majority of the Copyright Claims Board;

''(B) be in writing, and include an explanation of the factual and legal basis of the determination;

''(C) set forth any terms by which a respondent or counterclaim respondent has agreed to cease infringing activity under section 1504(e)(2);

''(D) to the extent requested under subsection (r)(2), set forth the terms of any settlement agreed to under subsection (r)(1); and

''(E) include a clear statement of all damages and other relief awarded, including under subparagraphs (C) and (D).

''(2) DISSENT.—A Copyright Claims Officer who dissents from a decision contained in a determination under paragraph (1) may append a statement setting forth the grounds for that dissent.

''(3) PUBLICATION.—Each final determination of the Copyright Claims Board shall be made available on a publicly accessible website. The Register shall establish regulations with respect to the publication of other records and information relating to such determinations, including the redaction of records to protect confidential information that is the subject of a protective order under subsection (n)(2).

''(4) FREEDOM OF INFORMATION ACT.—All information relating to proceedings of the Copyright Claims Board under this title is exempt from disclosure to the public under section 552(b)(3) of title 5, except for determinations, records, and information published under paragraph (3).

''(u) RESPONDENT'S DEFAULT.—If a proceeding has been deemed an active proceeding but the respondent has failed to appear or has ceased participating in the proceeding, as demonstrated by the respondent's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Copyright Claims Board under subsection (k), the Copyright Claims Board may enter a default determination, including the dismissal of any counterclaim asserted by the respondent, as follows and in accordance with such other requirements as the Register of Copyrights may establish by regulation:

''(1) The Copyright Claims Board shall require the claimant to submit relevant evidence and other information in support of the claimant's claim and any asserted damages and, upon review of such evidence and any other requested submissions from the claimant, shall determine whether the materials so submitted are sufficient to support a finding in favor of the claimant under applicable law and, if so, the appropriate relief and damages, if any, to be awarded.

''(2) If the Copyright Claims Board makes an affirmative determination under paragraph (1), the Copyright Claims Board shall prepare a proposed default determination,

and shall provide written notice to the respondent at all addresses, including email addresses, reflected in the records of the proceeding before the Copyright Claims Board, of the pendency of a default determination by the Copyright Claims Board and of the legal significance of such determination. Such notice shall be accompanied by the proposed default determination and shall provide that the respondent has a period of 30 days, beginning on the date of the notice, to submit any evidence or other information in opposition to the proposed default determination.

''(3) If the respondent responds to the notice provided under paragraph (2) within the 30-day period provided in such paragraph, the Copyright Claims Board shall consider respondent's submissions and, after allowing the other parties to address such submissions, maintain, or amend its proposed determination as appropriate, and the resulting determination shall not be a default determination.

''(4) If the respondent fails to respond to the notice provided under paragraph (2), the Copyright Claims Board shall proceed to issue the default determination as a final determination. Thereafter, the respondent may only challenge such determination to the extent permitted under section 1508(c), except that, before any additional proceedings are initiated under section 1508, the Copyright Claims Board may, in the interests of justice, vacate the default determination.

''(v) CLAIMANT'S FAILURE TO PROCEED.—

''(1) FAILURE TO COMPLETE SERVICE.—If a claimant fails to complete service on a respondent within the 90-day period required under subsection (g), the Copyright Claims Board shall dismiss that respondent from the proceeding without prejudice. If a claimant fails to complete service on all respondents within that 90-day period, the Copyright Claims Board shall dismiss the proceeding without prejudice.

''(2) FAILURE TO PROSECUTE.—If a claimant fails to proceed in an active proceeding, as demonstrated by the claimant's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Copyright Claims Board under subsection (k), the Copyright Claims Board may, upon providing written notice to the claimant and a period of 30 days, beginning on the date of the notice, to respond to the notice, and after considering any such response, issue a determination dismissing the claimants' claims, which shall include an award of attorneys' fees and costs, if appropriate, under subsection (y)(2). Thereafter, the claimant may only challenge such determination to the extent permitted under section 1508(c), except that, before any additional proceedings are initiated under section 1508, the Copyright Claims Board may, in the interests of justice, vacate the determination of dismissal.

''(w) REQUEST FOR RECONSIDERATION.—A party may, within 30 days after the date on which the Copyright Claims Board issues a final determination in a proceeding under this chapter, submit a written request for reconsideration of, or an amendment to, such determination if the party identifies a clear error of law or fact material to the outcome, or a technical mistake. After providing the other parties an opportunity to address such request, the Copyright Claims Board shall either deny the request or issue an amended final determination.

''(x) REVIEW BY REGISTER.—If the Copyright Claims Board denies a party a request for reconsideration of a final determination under subsection (w), that party may, within 30 days after the date of such denial, request review of the final determination by the Register of Copyrights in accordance with regulations established by the Register. Such request shall be accompanied by a reasonable filing fee, as provided in such regulations. The review by the Register shall be limited to consideration of whether the Copyright Claims Board abused its discretion in denying reconsideration of the determination. After providing the other parties an opportunity to address the request, the Register shall either deny the request for review, or remand the proceeding to the Copyright Claims Board for reconsideration of issues specified in the remand and for issuance of an amended final determination. Such amended final determination shall not be subject to further consideration or review, other than under section 1508(c).

''(y) CONDUCT OF PARTIES AND ATTORNEYS.—

''(1) CERTIFICATION.—The Register of Copyrights shall establish regulations requiring certification of the accuracy and truthfulness of statements made by participants in proceedings before the Copyright Claims Board.

''(2) BAD FAITH CONDUCT.—Notwithstanding any other provision of law, in any proceeding in which a determination is rendered and it is established that a party pursued a claim, counterclaim, or defense for a harassing or other improper purpose, or without a reasonable basis in law or fact, then, unless inconsistent with the interests of justice, the Copyright Claims Board shall in such determination award reasonable costs and attorneys' fees to any adversely affected party of in an amount of not more than $5,000, except that—

''(A) if an adversely affected party appeared pro se in the proceeding, the award to that party shall be for costs only, in an amount of not more than $2,500; and

''(B) in extraordinary circumstances, such as where a party has demonstrated a pattern or practice of bad faith conduct as described in this paragraph, the Copyright Claims Board may, in the interests of justice, award costs and attorneys' fees in excess of the limitations under this paragraph.

''(3) ADDITIONAL PENALTY.—If the Board finds that on more than one occasion within a 12-month period a party pursued a claim, counterclaim, or defense before the Copyright Claims Board for a harassing or other improper purpose, or without a reasonable basis in law or fact, that party shall be barred from initiating a claim before the Copyright Claims Board under this chapter for a period of 12 months beginning on the date on which the Board makes such a finding. Any proceeding commenced by that party that is still pending before the Board when such a finding is made shall be dismissed without prejudice, except that if a proceeding has been deemed active under subsection (i), the proceeding shall be dismissed under this paragraph only if the respondent provides written consent thereto.

''(z) REGULATIONS FOR SMALLER CLAIMS.—The Register of Copyrights shall establish regulations to provide for the consideration and determination, by at least one Copyright Claims Officer, of any claim under this chapter in which total damages sought do not exceed $5,000 (exclusive of attorneys' fees and costs) that are otherwise consistent with this chapter. A determination issued under this subsection shall have the same effect as a determination issued by the entire Copyright Claims Board.

''§ 1507. Effect of proceeding

''(a) DETERMINATION.—Subject to the reconsideration and review processes provided under subsections (w) and (x) of section 1506 and section 1508(c), the issuance of a final determination by the Copyright Claims Board in a proceeding, including a default determination or determination based on a failure to prosecute, shall, solely with respect to the parties to such determination, preclude relitigation before any court or tribunal, or before the Copyright Claims Board, of the claims and counterclaims asserted and finally determined by the Board, and may be relied upon for such purpose in a future action or proceeding arising from the same specific activity or activities, subject to the following:

''(1) A determination of the Copyright Claims Board shall not preclude litigation or relitigation as between the same or different parties before any court or tribunal, or the Copyright Claims Board, of the same or similar issues of fact or law in connection with claims or counterclaims not asserted or not finally determined by the Copyright Claims Board.

''(2) A determination of ownership of a copyrighted work for purposes of resolving a matter before the Copyright Claims Board may not be relied upon, and shall not have any preclusive effect, in any other action or proceeding before any court or tribunal, including the Copyright Claims Board.

''(3) Except to the extent permitted under this subsection and section 1508, any determination of the Copyright Claims Board may not be cited or relied upon as legal precedent in any other action or proceeding before any court or tribunal, including the Copyright Claims Board.

''(b) CLASS ACTIONS NOT AFFECTED.—

''(1) IN GENERAL.—A proceeding before the Copyright Claims Board shall not have any effect on a class action proceeding in a district court of the United States, and section 1509(a) shall not apply to a class action proceeding in a district court of the United States.

''(2) NOTICE OF CLASS ACTION.—Any party to an active proceeding before the Copyright Claims Board who receives notice of a pending class action, arising out of the same transaction or occurrence as the proceeding before the Copyright Claims Board, in which the party is a class member shall either—

''(A) opt out of the class action, in accordance with regulations established by the Register of Copyrights; or

''(B) seek dismissal under section 1506(q)(3) of the proceeding before the Copyright Claims Board.

''(c) OTHER MATERIALS IN PROCEEDING.—Except as permitted under this section and section 1508, a submission or statement of a party or witness made in connection with a proceeding before the Copyright Claims Board, including a proceeding that is dismissed, may not be cited or relied upon in, or serve as the basis of, any action or proceeding concerning rights or limitations on rights under this title before any court or tribunal, including the Copyright Claims Board.

''(d) APPLICABILITY OF SECTION 512(g).—A claim or counterclaim before the Copyright Claims Board that is brought under subsection (c)(1) or (c)(4) of section 1504, or brought under subsection (c)(6) of section 1504 and that relates to a claim under subsection (c)(1) or (c)(4) of such section, qualifies as an action seeking an order to restrain a subscriber from engaging in infringing activity under section 512(g)(2)(C) if—

''(1) notice of the commencement of the Copyright Claims Board proceeding is provided by the claimant to the service provider's designated agent before the service provider replaces the material following receipt of a counter notification under section 512(g); and

''(2) the claim brought alleges infringement of the material identified in the notification of claimed infringement under section 512(c)(1)(C).

''(e) FAILURE TO ASSERT COUNTERCLAIM.—The failure or inability to assert a counterclaim in a proceeding before the Copyright Claims Board shall not preclude the assertion of that counterclaim in a subsequent court action or proceeding before the Copyright Claims Board.

''(f) OPT-OUT OR DISMISSAL OF PARTY.—If a party has timely opted out of a proceeding under section 1506(i) or is dismissed from a proceeding before the Copyright Claims Board issues a final determination in the proceeding, the determination shall not be binding upon and shall have no preclusive effect with respect to that party.

''§ 1508. Review and confirmation by district court

''(a) IN GENERAL.—In any proceeding in which a party has failed to pay damages, or has failed otherwise to comply with the relief, awarded in a final determination of the Copyright Claims Board, including a default determination or a determination based on a failure to prosecute, the aggrieved party may, not later than 1 year after the date on which the final determination is issued, any reconsideration by the Copyright Claims Board or review by the Register of Copyrights is resolved, or an amended final determination is issued, whichever occurs last, apply to the United States District Court for the District of Columbia or any other appropriate district court of the United States for an order confirming the relief awarded in the final determination and reducing such award to judgment. The court shall grant such order and direct entry of judgment unless the determination is or has been vacated, modified, or corrected under subsection (c). If the United States District Court for the District of Columbia or other district court of the United States, as the case may be, issues an order confirming the relief awarded by the Copyright Claims Board, the court shall impose on the party who failed to pay damages or otherwise comply with the relief, the reasonable expenses required to secure such order, including attorneys' fees, that were incurred by the aggrieved party.

''(b) FILING PROCEDURES.—

''(1) APPLICATION TO CONFIRM DETERMINATION.—Notice of the application under subsection (a) for confirmation of a determination of the Copyright Claims Board and entry of judgment shall be provided to all parties to the proceeding before the Copyright Claims Board that resulted in the determination, in accordance with the procedures applicable to service of a motion in the district court of the United States where the application is made.

''(2) CONTENTS OF APPLICATION.—The application shall include the following:

''(A) A certified copy of the final or amended final determination of the Copyright Claims Board, as reflected in the records of the Copyright Claims Board, following any process of reconsideration or review by the Register of Copyrights, to be confirmed and rendered to judgment.

''(B) A declaration by the applicant, under penalty of perjury—

''(i) that the copy is a true and correct copy of such determination;

''(ii) stating the date it was issued;

''(iii) stating the basis for the challenge under subsection (c)(1); and

''(iv) stating whether the applicant is aware of any other proceedings before the court concerning the same determination of the Copyright Claims Board.

''(c) CHALLENGES TO THE DETERMINATION.—

''(1) BASES FOR CHALLENGE.—Not later than 90 days after the date on which Copyright Claims Board issues a final or amended final determination in a proceeding, or not later than 90 days after the date on which the Register of Copyrights completes any process of reconsideration or review of the determination, whichever occurs later, a party may seek a court order vacating, modifying, or correcting the determination of the Copyright Claims Board in the following cases:

''(A) If the determination was issued as a result of fraud, corruption, misrepresentation, or other misconduct.

''(B) If the Copyright Claims Board exceeded its authority or failed to render a final determination concerning the subject matter at issue.

''(C) In the case of a default determination or determination based on a failure to prosecute, if it is established that the default or failure was due to excusable neglect.

''(2) PROCEDURE TO CHALLENGE.—

''(A) NOTICE OF APPLICATION.—Notice of the application to challenge a determination of the Copyright Claims Board shall be provided to all parties to the proceeding before the Copyright Claims Board, in accordance with the procedures applicable to service of a motion in the court where the application is made.

''(B) STAYING OF PROCEEDINGS.—For purposes of an application under this subsection, any judge who is authorized to issue an order to stay the proceedings in an any other action brought in the same court may issue an order, to be served with the notice of application, staying proceedings to enforce the award while the challenge is pending.

''§ 1509. Relationship to other district court actions

''(a) STAY OF DISTRICT COURT PROCEEDINGS.—Subject to section 1507(b), a district court of the United States shall issue a stay of proceedings or such other relief as the court determines appropriate with respect to any claim brought before the court that is already the subject of a pending or active proceeding before the Copyright Claims Board.

''(b) ALTERNATIVE DISPUTE RESOLUTION PROCESS.—A proceeding before the Copyright Claims Board under this chapter shall qualify as an alternative dispute resolution process under section 651 of title 28 for purposes of referral of eligible cases by district courts of the United States upon the consent of the parties.

''§ 1510. Implementation by Copyright Office

''(a) REGULATIONS.—

''(1) IMPLEMENTATION GENERALLY.—The Register of Copyrights shall establish regulations to carry out this chapter. Such regulations shall include the fees prescribed under subsections (e) and (x) of section 1506. The authority to issue such fees shall not limit the authority of the Register of Copyrights to establish fees for services under section 708. All fees received by the Copyright Office in connection with the activities under this chapter shall be deposited by the Register of Copyrights and credited to the appropriations for necessary expenses of the Office in accordance with section 708(d). In establishing regulations under this subsection, the Register of Copyrights shall provide for the efficient administration of the Copyright Claims Board, and for the ability of the Copyright Claims Board to timely complete proceedings instituted under this chapter, including by implementing mechanisms to prevent harassing or improper use of the Copyright Claims Board by any party.

''(2) LIMITS ON MONETARY RELIEF.—

''(A) IN GENERAL.—Subject to subparagraph (B), not earlier than 3 years after the date on which Copyright Claims Board issues the first determination of the Copyright Claims Board, the Register of Copyrights may, in order to further the goals of the Copyright Claims Board, conduct a rulemaking to adjust the limits on monetary recovery or attorneys' fees and costs that may be awarded under this chapter.

''(B) EFFECTIVE DATE OF ADJUSTMENT.—Any rule under subparagraph (A) that makes an adjustment shall take effect at the end of the 120-day period beginning on the date on which the Register of Copyrights submits the rule to Congress and only if Congress does not, during that 120-day period, enact a law that provides in substance that Congress does not approve the rule.

''(b) NECESSARY FACILITIES.—Subject to applicable law, the Register of Copyrights may retain outside vendors to establish internet-based, teleconferencing, and other facilities required to operate the Copyright Claims Board.

''(c) FEES.—Any filing fees, including the fee to commence a proceeding under section 1506(e), shall be prescribed in regulations established by the Register of Copyrights. The sum total of such filing fees shall be in an amount of at least $100, may not exceed the cost of filing an action in a district court of the United States, and shall be fixed in amounts that further the goals of the Copyright Claims Board.

''§ 1511. Funding

''There are authorized to be appropriated such sums as may be necessary to pay the costs incurred by the Copyright Office under this chapter that are not covered by fees collected for services rendered under this chapter, including the costs of establishing and maintaining the Copyright Claims Board and its facilities.''.

(b) CLERICAL AMENDMENT.—The table of chapters for title 17, United States Code, is amended by adding after the item relating to chapter 14 the following:

''15. Copyright Small Claims .... 1501''.

SEC. 3. IMPLEMENTATION.

Not later 1 year after the date of enactment of this Act, the Copyright Claims Board established under section 1502 of title 17, United States Code, as added by section 2 of this Act, shall begin operations.

SEC. 4. STUDY.

Not later than 3 years after the date on which Copyright Claims Board issues the first determination of the Copyright Claims Board under chapter 15 of title 17, United States Code, as added by section 2 of this Act, the Register of Copyrights shall conduct, and report to Congress on, a study that addresses the following:

(1) The use and efficacy of the Copyright Claims Board in resolving copyright claims, including the number of proceedings the Copyright Claims Board could reasonably administer.

(2) Whether adjustments to the authority of the Copyright Claims Board are necessary or advisable, including with respect to—

(A) eligible claims, such as claims under section 1202 of title 17, United States Code; and

(B) works and applicable damages limitations.

(3) Whether greater allowance should be made to permit awards of attorneys' fees and costs to prevailing parties, including potential limitations on such awards.

(4) Potential mechanisms to assist copyright owners with small claims in ascertaining the identity and location of unknown online infringers.

(5) Whether the Copyright Claims Board should be expanded to offer mediation or other nonbinding alternative dispute resolution services to interested parties.

(6) Such other matters as the Register of Copyrights believes may be pertinent concerning the Copyright Claims Board.

SEC. 5. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such

provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provision or the amendment to any other person or circumstance, shall not be affected.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. JEFFRIES) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today, we will vote on H.R. 2426, the Copyright Alternative in Small-Claims Enforcement Act, otherwise known as the CASE Act, a bill that will allow creators to protect their copyrighted work under law.

Copyright infringement is not a victimless crime. Photographers, illustrators, visual artists, authors, songwriters, and musicians all rely upon their protected works to put food on the table, clothing on their backs, and support their families. When their copyrighted work is used unlawfully or pirated, that is the functional equivalent of a burglary.

But small creators victimized by infringement often find themselves in a tough spot. They have a right to enforce their work under copyright law but are often unable to do so in a practical sense.

On the one hand, you have the notice and takedown process that can be inefficient, cumbersome, and, as many small creators will tell you, often pointless. On the other hand, there is the Article III Federal court system that can be expensive, time-consuming, and often out of reach for many working-class and middle-class creators.

For instance, the average cost of litigating an infringement case in Federal court is approximately $350,000, but the total amount of damages that can be awarded, for instance, in a CASE Act-eligible matter cannot exceed $30,000. In that instance, the cost of litigating a case could be more than 10 times the damages that are at issue.

According to a survey by the American Bar Association, which supports this legislation, most lawyers will not take infringement cases with damages at or lower than $30,000. As a result, many petitioners are functionally unable to vindicate their rights under law. In other words, these creators are given a right without a remedy.

The CASE Act will provide a viable alternative. This legislation would establish a voluntary forum for small copyright claims housed within the Copyright Office. Disputes would be heard by a new entity called the Copyright Claims Board made up of intellectual property experts with experience representing both creators and the users of copyrighted material.

Unlike Federal court, the cases before the board will have limited damages. Parties would not have to appear in person and can proceed, if they choose, without an attorney.

These provisions address the significant burdens that currently exist, imposed by Federal court litigation, making this system more user-friendly for all, regardless of your side, but inclusive of working-class and middle-class members of the creative community.

Both sides must agree to participate in order for the small claims tribunal to have jurisdiction. It is a voluntary system where either side can opt out.

Simply put, the legislation allows for copyright disputes to be resolved in a fair, timely, and affordable manner.

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

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

Mr. Speaker, I thank the gentleman from New York for his leadership on this important issue.

The United States Constitution expressly calls for the protection of creative works in order to promote innovation and creativity. Under that lofty authority, Congress established the copyright system. As was the hope, copyright-intensive industries have become critical to our economy, reportedly contributing more than $1 trillion.

Unfortunately, in the system that we have today, many small businesses and individuals are unable to enforce their copyrights because they do not have deep enough pockets. It costs tens or hundreds of thousands of dollars to hire lawyers to litigate a copyright claim in Federal court.

Sadly, this forces individuals to stand idly by as thieves profit off of their work. Our Founding Fathers wouldn't want a copyright system that discourages creators. After all, they wanted to create a system that fosters the creation of artistic works. That is why so many members of the Judiciary Committee helped craft legislation to stop the theft of copyrighted works and so many Members of the House have joined in support of it.

H.R. 2426, the CASE Act, would establish a copyright small claims proceeding within the Copyright Office to provide a less expensive alternative to costly Federal court litigation.

The proceedings would be simple, conducted remotely, handled by a panel of copyright experts, and limited to straightforward cases of alleged copyright infringement.

Damage awards would be low, reaching a maximum of no greater than $15,000 per work, with a total award for a case capped at $30,000. Participation in such a small claims proceeding would be completely voluntary, and anyone falsely accused of infringement could simply opt out of the small claims proceeding.

The CASE Act includes a number of other safeguards to prevent abuse. The Copyright Office is authorized to limit the number of cases one person can file and will review the allegations for sufficiency before forwarding them to the accused infringer.

If an accuser files in bad faith, he or she would have to pay fees to the party falsely accused of infringement and be barred for 1 year.

Several other provisions of H.R. 2426 would protect against inadvertent default judgments. They include requirements that the accused infringer be physically served; the complaint warn the accused infringer of the ramifications of not responding; and the accused be given several notices and chances to respond to the allegations against them.

Most importantly, before a default judgment can be granted, the copyright owner must establish that their copyright was actually infringed by the accused.

The bill is intended to provide a streamlined, inexpensive alternative for parties to resolve small claims of copyright infringement outside of court. H.R. 2426 accomplishes all of these goals.

I am proud to join my colleagues—Congressman JEFFRIES, Ranking Member COLLINS, Chairman NADLER, MARTHA ROBY, HANK JOHNSON, JUDY CHU, TED LIEU, and BRIAN FITZPATRICK—to provide an important avenue of relief to the creators in our communities who provide such significant support to our local economies.

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

Mr. JEFFRIES. Mr. Speaker, let me first thank the distinguished gentleman from the Commonwealth of Virginia (Mr. CLINE) for his leadership as it relates to the CASE Act.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. NADLER), the distinguished chair of the House Judiciary Committee.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 2426, the Copyright Alternative in Small-Claims Enforcement Act of 2019, or the CASE Act.

This important bipartisan legislation would establish a voluntary small claims court within the Copyright Office to hear copyright suits seeking $30,000 or less in total damages.

Today, many small creators, especially visual artists, are unable to protect their rights because the cost of pursuing an infringement claim in Federal court is far greater, as much as 10 times or more than the damages they could ever hope to receive. Few attorneys would take a case when such limited damages are at stake because they would not likely recoup their costs.

It is a fundamental principle of the American legal system that a right must have a remedy. But if it costs $250,000 to recover a few thousand dollars from someone who has infringed your copyright, then what remedy do you really have?

The CASE Act would provide important protections for the many independent creators who are currently unable to protect their work in Federal court. It would establish a small claims board within the Copyright Office to resolve infringement claims seeking $30,000 or less in total damages, with claims officers appointed by the Librarian of Congress.

The proceedings are designed to be less expensive and much easier to navigate, even without an attorney, than Federal court. And they would enable parties to represent themselves or to seek pro bono assistance from law students.

The board would conduct its proceedings entirely by telephone and the internet, and no one would need to travel to a hearing or a courthouse.

The bill caps damages at no more than $15,000 per work infringed, and no more than $30,000 total. The board would work with the parties to settle their claims.

Importantly, the proceedings would be voluntary. Plaintiffs can decide whether this is the proper forum to file their claim, and defendants may opt out of the process if they prefer to have their case heard by a Federal judge.

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The sponsor of this legislation, the gentleman from New York (Mr. JEFFRIES), has worked tirelessly to ensure that this legislation includes revisions and suggestions from many Members and stakeholders. The revisions include various heightened due process protections and provisions intended to reduce potential abuse of the system, all of which has made a good bill even better.

For far too long, it has been virtually impossible for small creators to vindicate their right to a just measure of damages from infringers. Today we have an opportunity to take an important step in helping independent photographers, filmmakers, graphic designers, and other creators to protect their work.

I would like to thank Mr. JEFFRIES and Ranking Member COLLINS for their outstanding leadership on the CASE Act.

I would also like to thank the Copyright Office, which conducted an exhaustive study on the issue and whose recommendations form the basis for the bill.

In addition, I appreciate the support of colleagues on both sides of the aisle, including the gentlewoman from California (Ms. JUDY CHU), who has introduced similar legislation in previous Congresses and who has been tireless in her work to protect creators' rights.

Mr. Speaker, I am proud to be a cosponsor of this important legislation, and I urge my colleagues to support the bill.

Mr. CLINE. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I thank the gentleman again for his leadership on this issue, and I thank the chairman for his remarks.

Again, this bill is a purely optional system and allows anyone who doesn't wish to participate to opt out. The Copyright Office considered this feature in its report back in 2013 and highlighted significant shortcomings of an opt-in approach, including concerns that such a system would fail to capture infringers who choose to ignore a claim of infringement and/or fail to return an affirmative written response regarding agreement to participate in the system, as is currently the case.

The opt-out system provided in the CASE Act does not change the voluntary nature of the small claims process it creates. In fact, it is simple, and respondents would be made aware of their right to opt out as well as the consequences of opting out and not opting out, which would be prominently stated and explained in the notice they receive.

Again, Mr. Speaker, I would say that this is a bipartisan initiative. I would just add several different Members on both sides participated. I want to thank all of them for their hard work. I want to thank the staff for their hard work, as well.

This will go a long way toward furthering the protection of creative works as our Founders intended in the U.S. Constitution.

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

Mr. JEFFRIES. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the CASE Act is the product of more than 10 years of careful study by this House and the United States Copyright Office.

As Chairman NADLER indicated, I want to thank the Copyright Office for the work that they have done in laying the foundation for the CASE Act.

Once again, I urge my colleagues to support this legislation so that creators, authors, musicians, and users finally have a forum for small copyright claims where they can meaningfully assert their rights and defenses.

This bill has support through cosponsorship of more than 150 Members of this House on both sides of the aisle, and I thank each and every one of them.

The bill is endorsed by dozens of groups, including the American Bar Association, AFL–CIO, the NAACP, the Copyright Alliance, the United States Chamber of Commerce, the Association of American Publishers, the Authors Guild, CreativeFuture, Nashville Songwriters, National Press Photographers, the Recording Academy, the Latin American Recording Academy, the Songwriters Guild of America, the Institute for Intellectual Property and Social Justice, the Songwriters of North America, as well as SAG-AFTRA, and many, many more. I would like to thank all of them for their advocacy and for their effort.

Article I, Section 8, Clause 8 of the United States Constitution gives Congress the power to create a robust intellectual property system in order to, in the words of the Framers of the Constitution, ''promote the progress of science and useful arts.''

The Founders recognized that society would benefit if we incentivize and protect creativity and innovation. In doing so, the creative community will continue to share their creative brilliance with the American people and the world and experience some benefit from the fruits of their labor.

Times have changed since the provisions of Article I, Section 8, Clause 8 were first written into the Constitution in 1787, but the constitutional principle remains the same, and that is what the CASE Act is all about.

I would like to thank the many cosponsors of this legislation, including my good friend, Judiciary Committee Ranking Member DOUG COLLINS; the Judiciary Committee chair for his tremendous leadership, JERRY NADLER; Courts, Intellectual Property, and the Internet Subcommittee Chairman Hank Johnson; Courts, Intellectual Property, and the Internet Subcommittee Ranking Member MARTHA ROBY; TED LIEU; BEN CLINE; JUDY CHU; BRIAN FITZPATRICK; and many, many others.

On the Senate side, I am grateful for the leadership of Senators JOHN KENNEDY, DICK DURBIN, THOM TILLIS, and MAZIE HIRONO, who are original cosponsors of the Senate companion to this legislation, which is making its way through that Chamber as well.

In the last Congress, we came together, Democrats and Republicans, progressives and conservatives, the left and the right, to pass the historic Music Modernization Act that was signed into law by President Donald Trump, illustrating that we can come together. In this instance, I am grateful that the same coalition has come back together in support of the working-class and middle-class creative community.

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

The SPEAKER pro tempore (Mr. CARSON of Indiana). The question is on the motion offered by the gentleman from New York (Mr. JEFFRIES) that the House suspend the rules and pass the bill, H.R. 2426, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

NATIONAL POW/MIA FLAG ACT

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 693) to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 693

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National POW/MIA Flag Act''.

SEC. 2. DAYS ON WHICH THE POW/MIA FLAG IS DISPLAYED ON CERTAIN FEDERAL PROPERTY.

Section 902 of title 36, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) DAYS FOR FLAG DISPLAY.—For the purposes of this section, POW/MIA flag display days are all days on which the flag of the United States is displayed.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of S. 693, the National POW/MIA Flag Act. This bill would effectively require that the National League of Families POW/MIA flag be flown every day at certain specified locations.

Under current law, the flag must be displayed on six designated days: Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans Day. In addition, the flag must be flown at the World War II Memorial, Korean War Veterans Memorial, Vietnam Veterans Memorial, Veterans Affairs medical centers, and post offices on every day the United States flag is displayed.

Current law requires that the POW/MIA flag be displayed on these designated days at the Capitol; the White House; the World War II, Korean War Veterans, and Vietnam Veterans Memorials; each national cemetery; the buildings containing offices of the Secretaries of State, Defense, and Veterans Affairs, and the Director of the Selective Service System; each major military installation; each Veterans Affairs medical center; and each post office.

This bill simply strikes the provision designating days for display of the POW/MIA flag from current law and replaces it with the mandate that the POW/MIA flag be flown on all days on which the United States flag is displayed.

Enacting this bill into law would be an appropriate tribute to all those who have served our Nation in uniform, and especially those who made the sacrifice of being held prisoner by our Nation's enemies in wartime and for those who remain missing as a result of hostile action.

The POW/MIA flag not only reminds every American of these individuals' sacrifices, but also acts as a symbol of the Nation's commitment to achieve, as the statute says, ''the fullest possible accounting of Americans who, having been prisoners of war or missing in action, still remain unaccounted for.''

I will look at this flag in future years and think of Sam Johnson, a great Member of this House, and John McCain, a great American, an honest American, and a great leader.

I applaud Senator ELIZABETH WARREN for introducing this bill which passed the Senate by unanimous consent.

I also congratulate Representative CHRIS PAPPAS, who introduced an identical bill in the House and has worked tirelessly to shepherd this legislation through House passage. I thank him for his hard work and leadership on this meaningful measure that recognizes these heroes.

Mr. Speaker, I urge the House to pass this bill and the President to sign it into law, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman from Tennessee for his leadership on this issue. I also want to thank Congressman PAPPAS for his introduction of an identical bill in the House.

Many Americans may not be aware that more than 82,000 Americans are listed as prisoners of war, missing in action, or otherwise unaccounted for as a result of engagement in military conflicts. Displaying the POW/MIA flag alongside the American flag invites everyone to reflect on that somber number and appreciate the sacrifices people have made for the freest country on the planet.

S. 693 would require the POW/MIA flag to be displayed whenever the American flag is displayed on Federal properties, including the U.S. Capitol, the White House, the World War II Memorial, the Korean War Veterans Memorial, the Vietnam Veterans Memorial, every national cemetery and major military installation as designated by the Secretary of Defense, and every U.S. post office.

I look forward to passage of this bipartisan bill and to seeing the POW/MIA flag fly along with the Stars and Stripes to remind us that freedom comes at a cost and we owe more than we know to the brave men and women who gave their lives and their liberty for their fellow Americans.

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

Mr. COHEN. Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire (Mr. PAPPAS), who is the author.

Mr. PAPPAS. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his words.

As well, I thank Mr. CLINE for his words in support of this legislation.

Mr. Speaker, I rise in support of S. 693, the National POW/MIA Flag Act.

In May, I had the privilege of visiting America's longest running POW/MIA vigil, in my district, in Meredith, New Hampshire. There, on the shores of Lake Winnipesaukee, participants have been gathering every Thursday evening for more than 30 years to honor and remember servicemembers listed as prisoners of war, missing in action, or otherwise unaccounted for.

It doesn't matter if it is a night in the depths of a frigid winter or a sweltering summer, every vigil brings out a strong community of veterans, family members, and supporters who call on all of us to remember these heroes. Vigils like these happen all across this great country to ensure no servicemember's sacrifice is forgotten.

Flying over these vigils with the Stars and Stripes is the POW/MIA flag. This flag was conceived in the early 1970s during the Vietnam war by family members who awaited the return of their loved ones. It was adopted by Congress ''as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.''

□ 1630

It has become an enduring national symbol of POW/MIAs from conflicts throughout our history.

That is why I was proud to introduce this bipartisan companion legislation in the House, along with my colleague, Representative BERGMAN, which would display the POW/MIA flag alongside the American flag at all Federal buildings, memorials, and all national cemeteries throughout the year.

Under current law, the POW/MIA flag is required to be displayed by the Federal Government only 6 days per year. This flag is representative of profound courage and sacrifice, and it is only right that those who served their country honorably but never returned home, are remembered appropriately at our Federal buildings, cemeteries, and memorials.

This bipartisan legislation passed the Senate unanimously, and it is endorsed by Rolling Thunder; the National League of POW/MIA Families; the Veterans of Foreign Wars; the American Legion; the National Alliance of Families for the Return of America's Missing Servicemen; and American Ex-Prisoners of War.

It is fitting that this bill has garnered such a strong show of support. I urge my colleagues to pass this legislation, to continue working with a sense of common purpose when it comes to supporting our servicemembers, military families, and veterans.

Members of Congress display this flag in front of our Washington and district offices because we believe we must honor the more than 81,000 servicemembers our government says are missing or unaccounted for since World War II.

Let's ensure these displays happen across Federal properties throughout the year. Let's ensure the words emblazoned on the POW/MIA flag continue to communicate our support and commitment for our Nation's heroes and their families. You are not forgotten.

Mr. CLINE. Mr. Speaker, again, I commend those who have pursued the introduction and passage of this important legislation. And along with the comments of my colleague from New Hampshire, ''they will never be forgotten,'' we will continue to fly the POW/MIA flag alongside the American flag.

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

Mr. COHEN. Mr. Speaker, as the gentleman from Virginia (Mr. CLINE) said, this is a straightforward bill that rightly requires that the flag be flown effectively every day at certain locations at great significance to our country and to our Armed Forces and veterans.

It is an appropriate way to honor all those who served, and particularly, those who have been held prisoners and who remain missing because of their service to our Nation in wartime. Therefore, I urge prompt passage of S. 693.

Mr. Speaker, I thank the gentleman from New Hampshire (Mr. PAPPAS) for his work on the bill, and Senator WARREN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, S. 693.

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.

PREVENTING ANIMAL CRUELTY AND TORTURE ACT

Mr. DEUTCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 724) to revise section 48 of title 18, United States Code, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 724

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 ''Preventing Animal Cruelty and Torture Act'' or the ''PACT Act''.

SEC. 2. REVISION OF SECTION 48.

(a) IN GENERAL.—Section 48 of title 18, United States Code, is amended to read as follows:

''§ 48. Animal crushing

''(a) OFFENSES.—

''(1) CRUSHING.—It shall be unlawful for any person to purposely engage in animal crushing in or affecting interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

''(2) CREATION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly create an animal crush video, if—

''(A) the person intends or has reason to know that the animal crush video will be distributed in, or using a means or facility of, interstate or foreign commerce; or

''(B) the animal crush video is distributed in, or using a means or facility of, interstate or foreign commerce.

''(3) DISTRIBUTION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, interstate or foreign commerce.

''(b) EXTRATERRITORIAL APPLICATION.—This section applies to the knowing sale, marketing, advertising, exchange, distribution, or creation of an animal crush video outside of the United States, if—

''(1) the person engaging in such conduct intends or has reason to know that the animal crush video will be transported into the United States or its territories or possessions; or

''(2) the animal crush video is transported into the United States or its territories or possessions.

''(c) PENALTIES.—Whoever violates this section shall be fined under this title, imprisoned for not more than 7 years, or both.

''(d) EXCEPTIONS.—

''(1) IN GENERAL.—This section does not apply with regard to any conduct, or a visual depiction of that conduct, that is—

''(A) a customary and normal veterinary, agricultural husbandry, or other animal management practice;

''(B) the slaughter of animals for food;

''(C) hunting, trapping, fishing, a sporting activity not otherwise prohibited by Federal law, predator control, or pest control;

''(D) medical or scientific research;

''(E) necessary to protect the life or property of a person; or

''(F) performed as part of euthanizing an animal.

''(2) GOOD-FAITH DISTRIBUTION.—This section does not apply to the good-faith distribution of an animal crush video to—

''(A) a law enforcement agency; or

''(B) a third party for the sole purpose of analysis to determine if referral to a law enforcement agency is appropriate.

''(3) UNINTENTIONAL CONDUCT.—This section does not apply to unintentional conduct that injures or kills an animal.

''(4) CONSISTENCY WITH RFRA.—This section shall be enforced in a manner that is consistent with section 3 of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb–1).

''(e) NO PREEMPTION.—Nothing in this section shall be construed to preempt the law of any State or local subdivision thereof to protect animals.

''(f) DEFINITIONS.—In this section—

''(1) the term 'animal crushing' means actual conduct in which one or more living non-human mammals, birds, reptiles, or amphibians is purposely crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury (as defined in section 1365 and including conduct that, if committed against a person and in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242);

''(2) the term 'animal crush video' means any photograph, motion-picture film, video or digital recording, or electronic image that—

''(A) depicts animal crushing; and

''(B) is obscene; and

''(3) the term 'euthanizing an animal' means the humane destruction of an animal accomplished by a method that—

''(A) produces rapid unconsciousness and subsequent death without evidence of pain or distress; or

''(B) uses anesthesia produced by an agent that causes painless loss of consciousness and subsequent death.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 18, United States Code, is amended by striking the item relating to section 48 and inserting the following:

''48. Animal crushing.''.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, and the amendments made by this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. DEUTCH) and the gentleman from Pennsylvania (Mr. RESCHENTHALER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 724, the Preventing Animal Cruelty and Torture Act, or the PACT Act.

I give special thanks to the gentleman from Florida (Mr. BUCHANAN), my colleague. He is a longstanding friend of animals in Congress, and I am thrilled that he agreed to introduce this bill with me to create a Federal law punishing those who abuse animals.

I also would like to acknowledge Congressman HOLDING and the hard work by groups like the Humane Society and Humane Rescue Alliance, who have helped collect 290 bipartisan cosponsors for this bill. There are so many groups and people from across the country who have supported this

bill—people like Lisa Vanderpump, who added her passion and commitment to animals to our effort, and groups who rescue animals, literally, in every corner of our country every single day.

I would also acknowledge and thank one person in particular, Mr. Speaker—a high school student, one who is so committed to helping animals, caring for animals, that when she learned about the PACT Act, she started an online petition hoping to collect a few thousand signatures. That petition urging Congress to pass this bill gathered over 729,000 signers. And I am thrilled that that young activist, Sydney Helfand, is with us in the gallery today.

Now, of all the divisive issues here in Washington, the PACT Act is one on which we can all agree, we must make animal abuse a Federal crime. This bill has received so much bipartisan support, because Americans care about animal welfare. We form deep relationships with our companion animals and are rightfully outraged by cases of animal abuse. Animal rights activities stand up for living things that do not have a voice. That is what the PACT Act does.

Americans expect their law enforcement agencies to crack down on this horrific violence against animals, and law enforcement officers agree, which is why the PACT Act has been endorsed by the Fraternal Order of Police, the National Sheriffs' Association, the Association of Prosecuting Attorneys, and local law enforcement agencies across the country. They have asked for this Federal law to bolster their efforts to target animal abusers, because they understand the direct link between animal abuse and violent crimes. This link is why the FBI now collects data on acts of cruelty against animals for their criminal database, right alongside felony crimes like assault and homicide.

When I first came to Congress, one of the first bills I voted on was the Animal Crush Video Prohibition Act, a bill that passed nearly unanimously and that it made it a crime to create or distribute animal crush videos, which depict horrific acts against animals.

This bill today takes the next logical step and criminalizes those acts underlying that crime as well.

The Senate passed the PACT Act by unanimous consent in the last two Congresses, and I am proud the House is finally doing its part to pass this important legislation. Today, anyone who inflicts serious bodily injury on animals will be committing an act for which they should be condemned. When the PACT Act passes, they will also be violating Federal law.

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

The SPEAKER pro tempore. The Chair would remind Members to avoid referencing occupants of the gallery.

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

Mr. Speaker, I rise in support of H.R. 724, the bipartisan Preventing Animal Cruelty and Torture Act, or the PACT Act, introduced by Representative TED DEUTCH and VERN BUCHANAN.

In 2017, Pennsylvania passed Libre's Law, which increased penalties for animal abuse. I was honored to help push that legislation over the finish line in the Pennsylvania State Senate. I am proud to once again help pass legislation that will better protect our Nation's animals.

In 2010, Congress passed the Animal Crush Video Prohibition Act to address the trade in obscene videos of live animals being crushed, burned, or subjected to other forms of heinous cruelty. While this was an important first step, the law only bans the trade in video depictions of cruelty, not the underlying act of cruelty itself.

The PACT Act addresses this gap by prohibiting the underlying acts of animal cruelty that occur on Federal property or affect interstate commerce, regardless of whether a video is produced.

As a former district judge, I served on the frontlines of our judicial system. I witnessed firsthand the connection between animal cruelty and violence toward people. In fact, the FBI recently recognized that addressing animal cruelty is critical to protecting our communities.

The PACT Act would give Federal law enforcement and prosecutors the tools they need to combat extreme animal cruelty. This bill would give the FBI the authority to act against animal cruelty that is discovered while investigating another interstate crime, such as drug smuggling or human trafficking.

The PACT Act would not interfere with enforcement of State laws related to felony animal cruelty provisions. The legislation focuses solely on extreme acts of animal cruelty and exempts normal agriculture and hunting practices.

The PACT Act is endorsed by the National Sheriffs' Association, the Fraternal Order of Police, and the Association of Prosecuting Attorneys, as well as more than 100 law enforcement agencies.

And in the Senate, the PACT Act is sponsored by my good friend, Pennsylvania Senator PAT TOOMEY, and it passed in both the 114th and the 115th Congresses by unanimous consent. In the House, it currently has more than 300 bipartisan cosponsors.

Mr. Speaker, I urge my colleagues to support the PACT Act so we can better protect our Nation's animals from abuse and torture. I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Iowa (Mrs. AXNE).

Mrs. AXNE. Mr. Speaker, I thank Representatives DEUTCH and BUCHANAN for this bill. I am very excited to be able to vote for it today.

Mr. Speaker, I rise in support of the PACT Act, and am grateful for the support that it has. As a longtime animal lover and advocate, and somebody who worked to take care of the puppy mill issues that we have in my own State of Iowa, I know more than anybody that there is nothing like bringing animals to the forefront that brings people together.

This is absolutely a bipartisan issue. And while the Animal Crush Video Prohibition Act prohibits trade in obscene video depictions of live animals being tortured, as Representative DEUTCH said, the bill did nothing to prohibit the underlying conduct of the cruelty itself. This is what the PACT Act does.

It strengthens the animal crush video law by prohibiting animal cruelty, regardless of whether a video is produced. There is documented connection between animal cruelty and violence to people. In fact, studies show animal abusers are five times more likely to commit violent crimes against people, and it is linked to domestic violence, as well as child and elder abuse.

The PACT Act gives Federal law enforcement and prosecutors the tools they need to combat extreme animal cruelty and to protect our communities at the same time. Whether it is the veterinarian in my own State of Iowa—ranked 49th when it comes to animal welfare laws—who was recently arrested for debarking dogs by shoving rod-like objects into their vocal chambers without anesthesia, or whether it is in my neighboring State of Nebraska, where a man was recently accused of severely burning a cat by holding it under water, scalding hot water, across this country, people are torturing animals and it absolutely has to stop.

So tomorrow, on Make a Dog's Day, which is in support of encouraging dog adoption, let's do these companion animal friends of ours one better by a unanimous vote for the PACT Act today and put an end to the horrible acts of cruelty that should not be allowed in this country.

Mr. RESCHENTHALER. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), my good friend.

Mr. FITZPATRICK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I join with my bipartisan colleagues here to proclaim that animal abuse is unacceptable and must end, which is why we are all proud to be supporters, and many of us, original cosponsors of the PACT Act because it strengthens Federal law regarding animal cruelty.

□ 1645

As was previously mentioned, the Animal Crush Video Act of 2010 banned the creation and distribution of these despicable videos. However, it did not make the actual animal abuse itself a crime.

The bipartisan PACT Act goes a step further and outlaws this malicious animal cruelty, regardless of the presence of video evidence.

Mr. Speaker, as a former FBI agent, my agency's profiling studies demonstrated how violence against animals is a precursor to human violence. That is why we are fighting aggressively against egregious animal cruelty and why it is so important.

Law enforcement, including the FOP, strongly supports this legislation because it provides another tool for them to use for animal abuse cases that might otherwise go unprosecuted.

More than 100 law enforcement agencies and organizations across our country have endorsed the PACT Act. We must come together and stand up for innocent, defenseless animals, which is why there are over 300—in fact, 301, to be exact—cosponsors, both Democrats and Republicans, on this bill.

I commend Senator TOOMEY, our colleague from Pennsylvania, for introducing the companion bill in the Senate. We must pass the PACT Act as soon as possible so that it can be signed into law, and we must make sure that this type of animal abuse no longer happens.

Together, we will end all types of animal cruelty and will continue to be a voice for the voiceless.

Mr. DEUTCH. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the chairman of the Congressional Animal Protection Caucus, an original cosponsor of the PACT Act, and a great voice for animals and animal rights.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy and his leadership on this issue.

Mr. Speaker, it is a breath of fresh air for us in these sort of, shall we say, troubled times in our Nation's Capital, when there is so much discord and disagreement, and it seems we can't really agree on fundamental facts: Is today Tuesday or Wednesday?

Animal welfare is one of those issues that brings people together on a bipartisan basis.

I am pleased that the bipartisan Congressional Animal Welfare Caucus has been involved in advancing this. Animal cruelty has been an area in which I have been involved since the beginning of my tenure in Congress. We fought, in farm bills, for years to try to advance protections against animal cruelty.

I am pleased that we are here today dealing with something where Congress has already acted to make these provisions illegal. But what we haven't done is make it illegal to depict these horrific crush videos.

It was horrifying, when we brought that legislation to the floor, for people to understand what some sick, sadistic people do in portraying these horrific acts of cruelty. What we find is that it is linked to larger issues.

People who abuse animals are often linked to horrific instances of violence against their family and community. It is dehumanizing to us all, as well as, of course, the cruelty that is involved there.

We need to enact this legislation to make the actual creation of the depiction of the animals being abused illegal.

For example, the PACT Act would allow for charges to be brought against a puppy mill operator who is drowning unwanted animals if he is engaged in interstate activity. It would take strides to protect our overall communities from violent crime.

I would hope that this would also signal more activity on the floor of this House because we have a range of legislation that is teed up and ready to go that has broad, bipartisan support.

I appreciate the fact that we are getting 290, or whatever the number is, but life is short. We ought to be able to move these items with broad, bipartisan support to the floor.

We shouldn't necessarily be here just renaming post offices on a Monday. I mean, these are substantive issues that matter to people. We ought to be moving them through. I think this is an important first step, and I am pleased to add my support to it.

Mr. DEUTCH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STEVENS).

Ms. STEVENS. Mr. Speaker, we are standing here today in support of the PACT Act, to make it a crime to commit abuse that has already been detected in videos or the videos that we have made illegal.

We need to render the acts illegal. We need to enforce detection. We need to support enforcement writ large. We need to stand up for the rights of animals and stand up against animal cruelty.

I come from the great State of Michigan, and this is something that I have heard from my residents from all corridors throughout my district.

We are home to great equine farms as well as other establishments that care for animals, and that is a message that we want to put forward. We want to stop animal abuse on the front end and also stop other forms of domestic abuse that may arise from it.

I led the Department of Justice appropriations process that directs the use of Department of Justice funds to enforce our Nation's animal cruelty laws. Today, with the PACT Act, we are realizing another important step in protecting the rights of animals and in stopping abuse before it starts.

Mr. RESCHENTHALER. Mr. Speaker, I urge my colleagues to vote ''yes'' on H.R. 724, the PACT Act, and I yield back the balance of my time.

Mr. DEUTCH. Mr. Speaker, we should do everything we can to prevent the torture of animals and take steps to hold accountable those who would engage in such horrific acts.

The PACT Act is a significant Federal measure to help put an end to the abuse of animals.

I am thankful to be on the House floor at this incredibly gratifying bipartisan moment, and I urge my colleagues to join me in supporting this bipartisan bill.

Finally, Mr. Speaker, I would like to acknowledge every companion animal that has brought love to my staff members since the PACT Act was first introduced. Those would be Thomas Jefferson, Desi, Stella, Dock, Bubba, Maple, Hazel, Cheech, Ollie, Frodo, Theo, Johnson Tiki, Tankford, Littleman, Natale, Enzo, Dino, Virgil, Rooney, Maybeline, Prudence, Peppermint, Nazca, Poseidon, Gus, Sansa, Tony, Dwyane Wade, and my dearly departed Jessie.

For all of them and for every animal who brings joy to everyone in this Chamber, let's do our part to prevent animal cruelty and torture, and let's pass the PACT Act.

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 Florida (Mr. DEUTCH) that the House suspend the rules and pass the bill, H.R. 724, as amended.

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

A motion to reconsider was laid on the table.

DIVISIONAL REALIGNMENT FOR THE EASTERN DISTRICT OF ARKANSAS ACT OF 2019

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1123) to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1123

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 ''Divisional Realignment for the Eastern District of Arkansas Act of 2019''.

SEC. 2. REALIGNMENT OF THE EASTERN DISTRICT OF ARKANSAS.

Section 83(a) of title 28, United States Code, is amended to read as follows:

''Eastern District

''(a) The Eastern District comprises three divisions.

''(1) The Central Division comprises the counties of Cleburne, Cleveland, Conway, Dallas, Drew, Faulkner, Grant, Jefferson, Lincoln, Lonoke, Perry, Pope, Prairie, Pulaski, Saline, Stone, Van Buren, White, and Yell.

Court for the Central Division shall be held at Little Rock.

''(2) The Delta Division comprises the counties of Arkansas, Chicot, Crittenden, Desha, Lee, Monroe, Phillips, and St. Francis.

Court for the Delta Division shall be held at Helena.

''(3) The Northern Division comprises the counties of Clay, Craighead, Cross, Fulton, Greene, Independence, Izard, Jackson, Lawrence, Mississippi, Poinsett, Randolph, Sharp, and Woodruff.

Court for the Northern Division shall be held at Jonesboro.''.

SEC. 3. EFFECTIVE DATE.

This Act and the amendment made by this Act shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Pennsylvania (Mr. RESCHENTHALER) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. 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 bill under consideration.

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

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1123, which would amend current law to reduce the number of operating divisions in the Eastern District of Arkansas from five to three.

This legislation, introduced by Congressman RICK CRAWFORD from Arkansas, has the support of every member of the Arkansas congressional delegation.

The bill was prompted by the closure in 2017 of the only Federal courthouses in two of the divisions. The three new divisions created by H.R. 1123 would align with the three remaining courthouses in that district. The new divisional lines are based on caseload history and travel times to the remaining courthouses.

As chairman of the Judiciary Committee's subcommittee with jurisdiction over the courts, it is a priority of mine to ensure that people across this Nation have ready access to the Federal judiciary.

In the context of a bill such as that under consideration here today, I mean that in a very literal sense, ensuring that jurisdictional lines are appropriately drawn so that those residing in their bounds are not unduly burdened by travel time to a courthouse. But this must be balanced against closing courthouses where resources are not being used efficiently.

I am satisfied that such a balance has been achieved here, given the support this bill has gotten from the Judicial Conference, the Judicial Council of the United States Court of Appeals for the Eighth Circuit, and the chief judge of the Eastern District of Arkansas.

Mr. Speaker, I am pleased to support this legislation and urge my colleagues to support it as well, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1123, the Divisional Realignment for the Eastern District of Arkansas Act of 2019, introduced by my Republican colleague from Arkansas, Representative RICK CRAWFORD.

H.R. 1123 reduces the existing divisions in the Eastern District of Arkansas from five to three, limiting the burden caused by two courthouse closures. It allows the Eastern District of Arkansas to better balance its caseload, account for geographical differences, and align with the judicial work generated by correctional facilities.

H.R. 1123 is supported by the Judicial Conference, the Judicial Council of the United States Court of Appeals for the Eighth Circuit, the chief judge of the Eastern District of Arkansas, and all the members of the Arkansas delegation.

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

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

Mr. RESCHENTHALER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. CRAWFORD), my good friend and the sponsor of this measure.

□ 1700

Mr. CRAWFORD. Mr. Speaker, I can tell you it won't take 2 minutes to say what I have to say.

I certainly want to thank each side of the aisle for supporting H.R. 1123, the Divisional Realignment for Eastern District of Arkansas Act of 2019.

I want to thank Chairman NADLER and Ranking Member COLLINS for marking up this important legislation.

Following the Federal Judiciary's efforts to reduce space, the Federal courthouses in Batesville and Pine Bluff, Arkansas, were closed. However, the Eastern District of Arkansas has been required to maintain the organizational divisions mandated by the statute.

This bill simply corrects that disparity and reduces divisions in the Eastern District from five to three, aligning divisions with remaining courthouses.

The new districts have been carefully designed to maximize access to justice, considering highway access, geography, and case load history. I encourage my colleagues to support this legislation.

Mr. JOHNSON of Georgia. Mr. Speaker, I reserve the balance of my time so that I can close.

Mr. RESCHENTHALER. Mr. Speaker, I have no further speakers, and I am prepared to close.

I would just like to say that, again, I urge my colleagues to vote ''yes'' on H.R. 1123, the Divisional Realignment for the Eastern District of Arkansas Act of 2019.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, H.R. 1123 is a straightforward bill that better aligns the divisions of the Eastern District of Arkansas with the current operations of that district, and so I urge my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 1123.

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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4617, STOPPING HARMFUL INTERFERENCE IN ELECTIONS FOR A LASTING DEMOCRACY ACT

Mr. HASTINGS, from the Committee on Rules, submitted a privileged report (Rept. No. 116–253) on the resolution (H. Res. 650) providing for consideration of the bill (H.R. 4617) to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF MEMBER TO BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 14 U.S.C. 1903(b), and the order of the House of January 3, 2019, of the following Member on the part of the House to the Board of Visitors to the United States Coast Guard Academy:

Mr. CUNNINGHAM, South Carolina.

GEORGIA SUPPORT ACT

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 598) to support the independence, sovereignty, and territorial integrity of Georgia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 598

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Georgia Support Act''.

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

Sec. 1. Short title and table of contents.
Sec. 2. United States policy.

TITLE I—ASSISTANCE PROVISIONS

Sec. 101. United States-Georgia security assistance.
Sec. 102. United States cybersecurity cooperation with Georgia.
Sec. 103. Enhanced assistance to combat Russian disinformation and propaganda.
Sec. 104. Sense of Congress on free trade agreement with Georgia.

TITLE II—SANCTIONS PROVISIONS

Sec. 201. Imposition of sanctions on persons complicit in or responsible for serious human rights abuses, including right to life in Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia occupied by Russia.

TITLE III—DETERMINATION OF BUDGETARY EFFECTS

Sec. 301. Determination of budgetary effects.

SEC. 2. UNITED STATES POLICY.

It is the policy of the United States to—

(1) support continued development of democratic values in Georgia, including free and fair elections, public sector transparency and accountability, the rule of law, and anticorruption efforts;

(2) support Georgia's sovereignty, independence, and territorial integrity within its internationally recognized borders;

(3) support the right of the people of Georgia to freely determine their future and make independent and sovereign choices on foreign and security policy, including regarding their country's relationship with other nations and international organizations, without interference, intimidation, or coercion by other countries;

(4) support Georgia's Euro-Atlantic and European integration;

(5) not recognize territorial changes effected by force, including the illegal invasions and occupations of Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia by the Russian Federation;

(6) condemn ongoing detentions, kidnappings, and other human rights violations committed in the Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia forcibly occupied by the Russian Federation, including the recent killings of Georgian citizens Archil Tatunashvili, Giga Otkhozoria, and Davit Basharuli; and

(7) support peaceful conflict resolution in Georgia, including by urging the Russian Federation to fully implement the European Union-mediated ceasefire agreement of August 12, 2008, and supporting the establishment of international security mechanisms in the Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia and the safe and dignified return of internally displaced persons (IDPs) and refugees, all of which are important for lasting peace and security on the ground.

TITLE I—ASSISTANCE PROVISIONS

SEC. 101. UNITED STATES-GEORGIA SECURITY ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) In fiscal year 2018, the United States provided Georgia with $2,200,000 in assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) and $35,000,000 in assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing Program).

(2) Georgia has been a longstanding NATO-aspirant country.

(3) Georgia has contributed substantially to Euro-Atlantic peace and security through participation in the International Security Assistance Force (ISAF) and Resolute Support Missions in Afghanistan as one of the largest troop contributors.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States assistance to Georgia under chapter 5 of part II of the Foreign Assistance Act of 1961 and section 23 of the Arms Export Control Act should be increased.

(c) STATEMENT OF POLICY.—It shall be the policy of the United States, in consultation with Georgia, to enhance Georgia's deterrence, resilience, and self-defense, including through appropriate assistance to improve the capabilities of Georgia's armed forces.

(d) REVIEW OF SECURITY ASSISTANCE TO GEORGIA.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other appropriate United States departments and agencies, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report reviewing United States security assistance to Georgia.

(2) COMPONENTS.—The report required under paragraph (1) shall include the following:

(A) A detailed review of all United States security assistance to Georgia from fiscal year 2008 to the date of the submission of such report.

(B) An assessment of threats to Georgian independence, sovereignty, and territorial integrity.

(C) An assessment of Georgia's capabilities to defend itself, including a five-year strategy to enhance Georgia's deterrence, resilience, and self-defense capabilities.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 102. UNITED STATES CYBERSECURITY COOPERATION WITH GEORGIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should take the following actions, commensurate with United States interests, to assist Georgia to improve its cybersecurity:

(1) Provide Georgia such support as may be necessary to secure government computer networks from malicious cyber intrusions, particularly such networks that defend the critical infrastructure of Georgia.

(2) Provide Georgia support in reducing reliance on Russian information and communications technology.

(3) Assist Georgia to build its capacity, expand cybersecurity information sharing, and cooperate on international cyberspace efforts.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on United States cybersecurity cooperation with Georgia. Such report shall also include information relating to the following:

(1) United States efforts to strengthen Georgia's ability to prevent, mitigate, and respond to cyber incidents, including through training, education, technical assistance, capacity building, and cybersecurity risk management strategies.

(2) The potential for new areas of collaboration and mutual assistance between the United States and Georgia to address shared cyber challenges, including cybercrime, critical infrastructure protection, and resilience against automated, distributed threats.

(3) NATO's efforts to help Georgia develop technical capabilities to counter cyber threats.

SEC. 103. ENHANCED ASSISTANCE TO COMBAT RUSSIAN DISINFORMATION AND PROPAGANDA.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to enhance the capabilities of Georgia to combat Russian disinformation and propaganda campaigns intended to undermine the sovereignty and democratic institutions of Georgia, while promoting the freedom of the press.

(b) REQUIRED STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other appropriate United States departments and agencies, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report outlining a strategy to implement the policy described in subsection (a).

(2) COMPONENTS.—The report required under paragraph (1) shall include the following:

(A) A detailed assessment of Russian disinformation and propaganda efforts across all media platforms targeting Georgia.

(B) An assessment of Georgia's capabilities to deter and combat such Russian efforts and to support the freedom of the press.

(C) A detailed strategy coordinated across all relevant United States departments and agencies to enhance Georgia's capabilities to deter and combat such Russian efforts.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 104. SENSE OF CONGRESS ON FREE TRADE AGREEMENT WITH GEORGIA.

It is the sense of Congress that the United States Trade Representative should make progress toward negotiations with Georgia to enter a bilateral free trade agreement with Georgia.

TITLE II—SANCTIONS PROVISIONS

SEC. 201. IMPOSITION OF SANCTIONS ON PERSONS COMPLICIT IN OR RESPONSIBLE FOR SERIOUS HUMAN RIGHTS ABUSES, INCLUDING RIGHT TO LIFE IN GEORGIAN REGIONS OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA OCCUPIED BY RUSSIA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines, based on credible information, that such foreign person, on or after the date of the enactment of this Act—

(1) is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing the commission of any serious abuse of human rights in Georgian regions of Abkhazia and Tskhinvali Region/South Ossetia forcibly occupied by the Russian Federation;

(2) is knowingly materially assisting, sponsoring, or providing significant financial, material, or technological support for, or goods or services to, a foreign person described in paragraph (1); or

(3) is owned or controlled by a foreign person, or is acting on behalf of a foreign person, described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person described in subsection (a) are the following:

(1) ASSET BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—

(A) INADMISSIBILITY TO THE UNITED STATES.—In the case of a person described in subsection (a) who is an individual, such person shall be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—A person described in subsection (a) who is an individual shall be subject to the revocation of any visa or other entry documentation issued to such person regardless of when the visa or other entry documentation is or was issued. A revocation under this subparagraph shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the person's possession.

(C) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under subparagraph (A) shall not apply to an individual if admitting such individual into the United States would further important law enforcement objectives or is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President determines that such a waiver is important to the national interests of the United States.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b)(1).

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out such subsection shall be subject to the penalties specified in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

(e) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this Act shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(f) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act and at least once every 180 days thereafter for a period not to exceed two years, the President, in consultation with the Secretary of the Treasury, shall transmit to Congress a detailed report with respect to persons that have been determined to have engaged in activities described in subsection (a).

TITLE III—DETERMINATION OF BUDGETARY EFFECTS

SEC. 301. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Illinois (Mr. KINZINGER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 598.

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

There was no objection.

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

Mr. Speaker, I would like to start by thanking Mr. CONNOLLY and Mr. KINZINGER for authoring this excellent bill.

This measure comes before us at a crucial time. As President Trump takes a sledgehammer to our country's standing in the world, it falls to the Congress to uphold our relationships with our friends and partners. Strong alliances and partnerships make a stronger, safer America, and it is important for our national security to make sure that our friends can defend themselves against hostile adversaries. That is especially true for a country like Georgia, who is fighting President Putin's aggression every single day.

In 2008, Russia invaded and occupied parts of Georgia, flagrantly breaking international law and violating Georgia's sovereignty and territorial integrity. And now, over a decade later, Russia hasn't let up the assault on Georgia. Cyber attacks, disinformation campaigns, human rights violations—this is what the people of Georgia endure from Putin's regime all the time. So we must support Georgia's efforts to protect itself.

The Georgia Support Act calls on the U.S. to continue to support Georgia's democratic institutions, territorial integrity, and sovereignty. It also provides critical assistance for Georgia's struggle against Russian aggression, supporting efforts to boost cybersecurity and counter Russian disinformation. And it slaps sanctions on those responsible for human rights violations in the Russian-occupied Georgian regions of Abkhazia and South Ossetia.

We should be strengthening our relationship with Georgia and bringing it into the fold of the EU and NATO. This is a good bill that moves us in the right direction, showing that Congress stands with Georgia. I strongly support this measure, and I urge all Members to join me in doing so.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 21, 2019.

Hon. RICHARD E. NEAL,
Committee on Ways and Means,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN NEAL: I am writing to you concerning H.R. 598, the Georgia Support Act. I appreciate your willingness to work cooperatively on this legislation.

I acknowledge that provisions of the bill fall within the jurisdiction of the Committee on Ways and Means under House Rule X, and that your Committee will forgo action on H.R. 598 to expedite floor consideration. I further acknowledge that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your jurisdiction. I will also support the appointment of Committee on Ways and Means conferees during any House-Senate conference convened on this legislation.

Lastly, I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you again for your cooperation regarding the legislation. I look forward to continuing to work with you as the measure moves through the legislative process.

Sincerely,

ELIOT L. ENGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, October 21, 2019.

Hon. ELIOT L. ENGEL,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ENGEL: In recognition of the desire to expedite consideration of H.R. 598, the Georgia Support Act, the Committee on Ways and Means agrees to waive formal consideration of the bill as to provisions that fall within the rule X jurisdiction of the Committee on Ways and Means.

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 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.

Finally, I would appreciate your response to this letter confirming this understanding and would ask that a copy of our exchange of letter on this matter be included in the Congressional Record during floor consideration of H.R. 598.

Sincerely,

RICHARD E. NEAL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 21, 2019.

Hon. JERROLD NADLER,
Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: I am writing to you concerning H.R. 598, the Georgia Support

Act. I appreciate your willingness to work cooperatively on this legislation.

I acknowledge that provisions of the bill fall within the jurisdiction of the Committee on the Judiciary under House Rule X, and that your Committee will forgo action on H.R. 598 to expedite floor consideration. I further acknowledge that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your jurisdiction. I will also support the appointment of Committee on the Judiciary conferees during any House-Senate conference convened on this legislation.

Lastly, I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you again for your cooperation regarding the legislation. I look forward to continuing to work with you as the measure moves through the legislative process.

Sincerely,

ELIOT L. ENGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 21, 2019.

Hon. ELIOT L. ENGEL,
Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR CHAIRMAN ENGEL: This is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 598, the ''Georgia Support Act'' that fall within our Rule X jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 598, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

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

Sincerely,

JERROLD NADLER,
Chairman.

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

Mr. Speaker, I rise today in support of H.R. 598, the Georgia Support Act. It is legislation I introduced with my colleague, Mr. CONNOLLY.

Georgia has been a strong ally to the United States, and ensuring their territorial sovereignty is essential to European security and American interests.

Since the Russian invasion in 2008, Georgia has been embroiled in a battle for its very right to exist due to Putin's flagrant aggression. For over a decade, Russia has illegally occupied the Georgian parts of Abkhazia and South Ossetia, which constitutes 20 percent of Georgia's territory.

Putin has constructed military bases, erected border fences across civilian farms, and restricted transit between the occupied regions and Georgia. The subsequent occupation has displaced thousands of ethnic Georgians. Those who refuse to leave their homes now face extreme human rights abuses. Furthermore, Russia continues to meddle in Georgia's political processes and seeks to sow discord and chaos among the population.

Our legislation reaffirms U.S. support for Georgia's independence, sovereignty, and territorial integrity, as well as the continued development of democratic values in Georgia. It also pushes for an increase in security assistance to Georgia, greater cybersecurity cooperation between our nations, and an enhancement of Georgia's ability to combat Russian disinformation campaigns.

Most importantly, this bill authorizes the President to impose sanctions on those individuals responsible for human rights abuses in those regions.

Passage of this legislation is an opportunity to show support for an ally that has been one of the greatest contributors to the U.S. mission in Afghanistan and one that has endured Putin's belligerence for over a decade.

By deepening U.S.-Georgia security cooperation, we send a strong message to Putin to think twice before interfering in Georgia again.

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

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. CONNOLLY), the author of this important bill.

Mr. CONNOLLY. Mr. Speaker, I want to start by saluting our distinguished chairman. Thank you so much to our chairman for bringing this bill to the floor and for managing it today.

He has just returned from an arduous trip. I have been on that trip. I know how tiring it can be and, frankly, even the personal danger one puts oneself in on that trip. I salute the chairman for his stamina and his commitment to American foreign policy, being here on the floor today. So I thank him and salute him and his able staff.

I also, of course, want to thank my co-chair of the Georgia Caucus and coauthor of H.R. 598, the Georgia Support Act, Mr. KINZINGER, who has been a wonderful partner and always willing to look at an issue thoughtfully and put himself sometimes at political risk in showing intestinal fortitude. I salute Mr. KINZINGER, too.

This legislation asserts the United States' continued support for the independence and sovereignty of Georgia. It supports Georgia's continued democratic development, including free and fair elections, and affirms U.S. opposition to Russian aggression in the region, which is not, as has been noted, theoretical.

Russian troops occupy Abkhazia and South Ossetia in Georgia. Russia has fomented unrest, aided separatist movements, and committed serious human rights violations, including ongoing detentions and killings.

Russian forces continue to harass civilian communities along the administrative boundary line and impede the right of the return of internally displaced persons, even moving that administrative boundary line arbitrarily.

Just a few weeks ago, tensions flared over a reported buildup of military equipment and personnel near the ABL, the administrative boundary line, in Russian-occupied South Ossetia.

H.R. 598 bolsters Georgia's territorial integrity by authorizing sanctions against those responsible for or complicit in human rights violations in these occupied territories.

As chairman of the U.S. delegation to the NATO Parliamentary Assembly, I am very pleased that the Georgia Support Act recognizes that Georgia has been a longstanding NATO-aspirant country and a contributor to NATO's troop levels.

I have traveled to Georgia three times in the last 3 years, including for the spring meeting of NATO's Parliamentary Assembly, and I believe that Georgia is a key partner for NATO's security. This act builds on previous efforts that Congress has undertaken to support Georgia's territorial integrity.

In the Countering America's Adversaries Through Sanctions Act, CAATSA, P.L. 115–44, we enshrined a nonrecognition policy for Russia's illegal occupation of Georgian territory.

In the 114th Congress, the House passed H.R. 660, which Judge Poe and I introduced, to express support for Georgia's full territorial integrity. The resolution was a clear and unequivocal statement in support of the sovereign territory of Georgia and reiterated the longstanding policy of the United States not to recognize territorial changes affected by force, as dictated by the Stimson Doctrine, going back to 1932, authored by then-Secretary of State Henry Stimson.

Just as the House of Representatives passed the Crimea Annexation Non-recognition Act, H.R. 596, earlier this year, the Georgia Support Act is another clear and unequivocal statement by this Congress on the issue of territorial sovereignty. This act expresses Congress' support for the vital U.S.-Georgia partnership, which is a strategically important relationship in a very critical part of the world.

I urge my colleagues to adopt this legislation.

Again, I thank the chairman for his distinguished leadership on this issue, and my partner, Mr. KINZINGER.

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

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. KEATING), the chairman of the Subcommittee on Europe, Eurasia, Energy, and the Environment.

Mr. KEATING. Mr. Speaker, I thank my colleague and chairman for yielding.

Georgia has a long and rich history as an important U.S. partner and a key player in the region. Unfortunately, Georgia most dramatically came onto

the world stage with news in 2008 that Russia had invaded and occupied regions within its territory. Since that time, Russia has continued to illegally occupy the regions of South Ossetia and Abkhazia.

Today, Georgia stands on the front lines of Russian aggression, along with Ukraine, and it is imperative that the United States assist Georgia in its effort to stand up against Russia—to address the humanitarian concerns in those areas, to fight against Russian disinformation, and to keep moving Georgia towards its goal of a strong and sovereign democracy.

I am proud that we are here today to continue to support the development of democratic values as well as the sovereignty, independence, and territorial integrity of the Republic of Georgia.

□ 1715

Georgia is a strong partner and friend to the United States, and I am proud that we are showing our support by moving this legislation forward today. I urge my colleagues to support the Georgia Support Act.

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

In closing, again, I want to thank Mr. CONNOLLY for his great work on this. I want to thank the chairman for bringing it to the floor and for his friendship and for the committees in this Congress that have steadfast support for our Georgian allies.

This was mentioned earlier, and it is worth re-noting, Georgia pound for pound has the strongest commitment to NATO and Afghanistan, and they are not even full NATO members. So that tells you the kind of people they are. They are a key strategic and democratic partner in a tumultuous region, and increased U.S. support is a significant step toward countering the global threat posed by Russia every day.

This bill passed in the 115th Congress in a bipartisan margin overwhelmingly, so I urge my colleagues to support this legislation yet again.

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

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing. This is a good, strong, bipartisan bill to support Georgia as it fends off Russian aggression. I thank my Foreign Affairs Committee colleagues, Mr. CONNOLLY and Mr. KINZINGER, for their work on this measure.

If you look back at history when the Soviet Union existed, Georgia was part of the Soviet Union and really felt the yoke of Russian aggression on their necks. When the Soviet Union broke up and Russia tried to influence all the surrounding countries, Georgia resisted with good cause, because Georgia does not want to be part of a country that makes them subservient.

So it really to me is so important for the United States to support Georgia. It is in a difficult neighborhood, right near Russia. It faces constant threats every day. As I and my colleagues have said, Russia is now occupying a large part of their territory, and it really should not be left to stand.

Personally, I have said this many times, I think that the West made a mistake back in 2008 when Georgia tried to become part of NATO and was turned down. I believe that both Georgia and Ukraine should be part of NATO. I think that is very important. And I think that is part of the reason why we see such Russian aggression in both Ukraine and Georgia.

So I hope all Members will join us in supporting the passage of this bill. The people of Georgia need to know that the United States Congress stands with them against Putin's aggression.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill, H.R. 598, as amended.

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

A motion to reconsider was laid on the table.

CALLING ON THE GOVERNMENT OF THE RUSSIAN FEDERATION TO PROVIDE EVIDENCE OF WRONGDOING OR TO RELEASE UNITED STATES CITIZEN PAUL WHELAN

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 552) calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 552

Whereas United States citizen Paul Whelan is a resident of Novi, Michigan, and a United States Marine Corps veteran;

Whereas Paul Whelan traveled to Moscow for the wedding of a personal friend on December 22, 2018;

Whereas Russia's Federal Security Service arrested Paul Whelan at the Metropol Hotel in Moscow on December 28, 2018, and charged him with espionage;

Whereas Paul Whelan was imprisoned in Lefortovo Prison and continues to be held there more than eight months after his arrest;

Whereas the Federal Security Service has not provided any evidence of supposed wrongdoing;

Whereas a Moscow court has extended Paul Whelan's pre-trial detention multiple times without publicly presenting justification or evidence of wrongdoing;

Whereas officials from the United States Embassy in Moscow have routinely had their topics of discussion with Paul Whelan severely limited by the Federal Security Service;

Whereas even Paul Whelan's Federal Security Service-appointed lawyer, Vladimir Zherebenkov, said on May 24, 2019, "[The Federal Security Service] always roll[s] out what they have, but in this case, we've seen nothing concrete against Whelan in five months. That means there is nothing.";

Whereas the United States Ambassador to Russia, Jon Huntsman, responded on April 12, 2019, to a question about the detention of Paul Whelan, "If the Russians have evidence, they should bring it forward. We have seen nothing. If there was a case, I think the evidence would have been brought forward by now."; and

Whereas Secretary of State Mike Pompeo met with Russian Foreign Minister Sergey Lavrov on May 14, 2019, and urged him to ensure United States citizens are not unjustly held abroad: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the Government of the Russian Federation to present credible evidence on the allegations against Paul Whelan or immediately release him from detention;

(2) urges the Government of the Russian Federation to provide unrestricted consular access to Paul Whelan while he remains in detention;

(3) urges the Government of the Russian Federation to ensure Paul Whelan is afforded due process and universally recognized human rights;

(4) encourages the President and the Secretary of State to continue to press the Government of the Russian Federation at every opportunity and urge the Russian Government to guarantee a fair and transparent judicial process without undue delay in accordance with its international legal obligation; and

(5) expresses sympathy to the family of Paul Whelan and expresses hope that their ordeal can soon be brought to an end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Illinois (Mr. KINZINGER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 552.

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

There was no objection.

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

Mr. Speaker, as we stand here on the House floor, an American citizen is being wrongfully held in a Russian prison without trial, without any evidence of his supposed crime, denied his rights, suffering, deprived of the medical attention he so desperately needs.

This is how Vladimir Putin is treating Paul Whelan, a U.S. citizen who has been unjustly imprisoned in Russia for almost a year. There has been no evidence offered to show that Mr. Whelan has done anything wrong or anything to deserve this horrific imprisonment with no end in sight.

Paul's family in Michigan wants to see him returned home safely, and Congress must stand with them and demand justice.

H. Res. 552 sends a strong message from Congress. It calls on Russia to either offer up some legitimate evidence

that justifies why they have Mr. Whelan in prison or immediately release him and let him come home to his family in the United States.

We can't accept this current situation to go on any longer with Mr. Whelan languishing in his cell with no understanding of why he is being subjected to this horror.

Sadly, this injustice is what life is like in Putin's Russia. There is no independent judicial process. There are no rights for defendants. There is abuse, mistreatment, corruption. It is critical that we all keep this in mind. That is why it is so important for the United States to stand strong in condemning Putin and upholding our commitment to the rule of law.

I want to thank Ms. STEVENS for her hard work in offering this measure. As Mr. Whelan's congressional representative, she has been tirelessly pushing for Paul's release as has the entire Michigan delegation.

This is a good bipartisan measure I am pleased to support. I urge all Members to do the same.

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

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

Mr. Speaker, I rise today in support of H. Res. 552, which calls on the government of the Russian Federation to release Paul Whelan, an American citizen, from their custody or provide compelling evidence of his alleged wrongdoing.

On December 28, 2018, Paul Whelan traveled to Moscow to attend a friend's wedding when he was arrested on allegations of spying. Over the past 10 months, Mr. Whelan has maintained his innocence as he awaits trial, which is expected to start in January of 2020.

Mr. Whelan suffers from a chronically painful medical condition, which requires surgery. Unfortunately, this surgery was scheduled for shortly after his return from Moscow in January of 2019. Over the past 10 months, Mr. Whelan has been living in pain as he has declined to have the surgery in Russia.

This bipartisan, bicameral resolution calls for the Russian Federation to immediately release Paul Whelan from his unwarranted detainment. Further, it calls for due process and unrestricted access to consular services for Mr. Whelan.

I am proud to cosponsor this resolution, and I urge my colleagues to join me in supporting it.

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

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STEVENS), the author of this important resolution

Ms. STEVENS. Mr. Speaker, I thank the gentleman for yielding. By bringing up my resolution today, H. Res. 552, we are making clear to the Russian Government and President Putin that Congress will not tolerate the indefinite detention of a U.S. citizen without evidence.

For nearly 10 months, my constituent, Paul Whelan of Novi, Michigan, has been held in a Moscow prison without adequate due process. Paul was detained last December and continues to be held in a horrifying prison.

We have repeatedly asked the Russian Government to provide Paul with a fair and transparent judicial process, to no avail. The State Department has been unwavering in their work on Paul's behalf, especially Ambassador Huntsman.

The Russian Government has not provided timely updates about Paul's case. They have not let him select his own attorney. And they have not provided unrestricted consular access. Next week will be Paul's fourth pretrial detention hearing. Enough is enough.

After many months in prison, Paul's health is deteriorating. Paul's family is wondering. Everyone is in the dark, but most especially Paul. It is long past time that we bring Paul home to his family and get him the medical care he needs.

This bipartisan resolution calls on the Russian Government to provide evidence of his wrongdoing or else release Paul immediately. This is our sense of Congress. It must be our sense of Congress, for we stand up for Americans abroad.

I thank my friend, Mr. WALBERG, for joining me and for the Michigan delegation. And I urge my colleagues on both sides of the aisle to pass this timely resolution.

Mr. KINZINGER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in support of H. Res. 552 and call on the Russian Government to provide evidence of wrongdoing or to release United States citizen Paul Whelan.

I thank my colleague Congresswoman HALEY STEVENS for her untiring work on this important issue. Paul Whelan is a veteran. He is a Michigan resident, who has been held in Russian captivity for nearly 10 months without charges. And I repeat, he has been held in Russian captivity for nearly 10 months without charges.

Throughout his entire time, Paul has not been given due process. He has had multiple pretrial hearings in which his detainment has repeatedly been extended without the production of any new or credible evidence. While in captivity he has been in need of serious medical attention, and his health has deteriorated. It is unacceptable for an American citizen to be detained for any length of time without charges and without proper medical care.

Paul's entire family, including his parents who live in my district in Manchester, Michigan, are deeply concerned about his health and safety, as they should be. I met with members of the Whelan family on many occasions, and they have been pillars of strength, but also have endured much agony.

We stand united today saying this is not a partisan issue. It is an American issue.

As Republicans and Democrats we are committed to raising awareness about Paul's case and advocating for his freedom. And we stand to send a strong and powerful message today by passing this resolution. I encourage my colleagues to stand together and pass this resolution and tell Russia it is wrong as to what they are doing.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. KEATING), the chairman of the Subcommittee on Europe, Eurasia, Energy, and the Environment.

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

Nearly 10 months ago on December 28, 2018, the Government of the Russian Federation arrested U.S. citizen Paul Whelan. In those 10 months, the Russian Government has refused to provide any evidence to substantiate the espionage charges against Paul.

Instead, in those 10 months, the Russian Government has subjected Paul to physical and psychological pressure. In those 10 months, the Russian Government has repeatedly prevented Paul from speaking freely with the U.S. embassy or with his family; rights that are afforded to Russian prisoners here in the U.S.

In those 10 months, the Russian Government has denied Paul's request to be examined or treated by a private physician. And I say, Russian Government. I say government, because I believe the Russian people, particularly those that are speaking up and demonstrating for an open and democratic government there, they would be standing with us today.

□ 1730

For 10 months, the Russian Government has refused to respond to the concerns of the Governments of the United States, U.K., Canada, and Ireland.

For 10 months, Paul's continued detention has caused indescribable pain and torment not only for Paul but for his parents, his two brothers, and his sisters.

Ten months of injustice is 10 months too long.

In our committee, the Committee on Foreign Affairs, we look for areas of common ground to work with Russia, but actions like this, depriving a U.S. citizen of the most basic rights, makes that all the more difficult.

Mr. Speaker, on behalf of Paul, on behalf of his family, I hope all Members will join me in supporting H. Res. 552 and calling on the Government of Russia to allow a fair and transparent judicial process without delay, facilitate Paul's medical care, and allow for unrestricted visits with the U.S. Embassy.

Mr. Speaker, above all, I hope Members will all join with me in calling on the Government of Russia to release Paul and send him back home to his family.

Mr. KINZINGER. Mr. Speaker, if the gentleman has no further speakers, I am prepared to close.

Mr. ENGEL. Mr. Speaker, I have no further speakers.

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

Mr. Speaker, in closing, I thank Mr. Whelan's family for continuing to fight for his release and for bringing this matter to our attention.

He is a pawn. Russia quite clearly has a terrible track record of taking care of people, whether it is bombing hospitals in Syria intentionally or whether it is just abusing people in other parts of the world—Venezuela—or imprisoning Americans. It is obviously their track record.

Mr. Speaker, I urge my Democratic and Republican colleagues to support this resolution. I thank the chairman for bringing it up, the family for fighting, and everybody who spoke.

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

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume for the purpose of closing.

Mr. Speaker, I again thank Representative STEVENS for her hard work on this measure.

Paul Whelan, an American citizen, as my colleagues have mentioned, has endured mistreatment in a Russian prison without the Russian Government offering up any evidence that he has done anything wrong.

H. Res. 552 calls on the Russian Government to either provide some evidence of wrongdoing to explain Mr. Whelan's imprisonment or release Mr. Whelan immediately so he can come home to the United States and receive the proper medical treatment he so urgently needs. He and his family have suffered enough as part of Putin's political games.

Mr. Speaker, I thank my colleagues on both sides of the aisle for their strong support for this resolution. It is a good measure. I urge all Members to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 552.

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.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE EXECUTION-STYLE MURDERS OF UNITED STATES CITIZENS YLLI, AGRON, AND MEHMET BYTYQI IN THE REPUBLIC OF SERBIA IN JULY 1999

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 32) expressing the sense of Congress regarding the execution-style murders of United States citizens Ylli, Agron, and Mehmet Bytyqi in the Republic of Serbia in July 1999.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 32

Whereas brothers Ylli, Agron, and Mehmet Bytyqi were citizens of the United States, born in Chicago, Illinois, to ethnic Albanian parents from what is today the Republic of Kosovo, and who subsequently lived in Hampton Bays, New York;

Whereas the three Bytyqi brothers responded to the brutality of the conflict associated with Kosovo's separation from the Republic of Serbia and the Federal Republic of Yugoslavia of which Serbia was a constituent republic by joining the so-called ''Atlantic Brigade'' of the Kosovo Liberation Army in April 1999;

Whereas a Military-Technical Agreement between the Government of Yugoslavia and the North Atlantic Council came into effect on June 10, 1999, leading to a cessation of hostilities;

Whereas the Bytyqi brothers were arrested on June 23, 1999, by Serbian police within the Federal Republic of Yugoslavia when the brothers accidently crossed what was then an unmarked administrative border while escorting an ethnic Romani family who had been neighbors to safety outside Kosovo;

Whereas the Bytyqi brothers were jailed for 15 days for illegal entry into the Federal Republic of Yugoslavia in Prokuplje, Serbia, until a judge ordered their release on July 8, 1999;

Whereas instead of being released, the Bytyqi brothers were taken by a special operations unit of the Serbian Ministry of Internal Affairs to a training facility near Petrovo Selo, Serbia, where all three were executed;

Whereas at the time of their murders, Ylli was 25, Agron was 23, and Mehmet was 21 years of age;

Whereas Yugoslav President Slobodan Milosevic was removed from office on October 5, 2000, following massive demonstrations protesting his refusal to acknowledge and accept election results the month before;

Whereas in the following years, the political leadership of Serbia has worked to strengthen democratic institutions, to develop stronger adherence to the rule of law, and to ensure respect for human rights and fundamental freedoms, including as the Federal Republic of Yugoslavia evolved into a State Union of Serbia and Montenegro in February 2003, which itself dissolved when both republics proclaimed their respective independence in June 2006;

Whereas the United States Embassy in Belgrade, Serbia, was informed on July 17, 2001, that the bodies of Ylli, Agron, and Mehmet Bytyqi were found with their hands bound and gunshot wounds to the back of their heads, buried atop an earlier mass grave of approximately 70 bodies of murdered civilians from Kosovo;

Whereas Serbian authorities subsequently investigated but never charged those individuals who were part of the Ministry of Internal Affairs chain of command related to this crime, including former Minister of Internal Affairs Vlajko Stojilkovic, Assistant Minister and Chief of the Public Security Department Vlastimir Djordjevic, and special operations training camp commander Goran ''Guri'' Radosavljevic;

Whereas Vlajko Stojilkovic died of a self-inflicted gunshot wound in April 2002 prior to being transferred to the custody of the International Criminal Tribunal for the former Yugoslavia where he had been charged with crimes against humanity and violations of the laws or customs of war during the Kosovo conflict;

Whereas Vlastimir Djordjevic was arrested and transferred to the custody of the International Criminal Tribunal for the former Yugoslavia in June 2007, and sentenced in February 2011 to 27 years imprisonment (later reduced to 18 years) for crimes against humanity and violations of the laws or customs of war committed during the Kosovo conflict;

Whereas Goran ''Guri'' Radosavljevic is reported to reside in Serbia, working as director of a security consulting firm in Belgrade, and is a prominent member of the governing political party;

Whereas the Secretary of State designated Goran Radosavljevic of Serbia under section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 as ineligible for entry into the United States due to his involvement in gross violations of human rights;

Whereas two Serbian Ministry of Internal Affairs officers, Sretan Popovic and Milos Stojanovic, were charged in 2006 for crimes associated with their involvement in the detention and transport of the Bytyqi brothers from Prokuplje to Petrovo Selo, but acquitted in May 2012 with an appeals court confirming the verdict in March 2013;

Whereas the Serbian President Aleksandar Vucic promised several high ranking United States officials to deliver justice in the cases of the deaths of Ylli, Agron, and Mehmet Bytyqi;

Whereas no individual has ever been found guilty for the murders of Ylli, Agron, and Mehmet Bytyqi or of any other crimes associated with their deaths; and

Whereas no individual is currently facing criminal charges regarding the murder of the Bytyqi brothers despite many promises by Serbian officials to resolve the case: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) those individuals responsible for the murders in July 1999 of United States citizens Ylli, Agron, and Mehmet Bytyqi in Serbia should be brought to justice;

(2) it is reprehensible that no individual has ever been found guilty for executing the Bytyqi brothers, or of any other crimes associated with their deaths, and that no individual is even facing charges for these horrible crimes;

(3) the Government of Serbia and its relevant ministries and offices, including the Serbian War Crimes Prosecutor's Office, should make it a priority to investigate and prosecute as soon as possible those current or former officials believed to be responsible for their deaths, directly or indirectly;

(4) the United States should devote sufficient resources fully to assist and properly to monitor efforts by the Government of Serbia and its relevant ministries and offices to investigate and prosecute as soon as possible those individuals believed to be responsible for their deaths, directly or indirectly; and

(5) progress in resolving this case, or the lack thereof, should remain a significant factor determining the further development of relations between the United States and the Republic of Serbia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New York (Mr. ENGEL) and the gentleman from New York (Mr. ZELDIN) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. ENGEL).

GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 32.

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

There was no objection.

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

Mr. Speaker, I want to start by thanking Mr. ZELDIN for authoring this resolution.

This measure is one particularly close to my heart. In my career in Congress, I have had long dealings with the Albanian community both in the Balkans and in America, so this one really hurts since I know the family of these three brothers who were murdered.

Ylli, Agron, and Mehmet Bytyqi were three brothers from New York State who were killed execution-style by Serbian officials after they mistakenly crossed the unmarked Serbia-Kosovo border. Their bodies were discovered with their hands bound behind their backs in a mass grave in 2001.

Serbian President Vucic promised me 3 years ago that his government would bring the murderers to justice, but this hasn't happened. In fact, there isn't even a serious criminal investigation underway. This is appalling.

Sadly, it is part of a pattern we see with Serbian war criminals responsible for crimes against the people of Kosovo.

The Bytyqi brothers are only the tip of the iceberg when it comes to post-conflict justice in Serbia. We had a hearing on the Foreign Affairs Committee several weeks ago about this very topic.

Approaching 3 years ago, the Belgrade-based Humanitarian Law Center released a dossier detailing the murder of nearly 1,000 Kosovars, killed by Serbs in Kosovo, then transported to Serbia, and dumped in a mass grave.

The U.S. Government has raised this atrocity with the Serbian war crimes prosecutor. But once again, no one has been held accountable, although I believe with all my heart that Serbian authorities know who is responsible for this.

Let's be clear, if Serbia wants to join the West and its institutions, they must deal with their past and prosecute those responsible for war crimes.

Mr. Speaker, I encourage our EU friends to hold Serbia to this standard when considering Serbia's candidacy.

Today's resolution makes it clear that Serbia must fully investigate the Bytyqi brothers' case and bring justice to the families of these murdered New Yorkers. Their family currently lives in New York in Mr. ZELDIN's district.

It also calls on the U.S. Government to encourage and assist a successful prosecution of this case.

Mr. Speaker, I strongly support this measure, and I again thank Mr. ZELDIN for his excellent work and partnership with me in trying to push the Serbian Government to find justice for these New Yorkers.

Mr. Speaker, I urge all Members to support this measure, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H. Con. Res. 32. I wish to start off by thanking the House Foreign Affairs Committee Chairman ELIOT ENGEL for his long-time passion and advocacy on this very important issue for my district, as well as GRACE MENG, who also has been supportive.

This execution-style murder of Ylli, 25 years old, Agron, 23 years old, and Mehmet Bytyqi, 21 years old, has greatly impacted my own district. These were three brothers born in the United States who resided in Hampton Bays, New York.

This year marks the 20th anniversary of the Bytyqi brothers' murder. In July 1999, these three brothers went overseas toward the end of the Kosovo war and were arrested by Serbian authorities for illegally entering the country when they accidentally crossed into Serbian-controlled territory.

The brothers were kidnapped, murdered, and dumped into a mass grave in Serbia by government officials still serving today.

Since taking office, I have been committed to helping the Bytyqi family receive the justice they have long deserved.

In February, Chairman ENGEL and I traveled to Munich to meet with Serbian President Vucic, where he once again promised to resolve the case of the Bytyqi brothers.

Despite many promises by Serbian officials to resolve the case of this state-sponsored murder, there has been no justice served.

This resolution notes that progress with this investigation should remain a significant factor that determines the further developments of U.S.-Serbian relations.

The Bytyqi brothers gave their lives to fight injustice. Now, we must return this favor and deliver justice for their family.

Mr. Speaker, I again thank Chairman ENGEL and lead Republican MCCAUL for their leadership and assistance on this issue.

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

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

Mr. ZELDIN. Mr. Speaker, I have no other speakers and am prepared to close.

Mr. Speaker, once again, I encourage all of my colleagues to support this important resolution.

For those in Serbia listening to today's floor debate, it is an important lesson that, 20 years later, we have not forgotten. We will not forget. We will continue to strongly encourage them to do the right thing. This issue is not going away if they wish it away. On a bipartisan basis, we will continue to advocate to fight this injustice.

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

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume for the purpose of closing.

Mr. Speaker, this is a good measure to seek justice for this senseless murder of three innocent American citizens, three innocent New Yorkers. We cannot allow this horrific crime to continue to go unpunished.

As Mr. ZELDIN mentioned, and others who we have worked with, we have raised this repeatedly with the Government of Serbia to no avail. They know exactly who killed these American citizens. They know what happened and why their bodies were dumped in a mass grave. They are withholding it.

It is unconscionable that these American citizens cannot get justice, that their families cannot get justice.

We will not stop. I know Mr. ZELDIN and I won't, and other people won't, until we get justice and answers as to who killed these American citizens, the Bytyqi brothers, who were born in the United States of America.

Mr. Speaker, I hope all Members will join me in supporting this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 32.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CORPORATE TRANSPARENCY ACT OF 2019

The SPEAKER pro tempore. Pursuant to House Resolution 646 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2513.

Will the gentleman from Illinois (Mr. QUIGLEY) kindly take the chair.

□ 1743

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting,

preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, with Mr. QUIGLEY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5, printed in part B of House Report 116–247, offered by the gentleman from Ohio (Mr. DAVIDSON) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 116–247 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BURGESS of Texas.

Amendment No. 4 by Mrs. CAROLYN B. MALONEY of New York.

Amendment No. 5 by Mr. DAVIDSON of Ohio.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. BURGESS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 395, noes 23, not voting 19, as follows:

[Roll No. 573]

AYES—395

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foxx (NC)
Frankel
Fudge
Fulcher
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Golden
Gomez
Gonzalez (OH)
González-Colón (PR)
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Morelle
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Norton
Nunes
O'Halleran
Ocasio-Cortez
Olson
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Rice (NY)
Richmond
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NOES—23

Amash
Banks
Biggs
Brooks (AL)
Buck
Burchett
Cline
Cloud
Davidson (OH)
Duncan
Gaetz
Gohmert
Gooden
Gosar
Higgins (LA)
Massie
Mast
Mooney (WV)
Norman
Rice (SC)
Riggleman
Roy
Steube

NOT VOTING—19

Bishop (NC)
Collins (GA)
Foster
Gabbard
Gonzalez (TX)
Hunter
Jordan
McEachin
Moore
Moulton
Omar
Peters
Radewagen
Smith (MO)
Smith (NE)
Takano
Timmons
Walorski
Wilson (FL)

□ 1810

Messrs. RICE of South Carolina and GAETZ changed their vote from ''aye'' to ''no.''

Ms. ESHOO, Mr. MURPHY of North Carolina, Mses. FUDGE, WATERS, Messrs. GARAMENDI, CRENSHAW, Ms. McCOLLUM, Messrs. CUNNINGHAM, BUTTERFIELD, Ms. SCANLON, Mr. SWALWELL of California, Ms. WASSERMAN SCHULTZ, Mr. NEAL, and Ms. BASS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. SMITH of Nebraska. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 573.

AMENDMENT NO. 4 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The Acting CHAIR (Mr. ESPAILLAT). The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 188, not voting 14, as follows:

[Roll No. 574]

AYES—235

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean

DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Mitchell
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Perlmutter
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rooney (FL)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOES—188

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
González-Colón (PR)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Slotkin
Smith (MO)
Smith (NE)
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOT VOTING—14

Bishop (NC)
Collins (GA)
Davis, Rodney
Gabbard
Hunter
Jordan
McEachin
Payne
Peters
Radewagen
Smucker
Takano
Timmons
Zeldin

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1815

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. DAVIDSON OF OHIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. DAVIDSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 166, noes 258, not voting 13, as follows:

[Roll No. 575]

AYES—166

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Banks
Bergman
Biggs
Bilirakis
Bishop (UT)
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Comer
Conaway
Cook
Crawford
Cuellar
Curtis
Davidson (OH)
DesJarlais
Diaz-Balart
Duncan
Dunn
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
González-Colón (PR)
Gooden
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Higgins (LA)
Holding
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Marchant
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Stauber
Steube
Stewart
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Walberg
Walden
Walker
Walorski
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOES—258

Adams
Aguilar
Allred
Axne
Balderson
Barr
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crenshaw
Crist
Crow
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Emmer
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Graves (GA)
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCaul
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne

Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rogers (AL)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sablan
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stefanik
Steil
Stevens
Stivers
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Waltz
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOT VOTING—13

Bishop (NC)
Carson (IN)
Collins (GA)
Gabbard
Hice (GA)
Jordan
McEachin
Peters
Plaskett
Radewagen
Takano
Timmons
Zeldin

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Ms. BLUNT ROCHESTER) (during the vote). There is 1 minute remaining.

□ 1824

Messrs. VEASEY and LYNCH changed their vote from ''aye'' to ''no.''

Mr. GONZALEZ of Ohio changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ESPAILLAT) having assumed the chair, Ms. BLUNT ROCHESTER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2513) to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes, and, pursuant to House Resolution 646, she reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. 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.

MOTION TO RECOMMIT

Mr. DAVIDSON of Ohio. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DAVIDSON of Ohio. I am in its current form.

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

The Clerk read as follows:

Mr. Davidson of Ohio moves to recommit the bill H.R. 2513 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 14, line 24, insert before the semicolon the following: '', but only if such request is accompanied by a court-issued subpoena''.

Page 15, line 6, insert before the semicolon the following: '', but only if such request is accompanied by a court-issued subpoena''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio is recognized for 5 minutes in support of his motion.

Mr. DAVIDSON of Ohio. Mr. Speaker, this motion to recommit is about defending freedom. Civil liberties have historically united this great body.

Do any of my colleagues, regardless of party affiliation, really want law enforcement to access the data of small business owners and farmers without cause and without a warrant or subpoena?

Surely, this bill's sponsor would like to see these provisions restored to the current version of the bill so that due process and privacy rights of everyday Americans are protected.

Let's reiterate what this bill, H.R. 2513, does. This bill subjects small business owners, the smallest, 20 or fewer employees, to criminal penalties up to $10,000 in fines or 3 years in prison.

This bill creates yet another Federal Government database containing personally identifiable information of private U.S. citizens. This one collects the addresses and driver's license numbers of owners of legal and legitimate business operations.

A little-known Federal agency, FinCen, and law enforcement will have unbridled access to the database, which has fewer protections than any other existing Federal surveillance programs.

This motion to recommit is a commonsense proposal to require a subpoena so that Federal law enforcement officials do not query the sensitive information of American citizens without cause. The majority should not be opposed to this motion. Treasury already requires similar reporting of beneficial ownership information by banks through the Customer Due Diligence rule, and under the CDD rule, law enforcement must obtain a subpoena.

In fact, the version of the Corporate Transparency Act introduced in the 115th Congress, sponsored by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), only allowed disclosure to federal law enforcement agencies if it had a subpoena, but this language has now been dropped from the bill.

I question why this iteration of the bill would remove the subpoena requirement and why Democratic leadership would reject this amendment when I offered it at the Rules Committee.

On October 8, the Foreign Intelligence Surveillance Court published its previously classified opinion detailing systemic abuses of the FISA program. Federal law enforcement officials at the FBI have improperly queried Section 702 FISA databases to spy on innocent Americans.

This abhorrent behavior violates the privacy rights of American citizens. Collectively, we must ensure that this database is safeguarded from any bad actor, including unauthorized access by Federal employees.

In light of these existing FISA abuses, it is imperative that Congress take steps to restore privacy protections for all Americans.

Starting with more robust safeguards in this bill is a great first step. After all, this bill will require the smallest businesses to file beneficial ownership information with FinCen, creating an estimated 30 to 40 million new filings each year. That is a really big database full of valuable information.

This motion to recommit ensures due process and gives farmers and small business owners confidence that their constitutionally protected right to privacy is not violated.

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

Mr. MALINOWSKI. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. MALINOWSKI. Mr. Speaker, this is a rare moment in this House. We have a bipartisan bill, a bill that we have worked together, Republicans and Democrats in the House. We have worked together in the Senate. There is a companion piece of legislation; it has been praised by the Trump administration. We have a chance to do something tremendously good here, and the bill says something very simple: No one should be able to establish in the United States a shell company with completely secret ownership, secret even from law enforcement.

We are saying that we are not Panama. We are not the Cayman Islands. We are not some little island nation tax shelter that puts out a welcome mat for drug dealers and arms dealers and dictators hiding money from their people. We are the United States of America. We are a nation of laws that does not tolerate corruption at home and that fights corruption around the world.

Mr. Speaker, when I was running the Bureau of Democracy, Human Rights

and Labor at the State Department, I would often speak to dissidents fighting for freedom in countries like Russia. And I would say to them, What can we do to help you?

And they would say, You know what, we don't ask you to fight all of our battles for us, but just don't be complicit in what our dictatorship does to us.

And I would say, What do you mean "complicit?"

And they would say, You know what, because of the money that people like Putin and their oligarchs steal from us all goes into banks and real estate in America and in Europe, and they do it through shell companies.

And they were right. Under our current laws, anyone can set up an anonymously owned company to hide the proceeds of corruption or crime. Fentanyl dealers do it, terrorists do it, human traffickers do it, foreign dictators do it.

The wildly corrupt son of Equatorial Guinea's former president, for example, set up a shell company in the United States to launder millions of dollars in bribes from international logging companies.

Corrupt officials in Nigeria use shell companies to steal aid we sent them to fight Boko Haram.

Next time you are in New York City, check out 650 5th Avenue. You can go shopping in the Nike store, on the ground floor; get some shoes. You probably wouldn't realize that the building was owned for 20 years by the Government of Iran, once again using a shell company.

And let's be clear: Shell companies not only allow foreign bad actors to hide dirty money in the United States, they allow them to use that dirty money to corrupt our system. Yeah, I know it is illegal for foreigners to contribute to our campaigns, but if you launder your money through a front company with anonymous ownership, there is very little we can do to stop you.

Now, I am thrilled to hear my Republican colleagues say they are concerned about privacy and civil liberties. But this bill already has extraordinarily strong privacy protections. Law enforcement can only ask for access for this data if there is already an ongoing law enforcement investigation. The whole process is overseen by civil liberties and privacy officers at FinCen, and the information is so simple.

My name: TOM MALINOWSKI.

My address: 86 Washington Street, Rocky Hill, New Jersey, 08553.

My date of birth: 9/23/65.

My driver's license number is too long to read, but you know what, the government already has it.

What the government does not have is the names of the owners of companies that are set up here by foreign kleptocrats, drug lords, and criminals. Law enforcement should have access to that information.

So let me just close by reminding this House who is for this bill:

The National Association of Attorneys General.

The National District Attorneys Association.

The Fraternal Order of Police.

The Society of Former Special Agents of the FBI.

The U.S. Marshals Service Association.

The Small Business Majority.

The Main Street Alliance.

The American Sustainable Business Council.

The bankers' association of every single State that we represent in this body.

Virtually every major human rights and anticorruption group in the United States and around the world.

Please, join them. Join me. Join the bipartisan champions of this blow we are about to strike against corruption. Reject this MTR; support the bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. DAVIDSON of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of H.R. 2513, if ordered, and the motion to suspend the rules and pass H.R. 2426.

The vote was taken by electronic device, and there were—ayes 197, noes 224, not voting 10, as follows:

[Roll No. 576]

AYES—197

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Horn, Kendra S.
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOES—224

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill

Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOT VOTING—10

Bilirakis
Bishop (NC)
Collins (GA)
Gabbard
McEachin
Peters
Swalwell (CA)
Takano
Timmons
Zeldin

□ 1844

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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.

Mr. DAVIDSON of Ohio. 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 249, nays 173, not voting 9, as follows:

[Roll No. 577]

YEAS—249

Adams
Aderholt
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gottheimer
Granger
Graves (GA)
Graves (LA)
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Huizenga
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Loudermilk
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCaul
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Olson
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rogers (AL)
Rooney (FL)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stefanik
Stevens
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Upton
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Waltz
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams
Wilson (FL)
Yarmuth

NAYS—173

Abraham
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cline
Cloud
Cole
Comer
Conaway
Cook
Crawford
Crenshaw
Cuellar
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Lucas
Marchant
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Palazzo
Palmer
Pence
Perry
Peterson
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rose, John W.
Rouzer
Roy
Scalise
Schweikert
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Stauber
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Turner
Van Drew
Walberg
Walden
Walker
Walorski
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young

NOT VOTING—9

Bilirakis
Bishop (NC)
Collins (GA)
Gabbard
McEachin
Peters
Takano
Timmons
Zeldin

□ 1850

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COPYRIGHT ALTERNATIVE IN SMALL-CLAIMS ENFORCEMENT ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2426) to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. JEFFRIES) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 6, not voting 15, as follows:

[Roll No. 578]

YEAS—410

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer

Hudson
Huffman
Huizenga
Hunter
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NAYS—6

Amash
Davidson (OH)
Gianforte
Kelly (MS)
Massie
Norman

NOT VOTING—15

Bilirakis
Bishop (NC)
Butterfield
Collins (GA)
Gabbard
Hastings
McEachin
Panetta
Peters
Price (NC)
Rooney (FL)
Sensenbrenner
Takano
Timmons
Turner

☐ 1859

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TAKANO. Mr. Speaker, please accept the following vote recommendations in my absence as I represent the United States at the formal ascension of the Emperor in Japan. Had I been present, I would have voted: "yea" on rollcall No. 571, "yea" on rollcall No. 572, "yea" on rollcall No. 573, "yea" on rollcall No. 574, "nay" on rollcall No. 575, "nay" on rollcall No. 576, "yea" on rollcall No. 577, and "nay" on rollcall No. 578.

HONORING THREE AMERICAN HEROES KILLED AT FORT STEWART, GEORGIA

(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. Madam Speaker, I rise today to honor three American heroes who lost their lives this weekend in a training accident at Fort Stewart in the First Congressional District of Georgia.

The incident happened at approximately 3:20 a.m. Sunday morning when the Bradley Fighting Vehicle they were riding in rolled off a bridge and was submerged in a stream. Three soldiers were killed and three others were injured.

The heroes who lost their lives that day were Sergeant First Class Bryan Andrew Jenkins of Gainesville, Florida, Private First Class Antonio Gilbert Garcia of Peoria, Arizona, and Corporal Thomas Cole Walker of Ohio.

Sergeant First Class Jenkins was born on December 29, 1977, and had served in the Army since 2001.

Corporal Walker was born on August 5, 1997, and had served in the Army since 2016.

Private First Class Garcia was born on August 1, 1998, and had served in the Army since 2018.

This is a tragic and devastating loss for our community and for our Nation. These servicemembers gave everything for their Nation, including their lives.

Please join me praying for their family, friends, and the entire 3rd ID community.

The sacrifices of our military families are greater than most of us will ever know.

We also pray for healing for the soldier injured in the incident. These men represent the greatest among us.

It will take time to grapple with this loss, but I know the Fort Stewart and 3rd ID communities are strong in their resolve. We are with you in this most difficult time.

I am glad to be joined tonight by my fellow members of the Georgia delegation and Representatives from the hometowns of these heroes.

Please join me in honoring these heroes. I ask that all Members and guests in the gallery rise for a moment of silence.

HELPING SENIORS AFFORD HEALTHCARE

(Ms. BLUNT ROCHESTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BLUNT ROCHESTER. Madam Speaker, I am proud to report that last week the Energy and Commerce Committee advanced H.R. 3, the Lower Drug Costs Now Act.

We also passed out of committee H.R. 4671, the Helping Seniors Afford Healthcare Act, which I introduced with my colleagues Representatives ANDY KIM and DWIGHT EVANS.

Currently, Medicare beneficiaries receive financial assistance for their premiums and out-of-pocket costs through the Medicare Savings Programs, or MSPs.

Medicare takes great strides to protect low-income beneficiaries through these programs, but there are millions of Americans who fall through the cracks. My bill expands access to the MSPs so more Medicare beneficiaries will be protected from soaring healthcare costs.

I urge my colleagues on both sides of the aisle to join me in supporting the passage of H.R. 3 and H.R. 4671.

WHAT DO THEY HAVE TO HIDE?

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

Mr. SCALISE. Madam Speaker, like so many of my colleagues here today on the floor, I rise in strong opposition to the way that this impeachment inquiry is being conducted—in secret, behind closed doors.

Madam Speaker, we had an election in 2016 and the people of this country spoke loudly. Not only that, Madam Speaker, there is going to be another election next year, and that is when the people of this country should be able to decide who the next President is.

This shouldn't be conducted behind closed doors. Not only is it an impeachment inquiry that has not had a vote of the full House, which every other impeachment inquiry has had, but there are actual voting Members of Congress who are being denied access to these hearings, denied the ability to see what is happening behind closed doors.

What do they have to hide, Madam Speaker? Why aren't they willing to have a vote on the House floor?

This is not the way it should be done. Maybe in Russia this is how they conduct hearings. This is not how it should be done in the United States of America, where Members of Congress are denied access, the press is denied access, and, ultimately, the American people are denied access to what is going on behind closed doors to overturn the results of the 2016 election.

WORKING FOR THE PEOPLE

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

Ms. PLASKETT. Madam Speaker, during this difficult time, the House will continue our strong legislative agenda for the people: lowering healthcare costs, creating bigger paychecks, building the physical and human infrastructure of America.

My friends on the other side of the aisle want to belittle our work here by focusing solely on the impeachment process. The American people want the truth. The House will proceed with our impeachment inquiry to find the facts and expose the truth, guided by our Constitution and the facts. This is about patriotism, not politics or partisanship.

I am pleased that, despite the Senate's refusal to move on legislation passed in the House, my office continues to work hard on behalf of the people of America.

My office was successful in convincing HUD to release CDBG funding for mitigation activities. $774 million in HUD CDBG mitigation funds have been released to the Virgin Islands.

The House doubled the funding on the Violence Against Women Act for my people.

The House has averted the Medicaid cliff, increasing the Federal Government's share of spending to the Territories.

We wait on the Senate to act.

CONGRESS HAS A DUTY TO THE AMERICAN PEOPLE

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

Mr. McCARTHY. Madam Speaker, Members of Congress have a solemn duty to work to keep our Nation safe, secure, and more prosperous than it was yesterday. We are expected to analyze sensitive information to gain a more in-depth understanding of the needs of the American people and the threats our country faces on a daily basis.

That role is even more consequential for the members of the Intelligence Committee, who are entrusted with the privileged information that other Members cannot access. You would expect them to focus day and night on securing our Nation and promoting our national security priorities abroad, but that has not been the case in this Congress.

Under the Democratic majority, the most basic responsibilities of the committee have been neglected. Instead, the House Intelligence Committee is using its time and resources to run a sham impeachment inquiry in secret.

Members of this Chamber will be asked to take one of the gravest votes a Member could take before seeing a single transcript from a witness deposition. The information Members and the public hear is incomplete or intentionally distorted by selective leaks.

Madam Speaker, at what cost does this impeachment effort come?

As Democrats push forward with this sham partisan process, our Nation is losing its intelligence edge around the world, particularly against China. Not only are there significant intelligence gaps in order to accurately assess the Chinese threat, the Chinese are actually ahead of us when it comes to technological capabilities that are critical to national security.

The Intelligence Committee's members are uniquely qualified to formulate our Nation's response, but they cannot address these challenges because of the committee's continued distraction over impeachment.

The larger issue goes beyond what the Democrats are doing in one committee. It is what they have failed to do as a majority. Their trend of inaction strikes at home.

They have failed to swiftly pass the United States-Mexico-Canada Agreement. In fact, they voted to prioritize impeachment over it earlier today.

They have failed to address surprise medical billing.

They have failed to secure our border or reform our crumbling infrastructure.

They have failed to lower prescription drug prices in a bipartisan way.

The House Democrats are failing to pass appropriations bills that would end the continuing resolution and fund the government. As a result, pay increases for our troops, disaster recovery funds, and NIH medical research funding are all at a stalemate.

Each of these failures represent an enormous opportunity cost for the American people.

Democrats have chosen impeachment over getting anything done, even though they previously warned of that exact problem.

In August, Congresswoman SLOTKIN said: ''People in my district are wanting us to pass bills, and they fear that if we go down this path of impeachment, we're not going to be working on the things that affect their lives, their pocketbooks, and their kids.''

In September, Congressman MAX ROSE said: ''Impeachment will not fix our roads and bridges or lower the cost of drugs. . . . The truth is impeachment will only tear our country further apart, and we will see no progress on the enormous challenges we face as a nation.''

Democrats said their majority would be different. They promised the American public, if they entrusted them with the majority, they would act differently, that they would put people before politics.

Madam Speaker, in the polls we see today, more people can tell you about the investigations but can't tell you anything that has been accomplished. They have broken their promise to solve problems, work for all Americans, and focus on passing legislation.

Madam Speaker, there are 22 legislative days left on the calendar—22. In that brief time, we have a lot of work to do, but we cannot fulfill our responsibilities if Members in this Chamber continue to turn their backs on the promise they made when their constituents sent them to Washington.

Madam Speaker, how much money was spent? How many ads were made? And how many promises were given that this majority would be different, how many things they said they would accomplish?

And how much time have they wasted? We are 13 months from an election, but we have not accomplished a thing.

We are better than this.

Madam Speaker, if you only listened to what Members on the other side of the aisle said just in August and September, before the political pressure forced them to change their mind.

Madam Speaker, if the Speaker had only waited 48 hours, we would not put America through another nightmare. We would not break the fabric of democracy of this Nation.

Madam Speaker, this is the people's House. We have got 22 more days. We ask that you keep the promise you made to the American public and you stop this sham of an impeachment you call.

□ 1915

LYNCHING WARRANTS AN ENHANCED SENTENCE UNDER HATE CRIME STATUTES

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

Mr. RUSH. Madam Speaker, between 1882 and 1968, 3,446 African Americans were lynched in this Nation. This fact appears to be completely lost on the President, who just this morning conflated constitutionally mandated oversight with the horrific act of lynching.

The heinous nature of lynching is why I have introduced H.R. 35, The Emmitt Till Antilynching Act. Madam Speaker, this bipartisan bill would specify that lynching is a crime in and of itself, and that its vile nature warrants an enhanced sentence under hate crime statutes.

I would encourage all my colleagues to support this bill and to reject this President's vile rhetoric.

THE PARTISAN IMPEACHMENT INQUIRY IS DANGEROUS

(Ms. FOXX of North Carolina asked and was given permission to address the House for 1 minute.)

Ms. FOXX of North Carolina. Madam Speaker, an impeachment inquiry is one of the most serious actions the House can take. But the gravity of such proceedings seem to be lost on the Democratic Caucus.

As a reminder, I would like to quote Federalist 65:

The prosecution of impeachment will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused. In many cases it will connect itself with the preexisting factions and will enlist all their animosities, partialities, influence and interest on one side or the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties than by the real demonstrations of innocence or guilt.

Speaker PELOSI's impeachment inquiry by fiat has realized this greatest danger. I call on her to allow for an open debate on this process immediately.

HONORING THE 2019 NATIONAL GOLD AWARD GIRL SCOUT MEGAN LOH

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

Mr. CISNEROS. Madam Speaker, I rise today to recognize 39th Congressional District resident Megan Loh and her passion to ensure more young women and girls are represented and encouraged to participate in the field of science, technology, engineering, arts, and mathematics.

Megan, an avid Girl Scout and Troy High School student from Fullerton, formed her own nonprofit GEARup4Youth to encourage girls interested in STEAM and STEM career paths.

GEARup4Youth has already benefitted more than 9,500 girls to date.

Megan also initiated the first girls-only robotics class at a local Boys & Girls Clubs of America. And she partnered with over 200 organizations to host presentations, family STEM events, and expos about her technology curriculum.

Megan even authored her own book, ''Easy STEM Activities You Can Do At Home'' in order to broaden more young girls' interests in STEAM.

For all her amazing and passionate work on behalf of young girls, Megan was named one of the 2019 National Gold Award Girl Scouts. In Megan's own words, we must continue to show young girls that they do belong in tech fields that aren't simply open to them, but need them. And as an education advocate, I couldn't agree more.

I ask my colleagues to join me in offering my sincerest congratulations to Megan and thank her for all her work on behalf of young women like herself.

WHAT ARE THE DEMOCRATS HIDING?

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

Mr. JORDAN. Madam Speaker, what are the Democrats hiding? What are they hiding? Trying to impeach the President of the United States 13 months before an election based on an anonymous whistleblower with no first-hand knowledge, who has a bias against the President, who worked with Joe Biden, who wrote a memo the day after the call. And he described the call as ''frightening, scary,'' but then he waits 18 days before he files the complaint. And who does he run off and see during that 18-day timeframe? ADAM SCHIFF, the guy who is running the secret process in a bunker in the basement of the Capitol.

What are they hiding from the American people? Americans get fairness. They understand it. And they instinctively know that this secretive process is not fair. 435 Members of the House representing over 300 million people in this country, and only one of them, ADAM SCHIFF, knows who the guy is who started this whole darn charade. ADAM SCHIFF is the only one who knows. Why don't the rest of us? Why don't, more importantly, the 300 million people who we all get the privilege of representing, why don't they know who the people are who started this whole darn process that the American people see through?

Americans get fairness, and they know this is instinctively unfair.

HONORING CONGRESSMAN ELIJAH CUMMINGS

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

Ms. TLAIB. Madam Speaker, I rise today to honor our chairman, Elijah Cummings.

He was my first chairman. Chairman Cummings believed in the possibility of better from this institution. He understood that our squad was big and embraced the new era of social justice movement in our country. Congressman Cummings' presence was iconic, and I am humbled and honored to have served with him.

I pray that Congressman Cummings' wife and family find peace during this very difficult time in knowing that he has left a powerful legacy that has been centered on truth and justice.

I have a picture of my son with Congressman Cummings. He always said that children are the messages we send in the future. And so I wanted to honor Congressman Cummings by showing and displaying just the beautiful smile I remember that he provided for my 14-year old boy.

A MATTER OF JURISDICTION

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

Mr. CONAWAY. Madam Speaker, I have had the privilege and honor of serving most of my career in Congress on the Permanent Select Committee on Intelligence. It is important work that goes on in secret, typically, and it is really important. Typically it involves the oversight of 17 agencies which we empower to protect this Nation from enemies abroad.

That important work has been highjacked by this investigation, which is being led by the Permanent Select Committee on Intelligence. The Intelligence Committee works with sources and methods. Madam Speaker, there is nothing classified about anything that is going on downstairs in our SCIF. There are no sources or methods at risk here.

This is a jurisdictional issue. This investigation, should it be happening at all, should be done by the Committee on the Judiciary. That is where Articles of Impeachment will have to come from, not the Intelligence Committee. Our good work that is important to this Nation is being highjacked by this process that should not even, in my view, be going on. But if it should be going on, Chairman NADLER should be the one leading this effort, not Chairman SCHIFF.

I ask the Speaker to go the normal route, put the inquiry on the floor, have us vote on that, allow all of us to express our opinion, not just hers, but all of our opinions on this issue.

OUR DEMOCRACY IS UNDER ATTACK

(Ms. GARCIA of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GARCIA of Texas. Madam Speaker, our democracy is under attack. In 2016, Russia engaged in misinformation campaigns aimed at influencing our election results. Earlier this month, the Senate Intelligence Committee released a report that warns that these campaigns could evolve, intensify, and inspire other bad actors to make similar attempts in 2020.

Just yesterday, Facebook reported it shut down new accounts linked to Iran and Russia that are trying to influence our elections next year. Each and every one of us swore an oath to uphold and defend our Constitution against all enemies foreign and domestic.

Now is the time to live up to that oath. No foreign government can be allowed to jeopardize the future of our democracy. I, therefore, ask each and every one of you today, what will you do to defend our democracy?

IT IS TIME THAT WE PUT THE FACTS ON THE TABLE

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

Mr. MEADOWS. Madam Speaker, in a SCIF in the basement of this very building is a secret process, a process that is designed to keep the truth from the American people. Now, it is not

based on firsthand comments. It is based on secondhand gossip.

And I can tell you, what I have heard for over 60 hours needs to be heard by the American people, because ultimately this President did nothing wrong. And we need to make sure that we send a clear message to the rest of America that we are a transparent body, not one that is held with secrets.

And yet here we are with ADAM SCHIFF providing leading questions, trying to actually get to a foregone conclusion in his mind. It is time that we hold him accountable and the rest of this body. Open it up. Let's be transparent. Let's send a message to the Senate, who ultimately is going to have to be the judge and jury of this. It is time that we put the facts on the table. The facts will exonerate our President.

HONORING SALEM COUNTY HISTORICAL SOCIETY

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

Mr. VAN DREW. Madam Speaker, in 1884, residents of Salem County, south Jersey gathered at the local library with the intent of protecting the history of the region. This group established the Salem County Historical Society and began regular meetings all the way back in 1885. Now the museum allows visitors to wander the exhibits and admire the historical artifacts.

It was Albert Einstein who once said, ''learn from yesterday, live for today, hope for tomorrow.'' It has also been said that you cannot truly understand who you are and what you are about as a society if you don't know who you were and where you were in the past.

It is because of the crucial role of the Salem County Historical Society that we are better able to learn from our past in south Jersey as we move towards a better tomorrow.

Thank you for preserving the past of south Jersey and providing educational experiences for the members of our community. You truly are stars.

DEMOCRATS ARE TRYING TO IMPEACH THE PRESIDENT FOR FOLLOWING A LAW THAT THEY VOTED FOR

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

Mr. BARR. Madam Speaker, in 2014 this House unanimously passed the Ukraine Freedom Support Act. That legislation authorized funds to ''counter corruption, and improve transparency and accountability of institutions that are part of the Government of Ukraine.'' Every Democrat voted for that legislation.

In 2017, the House passed 375–34 with 145 Democrats supporting the National Defense Authorization Act, which required the executive branch to certify that Ukraine was making certain defense reforms and countering corruption.

In 2018, Congress reauthorized that language, and 127 Democrats supported it.

And finally in 2019, they reauthorized that again with 139 Democrats supporting it.

The President not only had the authority to do what he did in the call with President Zelensky, he had a legal obligation to do so.

Madam Speaker, this Democrat majority is trying to impeach the President for following a law that they voted for.

DEMOCRATS ARE WORKING HARD TO SAFEGUARD THE HEALTH OF OUR NATION

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

Ms. SCHAKOWSKY. Madam Speaker, the Republicans in the House are all lined up to whine about an investigation that the majority of Americans want to see happen.

While the President of the United States has the gall to compare this constitutional process to the horrific history of lynching in this country, House Democrats are busy working hard to safeguard the healthcare of Americans.

H.R. 3 is a transformative piece of legislation, a historic step forward to finally control the extraordinarily high prices of the pharmaceutical companies. Negotiation is the most effective way to protect consumers from Big Pharma's predatory pricing practices, and the Congressional Budget Office said that at least $345 billion will be realized in savings when we pass this bill.

Madam Speaker, 90 percent of Democrats, 87 percent of independents, and 80 percent of Republicans want this legislation. Get busy and help the American people.

□ 1930

STOP THE IMPEACHMENT THEATER

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

Mr. WALBERG. Madam Speaker, our duly elected President took office, and even before that, House Democrats have been calling for his impeachment.

The rationale may keep changing, and it will, but their quest for impeachment has been never-ending. Yet for some reason, this impeachment inquiry is being conducted behind closed doors, leaving many Members of this body and the American people, most importantly, in the dark.

Is that fairness?

They are even refusing to take a formal vote here on the House floor. A fair and open process appears to be the least of their concerns.

Instead of wasting valuable time with this baseless inquiry, there is so much more we could and should be doing.

We could be ratifying the United States-Mexico-Canada Agreement to help manufacturers and farmers in my district in Michigan and across the country.

We could be working in a bipartisan fashion to lower healthcare costs, to continue growing a healthy economy, and to rebuild our roads and bridges.

Let's stop the impeachment theater and get back to the pocketbook issues that our constituents care about.

WE THE PEOPLE GROW WEARY

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

Mr. HIGGINS of Louisiana. Madam Speaker, the Democrats' entire case against the President is built on hearsay, unverified third-party accounts, and opinion.

No cop in America could righteously make any arrest with that degree of evidence, not even a misdemeanor, much less something as sobering as the impeachment of our duly elected President.

They tread upon the very colors of our flag. Contrary to our constitutional oath, they are conducting a secret investigation disguised as an impeachment inquiry, calling forth only prosecutorial hearsay demonstration, hearsay testimony deemed most likely to condemn the President, witnesses selected and screened by ADAM SCHIFF.

True investigators interview everyone, not just those who lead to a predetermined conclusion. Democrats are handpicking witnesses and selectively releasing information to mislead the American people.

This is dangerous, it is wrong, and we the people grow weary.

OPPOSING IMPEACHMENT

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

Mr. MOOLENAAR. Madam Speaker, the impeachment inquiry underway in the House has been shrouded in secret meetings and out of view from the American people.

My constituents have told me that they oppose this investigation and they believe the House should be taking up legislation that needs to be done to help hardworking Michigan residents.

First and foremost, the House should pass the United States-Mexico-Canada Trade Agreement without delay. This agreement will benefit hardworking Michigan residents, especially in industries vital to our State, including manufacturing and agriculture. They will have new markets for their products, and the profits they make will come

back to our communities in mid and northern Michigan.

I have also been a strong advocate for the Great Lakes Restoration Initiative and for funding the construction of a new lock at the Soo Locks.

Yet these priorities are now funded under a temporary stopgap, and after weeks of delays caused by Senate Democrats who want to renegotiate, we now face the prospect of an impeachment trial that will bog down activity in the Senate even further in the future.

POLITICALLY MOTIVATED CHARADE

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

Mr. BERGMAN. Madam Speaker, since November 9, 2016, Democrats have been calling for the removal of President Trump.

Even before he took office, they have been protesting the results of the election and have sought to delegitimize his historic win in battleground States like Michigan.

Breaking with historical precedent, House Democrat leadership will not hold a vote on this extremely consequential matter. House Democrats have created a toxic work environment, resulting in nothing getting done, no good policy or law created, no regular order.

This is a politically motivated charade attempting to undermine and diminish the effectiveness of a duly elected President and his administration based on bias, prejudice, and disgraceful politics.

The people of the First District of Michigan sent me here to work with others to get things done and represent the people with honor and integrity. I am sure my 434 colleagues were sent here with the same mission.

It is high time to get back to real work.

SHAM IMPEACHMENT PROCESS

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

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to bring attention to the sham impeachment process being run out of this esteemed House.

As House Democrats continue to pursue politically motivated attacks on President Trump, it is alarming that their leaders are withholding evidence and facts from elected Members of our Congress.

Last week, I sent letters to the chairs of the House Permanent Select Committee on Intelligence, the Committee on Oversight and Reform, and the Committee on Foreign Affairs to inform them of my intent as an elected Member of the 116th Congress to review documents and records in possession of their committees. We must be allowed to do our jobs.

The fair choice is clear. We cannot allow House Democrats to continue issuing political attacks behind the safety of clandestine, closed doors.

Madam Speaker, I stand for transparency and I stand for accountability. I stand for fairness. It is time for this body to restore its integrity.

CLOAK-AND-DAGGER IMPEACHMENT

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

Mr. WESTERMAN. Madam Speaker, this cloak-and-dagger impeachment process is unprecedented, uncalled for, and unfair to the American people.

When I, a Member of Congress, am turned away from reading testimony from Chairman SCHIFF's closed-door hearings, how can I keep informed on a narrative that is constantly changing?

How are we supposed to know all the facts when the Intelligence Committee is selectively leaking information to the press, creating a biased narrative while shrouding the truth in darkness?

Will we ever get information before there is a vote on impeachment, or will the Speaker continue allowing secret hearings and inquiries to drag on?

These are questions every American should be asking.

Impeachment undoes an election and is the most serious tool Congress can use. We should treat it as such. Instead, we have seen Democrats calling for it since before President Trump was even inaugurated.

One of my Democrat colleagues recently said: If President Trump isn't guilty, he needs to prove it.

That is not how America works. It is the Speaker's responsibility to lay out the evidence in an open, transparent way so we can debate it and vote on it.

IMPEACHING WITH A VENGEANCE

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

Mr. BYRNE. Madam Speaker, today the Democratic majority is not judging the President with fairness, but impeaching him with a vengeance.

In the investigation of the President, fundamental principles which Americans hold dear, privacy, fairness, checks and balances, have been seriously violated, and why? Because we are here today because the Democrats in the House are paralyzed with hatred of President Trump, and until the Democrats free themselves of this hatred, our country will suffer.

Now, if that sounds familiar, you have got a longer memory than the Democrats. Those same comments, but addressing Republicans' actions towards President Clinton, were made by NANCY PELOSI in 1998.

Could there be a clearer indication of the hypocrisy that fuels the Democratic sham impeachment process currently taking place behind closed doors?

If Speaker PELOSI and the Democrats truly care about, in PELOSI's own words, "the fundamental principles which Americans hold dear, privacy, fairness, checks and balances," they will restore transparency and integrity to this process.

IMPEACHMENT SAD ACT OF POLITICAL THEATER

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

Mr. CLINE. Madam Speaker, time and again my colleagues on the other side of the aisle have made it clear that this impeachment process is nothing but a sad act of political theater.

The impeachment of a President, the attempt to insert the U.S. Congress between the American people and the President they elected 3 years ago, the attempts by this House leadership to prevent the American people from making their choice in the election next November, this is a serious matter and must not be abused as a tool for partisan gain or advantage in the next election.

I have witnessed Democrats on the Judiciary Committee, as a proud member of that committee, repeatedly fail to find evidence to support a case for impeaching this President.

Now, in the realization of this fact and at the expense of fundamental fairness and due process, the Speaker has removed any further investigation from the Judiciary Committee so that impeachment can be conducted in secret and out of public view—no vote to proceed, no public hearings, no access to testimony, no ability to call witnesses.

This is a sham, and the American people won't have it any longer.

IMPEACHMENT IN THE SHADOWS

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

Mr. ADERHOLT. Madam Speaker, unfortunately, the Democrats continue to investigate the President in secret back rooms of the Capitol in the Intelligence Committee.

If the Speaker believes that the Members of Congress can ultimately vote and impeach the President based on bogus evidence that has never seen the light of day, then she is badly mistaken.

In the past 50 years, this body has held impeachment proceedings for only two Presidents: One was a Democrat; one was a Republican. Those were serious times when both parties came together to conduct solemn business required under the Constitution, a document that we as Members of Congress are sworn to uphold.

Conducting this impeachment process in the shadows is a mockery of the

democratic process. It actually belittles our duty, and it belittles the votes of people who duly elected this President.

Madam Speaker, in closing, I call on Speaker PELOSI to sit down with the Republican leadership to establish an open and transparent process based on precedent.

IMPEACHMENT SHAM

(Mr. KEVIN HERN of Oklahoma asked and was given permission to address the House for 1 minute.)

Mr. KEVIN HERN of Oklahoma. Madam Speaker, Republican or Democrat, we can all agree on this: When you have been accused of something, you have the right to publicly defend yourself.

My colleagues across the aisle are making heinous accusations about President Trump but are refusing to give him a voice in the process to defend himself.

Any impeachment proceeding in the history of our country has operated with full transparency and with a bipartisan effort, but that is not what is happening here.

Subpoenas are flying right and left without any consultation of the minority. Interrogations and hearings are happening in secret.

Why isn't the media demanding to be in the room instead of waiting for individuals to come out and get cherry-picked information?

The American people deserve better.

If they had solid evidence or even a factual basis for impeachment, they would be shouting it from the rooftops and broadcasting it on every screen in America.

This is a sham process. It makes a mockery of our government.

We must end this illegitimate inquiry and return to the rules and traditions that have governed this body for the last 232 years.

SO-CALLED IMPEACHMENT INQUIRY

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

Mr. NORMAN. Madam Speaker, I came to Congress to vote on legislation and basically go to work. What have we done for the last couple of weeks? Nothing.

Instead of concentrating on things that matter to this country, their intent is to reverse the election in 2016 of President Donald Trump.

In America, when you commit a crime, you get the evidence and then you have a verdict. What the Democrats, NANCY PELOSI and ADAM SCHIFF, are doing now, they have got the verdict. They are trying to get evidence, and then they are going to try to fish for a crime.

Madam Speaker, the public deserves better than this. We are better than this. And this sham process, as has been done in the Soviet Union, should not be done in the Halls of Congress.

□ 1945

PUTTING PARTISAN POLITICS OVER THE GOOD OF OUR NATION

(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. Madam Speaker, I rise today to support President Donald J. Trump.

The Democrats' entire impeachment process has been a sham since day one. The chairman of the House Intelligence Committee, who was in charge of leading the inquiry, has lied to the American people.

Chairman SCHIFF made up his own version of the President's call with Ukraine. He lied about his dealings with the whistleblower and has misled the country about the Trump campaign and Russia for years.

Unfortunately, House Democrats again put partisan politics over the good of our Nation last night by blocking a vote to censure and condemn ADAM SCHIFF. The chairman in charge of this ridiculous impeachment inquiry must be held accountable for blatantly misleading the American people.

We have all seen the transcript of the call between President Trump and the President of Ukraine. There was nothing there. So my Democratic colleagues are left with making up their own stories and seeing what people will believe.

Democrats won't even allow noncommittee members to attend depositions and interviews, nor will they specify their authority to do so.

Madam Speaker, our country deserves better.

WHAT IN THE WORLD IS GOING ON IN THE PEOPLE'S HOUSE?

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

Mr. DUNCAN. Madam Speaker, the American people are asking: What in the world is going on in the people's House? But it is easy to see when you hear the words from Mr. GREEN from Texas, who said: ''If we don't impeach this President, he will get reelected.''

That has led to closed-door hearings, secret depositions, and a parity by a committee chairman. Nothing good happens in the dark behind closed doors. In fact, the German people knew this after reunification at the end of World War II.

At the end of years of being behind the Iron Curtain, they rebuilt their Parliament with a glass dome and a mirrored spire, directing sunlight into the chamber, a chamber made of glass walls for sunlight and transparency.

This people's House operates the same way, or at least it should, until these hearings, behind closed doors, these secret depositions happen.

Madam Speaker, I support President Trump.

THE AMERICAN PEOPLE DESERVE MORE

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

Mr. NEWHOUSE. Madam Speaker, I stand with my Republican colleagues tonight as the people's House faces an unprecedented and illegitimate impeachment process.

House Democrats' secret impeachment proceedings behind closed doors are keeping the American people in the dark. Members in the minority are being shut out of the process, which threatens to erode the most basic standards of transparency in our Nation's government.

The Mueller investigation didn't give them what they wanted, so now they conduct secret proceedings behind these closed doors. This simply is unacceptable.

As I have continued to state on behalf of my constituents, Congress should be legislating on behalf of the American people, not wasting valuable legislative time and millions of taxpayer dollars.

We should be passing the USMCA and meaningful reforms for our farmers and ranchers. We should be passing bipartisan infrastructure legislation, and we should be addressing the devastating crisis of missing and murdered indigenous women.

Instead, House Democrats choose to continue endless partisan investigations and reckless impeachment inquiries. Madam Speaker, the American people deserve more.

LET'S GET BACK TO WORK

(Mrs. HARTZLER asked and was given permission to address the House for one minute.)

Mrs. HARTZLER. Madam Speaker, I rise today in defense of my constituents who deserve action on issues that will improve their lives and strengthen our Nation. However, instead of focusing on bipartisan solutions, House leadership is focusing on partisan antics to impeach the President.

On November 8, 2016, nearly 138 million Americans cast their votes to decide the occupant of the White House. Now these voters are being disenfranchised by Washington Democrats who seek to nullify the election results. They are using any means necessary to remove the President because they cannot beat him at the ballot box. Now, the latest attack is the deployment of a costly and partisan impeachment process.

Madam Speaker, I was elected to represent the great people of Missouri's Fourth Congressional District, and they have spoken. They want Congress

to work on everyday issues, such as the rising cost of healthcare, crumbling roads and bridges, and an opportunity to increase trade by passing USMCA.

Madam Speaker, let's get back to work.

CONSPIRACY OF COUP ATTEMPT

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

Mr. PALMER. Madam Speaker, calling this a constitutional impeachment process is a farce and a gross misrepresentation of what is taking place. The entire process has flown in the face of precedent, procedure, and decency, with no regard whatsoever for the good of the country. It is politics at perhaps the worst we have seen in our Nation's history.

The Democrats started their effort to depose President Trump even before he took office, starting with the Russia collusion hoax.

Witness interviews are being conducted behind closed doors while Members of Congress, who have the responsibility to vote on the testimony of these witnesses, are shut out.

The chairman of the Intelligence Committee is having secret phone calls, talking with alleged whistleblowers, and withholding information from Members of Congress and the public that is vital to this inquiry.

This is shameful. This is really a conspiracy to remove a duly elected President.

The Democrat majority is engaged in an effort to conduct a trial with a predetermined outcome to remove President Trump from office using tactics unbecoming and unfitting the Republic we serve and this House.

This is not a legitimate inquiry; it is a coup attempt. It is time to stop this charade.

LET'S GET ON WITH WORKING FOR THE AMERICAN PEOPLE

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

Mr. JOHNSON of Ohio. Madam Speaker, once again, Members returned to Washington this week. And, once again, important bipartisan work on issues like lowering prescription drug prices, encouraging rural broadband build-out, passing the USMCA trade bill, and improving America's aging infrastructure has stalled because of the very partisan efforts to impeach President Trump.

This week, the Democratic majority will hold more secret meetings in the Capitol basement, release more selective, cherry-picked leaks designed to confuse the American people, and continue their guilty-until-proven-innocent sham to impeach the President.

They have been plotting this since he was walking down Pennsylvania Avenue on January 20, 2017, and probably even before that. But, the Russian collusion hoax failed miserably, and the Robert Mueller testimony gave them nothing. So, now, they are on to plan B.

They say they have the evidence to impeach, but we have already heard that song. Democratic leaders have claimed to have evidence before. Let's see if they can actually produce their evidence this time.

Let's get on with working for the American people.

IMPEACHMENT TRANSPARENCY

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

Mr. WILLIAMS. Madam Speaker, my colleagues on the other side of the aisle have been trying to impeach President Trump since he took office, and we all know this.

They have made it very clear they deem the President's every action to be impeachable, and, since the beginning of this joke inquiry, they have shown no interest in fair, fact-based proceedings.

Impeachment is a monumental step that must be conducted with full transparency, but what we are witnessing here is a violation of due process that should concern every single American.

Democrats have held meetings in secret where convenient, one-sided information can be leaked to the public, denying American citizens the right to have their elected Members of Congress present.

The dedication to using any and all resources in an attempt to remove a duly elected President is unthinkable and, frankly, a waste of time. The Constitution provides the House with the power of impeachment for high crimes and misdemeanors, not for political theater to push an agenda.

Madam Speaker, the Democrats have made a mockery of Congress and our democracy throughout this process. The American people deserve better, and this President deserves better.

As my colleague from Texas, AL GREEN, said: President Trump will win again in 2020.

In God we trust.

HOLD A VOTE TO AUTHORIZE AN IMPEACHMENT INQUIRY

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

Mr. WITTMAN. Madam Speaker, I rise today in opposition to the partisan impeachment inquiry currently under way by House Democrats. They have elected to make this a closed-door, partisan process with no fairness, transparency, due process, or accountability to the American people.

It is absolutely necessary for the Speaker to hold a vote in the full House to formally authorize an impeachment inquiry. Regardless of which party held the majority in the past, there has been an authorization vote because it allows the House to adopt procedures that will provide for the minority to be an equal part of this process.

We cannot even get access to testimony from the secret hearings. Considering impeaching a duly elected President should be significant enough to demand transparency, due process, and an open and fair proceeding.

In wake of this partisan exercise, we have abandoned the work of the people. We should be passing legislation that is bipartisan to lower the price of prescription drugs and approving the USMCA that will create millions of jobs for hardworking Americans.

We cannot afford to put these priorities on the back burner, and I know the folks in my district agree.

CALLING OUT UNPRECEDENTED AND ILLEGITIMATE IMPEACHMENT PROCESS

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

Mr. BISHOP of Utah. Madam Speaker, this place is based predominantly on precedent and procedure. To bypass this proven pathway is predictably painful. So I pause to put a plea to the powers that be:

Our people deserve better.

The propaganda pushed upon the people is a political ploy as perpetrators usurp the proven precedents of the past.

It is painful to be placed in a position to protest the pranks pushed by PELOSI and her posse of players, but people have been pushed out and put on the sidelines as Democrats plow ahead with this so-called impeachment inquiry.

The impact of this pandering is the peeling away of the people's trust placed upon us. As the past has played out, I have been perplexed by the pontifications of people in positions of power who puff themselves up in pretentious prominence when it is really petty partisanship.

So I plead, as we push and pull for power, that we do so grounded in prudence that protects the proven procedures of the past.

DEMOCRATS' UNPRECEDENTED AND DANGEROUS IMPEACHMENT EXERCISE

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

Mr. JOHNSON of Louisiana. Madam Speaker, we are here tonight to draw attention to the Democrats' unprecedented and dangerous impeachment exercise. It is unprecedented because this has simply never happened before.

In our nearly two-and-a-half centuries as a nation, there have only been three instances of impeachment proceedings against a President. In all

three cases, the impeachment inquiry was first properly authorized by a full vote of this House.

Of course, today's sham was initiated unilaterally via a press conference. We haven't had a vote. They won't give us one.

There is no due process for the accused, but, instead, there is a secret, partisan process somewhere behind closed doors.

There is no respect or recognition for the rights of the duly elected Members of this House, even those of us on the committees of jurisdiction, like my House Judiciary Committee.

It is unprecedented and it is also dangerous. And this is the biggest point: Corrupting and weaponizing impeachment to generate a predetermined political outcome is simply not right or fair, and it jeopardizes this entire institution.

Do you know why? Because, if the American people are not able to trust the final results of the impeachment process on a matter this serious and this important, millions of citizens lose faith in the institution and lose faith in our Republic.

This is a sham, and it needs to stop.

DEMOCRATS ARE FOCUSING ON POLITICAL GAMES

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

Mr. LATTA. Madam Speaker, I rise today on behalf of the people of the Fifth District who are tired of the Democrats focusing on political games.

This past weekend, at an American Legion dinner, I was handed this note: Pass USMCA.

Folks at home want Congress to act on jobs, the economy, and lower healthcare costs; but what they are hearing from the Democrats in the House: secret proceedings that deny access to House Members who do not serve on the respective committees; no press access; no ability to defend oneself by bringing witnesses, taking depositions, or having one's attorney present; and being accused by an unknown witness who claims secondhand knowledge.

Where is the pride that we have in our sense of justice? Where is due process? Where are the rules? Where are the American values of fair play? Where is the evidence? Where is the House vote?

Read the unclassified transcript. The Democrats created a Star Chamber. This is a bold attempt to overturn the 2016 election. It is time to shine a bright light on what is going on.

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KANSANS HAVE IMPEACHMENT FATIGUE

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

Mr. MARSHALL. Madam Speaker, Kansans have impeachment fatigue. We are exhausted. We are weary. We are sick and tired of 3 years of Democrats trying to change the results of the 2016 election.

Kansans want to know why Congress can't pass USMCA, modernize healthcare, or secure our border.

Regardless, if the Democrats want to go down into the bowels of this Capitol, into the soundproof Star Chamber, it is my job to be the eyes and ears of Kansans and to ensure a fair and due process will occur. My efforts to do this thus far have been denied by the Democrats.

This entire process is anything but fair and defies democracy. But what is worse, it is all done in secret.

This Ukrainian hoax has turned into a Soviet-styled silencing of the press, with the Democrats leaking out only portions of the transcript that might help keep them from allowing Donald Trump to be reelected again.

Why isn't the press screaming bloody murder? I will never understand.

Madam Speaker, it is the President's job to investigate corruption. Let's turn this process back to the people, and let the President make his case to America.

FOLLOW IMPEACHMENT PRECEDENT

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

Mr. HILL of Arkansas. Madam Speaker, Article I, Section 2 of the Constitution reads the House of Representatives ''shall have the sole power of impeachment.''

This Speaker does not have that sole power. The full House of Representatives does.

Modern precedent clearly sets out a process for fair consideration of impeachment. It was followed by Democrats in the case of President Nixon and followed by Republicans in the case of President Clinton.

The Speaker has turned a blind eye and a deaf ear to fairness and precedent. Authoritarianism is now the rule of the people's House. A Star Chamber hidden away in the Capitol basement is the domain of authoritarianism.

Where is the due process? Where is the transparency? Abandoned.

Where is the ability to confront accusers? Where is the separation of prosecution and grand jury? Abandoned. Abandoned by our Speaker.

I call on the majority to put aside partisanship and pointless attacks and get back to work.

END IMPEACHMENT CHARADE

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

Mr. ABRAHAM. Madam Speaker, the Democrats would have you believe that their impeachment crusade is a moral imperative. It is not. It is an act of pure cowardice.

Their failure to bring a formal impeachment vote to the House floor shows that this witch hunt has no legitimacy whatsoever, and they know it. They are using it as a punch line.

This informal inquiry is being conducted in secret behind closed doors and betrays the true intention of what they are trying to do to our good President, to conduct an endless, shallow campaign of half-truths and manipulated facts against President Trump.

I have called on my fellow Members of this House to denounce the unconstitutional farce that they are doing and support my resolution to expel the Speaker and vacate the chair.

It is time to end this charade and get back to doing the people's business. We can certainly start by passing the USMCA.

STOP IMPEACHMENT SHAM

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

Mr. ROUZER. Madam Speaker, this impeachment sham needs to stop. We all know what this is really about: overturning the results of the 2016 election.

From the outset, Speaker PELOSI and Chairman SCHIFF have conducted this inquiry behind closed doors, out of sight of the American people and us, without a vote to authorize it.

They have ignored due process, completely disregarded precedent, and made it clear that politics and partisanship are more important than fairness and transparency.

They denied our side of the aisle the right to subpoena evidence. They have excluded the President's legal team from participating in hearings, cross-examining witnesses, or presenting evidence. This body, quite simply, has been turned into a kangaroo court fixated on unseating the President at any cost.

Our Constitution, our basic, fundamental principles of fairness, and the millions of Americans who made their voices heard in the 2016 election are being snubbed.

Madam Speaker, it is time to stop this sham.

DEMOCRATS CHOOSE PARTISAN HATRED OF PRESIDENT TRUMP

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

Mr. DUNN. Madam Speaker, I rise today to demand fairness and transparency from this outrageous impeachment inquiry.

Democrats have been grasping at straws and looking for any excuse to impeach President Trump. We haven't even held a vote to open an impeachment inquiry, but Speaker PELOSI and

ADAM SCHIFF are charging ahead with a secretive kangaroo court behind closed doors. This is an illegitimate, unfair hearing with no due process and no charges made.

ADAM SCHIFF has refused to release to the public any of the transcripts and even refuses to let Members of Congress into the hearings to hear them.

Their goal has been impeachment since the 2016 election, and they will use any means to get there. This is the only thing the House is doing, instead of focusing on the issues that are important to hardworking Americans across this Nation.

I hope the American people will see this evil abuse of power for what it is— the Democrats' decision to choose partisan hatred of President Trump over the welfare of this great Nation.

MEMBERS ALIENATED FROM IMPEACHMENT PROCESS

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

Mr. LOUDERMILK. Madam Speaker, I am in my fifth year in this esteemed body, but I have never in my 5 years been subjected to being alienated from one of the most important duties that people in this House are given the responsibility for.

There is no issue greater than impeachment, other than just declaring war. But, yet, I have been alienated from the process.

Now, when Speaker PELOSI decided that she was going to start somewhat of an inquiry, I was told, being on the Financial Services Committee, I will be one of the committees involved in it.

But then, apparently, the rules changed, and we shifted it to two other committees. And those committees, when they were having their hearings in front of the American people, apparently, that didn't go to their pleasing because the testimonies didn't meet their narrative, so they moved it into a secret area.

Since then, I have been trying to get ahold of the transcripts of the hearings that I have been alienated from.

I actually got one today. After a week of looking for Volker's testimony and asking for others, I finally got one today of Ambassador Taylor, from The Washington Post. It appears that we are leaking what we want to leak.

MAKE IMPEACHMENT PROCESS TRANSPARENT

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

Mr. ALLEN. Madam Speaker, I rise today to strongly oppose the lack of transparency by Speaker PELOSI and the Democrats' impeachment inquiry into President Donald Trump, our duly elected President.

Instead of following precedent and putting the Judiciary Committee in charge of this process, Speaker PELOSI has empowered the House Permanent Select Committee on Intelligence chairman, ADAM SCHIFF, to run this effort behind closed doors in secret, with no accountability, and he is handpicking what information to leak.

What happened to Chairman NADLER over in the Judiciary Committee? If Democrats truly believe that this is the right thing to do, why don't they hold a vote? The Democrats' complete disregard for following a fair process is alarming, and quite frankly, it is un-American.

They are misleading the American people while ignoring action on the pressing issues at hand. The truth is, they have only one goal, and that is to undermine President Trump and ensure he cannot do what he was elected to do, like passing the USMCA, immigration reform, modernizing healthcare, and securing our border.

Let's end this nonsense and get to work on issues that matter to the American people.

COUNTRY SHOULD SEE IMPEACHMENT INQUIRY

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

Mr. WATKINS. Madam Speaker, today, I was in these official closed-door impeachment investigations. I use the word ''official'' loosely since the grounds upon which the Democrats are acting are shaky, at best.

Access is being limited. I am a member of one of these committees that is allowed to be in there, but as I look around and see no more than perhaps a dozen or so Republicans, I think to myself that the entire country should see what the Democrats are up to, the entire world should.

Soon that will happen because although I don't know what I am even allowed to share, because I don't understand these official formalities, I do know that I will tell the world everything that I can, and the truth will come out with time.

It is not what is best for our constituency. We ought to be passing the USMCA. We ought to be ensuring our borders are safe. We ought to be fighting against surprise billing and exorbitant healthcare costs.

IMPEACHMENT INQUIRY SHAMES HOUSE

(Mr. JOHN W. ROSE of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHN W. ROSE of Tennessee. Madam Speaker, I am speaking tonight on behalf of the people I represent in the Sixth Congressional District of Tennessee.

In Tennessee, I hear excitement about the leaps forward our country has made under the leadership of our President, Donald Trump. We are enjoying the lowest unemployment rate of my lifetime, and more Americans are employed than at any point in this Nation's history.

In the short time that I have in this, my first elected office, I have seen the great race in Washington that goes on daily. It is a race to take credit for anything positive, to run away from anything negative, and an all-out sprint away from the real problems facing our Nation.

Well, in the race to the ridiculous, my colleagues on the other side of the aisle have clearly won. A closed-door, secretive, biased, so-called inquiry is shaming this House and not doing the first positive thing for the people back home.

Drop the political charades, Madam Speaker, and let this House go forward.

STOP SHAM ATTACK ON OUR DEMOCRACY

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

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, House Democrats and the chairman of the House Intelligence Committee seem to think that impeachment is nothing but a game. If you can't beat him, cheat him.

On September 26, the chairman of the House Intelligence Committee fabricated and read on the record during a committee hearing a fake call transcript between the President of the United States and a foreign leader, while keeping the actual transcript of the call in a vault.

Now, he continues to conduct an impeachment inquiry against the President in complete secrecy with no vote of the House of Representatives, leaving the American people and most Members of this body in complete darkness.

What we have here is that good old case of a game created by illusion. If you can't beat him, cheat him, and game show host Chairman ADAM SCHIFF is at the lead.

Behind door number one, we had the Mueller investigation, which found there was no collusion between the President's campaign and Russia.

Behind door number two was the call between President Trump and Ukrainian President Zelensky. Again, the transcript released by the White House shows no quid pro quo, which stemmed from a whistleblower complaint Chairman SCHIFF orchestrated with in advance and advised the whistleblower how to proceed.

What is behind door number three? Nobody knows. But this sham attack on our democracy must be stopped.

DUE PROCESS CRITICAL TO IMPEACHMENT INQUIRY

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

Mr. SPANO. Madam Speaker, due process is a right so important that we have not one but two constitutional amendments to ensure it.

Past impeachment inquiries began with a resolution to define scope, to establish rules and procedures, and to give equal subpoena power to the minority. These due process protections are critical because removing a President is one of the most serious decisions Congress can make.

But last week, the Democratic Caucus chair dismissed our pleas for a resolution to formalize the impeachment inquiry as a ''cosmetic procedural matter.'' Cosmetic. Since when did fairness in this country become cosmetic?

Democrats point to the Constitution in undertaking this inquiry, but look at how it is being handled. There is no due process. The accused is presumed guilty. There is no right to confront your accuser. All proceedings are taking place in secret.

The only reason for secret hearings is to control what people see and what they hear. This sham process disregards the fundamental rights our country is founded on, and the American people deserve more.

☐ 2015

PIED PIPER IMPEACHMENT

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

Mr BACON. Madam Speaker, since President Trump was elected, Democrats have been pushing impeachment. For 2 years, the current chairman of the House Permanent Select Committee on Intelligence told us he had the smoking gun on collusion. The Mueller report showed the opposite, and then the chairman was not forthcoming regarding his staff's communications with the whistleblower. There is no credibility here.

The partisan impeachment effort has led to secret hearings, the minority Congress is not allowed to bring in witnesses, and the President is denied representation—violating all previous precedence in this House.

Americans demand fairness.

There have been no high crimes or misdemeanors, and hatred for the President is not grounds for impeachment. Voters decided the winner in 2016 and will do so again in 2020.

America's business is not getting done while the Democratic leadership is playing the pied piper and marching America off the impeachment cliff.

SECRET IMPEACHMENT

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

Mr. DESJARLAIS. Madam Speaker, today I rise in protest of the secrecy with which the House majority is conducting its impeachment inquiry. It is unlike anything we have seen in Congress. That is probably because, lacking any evidence for their claims, the so-called resistance has already determined the outcome. The same people who perpetrated the Russia hoax are rushing forward with plan Z to remove the President from office.

Partisan congressional staff helped to craft the specious complaint at the heart of this impeachment inquiry. The inquiry itself will take place in secret to avoid public scrutiny.

Some Democrats have admitted that the only way a far left socialist candidate could replace Donald Trump is to remove him from office.

The American people want jobs, affordable healthcare, and security, not far left socialist agendas. But with nothing else to offer, a radical group in Congress has become obsessed with removing this President from office. It is an attack on our democracy and our Constitution.

Madam Speaker, my constituents care about real issues. I appeal to more sensible Members to stop this abuse of power and concentrate on what we can accomplish together.

SOVIET-STYLE IMPEACHMENT

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

Mr. PERRY. Madam Speaker, this isn't Russia; this is America. Yet right in this building, a Soviet-style Star Chamber to remove the duly elected President is occurring.

The person who leads it lied to the American people for 2½ years about evidence he didn't have. The person who leads it is literally guilty of what he accuses the President of doing when he is caught on tape negotiating with foreign people about getting dirt on the President.

The person who leads it lied to the world in his reading of a mock transcript about the conversation that the President had with the President of Ukraine, and the person who leads it misled the world about his relationship with the whistleblower, or the so-called whistleblower.

Madam Speaker, we need to end this Stalinist, guilty-until-proven-innocent Star Chamber now.

SHAM IMPEACHMENT

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

Mr. BABIN. Madam Speaker, for years America has been force-fed investigation after investigation of our duly elected President, and we have seen each of these sham investigations meet the same dead end because there is no evidence of any wrongdoing by Donald Trump.

I have lost hope that these pointless probes will end. House Democrats are bent on wasting time and taxpayer dollars. If we are all forced to endure this charade, the least they could do is conduct a fair investigation.

They say they have evidence to impeach the President yet refuse to share what that evidence is. They say this is an official impeachment inquiry, and yet we haven't voted to make it so.

Where is the transparency?

The only evidence that is crystal clear is that the Democrats despise the President so much that they will do anything to take him down. They hate that Donald Trump is blocking their agenda of a green, socialist, nanny state with open borders, so they are willing to mislead the public to get their way.

There is no due process, just hatred. It is a dangerous precedent to our great Republic.

DISTRACTION IMPEACHMENT

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

Mrs. MILLER. Madam Speaker, I rise today to denounce the partisan motivations and lack of transparency behind Speaker PELOSI and Chairman SCHIFF's impeachment proceedings.

For the past 10 months, my colleagues across the aisle have operated with one sole motivation: undoing the results of the 2016 election. As such, Congress has failed to advance the priorities of the American people.

We have not funded crucial legislation to fix our outdated and crumbling infrastructure. We have not addressed the crisis on the southern border. Meanwhile, the opioid epidemic continues to rage on.

All we have to show for the past 10 months is a handful of liberal messaging bills that have no chance of being made into law.

While the priorities of the American people have been pushed to the side, all of Congress' energy and resources have been diverted to behind-closed-door impeachment proceedings far from beyond the sight of my fellow colleagues and completely hidden from the taxpayers.

This is not why I came to Congress. This is not what we were sent here to do. The American people deserve better.

CHARADE IMPEACHMENT

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

Mr. WRIGHT. Madam Speaker, I rise to express my outrage over the ongoing parliamentary inquiry against our President.

Impeachment is the House's most solemn and serious responsibility. It should not be undertaken haphazardly. Although I strongly believe in Congress' oversight duties and agree that no public official, including the President, is above the law, I have serious concerns about the partisan nature and procedure of this inquiry.

Beyond the fact that this inquiry was launched before the transcript of the call to Ukraine was released, the Speaker's decision to launch an inquiry without a full vote of the House and attempts to restrict the involvement of Republicans and the American public in the impeachment proceedings defy precedence.

From the beginning, this effort has been mired by the Democrats' partisanship and a complete lack of transparency. The American public deserves the truth. Instead, all they are getting are cherry-picked leaks in classic Washington fashion.

Madam Speaker, in its current form, this process is an outrage and counter to our interests and the values of our Republic. I urge my colleagues to abandon this political charade and adhere to the Constitution and congressional precedent.

PARTISAN IMPEACHMENT

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

Mrs. WALORSKI. Madam Speaker, I rise today because what we are witnessing is unprecedented in the history of this country. House Democratic leaders are conducting an impeachment inquiry behind closed doors with selective leaks instead of transparency, with no due process and without a vote on the House floor.

Why do they want to keep this process hidden from view? Because they know the American people will see right through this partisan scheme.

Democrats decided to impeach this President the day he took office. Now they are just trying to come up with a reason, no matter what the facts are.

The American people know that Washington is broken, and they sent us here to fix it. Instead, House Democrats are shaking the people's trust in this institution.

We should be passing USMCA to give our farmers and workers a better deal.

We should be voting on bipartisan legislation to lower prescription drug costs.

We should be working to fix our immigration system and secure the border.

Madam Speaker, it is time to end this charade and get back to work.

UNPRECEDENTED IMPEACHMENT

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

Mr. FULCHER. Madam Speaker, you authorized holding an impeachment hearing, but I don't think that is what you are really doing.

If so, you wouldn't have disregarded precedent from the Nixon and Clinton eras, or we would have all voted before this was to proceed.

If so, you wouldn't have denied the minority the ability to call witnesses or me and other Members the ability to attend hearings or even view the transcripts.

Madam Speaker, approximately 90 percent of your party members wanted to impeach before this so-called inquiry ever began. That is why I say you are really not trying to hold an impeachment inquiry. You simply want to remove a President. And we are within 1 year of an election. You want to deny Americans the right to decide for themselves.

At the heart of the matter and the real reason you are doing this is because your party does not have a winning Presidential candidate and no significant accomplishments this session.

Madam Speaker, can we please go back to work?

SHOW TRIAL IMPEACHMENT

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

Mr. SMUCKER. Madam Speaker, I rise today to give voice to my constituents on the destructive partisan and secret impeachment inquiry, which really is a slap in the face to the overwhelming majority of Pennsylvania's 11th District who voted for and continue to support President Trump.

Judith from Ephrata writes:

> Congressman, my husband and I are furious about this constant push to impeach President Trump. We don't care how many Members of Congress don't like him. It is not their choice; it is ours.

Rebecca from Lititz writes:

> I am alarmed at the political climate and attempts to impeach our President. The House has done nothing to solve the issues facing our country and continues to spend their time trying to stop the progress that our President has made.

Jody from Windsor writes:

> Can you please tell Speaker PELOSI and the Democrats that the overwhelming majority of people I interact with in my daily life want them to stop these unfounded impeachment proceedings into President Trump and get back to work fixing the issues we elected Congress to fix?

Madam Speaker, I share my constituents' anger and frustration toward the show trial. This process isn't honest or fair.

HALLOWEEN IMPEACHMENT

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

Mr. OLSON. Madam Speaker, Halloween is 9 days away. It is a holiday that happens in the dark. It is about fear, deceit, and witch hunts—anything to hide who you truly are.

Back home, Texans are stunned. How can the majority party of the House use a kids' holiday, Halloween, as a model for the most dramatic action Congress can take: impeaching a sitting President? The ghouls and goblins of the House majority are now the Halloween party and make up this process as they go along.

Impeachment demands an inquiry vote by the full House, a full vote by the full House. The Democrat majority did that with Richard Nixon in the 1970s, and the Republican majority did that with Bill Clinton in the 1990s.

The House Halloween party allowed 41 Members of this body of 435 to go forward with impeachment. This party is following the Wizard of Oz. If they pursue this witch hunt, the House will fall down on November 2020. The witch hunt will be over.

SO-CALLED IMPEACHMENT

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

Mr. GRIFFITH. Madam Speaker, I have learned from Democrat press conferences and Washington Post leaks that this body has an ongoing so-called impeachment inquiry.

But can I, as a Member of Congress, watch the testimony? No.

Can you watch the testimony at home so you can decide for yourself? No.

Why are the hearings taking place in the basement behind guarded doors? What do they want to keep from me? What do they want to keep from you, Madam Speaker, either hearing or seeing?

I don't know, but Speaker NANCY PELOSI knows, and you can call her and ask her why at 202–225–4965. Ask her what she has to hide, at 202–225–4965. Ask her why you can't watch the hearing, at 202–225–4965.

The American people deserve the answers.

Call 202–225–4965.

□ 2030

UNPRECEDENTED IMPEACHMENT

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

Mr. GOHMERT. Madam Speaker, this is an unbelievable time in our history.

There is nothing more important than elected office. It is something that was discussed in the Declaration of Independence, and yet, we have an attempted coup taking place. It violates the principles on which this Nation was founded of due process—the right to confront the witnesses against you.

And I would submit, humbly, that there is no cause for concern for the so-called whistleblower's safety from President Trump. All the witnesses against him are alive and well.

So who is it he is afraid might come after him if he discloses what he knows and who conspiring to bring down this President?

Ah, there is the rub. Let's get to the bottom of it. And at the bottom will not be President Trump. It will be the coconspirators trying to bring this government down.

SHAM IMPEACHMENT

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

Mr. WALKER. Before they identified the crime, Madam Speaker, the Democrats organized the firing squad. Before anyone was talking about Ukraine, over half of the Democratic majority was in favor of impeachment.

In fact, this process didn't begin with Ukraine or a whistleblower, this sham impeachment process started year one of President Trump's administration when a Democrat colleague stated, ''. . . if we don't impeach this President he will get reelected.''

Hatred for President Trump has become the new religion of the radical left, creating an irrational behavior, not rooted in good judgment, but rather in emotion.

The Democrats are protecting ADAM SCHIFF, as seen by yesterday's censure vote. This was not, and is not, about the facts. Facing your accusers and ''innocent until proven guilty'' used to be the American way.

It is the basic standard that every American should expect, including the President. Being targeted by an angry mob, a willing media machine, and a twisted version of democracy.

The President calls this a witch hunt. Unfortunately, it looks like that is exactly what it is.

STILL I RISE

The SPEAKER pro tempore (Ms. HAALAND). Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GREEN) is recognized for 60 minutes as the designee of the majority leader.

Mr. GREEN of Texas. Madam Speaker, and still I rise. And since my name has been called several times, I rise to respond. I rise to explain why the impeachment inquiry should be expanded.

Some things bear repeating: I rise to explain why the impeachment inquiry should be enlarged, to include the President's weaponization of hate.

I know what weaponized hate is like. I am a son of the segregated South, Madam Speaker. My rights that were accorded me and recognized under the Constitution of the United States of America were denied me by my neighbors.

I am a son of the segregated South. I know what weaponized hate is like. I was forced to not only live with, but to also honor weaponized hate.

Madam Speaker, I know what it was like to have to stand in the colored line. And while standing in the colored line, others could always come who were of a different hue and stand in front of me. And it could happen until every person of a different hue had been served. I know what weaponized hate is like.

And I recall once—actually, on more than one occasion, but this one stands out in my mind—when the young man who was bagging the purchased items, he took my purchased items and he put them in the bag—he was of a different hue—and he crushed the bag. And he stared me down as he crushed the goods that I had purchased.

I know what weaponized hate is like. I saw the anger not only in his face, but I could see it exude from his body. He was probably a little bit older than I was. He didn't know me, but he had the hate that had been weaponized, and it was within him.

I can remember having to go to the back door. I had to go to the back door to receive goods that I paid for, paid taxes on, the same as others did. But I couldn't go to the front and receive my goods, only the back door was available to me. And then when I would go to the back door, people would still say ugly things to me, notwithstanding the fact that I was a paying customer.

Weaponized hate causes people to behave this way, to stand against their own interest. I was a customer, a paying customer, but weaponized hate would cause them to stand against their own interest. It was in their interest to have me come back, but they knew that I had no place else to go for the most part, so they could be ugly to me and treat me any way that they chose.

I know what weaponized hate is like. I can remember being required to sit only in the balcony of the movie. When we came in, we had to make a turn and go up to the balcony. This is what weaponized hate is like. It segregates people. It didn't allow me to enjoy the movie in the presence of persons of a different hue who might be seated next to me. This is what the neighbors that I had denied me under the Constitution. It was accorded me, but they forced me to go into a segregated area.

And, of course, I remember the colored water fountains. And the incident that really stands out in my mind the most was when my mother saw me drinking out of a White water fountain—that is what it was called. And when she saw me drinking out of the White water fountain, my mother pulled me away quickly. She pulled me away because she knew that her young son was at risk of being harmed because he was drinking from a White water fountain. And I remembered what the colored water fountain was like. The colored water fountain was filthy. You could see the crud, but it was all that was available to me. I know what hate is like when it is weaponized, how it can hurt.

I remember traveling across country with my father and my mother, and we stopped at a service station. We purchased gasoline, and we wanted water. And the person who was there representing the management of that station said that we could have water, but we would have to drink it out of an oil can.

I know what it is like. I know what it is like to live under hate and to have to honor hate. I remember my mother speaking to me in rather stern terms about how I was to behave around White women. How I had to always make sure that I never said anything that a White woman might conclude was offensive, because White women had a license to accuse. And once you were accused, only God knows what would happen to you. We know what happened to Emmett Till. Weaponized hate killed Emmett Till.

I know what it is like. I am a son of the segregated South. I know how persons of a different hue had but only to accuse you, and for all practical purposes, you were guilty. You had to prove that you were innocent.

I mention these things because the President of the United States of America, who has been referenced by my colleagues tonight, same one, the same President, compared impeachment to lynching. He compared impeachment to mob violence, because that is what lynchings were all about. Mob violence, no due process, no trial.

If it was said that you had spoken in an unkind way to a White woman, you could be collected, taken off somewhere in the back woods, castrated, lynched, beaten, brutalized. Mob violence, unlawful hate to terrorize and intimidate.

I know what it is like. I lived in the segregated South. I am a son of the segregated South. And for the President to compare this level of violence and hate to Article II Section 4 of the Constitution, which deals with impeachment, is unacceptable. Totally unacceptable. This is nothing more than a continuation of his weaponizing of hate.

I am a son of the segregated South. I know what hate looks like. I know what it smells like. I know what it sounds like, and I know what it feels like. I have experienced all of the above.

So when the President did this, when he said it, it sparked this flame in me to come and stand here in the well of the House, alone, to explain why the impeachment inquiry should be expanded to include the weaponization of hate by this President.

Yes, I stand alone, but I believe in my heart that it is better for me to stand alone than not stand at all, because I see what's happening to my country, and I love my country.

This is not a game for me. This will follow me the rest of my life. I didn't come to Congress to impeach a President. It is not something that was on my agenda, I had not a scintilla of a notion. I do it because I love my country. I do it because I know what weaponized hate is like.

Yes, I called for the impeachment of the President some 2 years ago for his obstruction, but I also have called for his impeachment for his infusion of hate into policy.

Earlier this evening, someone mentioned Federalist No. 65. I have read it many times. Yes, the words of Hamilton. The words of Hamilton addressed

what it is like to impeach a President. The Framers of the Constitution knew that it would not be pleasant. It is not easy, but it is something you do when you want to preserve democracy and protect the Republic.

They understood, and they gave us Federalist No. 65 to remind us how prophetic they were, that there would be a time such as this and a President such as Trump.

How prophetic they were. If you read Federalist No. 65, you will find that the Framers of the Constitution defined impeachment as the acts of public men, that would be people who hold public trust, and they went on to explain that it was about the harm that they would cause society.

They didn't use terms like ''abuse of power'' in the sense that there had to be a statutory crime committed. When they mentioned high crimes and misdemeanors at that time in Article II Section 4 of the Constitution, crime also meant a wrong that was being perpetrated, a great wrong. You don't have to have a statutory offense committed, something that is defined with a penalty associated with it.

And when they mention misdemeanors—then and to this day—a misdemeanor is a misdeed, as well as a minor offense.

□ 2045

Don't be misled. Don't be deceived by those who would have you believe that the President has to commit a statutory offense, something that is defined and codified with a penalty associated with it, before a President can be impeached.

If this were true, Andrew Johnson would not have been impeached in 1868 for his comments that were rooted in bigotry and hate. He weaponized hate. Because he weaponized hate, because he didn't want the freed persons to have the same rights that other persons had, because he didn't want the Freedmen's Bureau to function as it should have, he weaponized hate.

In Article X, he was impeached for the high misdemeanor of saying ugly things about the Congress as he was weaponizing his hate. It was a high misdemeanor, and that law has not changed.

This notion of some modern law, modern constitutional requirement, those persons who were closer to the Framers of the Constitution probably knew better what the Framers intended than we do today. They impeached Andrew Johnson for a high misdemeanor.

I beg that people would at least read Article X.

By the way, since we started this engagement to explain to the public, a good many people have had to walk back their comments. A good many people who wanted to know, ''What crime did he commit? What rule did he break?'' a good many people have had to walk back those comments because they are now of the belief that impeachment should prevail. A lot of comments have been walked back.

By the way, I welcome the walk-back. I want people to do the right thing, as it were, so walking back does not offend me.

Comments that were made about me don't offend me. Many of my colleagues have made comments about me, but they don't offend me. I welcome them coming on board now.

This is not about me. It has never been about me. It has been about my country. It has been about democracy, not about Democrats. It has always been about the Republic, not about Republicans.

Say what you may, I do what I must. And I must explain why we should expand the impeachment inquiry so as to cause it to include the President's weaponization of bigotry.

The President needs to be impeached for the high crime and misdemeanor that he has perpetrated, and I will paraphrase Peter Irons, a historian who deals with the Supreme Court. Paraphrasing, he reminds us that the President—he didn't say ''weaponization''; these are my words. The President's weaponization of hate presents a clear and present danger—these are his words—to the constitutional equal protection of the laws guaranteed to all of us.

My dear friends, he is eminently correct, and I have paraphrased because I changed the language slightly.

So, Mr. Irons, if I have in any way abused what you have said—I read your comments posted on NBC.com, I believe it was—I was moved by what you said.

Yes, the President should be impeached for his weaponizing hate. Yes, it does present a clear and present danger to equal protection under the laws for all of us because, when the President does this, there are people who will hear what he has said, and they don't always respond in a positive way.

I will never forget that a man in Texas drove hundreds of miles so that he could get to a place where he could murder, assassinate, people of color who happened to be of Mexican ancestry. He went out of his way to do this and said that they were invaders, the kind of comment that we heard from the President as he weaponized hate.

I won't forget that the President decided he would ban a certain religion, did it in a tweet, went on to develop a policy pursuant to the tweet, infused the bigotry into policy, weaponized it.

If you are not Muslim and you are not around Muslims, you probably don't know the level of consternation that has been created within them, the level of concern that they have for their families, the level of concern that they have when they go to their prayer hours. I am around people who happen to be Muslim. I know how they are concerned for their families.

Then the President went on to talk about the s-hole countries. Note that the s-hole countries were countries where there were people of color. He didn't say it about a European country. He didn't say it about countries where people of a hue different from me happen to predominate. He didn't say it because he knows that he has to be careful, that it is all right in some quarters to say it about people who look like me.

But you have to be careful, Mr. President. Don't say it about some European country. Don't say it about some of these other countries in what we call the Middle East. You will have more trouble on your hands than you can contend with and likely would be impeached already.

There seems to be a willingness to tolerate the bigotry and hate when it is directed toward people of African ancestry, when it is directed toward people who happen to be Muslims, when it is directed toward people who happen to be of the LGBTQ-plus community.

I will say this. I have plenty of friends who are of European ancestry, who are Catholics and Christians and Jews, who are absolutely opposed to what you have said about people of different hues who happen to be of religions different from those that I have mentioned, who happen to be of the LGBTQ-plus community. Yes, there are people across this country who don't believe that this President should remain in office.

As a matter of fact, there is a poll out now that says that about 50 percent of the people in this country—I think 50 percent is the number that is used—are saying that the President ought to be impeached and removed from office.

A Quinnipiac poll back in July of this year indicated that more than 50 percent of the American people believe that the President is a racist.

Yes, he must be held accountable. Yes, no one is above the law.

What is the law? The law is Article II, Section 4 of the Constitution. What does it say? It says that the President can be impeached for high crimes and misdemeanors, and it does not say that a misdemeanor or a high crime has to be a statutory offense.

I would also add this. Article II, Section 4 of the Constitution was drafted with the notion in mind that not only should a President not be above the law, that which is codified, but also with judicious and prudent thoughts of the President not being beyond justice.

The Framers of the Constitution talked about how the President should not be beyond justice. Above the law is here; beyond justice is far above this level of above the law. Beyond justice means that the President should not be able to destroy a country, destroy the norms, and not be removed from office.

We have a general who has said that the President is harming the country, that this person who represents the majesty of the United States of America—he didn't use that term, but the person who holds the highest office, the Chief Executive of the country, the

chief magistrate of the country, is harming the country.

Constitutional scholars are saying it. Over a thousand lawyers have said that, pursuant to the Mueller report, the President should be impeached. Anyone else would be locked up, would be charged. They said he would be charged if he were anyone else. That is what they said.

I want you to know that, wherever I go, I encounter people who are saying: Please, don't give up. Please, don't stop. Please, do something about what is happening to our country.

I get expressions of gratitude from people across the length and breadth of the country. And I don't do it to get expressions of gratitude. I do it because I love my country.

The weaponization of hate ought to be a part of this impeachment inquiry.

I have already prognosticated that the President will be impeached. And when the President is impeached, I hope that we will have expanded the articles such that the weaponization of hate will be included.

If Andrew Johnson could be impeached for his bigoted and hateful commentary, surely, we can do this again. Those were radical Republicans, by the way, who impeached Andrew Johnson—radical Republicans. If radical Republicans could impeach him on evidence rooted in his bigotry and hate, we can impeach this President for similar reasons.

I do believe that, if you read the Articles of Impeachment with reference to Andrew Johnson, you will gain a greater appreciation for what I say.

There have been only two Presidents impeached, Andrew Johnson in 1868 and William Clinton in 1998. Only two. Nixon was not impeached.

We need not try to debate this issue of whether the President has to commit a statutory offense. Constitutional scholars know better.

Unfortunately, you have had to cope with a person who is not said to be a constitutional scholar, didn't finish number one in his class, didn't finish from an Ivy League school. But he did bring you truth, and that truth is being recognized.

I stand here in the well of the House of Representatives tonight. I believe that comments comparable to what the President has said with reference to lynching, comparing lynching to impeachment, is but a continuation of his weaponization of hate, bigotry, racism, xenophobia, homophobia, Islamophobia, all the invidious phobias. That is all it is.

It will not cease. He is only going to continue.

If the House of Representatives does not impeach, we will have a President who will have no guardrails because we are the bar of justice. We are where it is initiated, right here. It is not initiated anyplace else.

The Justice Department is not going to do it. There is no place else. This is where it is initiated, right here, the House of Representatives.

If we do not impeach, no guardrails. If we do not impeach, we will have a de facto monarch, a person who does pretty much what he chooses, who believes that he is beyond the reach of any person or persons on this planet.

If we do impeach and the Senate does not convict, that will send another message. The President will perceive himself to be a de facto monarch. We will have a de facto monarchy.

We have a duty to do this. Our country—our country—is what this is all about.

□ 2100

The Constitution is the last word. We are the first line of defense against a reckless, ruthless President who would weaponize hate. We are the first line of defense, the Members of this august body. We have a duty to take up the cause of justice for the country that we love.

I respect anyone who differs with me. Do what you may. But I do believe that, in time, I will be vindicated. I believe that, in time, the 58 who voted initially to impeach will be, again, vindicated. We have already been vindicated to a certain extent, but they will be further vindicated.

The 66 who voted the second time, they are going to be vindicated, too. The 95 who voted the third time, they will get additional vindication. They are already vindicated because we are moving toward impeachment. They were just a part of the avant-garde, already vindicated.

And the question remains, where do we go from here? Do we limit the impeachment to Ukraine and issues related to Ukraine only?

It is my opinion that we should expand it, and I have explained why—because of hatred and bigotry.

Finally, this: We are talking about the original sin of this country; and there are those who would make the argument that, well, the Ukraine circumstance deals with national security; it is a threat to national security.

Well, it is a threat to national security when you have white nationalists who are murdering people in the streets of this country, in the schools, to a certain extent, in various places where you would assume that you are safe. That is a threat to national security as well.

It is time for us to deal with the original sin. We have the opportunity. It is impeachable.

I don't want him impeached because of some election. I want him impeached because he has committed impeachable offenses. I want him impeached because we need to deal with our original sin.

I believe that those who look through the vista of time upon this time are going to realize how right we were, those of us who have moved to impeach for the bigotry, the racism, all of the invidious phobias that we have had to endure from our President.

Madam Speaker, I am grateful to have this opportunity to speak. I love this facility. I love my country. This country means something to me. I stand for the Pledge of Allegiance. I salute the flag.

But I also respect those who choose not to and will respect their rights and defend their right if they choose not to.

But I do. This is my country. I love it. I love it. I stand alone, but it is better to stand alone than not stand at all.

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

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

ADJOURNMENT

Mr. GREEN of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 23, 2019, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 598, the Georgia Support Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 724, the PACT Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 835, the Rodchenkov Anti-Doping Act of 2019, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2704. A letter from the Regulatory Specialist, Bank Advisory, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Amendments to the Stress Testing Rule for National Banks and Federal Savings Associations [Docket ID: OCC-2018-0035] (RIN: 1557-AE55) received October 18,

2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2705. A letter from the Regulatory Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Thresholds Increase for the Major Assets Prohibition of the Depository Institution Management Interlocks Act Rules [Docket ID: OCC-2018-0011] (RIN: 1557-AE22) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2706. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Real Estate Appraisals [Docket No.: OCC-2019-0038] (RIN: 1557-AE57) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2707. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Real Estate Appraisals (RIN: 3064-AE87) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2708. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2018 Report on the Preventive Medicine and Public Health Training Grant Program, pursuant to 42 U.S.C. 295c(d); July 1, 1944, ch. 373, title VII, Sec. 768(d) (as amended by Public Law 111-148, Sec. 10501(m)); (124 Stat. 1002); to the Committee on Energy and Commerce.

2709. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the NURSE Corps Loan Repayment and Scholarship Programs Report to Congress for FY 2018, pursuant to 42 U.S.C. 297n(h); July 1, 1944, ch. 373, title VIII, Sec. 846(h) (as amended by Public Law 107-205, Sec. 103(d)); (116 Stat. 814); to the Committee on Energy and Commerce.

2710. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Report to Congress on Newborn Screening Activities, FY 2017 and 2018, pursuant to Sec. 11(b) of Public Law 113-240, which added 42 U.S.C. 300b-17; to the Committee on Energy and Commerce.

2711. A letter from the Assistant General Counsel, Department of the Treasury, transmitting a notification of a nomination, an action on nomination, and a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

2712. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area [Docket No.: 180713633-9174-02] (RIN: 0648-XY029) received October 21, 2019, 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.

2713. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfers From NC to VA and ME to CT [Docket No.: 190312234-9412-01] (RIN: 0648-XX012) received October 21, 2019, 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.

2714. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region: Commercial Closure for Spanish Mackerel [Docket No.: 140722613-4908-02] (RIN: 0648-XG588) received October 21, 2019, 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.

2715. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2019 Recreational Accountability Measure and Closure for the South Atlantic Other Jacks Complex [Docket No.: 120815345-3525-02] (RIN: 0648-XS013) received October 21, 2019, 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.

2716. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2019 Recreational Accountability Measure and Closure for South Atlantic Red Grouper [Docket No.: 100812345-2142-03] (RIN: 0648-XS012) received October 21, 2019, 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.

2717. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Fishing Year 2019 Recreational Management Measures [Docket No.: 190214116-9516-02] (RIN: 0648-BI69) received October 21, 2019, 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.

2718. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures for the 2019 Tribal and Non-Tribal Fisheries for Pacific Whiting, and Requirement To Consider Chinook Salmon Bycatch Before Reapportioning Tribal Whiting [Docket No.: 181218999-9402-2] (RIN: 0648-BI67) received October 21, 2019, 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.

2719. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Closure of Purse Seine Fishery in the ELAPS in 2019 [Docket No.: 190220141-9141-01] (RIN: 0648-PIR-A001) received October 21, 2019, 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.

2720. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2019 and 2020 Harvest Specifications for Groundfish [Docket No.: 180831813-9170-02] (RIN: 0648-XG471) received October 21, 2019, 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.

2721. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2019-0194; Product Identifier 2019-NM-009-AD; Amendment 39-19750; AD 2019-19-14] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2722. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Airplanes [Docket No.: FAA-2019-0444; Product Identifier 2019-NM-028-AD; Amendment 39-19756; AD 2019-20-03] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2723. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines [Docket No.: FAA-2019-0693; Product Identifier 2017-NE-43-AD; Amendment 39-19758; AD 2019-20-05] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2724. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2019-0715; Product Identifier 2019-NM-151-AD; Amendment 39-19760; AD 2019-20-07] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2725. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0495; Product Identifier 2017-NM-089-AD; Amendment 39-19716; AD 2019-16-13] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2726. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2019-0497; Product Identifier 2019-NM-052-AD; Amendment 39-19751; AD 2019-19-15] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2727. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.:

FAA-2019-0441; Product Identifier 2019-NM-036-AD; Amendment 39-19753; AD 2019-19-17] (RIN: 2120-AA64) received October 18, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2728. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulation and removal of temporary regulation — Election to Take Disaster Loss Deduction for Preceding Year [TD 9878] (RIN: 1545-BP44) received October 18, 2019, 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.

2729. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Listing of Noroxymorphone in the Code of Federal Regulations and Assignment of a Controlled Substances Code Number [Docket No.: DEA-332] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2730. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — New Single-Sheet Format for U.S. Official Order Form for Schedule I and II Controlled Substances (DEA Form 222) [Docket No.: DEA-453] (RIN: 1117-AB44) received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2731. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's temporary amendment — Schedules of Controlled Substances: Temporary Placement of N-Ethylhexedrone, a-PHP, 4--MEAP, MPHP, PV8, and 4-Chloro-a-PVP in Schedule I [Docket No.: DEA-945] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2732. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of Controlled Substances: Placement of Solriamfetol in Schedule IV [Docket No.: DEA-504] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

2733. A letter from the Acting Assistant Administrator, Diversion Control Division, DEA, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Brexanolone in Schedule IV [Docket No.: DEA-503] received October 21, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Energy and Commerce.

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. NADLER: Committee on the Judiciary. H.R. 1123. A bill to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas, and for other purposes (Rept. 116–248). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 1305. A bill to implement the Agreement on the Conservation of Albatrosses and Petrels, and for other purposes (Rept. 116–249, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 1225. A bill to establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes; with an amendment (Rept. 116–250, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 835. A bill to impose criminal sanctions on certain persons involved in international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping, and for other purposes; with amendments (Rept. 116–251, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 2426. A bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes; with an amendment (Rept. 116–252). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS: Committee on Rules. H. Res. 650. A resolution providing for consideration of the bill (H.R. 4617) to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes (Rept. 116–253). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 835 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Education and Labor discharged from further consideration. H.R. 1225 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Foreign Affairs discharged from further consideration. H.R. 1305 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUFFMAN (for himself and Mr. LAMALFA):

H.R. 4778. A bill to amend the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008, to extend the authority to collect Shasta-Trinity Marina fees through fiscal year 2027; to the Committee on Natural Resources.

By Mrs. RODGERS of Washington (for herself, Ms. KELLY of Illinois, and Mr. BUCSHON):

H.R. 4779. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARBAJAL:

H.R. 4780. A bill to establish a Government corporation to provide loans and loan guarantees for infrastructure projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUFFMAN (for himself, Ms. LEE of California, Mr. VARGAS, Ms. ESHOO, Mr. SWALWELL of California, Mr. LOWENTHAL, and Ms. PORTER):

H.R. 4781. A bill to designate the United States courthouse located at 3140 Boeing Avenue in McKinleyville, California, as the ''Judge Louis E. Goodman Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of Mississippi (for himself, Mr. ROSE of New York, Ms. BARRAGÁN, Mrs. WATSON COLEMAN, Ms. CLARKE of New York, Mr. RICHMOND, Mr. PAYNE, Mr. LANGEVIN, Mr. CORREA, and Mr. CLEAVER):

H.R. 4782. A bill to establish a national commission on online platforms and homeland security, and for other purposes; to the Committee on Homeland Security, 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. GREEN of Texas (for himself, Ms. JUDY CHU of California, Ms. GARCIA of Texas, and Mr. CLAY):

H.R. 4783. A bill to require the Director of the Federal Housing Finance Agency to require each enterprise to include a preferred language question on the form known as the Uniform Residential Loan Application, and for other purposes; to the Committee on Financial Services.

By Mr. RUSH:

H.R. 4784. A bill to require the National Institute of Justice to update its research report, entitled ''A Review of Gun Safety Technologies''; to the Committee on the Judiciary.

By Mr. HURD of Texas (for himself, Mr. GOHMERT, Mr. CRENSHAW, Mr. TAYLOR, Mr. RATCLIFFE, Mr. GOODEN, Mr. WRIGHT, Mrs. FLETCHER, Mr. BRADY, Mr. GREEN of Texas, Mr. MCCAUL, Mr. CONAWAY, Ms. GRANGER, Mr. THORNBERRY, Mr. WEBER of Texas, Mr. GONZALEZ of Texas, Ms. ESCOBAR, Mr. FLORES, Ms. JACKSON LEE, Mr. ARRINGTON, Mr. CASTRO of Texas, Mr. ROY, Mr. OLSON, Mr. MARCHANT, Mr. WILLIAMS, Mr. BURGESS, Mr. CLOUD, Mr. CUELLAR, Ms. GARCIA of Texas, Ms. JOHNSON of Texas, Mr. CARTER of Texas, Mr. ALLRED, Mr. VEASEY, Mr. VELA, Mr. DOGGETT, and Mr. BABIN):

H.R. 4785. A bill to designate the facility of the United States Postal Service located at 1305 U.S. Highway 90 West in Castroville, Texas, as the ''Lance Corporal Rhonald Dain Rairdan Post Office''; to the Committee on Oversight and Reform.

By Mr. BARR:

H.R. 4786. A bill to amend the Internal Revenue Code of 1986 to allow a 3-year recovery period for all race horses; to the Committee on Ways and Means.

By Mr. BERA:

H.R. 4787. A bill to amend title IV of the Higher Education Act of 1965 in order to increase the amount of financial support available for working students; to the Committee on Education and Labor.

By Mrs. BUSTOS:

H.R. 4788. A bill to address the needs of workers in industries likely to be impacted by rapidly evolving technologies; to the Committee on Education and Labor.

By Mrs. DEMINGS (for herself, Mr. STEUBE, Mr. SOTO, Mr. BACON, and Mr. RUTHERFORD):

H.R. 4789. A bill to allow Federal law enforcement officers to purchase retired service weapons, and for other purposes; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself, Mr. GONZALEZ of Ohio, Mr. RYAN, Mr. CHABOT, Ms. FUDGE, Mr. BALDERSON, Mrs. BEATTY, Mr. LATTA, Mr. GIBBS, Mr. TURNER, Mr. JOYCE of Ohio, Mr. JORDAN, Mr. WENSTRUP, Mr. JOHNSON of Ohio, Mr. STIVERS, Mr. DAVIDSON of Ohio, and Mr. POSEY):

H.R. 4790. A bill to redesignate the NASA John H. Glenn Research Center at Plum Brook Station, Ohio, as the NASA John H. Glenn Research Center at the Neil A. Armstrong Test Facility; to the Committee on Science, Space, and Technology.

By Mr. LEWIS:

H.R. 4791. A bill to amend the National Highway System Designation Act of 1995 to permit the construction of certain noise barriers with funds from the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TED LIEU of California:

H.R. 4792. A bill to establish a voluntary program to identify and promote internet-connected products that meet industry-leading cybersecurity and data security standards, guidelines, best practices, methodologies, procedures, and processes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORCROSS (for himself and Mr. LARSON of Connecticut):

H.R. 4793. A bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSE of New York (for himself, Mr. KING of New York, Mr. MORELLE, Mr. HIGGINS of New York, Ms. VELÁZQUEZ, Mr. SUOZZI, Mr. SEAN PATRICK MALONEY of New York, and Mr. NADLER):

H.R. 4794. A bill to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the ''Mother Frances Xavier Cabrini Post Office Building''; to the Committee on Oversight and Reform.

By Ms. SLOTKIN (for herself and Mr. KELLY of Pennsylvania):

H.R. 4795. A bill to amend the Internal Revenue Code of 1986 to provide for employer contributions to ABLE accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. STEUBE:

H.R. 4796. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on the Judiciary.

By Mr. TAKANO (for himself and Mr. EVANS):

H.R. 4797. A bill to amend title 18, United States Code, to require that Bureau of Prisons help Federal prisoners who are being released to obtain appropriate ID to facilitate their reentry into society at no cost to the prisoner, and for other purposes; to the Committee on the Judiciary.

By Mr. VEASEY:

H.R. 4798. A bill to require the submission of reports when an individual is injured or killed by a law enforcement officer in the course of the officer's employment, and for other purposes; to the Committee on the Judiciary.

By Mr. VEASEY:

H.R. 4799. A bill to require State and local law enforcement agencies to submit information about law enforcement investigations to the Attorney General, and for other purposes; to the Committee on the Judiciary.

By Mr. WATKINS:

H.R. 4800. A bill to amend title IV of the Public Health Service Act to prohibit sale or transactions relating to human fetal tissue; to the Committee on Energy and Commerce.

By Mr. EMMER (for himself, Mr. HIMES, and Mr. CRENSHAW):

H. Res. 651. A resolution supporting the designation of October 2019 as ''National Bullying Prevention Month'' and October 23, 2019, as ''Unity Day''; to the Committee on Education and Labor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUFFMAN:

H.R. 4778.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

By Mrs. RODGERS of Washington:

H.R. 4779.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 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. CARBAJAL:

H.R. 4780.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HUFFMAN:

H.R. 4781.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 of the United States Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 4782.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. GREEN of Texas:

H.R. 4783.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. RUSH:

H.R. 4784.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HURD of Texas:

H.R. 4785.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 14

By Mr. BARR:

H.R. 4786.

Congress has the power to enact this legislation pursuant to the following:

Article 1. Section 8. Clause 1. 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; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. BERA:

H.R. 4787.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. BUSTOS:

H.R. 4788.

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 Mrs. DEMINGS:

H.R. 4789.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. KAPTUR:

H.R. 4790.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 (Necessary and Proper Clause)

By Mr. LEWIS:

H.R. 4791.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. TED LIEU of California:

H.R. 4792.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. NORCROSS:

H.R. 4793.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. ROSE of New York:

H.R. 4794.

Congress has the power to enact this legislation pursuant to the following:

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 thereof.''

By Ms. SLOTKIN:

H.R. 4795.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof''.

By Mr. STEUBE:

H.R. 4796.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TAKANO:

H.R. 4797.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. VEASEY:

H.R. 4798.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. VEASEY:

H.R. 4799.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. WATKINS:

H.R. 4800.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 3: Ms. WEXTON, Mr. CLEAVER, Ms. SCHAKOWSKY, and Mr. SARBANES.
H.R. 93: Mrs. KIRKPATRICK.
H.R. 96: Mr. SERRANO and Mr. VELA.
H.R. 120: Mr. CASE.
H.R. 155: Mr. RICE of South Carolina.
H.R. 188: Ms. SCHRIER.
H.R. 303: Mr. PETERSON.
H.R. 369: Mr. RICE of South Carolina.
H.R. 392: Mr. MALINOWSKI.
H.R. 393: Mr. MALINOWSKI.
H.R. 444: Ms. SPANBERGER.
H.R. 446: Mr. BYRNE.
H.R. 451: Ms. NORTON.
H.R. 510: Mr. SMITH of New Jersey, Ms. FUDGE, and Mr. AGUILAR.
H.R. 565: Ms. JACKSON LEE.
H.R. 566: Mr. STAUBER.
H.R. 587: Mr. SMITH of Washington and Mr. DEFAZIO.
H.R. 589: Mr. RIGGLEMAN and Mr. TIPTON.
H.R. 647: Mr. SPANO.
H.R. 656: Mr. SMITH of Washington.
H.R. 662: Mr. JOYCE of Pennsylvania.
H.R. 712: Mr. LOWENTHAL, Mr. NEGUSE, and Mr. DELGADO.
H.R. 737: Mr. KELLER, Mr. BILIRAKIS, Mr. CUELLAR, Ms. FUDGE, Mr. STANTON, and Mr. PHILLIPS.
H.R. 777: Mr. TED LIEU of California, Mr. JOYCE of Ohio, Mr. MEADOWS, Mr. GRAVES of Louisiana, Mr. GAETZ, and Mr. KING of Iowa.
H.R. 838: Ms. SLOTKIN and Mr. HURD of Texas.
H.R. 895: Mr. JOYCE of Ohio.
H.R. 935: Mr. JOHNSON of Ohio.
H.R. 961: Ms. CLARK of Massachusetts and Mrs. MURPHY of Florida.
H.R. 1001: Ms. SPANBERGER and Mr. CISNEROS.
H.R. 1002: Mr. PRICE of North Carolina, Mr. YARMUTH, Ms. SÁNCHEZ, Mrs. MURPHY of Florida, and Mrs. LOWEY.
H.R. 1005: Ms. SPANBERGER.
H.R. 1030: Ms. KUSTER of New Hampshire.
H.R. 1034: Ms. KENDRA S. HORN of Oklahoma.
H.R. 1042: Ms. SPANBERGER and Mr. CARTWRIGHT.
H.R. 1139: Ms. SPANBERGER.
H.R. 1154: Ms. DELBENE.
H.R. 1166: Mr. GALLAGHER.
H.R. 1201: Ms. KUSTER of New Hampshire.
H.R. 1225: Ms. JOHNSON of Texas.
H.R. 1243: Ms. MOORE.
H.R. 1337: Mr. NADLER.
H.R. 1367: Mrs. DINGELL, Mr. TRONE, Mr. GARAMENDI, Ms. BLUNT ROCHESTER, Ms. LEE of California, and Mr. HUFFMAN.
H.R. 1375: Mr. BRINDISI and Mr. GIBBS.
H.R. 1380: Ms. SCHRIER, Ms. MATSUI, Ms. GARCIA of Texas, Mr. RUSH, Mr. BISHOP of Georgia, Ms. BARRAGÁN, and Mr. WOMACK.
H.R. 1398: Mr. ALLEN.
H.R. 1434: Mr. EMMER, Mr. JOYCE of Pennsylvania, Mr. ADERHOLT, and Mr. ROUZER.
H.R. 1530: Mr. MALINOWSKI.
H.R. 1550: Mr. KILDEE.
H.R. 1560: Mr. SMITH of Washington.
H.R. 1705: Mr. LARSEN of Washington.
H.R. 1709: Mr. BAIRD, Mr. ROSE of New York, and Mrs. HAYES.
H.R. 1747: Mr. KIND.
H.R. 1766: Mr. O'HALLERAN, Mr. RUTHERFORD, and Mr. GOTTHEIMER.
H.R. 1776: Ms. MENG, Ms. ESHOO, and Ms. DEGETTE.
H.R. 1805: Mr. CRENSHAW.
H.R. 1816: Mr. RUSH.
H.R. 1823: Mr. JOYCE of Ohio.
H.R. 1865: Ms. JAYAPAL, Ms. SCHAKOWSKY, and Mr. MULLIN.
H.R. 1882: Ms. BLUNT ROCHESTER, Mr. POCAN, Mr. SOTO, and Mr. LUJÁN.
H.R. 1897: Ms. SCANLON.
H.R. 1903: Mr. BLUMENAUER, Mr. LARSEN of Washington, Mr. EVANS, and Ms. GARCIA of Texas.
H.R. 1923: Mr. COSTA, Mr. RUSH, and Ms. PINGREE.
H.R. 1948: Mr. RIGGLEMAN, Mr. BUCSHON, and Mr. HUFFMAN.
H.R. 1975: Mr. CARTWRIGHT.
H.R. 1978: Mr. KENNEDY.
H.R. 1981: Mr. MORELLE.
H.R. 2013: Mr. CISNEROS.
H.R. 2051: Mr. BYRNE and Ms. SLOTKIN.
H.R. 2061: Mr. PAPPAS.
H.R. 2089: Mr. COX of California.
H.R. 2137: Ms. KUSTER of New Hampshire.
H.R. 2150: Mr. WELCH.
H.R. 2164: Mr. TED LIEU of California and Ms. KUSTER of New Hampshire.
H.R. 2168: Mr. CURTIS.
H.R. 2210: Mr. KING of New York.
H.R. 2213: Mr. KIM.
H.R. 2245: Mr. SMITH of Washington.
H.R. 2258: Mr. WATKINS.
H.R. 2268: Mr. CICILLINE and Ms. BROWNLEY of California.
H.R. 2291: Mr. WATKINS.
H.R. 2315: Ms. SPANBERGER.
H.R. 2317: Mr. PASCRELL.
H.R. 2328: Ms. KENDRA S. HORN of Oklahoma.
H.R. 2329: Mr. KIM.
H.R. 2350: Ms. SLOTKIN and Mr. TONKO.
H.R. 2382: Mr. QUIGLEY, Mr. CONNOLLY, and Mrs. LAWRENCE.
H.R. 2420: Mr. CLAY, Mr. FITZPATRICK, Mr. CONNOLLY, Mrs. MCBATH, Mr. MOULTON, Ms. SEWELL of Alabama, Mr. BERA, Mr. KIND, and Ms. PLASKETT.
H.R. 2423: Mr. KIND, Ms. PINGREE, Mr. KEATING, and Ms. LOFGREN.
H.R. 2426: Mr. CROW.
H.R. 2457: Mr. PERLMUTTER.
H.R. 2464: Mr. KENNEDY.
H.R. 2481: Ms. CASTOR of Florida.
H.R. 2517: Mr. MCGOVERN.
H.R. 2550: Mr. KEATING and Mr. CRENSHAW.
H.R. 2579: Ms. PINGREE.
H.R. 2581: Mr. LOWENTHAL.
H.R. 2594: Mr. GARAMENDI.
H.R. 2599: Mr. RYAN.
H.R. 2645: Ms. CRAIG.
H.R. 2648: Mr. LUJÁN and Ms. MENG.
H.R. 2665: Ms. KUSTER of New Hampshire.
H.R. 2694: Ms. CRAIG and Mrs. LAWRENCE.
H.R. 2708: Mr. DAVID SCOTT of Georgia.
H.R. 2749: Mr. GARCÍA of Illinois, Ms. BROWNLEY of California, Mrs. NAPOLITANO, and Mr. GRIJALVA.
H.R. 2796: Mr. PAPPAS.
H.R. 2818: Ms. SCHAKOWSKY.
H.R. 2848: Ms. KENDRA S. HORN of Oklahoma.
H.R. 2867: Ms. OCASIO-CORTEZ, Ms. SHALALA, and Mr. LARSEN of Washington.
H.R. 2913: Mr. FITZPATRICK.
H.R. 2965: Mr. STAUBER.
H.R. 2986: Mr. KATKO and Ms. KUSTER of New Hampshire.
H.R. 3001: Ms. BASS.
H.R. 3036: Ms. ESCOBAR and Ms. SPANBERGER.
H.R. 3077: Mrs. TRAHAN.
H.R. 3116: Mr. ROUDA.
H.R. 3136: Mr. WELCH.
H.R. 3138: Ms. SPANBERGER.
H.R. 3145: Mr. SMITH of Nebraska.
H.R. 3157: Mr. SMITH of Washington.
H.R. 3166: Ms. BLUNT ROCHESTER.
H.R. 3192: Ms. SLOTKIN.
H.R. 3235: Mr. SWALWELL of California, Mr. JOYCE of Ohio, and Ms. SEWELL of Alabama.
H.R. 3249: Ms. DELBENE.
H.R. 3267: Mr. JOYCE of Pennsylvania.
H.R. 3275: Mr. DAVIDSON of Ohio.
H.R. 3306: Ms. SPANBERGER and Mrs. BUSTOS.
H.R. 3323: Mr. SUOZZI.

H.R. 3369: Mr. SABLAN and Ms. CASTOR of Florida.
H.R. 3373: Mr. COHEN.
H.R. 3398: Mrs. WATSON COLEMAN and Ms. BLUNT ROCHESTER.
H.R. 3400: Mr. RICE of South Carolina.
H.R. 3463: Ms. GABBARD and Mr. NEAL.
H.R. 3473: Ms. BLUNT ROCHESTER.
H.R. 3522: Mr. BYRNE.
H.R. 3570: Mr. VELA.
H.R. 3571: Mr. HILL of Arkansas.
H.R. 3584: Mr. EVANS, Mr. SOTO, Ms. DEAN, Mr. YARMUTH, Mr. PANETTA, and Mr. CRENSHAW.
H.R. 3593: Ms. CASTOR of Florida, Mrs. KIRKPATRICK, Mr. LEVIN of California, Mr. CICILLINE, and Mrs. DEMINGS.
H.R. 3612: Ms. BROWNLEY of California.
H.R. 3663: Mrs. BEATTY.
H.R. 3665: Ms. CASTOR of Florida.
H.R. 3702: Ms. NORTON.
H.R. 3762: Ms. KUSTER of New Hampshire, Mr. RASKIN, and Mr. CARTWRIGHT.
H.R. 3772: Mr. BURCHETT.
H.R. 3779: Mr. GRAVES of Louisiana.
H.R. 3789: Ms. ESHOO.
H.R. 3795: Ms. NORTON.
H.R. 3801: Ms. SLOTKIN.
H.R. 3813: Mr. CALVERT.
H.R. 3815: Ms. SEWELL of Alabama and Mr. HIGGINS of New York.
H.R. 3851: Ms. MATSUI, Ms. SEWELL of Alabama, Mr. LUJÁN, Mr. RICE of South Carolina, Mr. HURD of Texas, Mr. PASCRELL, Mr. MCEACHIN, Mrs. WAGNER, Mr. TIMMONS, Mr. O'HALLERAN, Mr. CÁRDENAS, Ms. DEGETTE, and Mr. CISNEROS.
H.R. 3861: Ms. SEWELL of Alabama.
H.R. 3880: Ms. KUSTER of New Hampshire.
H.R. 3896: Mr. SMITH of New Jersey and Mr. VISCLOSKY.
H.R. 3957: Mr. LUJÁN and Mr. TONKO.
H.R. 3961: Ms. BLUNT ROCHESTER.
H.R. 3964: Mr. GOSAR.
H.R. 3968: Mr. LUETKEMEYER.
H.R. 3969: Mr. CLEAVER and Mr. TED LIEU of California.
H.R. 3975: Ms. CRAIG.
H.R. 4002: Mr. LOUDERMILK.
H.R. 4030: Mr. WRIGHT.
H.R. 4044: Mr. PALLONE.
H.R. 4069: Mr. COLE.
H.R. 4085: Mr. BANKS.
H.R. 4086: Mr. BANKS.
H.R. 4108: Ms. JOHNSON of Texas and Ms. CASTOR of Florida.
H.R. 4138: Mr. DUNCAN.
H.R. 4155: Ms. DEGETTE.
H.R. 4160: Mr. SABLAN.
H.R. 4165: Ms. SPANBERGER and Ms. SLOTKIN.
H.R. 4172: Mr. PASCRELL.
H.R. 4183: Mr. CISNEROS and Mr. SPANO.
H.R. 4189: Mr. EVANS.
H.R. 4211: Ms. ESHOO.
H.R. 4216: Mr. CASTEN of Illinois and Mr. MORELLE.
H.R. 4228: Mrs. AXNE.
H.R. 4230: Mr. CUELLAR.
H.R. 4232: Mr. COLE.
H.R. 4248: Mr. FITZPATRICK and Mr. HUFFMAN.
H.R. 4304: Mr. CARTWRIGHT.
H.R. 4307: Mrs. WAGNER.
H.R. 4321: Mrs. DINGELL.
H.R. 4334: Mr. MORELLE.
H.R. 4364: Mr. LOWENTHAL.
H.R. 4368: Mr. EVANS.
H.R. 4379: Ms. KENDRA S. HORN of Oklahoma.
H.R. 4436: Mr. CARTWRIGHT.
H.R. 4457: Ms. SCHAKOWSKY.
H.R. 4519: Ms. BLUNT ROCHESTER.
H.R. 4554: Ms. NORTON and Mr. CASE.
H.R. 4618: Ms. NORTON and Mr. HIGGINS of New York.
H.R. 4623: Mr. SOTO.
H.R. 4624: Mr. COHEN, Ms. WILD, Mr. DESAULNIER, and Mr. HASTINGS.
H.R. 4639: Mr. CARTWRIGHT.
H.R. 4640: Mr. WELCH.
H.R. 4650: Ms. NORTON.
H.R. 4671: Ms. MATSUI.
H.R. 4672: Ms. ROYBAL-ALLARD, Mr. BERA, and Mr. MCCLINTOCK.
H.R. 4691: Mr. SUOZZI and Mr. NADLER.
H.R. 4695: Mr. CONNOLLY, Mr. LYNCH, Mrs. MURPHY of Florida, Mr. HASTINGS, Mrs. NAPOLITANO, Mr. PHILLIPS, Mr. MITCHELL, Ms. SPEIER, Ms. NORTON, Mr. KENNEDY, Mr. COHEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Ms. MENG.
H.R. 4697: Mr. BRINDISI, Ms. VELÁZQUEZ, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mrs. DINGELL, Ms. KUSTER of New Hampshire, Mr. NORCROSS, Mr. CONNOLLY, Mr. NADLER, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4708: Ms. VELÁZQUEZ, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mr. NORCROSS, Ms. KUSTER of New Hampshire, Mrs. DINGELL, Mr. CONNOLLY, Mr. BRINDISI, and Mr. NADLER.
H.R. 4709: Ms. VELÁZQUEZ, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mr. NORCROSS, Ms. KUSTER of New Hampshire, Mrs. DINGELL, Mr. CONNOLLY, Mr. BRINDISI, and Mr. NADLER.
H.R. 4730: Mr. SUOZZI.
H.R. 4736: Mr. RIGGLEMAN, Mr. BILIRAKIS, Mr. BOST, Mr. BUCSHON, Mrs. BROOKS of Indiana, Mr. FORTENBERRY, Mr. MCKINLEY, Mr. GUTHRIE, and Mrs. MILLER.
H.R. 4761: Mr. WALKER.
H.R. 4763: Mr. TURNER.
H.R. 4764: Mr. FITZPATRICK.
H.R. 4772: Mr. AUSTIN SCOTT of Georgia.
H.R. 4776: Mr. SOTO.
H.R. 4777: Mr. MARSHALL.
H.J. Res. 2: Mr. PERLMUTTER and Mr. PAYNE.
H. Con. Res. 20: Ms. KENDRA S. HORN of Oklahoma.
H. Con. Res. 27: Mr. DANNY K. DAVIS of Illinois.
H. Con. Res. 28: Mr. HILL of Arkansas.
H. Con. Res. 52: Ms. BASS and Ms. SÁNCHEZ.
H. Con. Res. 68: Mr. GOODEN, Mr. MEUSER, Ms. SHERRILL, and Mr. KIM.
H. Res. 23: Mr. GUTHRIE.
H. Res. 33: Ms. TORRES SMALL of New Mexico.
H. Res. 49: Mr. BUCK.
H. Res. 114: Ms. DAVIDS of Kansas and Mr. KIM.
H. Res. 146: Ms. UNDERWOOD and Mr. KENNEDY.
H. Res. 219: Ms. CLARKE of New York.
H. Res. 255: Mr. HOLLINGSWORTH and Mr. MALINOWSKI.
H. Res. 301: Mr. CISNEROS.
H. Res. 374: Ms. LOFGREN.
H. Res. 384: Mr. GRIFFITH.
H. Res. 515: Mr. CISNEROS, Mr. HURD of Texas, Mr. JOYCE of Pennsylvania, and Mr. WRIGHT.
H. Res. 517: Mr. STEIL, Mr. CLAY, and Ms. SCANLON.
H. Res. 551: Ms. KENDRA S. HORN of Oklahoma.
H. Res. 552: Mr. HURD of Texas.
H. Res. 585: Mr. CICILLINE.
H. Res. 631: Mr. GOSAR, Mr. HUNTER, Mr. PERRY, Mrs. HARTZLER, and Mr. WALKER.
H. Res. 633: Mr. LUETKEMEYER and Mr. MCKINLEY.
H. Res. 634: Mr. GROTHMAN.
H. Res. 636: Mr. SOTO.
H. Res. 638: Ms. BLUNT ROCHESTER.
H. Res. 639: Mr. MULLIN, Mr. WATKINS, and Mr. GUEST.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165 WASHINGTON, TUESDAY, OCTOBER 22, 2019 No. 167

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Come, mighty King, robed in majesty. Your throne stands firm, even in the midst of chaos. You speak, and it is done.

Lord, You are our strength and shield. Our protection comes from You.

Today, guide our Senators as a shepherd would lead the lambs. May our lawmakers find in You green pastures and still waters.

Lord, support us with Your powerful hands until the shadows flee away. Forgive all our sins and rebellion, empowering us to glorify Your Name in our thoughts, words, and deeds.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute as in morning business.

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

REMEMBERING HAROLD KELLER

Mr. GRASSLEY. Madam President, recent research by historians has identified a person participating in the raising of the flag at Iwo Jima.

That iconic photograph of marines raising the American flag at Iwo Jima is a testament to American strength and sacrifice.

The Marine Corps has identified another one of the marines pictured in this photograph as Cpl Harold Keller of Brooklyn, IA.

Keller never sought recognition or fame. He never mentioned to his children that he had helped raise that flag. He died in 1979, so he doesn't know we now know it is he in the photograph.

Seventy-four years later, I am proud that this Iowan is finally recognized for his role in making history.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

GOVERNMENT FUNDING

Mr. McCONNELL. Madam President, later today, the Senate will vote on finally getting the appropriations process moving. We will vote on considering a package of domestic funding bills, and if we take up the legislation, I intend to stay on it until we complete it.

On both sides of the Capitol, our Democratic colleagues have spent recent weeks insisting over and over that their 3-year-old quest to impeach the President will not prevent them from the substantive work American families need us to tackle. So far, the early returns haven't been too encouraging.

A few weeks ago, we saw the unusual spectacle of Senate Democrats voting to filibuster defense funding due to political fights with the White House. Democrats blocked a pay raise for our servicemembers because they would rather fight with the President.

We know that across the Capitol, for months now, Speaker PELOSI has been blocking the USMCA and blocking the 176,000 new American jobs it would create.

This week offers another test. Soon we will be voting on appropriations, and we will see whether our Democratic friends really can put aside their impeachment obsession long enough to get some real work done on the side. Actions speak louder than words.

First, I hope we will tackle a package of domestic funding bills. After that, we will turn to a defense vehicle. I urge our Democratic colleagues to drop the stall tactics that have left funding for our Armed Forces in limbo and join with Republicans to deliver the funding our military commanders need to keep us safe.

TURKEY AND SYRIA

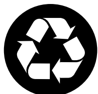
Mr. McCONNELL. Madam President, on another matter, I opposed President Trump's decision to withdraw U.S. troops from Syria so I am encouraged by press reports that his administration is considering retaining a military presence in that country to keep the pressure on ISIS.

Since September 11, our Nation has learned several key lessons about the fight against radical Islamic terrorism.

The terrorist threat cannot be wished away. The terrorists mean us harm, and we cannot allow them to establish safe havens and solidify their networks. When they do, the bloodshed ends up right here on our shores.

American leadership is essential. We have seen our partners and allies step up and take on important roles. In fact, as we speak, France is playing a leading role in the African Sahel, but just about every place President Obama tried to ''lead from behind'' provides tragic reminders that there are

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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certain kinds of leadership only America can contribute.

Fortunately, we are not in this alone. The huge progress we have won in recent years against ISIS and the Taliban has come by partnering with local forces, with support from a broad international coalition. America has only provided limited specialized capabilities to reinforce the local partners that do the heaviest lifting. This approach is sustainable.

Unfortunately, we know exactly what happens when America forgets these lessons and simply decides we are tired of sustaining the fight. Abandoning Afghanistan in the 1990s helped create the conditions for al-Qaida's ability to grow and plan the September 11 attacks from a safe haven far from our shores. President Obama's retreat from Iraq allowed ISIS to rise from the still-warm ashes of al-Qaida in Iraq.

If not arrested, withdrawing from Syria will invite more of the chaos that breeds terrorism and creates a vacuum our adversaries will certainly fill.

It will invite the brutal Assad regime to reassert its oppressive control over northeastern Syria, repressing Sunni Arab communities and creating the same conditions that led to ISIS's growth in the first place.

Russia will gain more leverage to amass power and influence throughout the Middle East, project power into the Mediterranean, and even promote its interests in Africa.

Iran-backed forces could have access to a strategic corridor that runs all the way from Tehran to the very doorstep of Israel.

So where do we go from here? Many of us in the Senate were ahead of the game on the need to reaffirm American global leadership in the ongoing fight against radical terror. At the beginning of this year, a bipartisan supermajority of Senators warned about exactly this course of events. The McConnell amendment to S. 1 earned 70 votes back in February. We specifically warned against a precipitous withdrawal from either Afghanistan or Syria and noted the need for an American presence. Congress should affirm—actually, reaffirm—the same truths today, and we should do so strongly.

Unfortunately, the resolution crafted by House Democrats is simply not sufficient. It is not so much wrong as it is badly insufficient. It focuses solely on the Kurds, ignoring the critical Sunni-Arab community that suffered under both Assad's regime and ISIS and vulnerable minority communities like the Christian Arabs of Syria. The House was silent on the key matter of maintaining an actual physical U.S. military presence in Syria.

Perhaps the goal was to paper over disagreements within the Democratic Party. After all, our colleague, the senior Senator from Massachusetts, recently told a national television audience—this is the senior Senator from Massachusetts—''I think that we ought to get out of the Middle East.'' ''I think we ought to get out of the Middle East,'' said the senior Senator from Massachusetts, and almost all of our Democratic colleagues currently running for President refused to sign on to the McConnell amendment that earned 70 votes earlier this year.

We can't afford to dance around the critical question of a U.S. presence in Syria and the Middle East for the sake of Democratic Presidential primary politics. The Senate needs to speak up. We cannot effectively support our partners on the ground without a military presence. Senators who thought we should withdraw from Syria and Afghanistan in February do not get to criticize President Trump for withdrawing from Syria today unless they go on the record, admit they changed their minds, and say it is too dangerous to quit.

So, today, along with Chairman INHOFE, Chairman RISCH, Chairman BURR, and Senator GRAHAM, I am introducing a stronger resolution that acknowledges hard truths and focuses on our strategic interests in the Middle East.

Our resolution acknowledges the vital role our Kurdish and Arab Syrian partners have played in rooting out and destroying the ISIS caliphate. It condemns Turkey's decision to escalate hostilities in Syria, warns against the abandonment of our allies and partners in Syria, and urges President Trump to rethink his invitation for President Erdogan to visit the White House.

It also acknowledges Turkey's legitimate national security concerns emanating from the conflict in Syria and the significant risks to the United States if such a strategically consequential ally were to fall further into Moscow's orbit. It recognizes the grave consequences of U.S. withdrawal: the rising influence of Russia, Iran, and the Assad regime and the escape of more than 100 ISIS-affiliated fighters detained in the region.

We specifically urge the President to end—end the drawdown, something that, fortunately, appears to be underway. We urge a reengagement with our partners in this region. We highlight the need for international diplomatic efforts to end the underlying civil wars in Syria and Afghanistan on terms that address the conditions that have allowed al-Qaida and ISIS to thrive. We cannot repeat this mistake in Afghanistan.

I am aware there is some appetite on both sides of the aisle to quickly reach for the toolbox of sanctions. I myself played a critical role in creating sanction regimes in the past, but I caution us against developing a reflex to use sanctions as our tool of first, last, and only resort in implementing our foreign policy. Sanctions may play an important role in this process, and I am open to the Senate considering them, but we need to think extremely carefully before we employ the same tools against a democratic NATO ally that we would against the worst rogue state.

Do we know what political impacts such sanctions will have inside Turkey? Will they weaken President Erdogan or rally the country to his cause? Do we know the impact sanctions will have on U.S. companies or on the economies of our closest allies that have deeply integrated their economies with Turkey?

If we are going to use sanctions against a democratic ally, we are going to have to be careful. We are going to have to be smart. We are going to have to be thoughtful and deliberate. We don't want to further drive a NATO ally into the arms of the Russians.

Serious conversations about the use of sanctions must involve our colleagues on the Foreign Relations, Banking, and Finance Committees to ensure that this tool is used correctly.

The most important thing the Senate can do right now is speak clearly and reaffirm the core principles that unite most of us, Republicans and Democrats, about the proper role for American leadership in Syria, in the Middle East, and, for that matter, in the world.

We hope the damage in Syria can be undone, but perhaps, even more importantly, we absolutely must take steps so the same mistakes—the same mistakes are not repeated in Iraq or Afghanistan.

I feel confident that my resolution is a strong and sorely needed step. I feel confident my colleagues will agree, and I urge them to join me.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following treaty, which the clerk will state.

The senior assistant legislative clerk read as follows:

Calendar No. 5, Treaty document No. 116–1, Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia.

Pending:

McConnell amendment No. 946, to change the enactment date.

McConnell amendment No. 947 (to amendment No. 946), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided between the two leaders or their designees.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

APPROPRIATIONS

Mr. SCHUMER. Madam President, the Republican leader in recent days has charged that because the House of Representatives is now engaged in its constitutional duty to examine Presidential wrongdoing, that somehow Democrats are not interested in legislating.

It is a curious criticism coming from Leader MCCONNELL, Democrats not interested in legislating, from the man who proudly calls himself the ''grim reaper.'' Since the midterms, the Democratic House majority has passed hundreds of bills with bipartisan support while Leader MCCONNELL has deliberately focused the Senate on anything but legislation. He has turned this Chamber into a legislative graveyard.

Democrats want to vote on things. Gun safety, how about it? Healthcare, how about it? Infrastructure, how about it? Improving our democracy. On none of these things will Leader MCCONNELL even dare put a bill on the floor, let alone the House bills, which would have a chance of getting something done.

This very week, we have an example of how Democrats plan to work with our Republican colleagues to advance legislation. The Republican leader has indicated, finally, alas, that he may bring several appropriations bills to the floor this week. Democrats want to move forward and debate those bills in an open and vigorous fashion.

There are several appropriations bills that don't have any bipartisan support. The Republican leader knows why. We need to have bipartisan support on the 302(b)s, the allocations to the various agencies, to move forward on bills like Homeland Security and Health and Human Services, Military Construction, and Defense. That negotiation, to succeed, must be bipartisan. That is what the history of this Chamber shows. That is what commonsense and logic shows. House leaders have suggested a conference—Democrats and Republicans, House and Senate—on these 302(b)s. That is a good idea. If Republicans are willing to engage with us on 302(b)s, we get negotiations back on track to fund the government.

In the meantime, Democrats want to move forward on the noncontroversial appropriation bills—the bills that have had bipartisan agreement—and we hope Leader MCCONNELL will allow a fair and robust amendment process. It would be nice to consider something on the floor besides an endless parade of rightwing judges—who side with a special powerful interest, time and time again, not working Americans—and Executive appointments.

TURKEY AND SYRIA

Madam President, on Syria, today the 5-day pause on hostilities in northern Syria is set to come to an end. What happens next is completely unknown. Will Erdogan continue his military incursion into Syria? Will the Kurds—facing another Turkish offensive—leave their posts guarding ISIS prisoners to once again defend themselves, allowing ISIS prisoners, dangerous to America, to escape? Will Presidents Erdogan and Putin cut a new deal that is bad for America and our allies? Nobody knows the answer to any of these.

What we do know is that the situation has rapidly deteriorated compared to just a few weeks ago.

What caused this deterioration? One thing: the President's abrupt decision to withdraw U.S. troops from the region after a phone call with President Erdogan. When ISIS had been degraded and more than 10,000 detainees—many of them hardened ISIS fighters—were under lock and key, to undo that is putting America's security at risk. That is what President Trump has done. This so-called tough warrior backed off in a call with a much lesser power, President Erdogan. He has done this before. We don't know how many of these 10,000 detainees and their families have escaped. We don't know where they have gone, nor is there any plan to get them back into detention facilities. These are dangerous people—dangerous to our homeland, dangerous to New York and Chicago and Miami and Dallas and Denver and Los Angeles—and we don't know where they are or what they are doing all because of President Trump's precipitous action. I get excited about this—angrily excited, negatively excited—because my city has suffered from terrorists 7,000 miles away, a small group, who did such damage.

As the New York Times reported after ISIS had been on the run, ''Now, analysts say that Mr. Trump's pullout [of U.S. troops from northern Syria] has handed the Islamic State its biggest win in four years.''

President Trump has handed ISIS its biggest victory in 4 years. How can any American support that? How can so many of our Republican colleagues and Republican supporters of President Trump shrug their shoulders?

Let me repeat: President Trump's ''pullout has handed the Islamic State its biggest win in more than four years and greatly improved its prospects.''

The President's incompetence with Erdogan and Syria has handed ISIS a ''get out of jail free'' card and has simply put American lives in danger. For the sake of our national security, President Trump and his administration need to get a handle on this situation.

I believe Senators from both parties have been trying to get the administration's top officials, including Secretary of State Pompeo, Secretary of Defense Esper, and General Milley, to give the Senate a briefing on its Syria policy and a plan to contain and further degrade ISIS. They canceled the scheduled briefing last week, pulled the plug on a briefing that was supposed to be this afternoon, and have so far refused to commit to a new date. We need that briefing to happen.

Secretary Pompeo, Secretary Esper, General Milley, and CIA Director Haspel have the responsibility to report to Congress on what is happening in this dangerous situation, and, once again, this administration is withholding vital information. It is a disgrace. It is probably because they don't have a plan, so they don't know what to do. But bringing them here may help formulate that plan or push them to get a plan.

In the meantime, Democrats are set to meet with Brett McGurk, the Presidential envoy in charge of countering ISIS, at a special meeting Wednesday so that we can try to come up with some answers, even though it should be the administration doing that.

The American people should be very concerned that the Trump administration does not seem to have any plan to secure the enduring defeat of ISIS in Syria. Senate Democrats will try to learn as much as possible from the experts available to us—folks like Mr. McGurk—but, ultimately, the President alone has the authority to correct our Nation's course.

So it is still very important for the Senate to pass the House resolution condemning the President's decision to precipitously withdraw from northern Syria. The President tends to listen when the Republicans here in Congress express their disapproval. That is what happened in the House, where over 120 Republicans voted with Democrats on a bipartisan resolution, including Leaders MCCARTHY, SCALISE, and CHENEY, hard-war Republicans, but at least they knew how bad this was for America. I wish our Senate Republican colleagues would have shown the same bit of courage that MCCARTHY, SCALISE, and CHENEY showed.

If the House resolution is tough enough for House Republican leadership, surely it is good enough for the majority of Senate Republicans. So we will keep trying to pass the House resolution here in the Senate because it means we could send a bill to the President's desk that shows him a bipartisan majority of Congress is against his reckless decision to consider it in Syria. This is extremely, extremely troubling, and I am very angry—very angry.

CONGRESSIONAL REVIEW ACT

Madam President, later this week, Senate Democrats are going to use their authority under the Congressional Review Act to force a vote to repeal the IRS's harmful rule that effectively eliminates State charitable tax credits all across the country.

I know my Republican colleagues want to frame this CRA vote as a vote on the State and local tax credit cap they put in place in tax reform. I disagree. I vehemently disagree with that policy and will look to change it as soon as possible.

It has hurt so many people who are middle class and not wealthy in New York and also in suburbs throughout the country. By the way, it is probably one of the major reasons the House flipped from Republican to Democrats. So many of those districts in New Jersey, California, New York, and Pennsylvania were affected by the SALT cap, and people throughout rebelled against their Republican Congress, and they put new people in.

But it affects other things as well. The regulation we will be voting on impacts State charitable credits virtually across every State, ranging in areas from education to conservation, to child care, and more.

Do not take my word for it. In Kentucky, the Community Foundation of Louisville, a major philanthropic organization, has warned that IRS's rule will effectively extinguish the endowed Kentucky program, which has generated more than $31 million in charitable donations.

Look at South Carolina, where my friend Senator GRAHAM has made clear that this rule will have devastating consequences for the South Carolina Research Authority, which helps start-up companies in his State create new jobs.

Let's go to Colorado, where the Boys and Girls Club of Chafee County warned that ''these proposed regulations will severely limit the effectiveness of our Colorado Chile Care Contribution Tax Credit,'' which they say will ''limit our ability to address an issue which is fundamental to the economic health of the community.'' The list goes on and on.

I ask my Republican colleagues, before we vote on the CRA tomorrow, to look at how it affects their State, not just in terms of State and local taxes but charitable contributions, education, homeschool, and many other areas.

The vote is about getting rid of an IRS rule that hinders State programs, like the ones I have mentioned. My Republican colleagues have always proclaimed that they are defenders of States' rights and the 10th Amendment. Here is an opportunity for them to walk the walk and to stop the IRS from making life harder on both taxpayers and local economies. I urge them to vote with us to repeal this rule.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

PRESCRIPTION DRUG COSTS

Mr. THUNE. Madam President, over in the House today, the Ways and Means Committee is marking up Speaker PELOSI's drug bill, the latest installment in Democrats' campaign for government-run healthcare.

Like Democrats' other plan for government takeover of healthcare, the so-called Medicare for All vote, the Pelosi drug bill will ultimately leave Americans worse off when it comes to access to care.

There is no question that the American healthcare system isn't perfect. High drug costs are a problem, and one in four seniors reports difficulty affording medications. Stories of patients being forced to ration pills or abandon their prescriptions at the pharmacy counter are unacceptable, but upending the entire American healthcare system is not the answer.

A strong majority of Americans are happy with their health insurance coverage and the quality of the healthcare they receive. Americans have access to treatments that individuals in other countries simply don't have access to. Take cancer drugs, for example. Between 2011 and 2018, 82 new cancer drugs became available. U.S. patients have access to 96 percent of those new drugs. In Germany, by contrast, patients have access to just 73 percent of those new cancer drugs. In France, it is just 66 percent, and in Japan, patients have access to only 54 percent of these new cancer drugs. In other words, Japanese patients are missing out on access to roughly half of the new cancer drugs that emerged between 2011 and 2018.

So why do Americans have such tremendous access to new drugs while other countries trail behind? Because the U.S. Government doesn't dictate drug prices or drug coverage. That is also the reason American companies lead the world in medical innovation.

Back in 1986, investment in drug research by European drug companies exceeded U.S. investment by approximately 24 percent, but all of that changed—all of that changed—when European governments stepped in and started imposing price controls.

Today, European investment in drug research and development is almost 40 percent lower than U.S. investment. It was 24 percent higher in 1968, and, today, it is 40 percent lower.

Speaker PELOSI's bill would start the process of destroying the system that has produced so much access and innovation for American patients. Her legislation would impose government price controls on as many as 250 medications.

If progressives in her caucus have their way, the bill would impose government price controls on all medications. Either way, the result is likely to look much the same as we have seen before—reduced access to lifesaving treatments and substantially reduced investment for the prescription drug breakthroughs of the future.

Under the Pelosi bill, Americans could look forward to a future where we might be the ones losing out on a quarter or more of the new cancer drugs that are coming to market.

There is no question that we need to find solutions to drive down drug costs, but the answer to the problem of high drug costs is not to destroy the system that has given American patients access to so many new cures and treatments.

Republicans want to develop bipartisan legislation focused on lowering prescription drug costs without—without—destroying the American system of access and innovation.

The Senate Finance Committee, the Senate Health, Education, Labor, and Pensions Committee, and the Senate Judiciary Committee have spent a lot of time this year working on this issue, and work on truly bipartisan solutions remains ongoing.

Earlier this year, House committees advanced drug pricing legislation on a bipartisan basis, but, unfortunately, House Democrats have made it clear that they are more interested in playing politics than in cooperating on legislation to address the challenges that are facing American families.

Democrats know that the Pelosi drug bill has no chance of passing the Senate, but they have chosen to pursue this socialist fantasy instead of working with Republicans to develop a bipartisan prescription drug bill that isn't just price controls and that might actually go somewhere.

Like the Democrats' larger socialist fantasy, Medicare for All, the Pelosi drug bill will ultimately hurt the very people it is supposed to help, in this case, by restricting their access to lifesaving drugs and future prescription drug innovations. The Pelosi drug bill is a bad prescription for the American people.

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

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

DRUG CAUCUS HEARING

Mr. CORNYN. Madam President, this Congress, I have the great honor of cochairing the Senate Caucus on International Narcotics with my friend and colleague from California, Senator FEINSTEIN.

As our country continues to battle the scourge of the opioid epidemic, fight drug trafficking at our borders, and attack illicit drug sources abroad, the work of this caucus could not be more timely or more important. We must do more, I believe, to treat addiction, and we need to do more to stop Americans from using illegal drugs in the first instance.

Earlier this year, we had a hearing to examine the global narcotics epidemic—and it is a global one—and discuss our country's counternarcotics strategy. At this first hearing, we were lucky to have the Secretary of State, Mike Pompeo, as a witness. He spoke in depth about the scope of this problem and how the State Department is working with our friends and allies abroad to curb the supply of these illicit drugs. We learned a lot from Secretary Pompeo and our other expert witnesses about the complexity of this problem and a need for a whole-of-government approach. It was a strong way to kick off our agenda.

I am looking forward to our second hearing tomorrow, which I will talk about briefly, where we will have experts testifying on the public health effects of the most commonly used illicit drug—marijuana.

A 2018 report found that an estimated 43.5 million Americans used marijuana in the last year. That is the highest percentage since 2002. While marijuana is still a prohibited drug under Federal law, we know that more than half of the States have legalized it in some form, making the rise in usage not all that surprising.

Now, there is no shortage of people who claim that marijuana has endless health benefits and can help patients struggling with everything from epilepsy to anxiety to cancer treatments. This reminds me of some of the advertising we saw from the tobacco industry years ago where they actually claimed public health benefits from smoking tobacco, which we know, as a matter of fact, were false and that tobacco contains nicotine, an addictive drug, and is implicated with cancers of different kinds.

We are hearing a lot of the same happy talk with regard to marijuana and none of the facts that we need to understand about the public health impact of marijuana use. We have heard from folks here in Congress, as well as a number of our Democratic colleagues who are running for President, about their desire to legalize marijuana at the Federal level. But for the number of voices in support of legalization, there are even more unanswered questions about both the short-term and long-term public health effects.

Between 1995 and 2014, THC concentration—that is the active ingredient in marijuana—has increased threefold, making today's version of the drug far stronger and more addictive than ever before. It is true that for some people marijuana can indeed be addictive.

There has been an effort throughout the medical and scientific communities to learn more about the public health effects of marijuana use, but the results of these studies haven't provided any definitive evidence. I must say that among all the discussion at the State and Federal level about marijuana use and its benefits and its hazards, Congress really hasn't had an opportunity to soberly and deliberately consider this question, which, hopefully, we will be enlightened about tomorrow, about what the public health benefits are of this trend in our country.

A few years ago, the National Academy of Sciences convened an expert committee to review the health effects of cannabis and cannabis-derived products. The committee members were experts in the fields of marijuana and addiction, as well as pediatric and adolescent health, neurodevelopment, public health, and a range of other areas. Their findings were released in January of 2017, and while I will not read you the entire 468-page document, I will tell you that it raised more questions than it provided answers.

For many of the claimed medicinal uses of marijuana, the committee found that there was insufficient evidence to conclude its effectiveness, which is a pretty basic question. The benefits aren't the only thing clouded in mystery—so are the risks. There is simply a lack of scientific evidence to determine the link between marijuana and various health risks. That is something, I would think, Congress and the American people would want to know before we proceed further down this path.

This is especially concerning when it comes to marijuana's youngest users and the impact, for example, on the adolescent brain as it develops. We don't know enough about how this could impair cognitive function or capacity or increase the risk of mental illness or perhaps serve as a gateway for other drugs that are even more damaging to the health of a young person.

With increasing use and a growing number of States giving the green light for marijuana use, we need better answers. At our hearing tomorrow, I am eager to dive into this subject and learn more from our witnesses to help us fill the knowledge gaps that exist when it comes to this subject.

We are honored to have Surgeon General Jerome Adams among our distinguished witnesses. Surgeon General Adams has raised concerns in the past about the increasing use of recreational marijuana among adolescents and its impact on the development of cognitive functions in a growing and developing brain.

We will also hear from Nora Volkow, who is the director of the National Institute on Drug Abuse.

Our second panel includes experts in the fields of psychiatry, psychology, pathology, and epidemiology. So we will get a holistic look at the potential health implications. There is simply too much we don't know about the risks and the claimed benefits of marijuana use, and I am looking forward to hearing from our witnesses tomorrow to get a better sense of the facts as Congress contemplates future legislation.

I appreciate the bipartisan commitment of my colleagues on the committee, particularly the cochair of the Caucus on International Narcotics Control, Senator FEINSTEIN, so that we can get to the bottom of the risks and benefits associated with marijuana use, and I believe tomorrow it will get us moving in the right direction.

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.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

ELECTION SECURITY

Ms. KLOBUCHAR. Mr. President, I come to the floor today to urge the Senate to take action on election security legislation immediately.

It has been 1,005 days since Russia attacked our elections in 2016, and we have yet to pass any kind of comprehensive election security reform. The next major elections are just 378 days away, so the clock is ticking. We must take action now to secure our elections from foreign threats.

Let's review what happened.

In 2016, Russia invaded our democracy. They didn't use bombs, jets, or tanks. Instead, they spent years planning a cyber mission to undermine the foundation of our democratic system. This mission has been called ''sweeping'' and ''systematic'' by many, including Special Counsel Mueller. Our military and intelligence officials from both Democratic and Republican administrations, as well as Special Counsel Mueller, made clear and confirmed over and over again that Russia launched sophisticated and targeted cyber attacks that were authorized by President Putin. This includes former Director Coats, President Trump's former intelligence head; Director Wray, the head of the FBI; and the head of Homeland Security. One by one, officials in the Trump administration have confirmed that this happened.

What exactly did Russia do? They conducted research and reconnaissance against election networks in every single State. We used to think it was just 21 States, but this year, the FBI and the Department of Homeland Security under the Trump administration issued a report that confirmed that all 50 States were targeted.

Russia was successful in hacking into databases in Illinois. The Chicago board of elections reported that names, addresses, birth dates, and other sensitive information on thousands of registered voters were exposed. Russia launched cyber attacks against U.S. companies that made the software we use to vote, and they tried to hack into the email of local officials who have elections in their purview.

Investigations are ongoing, but we know Russia hacked into election systems in the Presiding Officer's home

State of Florida. Senator RUBIO has publicly confirmed that Russian hackers not only accessed voting systems in Florida but were in a position to change voter rolls.

These are just the attacks on our election infrastructure.

So we should look at it this way: No. 1, they tried to get into the infrastructure. No. 2, we know they spread propaganda about things. One of the main ways they did that was through social media. This month, the Senate Intelligence Committee released a bipartisan report detailing Russia's widespread social media campaign to spread disinformation and divide our country. Remember, you have hacking into things at the local level and at the State levels, and then you have this disinformation campaign. These are two things with the same intent—to interfere in our democracy.

Think about what I just described. A foreign country attacked our democracy in multiple ways. Our military leaders and law enforcement officials all say that Russia hasn't paid a sufficient price for the attack, so they are now ''emboldened,'' in the words of former Director Dan Coats—a former Republican Senator—in continuing efforts to undermine our political system.

Congress hasn't passed a law—aside from providing election equipment funding with no strings attached—to address the problem. This isn't just wrong; this is legislative malpractice. We have a common set of facts about what happened. Now we need commonsense solutions to make sure it doesn't happen again.

This week, a number of us are coming to the floor to urge the Republican leader to bring election security legislation to a vote. That must happen, but much more must happen as well.

Today, I am going to focus on the need to improve transparency and accountability for online platforms like Facebook and Twitter, but before I turn to that, I would like to take a moment to describe why it is imperative that we update our election infrastructure.

Right now, the majority of States rely on electronic voting systems that are at least 10 years old. In 2020, voters in eight States will cast their ballots on machines with no paper trail, so there will be no reliable record to go back and audit the election results. So if something goes wrong, if they hack in, there will be no paper ballots to back up what actually happened. Problems for that State or that county? Yes. Well, how about problems for our national Presidential election?

By the way, am I telling any secrets? No. Russia knows exactly which States and counties don't have backup paper ballots.

Sixteen States have no statewide audit requirement to confirm the results of the election. These statistics are alarming because experts agree that paper ballots and audits are the baseline of what we need to secure our election system.

FBI Director Wray recently testified in the Senate. I asked him whether he thinks having things like paper ballots makes sense in the event that Russia—or any other foreign country, for that matter—decides to go at us again. He said, yes, that would be a good thing. Maybe we should think of listening to the head of the FBI and figure out what we can do to make this better. Even the President has expressed his support for paper ballots. But I think we need more than words; I think we need action. We need this body to say to those States: It is time to get your act together now and get those backup paper ballots.

I have introduced multiple pieces of legislation—some of them bipartisan—that would secure our election by requiring paper ballots, mandating post-election audits, and modernizing our election infrastructure. One of those bills, the Secure Election Act, is cosponsored by my colleague Senator LANKFORD and also by the head of the Intelligence Committee, Senator BURR, and Senator WARNER, the ranking member, as well as Senator GRAHAM, the chair of the Judiciary Committee, and Senator HARRIS is also a cosponsor. In spite of all of these leaders being on this bill, it was blocked last year by Senator MCCONNELL, who made calls, along with the White House general counsel, to Republican Senators asking them not to support the bill. This is wrong.

I am glad that my colleagues Senators WYDEN and DURBIN will be coming to the floor this week urging the Senate to take up the bills, such as the bills I introduced, the SAFE Act and the Election Security Act, that would modernize our election infrastructure.

Remember, Russia didn't just try to hack into our elections system; they also launched an extended and sophisticated information war designed to divide our country and destroy America's confidence in our political system. Russia also knew that our social media platforms would be easily exploited for that purpose.

I am going to ask unanimous consent to pass this bill, which is a bipartisan bill that I lead along with Senator GRAHAM, the Republican chair of the Judiciary Committee, and that is also cosponsored by Senator WARNER, the ranking leader on the Intelligence Committee.

Why are we doing this bill about the social media platforms? Well, the place where Russia was most successful in undermining our democracy was right there in front of you on your Facebook page. We know that some of the brightest minds in our country built remarkable platforms where people can share information, like Twitter, Google, and Facebook. Unfortunately, these platforms failed to build adequate protections against the bad guys, kind of like building a bank but not putting any locks on the doors, and our democracy is worse because of it.

Our social media platforms are not well regulated. In fact, they are hardly regulated at all and are ripe for exploitation. Countries like Russia, Iran, North Korea, and China are taking advantage of that as we speak.

The Senate Intelligence Committee, led by Chairman BURR and Vice Chairman WARNER, recently released its second report on Russian interference in the 2016 election. This wasn't a partisan report. No one could call it that at all.

The first report details attacks and threats to election infrastructure. This second report details the sophisticated disinformation campaign Russia used to pit Americans against each other, and the committee found that Russia's targeting of the 2016 U.S. Presidential election was ''part of a broader, sophisticated, and ongoing information warfare campaign designed to sow discord in American politics and society.'' The report notes that Russia conducted ''a vastly more complex and strategic assault on the United States than was initially understood.''

What did they do? They hired trolls. They hired buildings full of people to go online and pretend to be Americans and then submit things and buy things and buy ads that ended up on your Facebook pages and your Twitter feed. Russia specifically focused on hot-button issues and used falsified stories and memes to foster distrust of our democratic institutions. So maybe they would target a conservative person and put up a bunch of things that would make that person mad, but they were fake or maybe they would target a liberal person, and they would put up a bunch of ads about rallies and about things like that which were actually fake.

They targeted African-Americans more than any other group through individual posts, location targeting, Facebook pages, Instagram accounts, and Twitter. Their internet research agency focused on stoking divisions around race.

One of my best examples is an ad that they bought in rubles. Facebook let them buy it in rubles. It was an ad that we didn't even see until months after the election. It had an innocent woman's face on it. I know because she called our office later when it came out in Judiciary. She was just a woman. They found her face—an African-American woman—and put it on the ad. The ad reads: Why wait in line on election day? You can text your vote for Hillary Clinton. They gave the text number. That is a lie. It is more than a lie. It is a crime. They are trying to suppress people's votes and make them not go vote, and instead, text to a fake number. That is a crime. People have gone to jail for simply jamming the lines on election day. That is what this is. It is a high-tech version of a crime. No one was prosecuted because we didn't even know the ad existed that was targeting African-American Facebook pages in

swing States until way after the election. They could do the same thing on the conservative side of the aisle.

That is why I am simply asking for some solution, because one time it is going to be one side, and the next time it will be the other. Why would the people in this Chamber let this go on? Why would we do that? We have sworn and taken an oath—an obligation—to stand up for our country. That is what this is about.

It continues. Intelligence officials are once again sounding the alarm that adversaries are using social media to undermine the upcoming elections. Just yesterday, Facebook announced that it removed a network of Russian-backed accounts posing as locals weighing in on political issues in swing States. It never ends. Russia has a playbook, and they are using it to attack us. We have to stop them. How do we do that? Well, I have a very good solution. It is not the only solution. There are a lot of other bills we can do too.

But this is called the Honest Ads Act, which I am leading with Senator GRAHAM. I want to thank Senator WARNER for all the work he did on this bill as well. The goal is simple: Bring our laws into the 21st century to ensure that voters know who is paying to influence our political system. Right now, the political ads that are sold on TV, radio, and newspapers are disclosed so that the public knows what they are. They are actually kept in an archive so campaigns and reporters can go over and see what they are. They can actually figure out what this ad is and why somebody was putting this ad against me. I believe in the competitiveness of our election system, and if you disclose things, then, you are going to get more information about what is wrong with those things.

The ads also have to say who paid for them. That is why you see those little disclaimers at the bottom or you see elected officials or their challengers saying who paid for this ad: My name is this; I paid for this ad. That is what that is.

Guess what. If those things go on radio, TV, or newspaper, you have to follow all those rules. If they end up on Facebook or Twitter or another large social media platform, there are no rules in play. Sure, a few of those companies right now are voluntarily disclosing it, but there are no actual rules in place about how it should be done.

When I asked them why they wouldn't favor the bill, some of them have since changed their minds and do favor it, but when I asked at the beginning, they said they couldn't figure out what an issue of Federal legislative importance is. That is what the standard is. It is about candidate ads and the issue ads that you see on TV that bug you all the time. When asked about ads and why they couldn't do it, they said they couldn't figure out what that was. I said: Really? My radio station in Deep River Falls, MN, can figure it out. These are some of the biggest companies in the world. Please tell me you don't have the expertise to figure that out.

That is why it is important that we pass this bill. It is about issue ads, and it is also about candidate ads. All it does is this. As we look at where the money is going to go in advertising, in the last 2016 Presidential election, $1.4 billion was spent online on these kinds of ads. It is supposed to go to $3 billion or $4 billion in 2020, and there are no rules of the road. It is not only unfair, but it is criminal if this continues.

It is so easy to do. This is something we could fix right away. This is why John McCain led this bill with me. When we introduced it, he said:

> I have long fought to increase transparency and end the corrupting influence of special interests in political campaigns, and I am confident the Honest Ads Act will modernize existing law to safeguard the integrity of our election system.

This Congress, as I mentioned, Senator GRAHAM took his place. It is time to get this done. There are many other bills that I will come back and discuss in the next few weeks that would help on foreign influence in our elections, but, today, I want to focus on this one because election security is national security, and it is well past time that we take action. The American people should expect nothing less from us. We should be able to get this done.

UNANIMOUS CONSENT REQUEST—S. 1356

Mr. President, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of S. 1356 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senate majority whip.

Mr. THUNE. Mr. President, there are Members who object to this. They can't be here to object on their own behalf. I object on their behalf.

I say to the Senator from Minnesota that, like her, I also want to do everything we can to ensure that our elections are fair and transparent in this country. I think there are a number of solutions, as she pointed out, that are out there. I think there is a lot of good work that is being done and can be done, hopefully, on a bipartisan basis. As a former chairman of the Senate Commerce Committee, I have worked with the Senator from Minnesota on a number of issues where we have been able to fashion solutions that are bipartisan in nature. I suspect work on this will continue.

As I mentioned, we have a couple of Members on our side who do have objections to the bill in its current form or the process of trying to do it this way. I do think there is a way in which we can come together and work toward solutions that will help do what I think all of us have as an objective, and that is to keep our election process in this country fair and transparent.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota.

Ms. KLOBUCHAR. I appreciate the words from my colleague from South Dakota. I point out that the act is a bipartisan bill, with the other cosponsor being the Republican chair of the Judiciary Committee, and I think we should be focused on election security instead of protecting these social media companies. I think we should be protecting the American people.

We need to be a united front. I appreciate his words, and I look forward to working with him to get this bill to the floor.

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.

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

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

ELECTION SECURITY ACT

Mr. DURBIN. Mr. President, the Mueller report made crystal clear that the Russian Government interfered in the Presidential election of the United States of America in the year 2016. They called it a ''sweeping and systematic fashion'' of interference.

I know this better than some because, in my home State of Illinois, the Russian intelligence service literally hacked into our State Board of Elections' voter file and gained access to a database containing information on millions of voters in my State. Then the Russians extracted the data on thousands of those voters. They also targeted other State election authorities, county governments, and election equipment and technology vendors.

Federal law enforcement and intelligence officers have repeatedly warned us that these interference efforts will continue into the election of 2020. In fact, former KGB Agent Vladimir Putin recently mocked us and openly joked that Russia would definitely interfere again in the U.S. elections. Congress cannot sit back and ignore this threat. We must take action to help State and local election officials prepare for the 2020 elections and those beyond.

I am pleased that the leader, MITCH MCCONNELL, of Kentucky, finally relented on his opposition to any further funding to assist State and local election officials with election security efforts. Yet the $250 million included in the fiscal year 2020 Financial Services and General Government appropriations bill is clearly inadequate. We need to boldly invest in our election security. It is literally the cornerstone of our democracy, and we need to provide sustained funding to State and local election officials so they may respond

to these threats that are far beyond any State's capacity to deal with.

There are 40 of us who cosponsored the Election Security Act that Senator AMY KLOBUCHAR, of Minnesota, introduced in May. I was proud to join her as one of the original cosponsors.

The legislation would provide critical resources to election officials through an initial $1 billion investment in our election infrastructure, followed by $175 million every 2 years for infrastructure maintenance. It would also require the use of voter-verified paper ballots, strengthen the Federal response to election interference, and establish accountability measures for election technology vendors.

Let me bring this down to Earth in simple words. If we cannot trust the outcome of an election to accurately reflect the feelings of those in America, we have lost the cornerstone of our democracy. There are nations, including Russia, that have proven they are doing everything in their power to stop us from having safe, accurate election counts.

The question for this Senate and for this Congress is, Do we care? Do we care enough to spend the resources so our States can protect the integrity of voters? I am not just talking about blue States from the Democratic side of the aisle. Every State, red and blue alike, would benefit from this legislation. If the Republicans want to demonstrate that they are joining us in putting country over party, they should join us today and protect our democracy by passing this legislation.

I have been asked to make a unanimous consent request at this point before I finish my remarks, and I thank the Senator from Louisiana for being on the floor.

UNANIMOUS CONSENT REQUEST—S. 1540

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of S. 1540, the Election Security Act; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, in reserving the right to object and with all of the respect I can muster, this bill has more red flags than the Chinese Embassy. Despite my great admiration for the senior Senator from Illinois, I am objecting for three reasons.

The first reason I can best explain by telling you a story.

An oilman was talking to his banker one day, and the banker said: Mr. Oilman, you know, the bank loaned you $1 million to rework all of your old oil wells, and they went dry.

The oilman said: It could have been worse.

The banker said to the oilman: Mr. Oilman, we loaned you a second $1 million to drill brandnew wells, and they all went dry. What do you say about that?

The oilman said: It could have been worse.

Then the banker said to the oilman: Our bank loaned you a third $1 million to buy new drilling equipment, and it all broke down. What do you say about that?

The oilman said: It could have been worse.

The banker was now very upset. He said: What do you mean it could have been worse? We loaned you $3 million, and you lost all of it. What do you mean it could have been worse?

The oilman said: It could have been my money.

The cost of this bill is $1 billion—nine zeros. If I started counting to a billion right now by one numeral a second, I wouldn't finish until 2051. I would be dead as a doornail. I wouldn't make it. A billion is a lot. We toss around ''a billion'' these days like it was a nickel. A billion seconds ago, it was 1986. Ronald Reagan was President. That is how much a billion is. A billion minutes ago, the Romans were conquering Mesopotamia. As I made the point the other day on the Senate floor, a billion hours ago, the Neanderthals were roaming the Earth. A billion is a lot.

We have a $22 trillion deficit—12 zeros. We have to pay this money back. I am running out of space, and we are probably going to run out of digits if we keep borrowing.

My first concern is the money. Now, if we had not given any money to our colleagues at the State level, that would have been one thing. Yet, as my good friend knows, 2 years ago, we gave the States $380 million to combat election fraud. They haven't even spent it all yet. So, yes, I have concerns about the money.

Point No. 2, we did have problems in 2016, and I join the senior Senator in wanting to do everything we possibly can to keep it from happening again, which we did in 2018. We all had a classified briefing down in our room. I don't know the particular name of it, but it is in the Capitol Visitor Center. It is classified. You have to leave your phone and your iPad outside. We had the Director of National Intelligence there and the FBI Director, and I think we had every general there from the Western Hemisphere. We went over the 2018 elections. They went off without a hitch.

Have you read any articles about our having problems in 2018 like we had in 2016? No. Do you think if we had problems in 2018 that the members of our press would have pounced on it like a ninja? Yes. Yet you haven't seen those articles because 2018 went off without a hitch. This was, in part, because we gave the States $380 million to solve the problem, and they have not spent it all. So a reasonable person would wonder why we would want to give them another $1 billion of American taxpayer money at this juncture.

We also asked the Director of National Intelligence, the FBI, and every general who was there: Are you ready for 2020? Every single one of them said, categorically, unequivocally, unconditionally, yes. Every single Senator, both my Republican friends and my Democratic friends, walked out of that classified hearing impressed.

The third reason I, regretfully, have to object to this bill—and I am not ascribing this intention to the Senator from Illinois. I am not—is that some of my friends on Capitol Hill would like nothing better than to take over elections in America, to have our election system federalized. Right now, we don't have one election system; we have 50 election systems. Every State runs its elections its own way, usually by the Secretary of State. Now, I believe that is a matter of federalism. I don't see anywhere in the U.S. Constitution or in the Federalist Papers where it reads the U.S. Government ought to be running elections for States.

No. 2, our States do a great job. Yes, we had a lot of activity on Facebook and Google and within other aspects of social media, but we haven't heard one allegation—or at least any proof of an allegation—that any votes were stolen in 2016, much less in 2018. That is because our Secretaries of State did a good job. It is also safer to have every Secretary of State and every State in charge of its own election system because, if a foreign government wants to hack your system, it has to go to 50 different States. It has to do it 50 times. If we nationalize elections—yet again, give the Federal Government more power—all a foreign national has to do is to hack one system.

Again, I am not ascribing this motive or this intent to my good friend from Illinois. I am not. Yet there are some who would like nothing better than to nationalize State elections and have them run by the Federal Government. Then the Federal Government could tell the States what to do—what kinds of machines to use, whether they need paper ballots, how to order the ballots. If they have electric machines and one has to walk into a booth, the Federal Government could tell the States what kinds of and what color of curtains they would have to have. Then they would have a Federal agency get involved, and it would start promulgating regulations. Before you would know it, casting a vote would be like building a bridge.

It is a matter of federalism. Those who disagree with me will say: Oh, KENNEDY. You are exaggerating. This bill doesn't do that. It doesn't federalize elections.

Yes, it does.

Do you know how we federalize things around here? We get the object of the federalization hooked on the money. Those who want the Federal Government to run everything never go right at it. They sneak up on them. We say we are going to give them $380

million, and they get a little addicted. Then we are going to give them $1 billion, and they get a little more addicted. Sooner or later, they are addicted to the money, and then the Federal Government has got them.

And that is what worries me about this bill.

I am going to offer another bill after we are done today that I hope my good friend from Illinois will at least consider supporting. This bill is not going to cost $1 billion, I can assure you. This bill is going to require the chief election official of every State—usually, that is the Secretary of State, as the senior Senator knows better than me—to disclose to the Election Assistance Commission the identity of any known foreign national who has physically handled ballots, machines, or has had unmonitored access to storage facilities or tabulation centers used to support elections or unmonitored access to election-related information or communication technology.

What does that really mean? That means that if a foreign national at any stage of the chain of custody has access to the machine or has access to the ballot, that has to be disclosed.

Now, if you want to do something to stop foreign nationals from interfering with our elections, we don't need to spend $1 billion. We need to pass this bill.

Mr. DURBIN. Mr. President, is there an objection?

Mr. KENNEDY. Yes, sir. I am getting to that.

For the reasons I described and with great respect for the senior Senator from Illinois, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 5 minutes.

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

Mr. DURBIN. First, let me say this. I do respect the Senator from Louisiana. We have been cosponsors on important legislation. I hope we will be again. We see eye-to-eye on many things but not on this bill.

A billion dollars? The Federal Government spends $1,500 billion every year. Is the integrity of our voting system worth $1 billion?

Do you know what it has cost us to reach this point in our history where our democracy is reliable and respected around the world? It has cost more than money. It has cost the lives of men and women who went to war to fight for that, to make sure that we had the last word when it came to the future of our democracy.

A billion dollars is an overwhelming number; right? Divide it by 50, and understand what is at stake here. What is at stake here is whether we care enough to invest money in our election process—not with Federal mandates. We say to the States: You decide how to spend it. You have the authority over the State election procedure and the color of the curtain on your booth. If you want to mandate that by State law, be my guest.

But what it comes down to—and I have to disagree with my friend from Louisiana—is that the money we have sent to the States already has all been obligated, and it is going through the purchasing and procurement policies of each of the States. It isn't as if they can't figure out what to do with it.

Upgrading our voting machines to make sure that they reflect technology today makes a difference. Have you bought a new cell phone recently? Have you watched any ads on television talking about the security of your cell phone? Have you listened to anyone talk about the privacy of you as an individual? It is because every single day, every single minute, and every second someone is trying to figure out how to get into your mind and into your life, and we are trying to keep technology up with this reality.

Now, what is the reality of the technology we use for voting? In my State, we have paper ballots to verify what is actually cast, but our technology is 20 years old. The Russians know that; the Iranians know that; and the Chinese know that, and they are mocking us. They are laughing.

If you were amused by the story of the Senator from Louisiana—and he is the best storyteller in the Senate—think about how amused Vladimir Putin is to listen to this debate.

We can't afford to spend the money to ward off Vladimir Putin's next attack in 2020. That is what I hear from the other side of the aisle. I disagree. I think what is at stake here is so basic and so fundamental that shame on us if we will not invest the money to make sure we keep up with the attackers.

Now, people say: Well, 2018 went off without a hitch. It was not only the good work of State election officials. It was the hard work here in Washington of our intelligence agencies, and the Senator knows that. We didn't sit back and say: Well, I sure hope they don't hit us again. We went after them. I can't be more specific because we are told not to be more detailed in our response.

We invested a heck of a lot of money in stopping them from ruining the 2018 election, and we are bound to do it again, and I hope we do. But to say we can't afford to protect the integrity of our vote—then, what is a democracy worth? What is it worth?

It is worth human lives, and it is worth our investment in this generation to make sure that those votes count, whether you live in a red State or a blue State. I am not talking about just sending this to Democratic State officials. I am talking about across the country. I want an election to truly reflect the way the American people feel about candidates and issues that are before them, and that is why I am so disappointed by the Senator's objection.

Yes, I will carefully consider his bill. Maybe there is some room here. But when we say $1 billion disqualifies you from being considered seriously, when it comes down to the integrity of our voting system—$1 billion is too much—it turns out the Republican leader has suggested one-fourth of that amount, and nobody blinked.

I happen to think $1 billion is more realistic in terms of helping our voting systems across this country. Shame on us if the result of the Presidential election is later found to have been tampered with by our enemies overseas. Shame on us if we didn't do everything we were supposed to do in the Senate, in the House, and in this government to protect that God-given right for a democracy that we cherish so much.

The Mueller report made crystal clear that the Russian Government interfered in the 2016 presidential election in a ''sweeping and systematic fashion.''

In Illinois, the Russian intelligence service hacked into our State Board of Elections, gained access to a database containing information on millions of Illinois voters, and then extracted data on thousands of those voters.

They also targeted other State election authorities, county governments, and election equipment and technology vendors.

And Federal law enforcement and intelligence officials have repeatedly warned that these interference efforts will continue in 2020.

In fact, former KGB Agent Putin recently mocked us, openly joking that Russia would definitely interfere again in the U.S. election.

Congress cannot sit back and ignore this ongoing threat—we must take action to help State and local election officials prepare for future elections.

I am pleased that Leader MCCONNELL finally relented on his opposition to any further funding to assist State and local election officials with election security efforts.

But the $250 million included in the FY 2020 Financial Services and General Government (FSGG) appropriations bill is not nearly enough.

We need to boldly invest in our election security—and we need to provide sustained funding to State and local election officials to respond to these evolving threats.

That is why 40 of us have cosponsored the Election Security Act, which Senator KLOBUCHAR introduced in May. I was proud to join as a lead cosponsor.

The legislation would provide critical resources to election officials through an initial $1 billion investment in our election infrastructure, followed by $175 million every 2 years for infrastructure maintenance.

It would also require the use of voter-verified paper ballots, strengthen the Federal response to election interference, and establish accountability measures for election technology vendors.

If Republicans want to demonstrate that they are capable of putting country over party, they should join us

today and protect our democracy by passing this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I agree so much with what the Senator from Illinois has said, but we are on top of this.

Let me say it again. We gave the States $380 million to address the problems in 2018. They haven't spent all of it. It is 3 gallons of crazy to give them another billion dollars.

We have been assured by all of the relevant Federal officials that we are ready for 2020. I am going to repeat once again: We had no problems in 2018.

If I thought for a second that our voting system was in jeopardy, I would be joining with my good friend the Senator, but I am not much for just spending taxpayer money, with a $22 trillion deficit, just to be spending it.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes, followed by Senators JOHNSON, RISCH, and MENENDEZ, for 5 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA

Mr. PAUL. Mr. President, today, we will vote on whether or not to admit North Macedonia into NATO. I, for one, think we already have enough dead weight in NATO and that adding North Macedonia to NATO adds absolutely nothing to our collective security.

In his farewell address, George Washington stated: ''It is our true policy to steer clear of permanent alliance with any portion of the foreign world.'' This was echoed by Thomas Jefferson in his inaugural address, who wished for ''peace, commerce, and honest friendship with all nations . . . entangling alliances with none.'' As we watch the most recent developments in Syria unfold, it is a good moment to remember the guidance that Washington and Jefferson attempted to pass along.

Turkey, a nation that we have been locked in a permanent alliance with since the Cold War, has launched an offensive, a war of choice, by further invading Syria.

While they are clearly acting in their own self-interest, their actions place our Nation one mistake or one small incident away from a hot war with at least one major global power. Does it make sense for American men and women to potentially have to defend Turkey over their war of choice?

I believe that when Jefferson spoke of entangling alliances, one could not pick a better example than how we have expanded NATO. Since 2004, we have expanded NATO ever closer to the border of Russia. In the process, we have added the so-called military might of countries such as Slovenia, Latvia, Albania, Montenegro, and now, today, North Macedonia.

What benefit is it to the United States to add countries that barely have enough military might to defend themselves? I say that adding North Macedonia to NATO adds absolutely nothing to our national security.

The best-case scenario we can hope for with these countries is that an incident that triggers a major land war never occurs. If you think this is farfetched, remember that World War I began when a Serbian nationalist assassinated the heir to the Austro-Hungarian Empire. Within months, the very system of entangling alliances that our forefathers warned about turned Europe into a killing field, which ultimately killed upward of 19 million people. Adding yet another small country to NATO does nothing to dissipate the chances of catastrophic war and, in fact, encourages that possibility.

What military capabilities does North Macedonia bring to the table? Some 8,200 active-duty soldiers. Additionally, in 2018, they spent a whopping $120 million a year on their military. By comparison, the Chicago Cubs spent $221 million on their payroll. Additionally, 15 other Major League Baseball teams spent more on their rosters than North Macedonia spends on defense. Even if North Macedonia brought their military spending in line with NATO guidelines, it would still only be $227 million.

But if the goal of NATO is to have these countries spend 2 percent, why don't we wait until they are spending 2 percent to admit them instead of admitting them and saying: Please, increase your defense spending.

If they come up to 2 percent, they would only be spending $227 million, which is $103 million less than Bryce Harper's contract with the Philadelphia Phillies.

NATO is supposed to be about mutual defense, not just blanket security guarantees to smaller states.

How much would North Macedonia give in monetary terms to NATO? Less than $1 million. We foot the bill. We pay for everything. We are going to get less than $1 million of direct contributions from North Macedonia. It doesn't seem hardly fair; does it?

It is clear that North Macedonia adds little, if any, value to the NATO alliance in terms of manpower or military capabilities, which means that the only reason they are being added is to be a tripwire that would only ensnare us in a rapidly escalating wider war in which they would not be able to carry their own weight. So I don't think North Macedonia adds anything to our national security, but they are out there on the edge of Europe as a tripwire to ensnare us in a wider war.

If the recent events involving Turkey were not enough to validate the guidance laid down by our Founding Fathers, then adding North Macedonia to a tangled network of permanent alliances certainly is. We would be wise to revisit and heed our Founding Fathers, who said getting involved in entangling alliances in Europe does not add to our security; it threatens our security.

I urge a ''no'' vote. I don't think we need to expand NATO. We certainly don't need more people that the American taxpayer will be asked to pay for.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise to speak in support of North Macedonia's accession to the North Atlantic Treaty Organization.

North Macedonia's path to NATO accession has been a long one. Despite being regarded early on as a leading candidate for NATO membership, Macedonia's name dispute with Greece became a huge roadblock. A disagreement over a country's name may not seem like a big deal to those looking in from the outside, but getting over this hurdle required significant political courage.

In 2017, Greece's Prime Minister Tsipras and Macedonia's Prime Minister Zaev displayed that level of political courage when they committed to settle the nearly three decades-long dispute. Because of their leadership, these two nations signed the Prespa agreement last year. Greece agreed to remove its objection and approve Macedonia's accession to NATO in exchange for Macedonia agreeing to change its name to North Macedonia.

This dispute resolution between Greece and North Macedonia demonstrates that NATO is not only an effective defensive alliance, but it has been a tremendous force for stability in Europe. North Macedonia is poised to soon become NATO's 30th member because it worked to resolve a longstanding bilateral disagreement.

I support NATO's longstanding open-door policy, and I hope that the goal of NATO membership will continue to guide other aspirants to solve longstanding disputes, fight corruption, and make difficult necessary domestic reforms.

Beyond North Macedonia's accession, I would like to speak more broadly on how important the NATO alliance is to the United States. NATO is based on the principle of collective defense. Article 5 of the North Atlantic Treaty states that an attack against one member is an attack against us all.

NATO Secretary General Stoltenberg detailed NATO's value when he addressed a joint meeting of Congress earlier this year and both started and ended his speech by saying: ''It is good to have friends.'' I couldn't agree more.

In the wake of the attacks of 9/11, our friends, our NATO allies, invoked article 5 for the first and only time in the alliance's history. Our NATO allies and many of the aspirants stood shoulder to shoulder with us in Afghanistan. They lost 1,000 of their sons and daughters in honoring their commitment by fighting alongside us. The United States should never forget our NATO allies' contribution and sacrifice.

A strong NATO alliance is just as important and relevant today as it was at its founding in 1949. I am pleased that the full Senate is taking up this measure to approve North Macedonia's accession to NATO, and I urge my colleagues to vote in favor with a resounding yes.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

NOMINATION OF ANDREW P. BREMBERG

Mr. MENENDEZ. Mr. President, I come to the floor to express my opposition to the nomination of Andrew Bremberg to be Representative of the United States to the Office of the United Nations in Geneva. He is not qualified for this position, and his views on women's rights and access to reproductive healthcare conflict with longstanding positions of the U.S. Government and more than three-quarters of the American public.

I take my position as ranking member for the Foreign Relations Committee seriously. I have a duty to thoroughly vet all nominees who come before the committee whether they be political nominees like Mr. Bremberg or career civil servants.

The criteria I use to determine their fitness to represent our country abroad include their foreign policy experience, their core values, and whether they will be responsive and honest with Congress as we conduct our oversight. I am disappointed to say that Mr. Bremberg fails even these basic criteria. He has no relevant foreign policy experience.

I repeat, the nominee to represent the United States at Geneva has no foreign policy experience. Mr. Bremberg has served as Assistant to the President and Senior Advisor for Domestic Policy at the White House and as a political appointee to the Department of Health and Human Services in the Bush administration.

When it comes to Mr. Bremberg's core values, his nomination hearing left me deeply troubled. Our voice at Geneva must stand up for the core principle that reproductive rights are human rights; yet Mr. Bremberg made clear that he opposes access to reproductive health services for women and girls who are victims of sexual violence in conflict in the world. This radical view of women's rights and access to reproductive healthcare is totally outside the mainstream, not just for the Democratic Party but the Republican Party and the American people at large. That is why 40 reproductive health groups wrote a joint letter opposing Mr. Bremberg's nomination.

Moreover, in his positions at the White House, Mr. Bremberg led and advanced divisive and incendiary policy proposals, such as the infamous Muslim ban Executive order and the addition of a citizenship question on the census.

When questioned on these subjects, Mr. Bremberg frequently cited confidentiality interests and declined to elaborate further. When pressed by Senators on whether he was exerting any form of privilege or executive privilege, he insisted he was not; yet he continued to refuse to answer questions. Clearly, we cannot rely on this nominee to be honest and forthright with this body.

Beyond Mr. Bremberg's lack of experience, his extreme far-right views, and his lack of respect for Congress, there is the issue of his erroneous declarations on government documents. Indeed, his nomination was significantly delayed because my staff discovered Mr. Bremberg's claim that he had terminated from his political consulting company—of which Trump for America was a client—when the truth is he did not. In fact, Mr. Bremberg did not terminate his political consulting firm until forced to as part of the Foreign Relations Committee's vetting process.

Once again, the Trump administration has displayed a basic inability to conduct even the most cursory vetting to ensure that a nominee is qualified and fit to hold office, free from potential financial or ethical conflicts of interest.

We have nominees with restraining orders, nominees who have failed to mention sexual harassment lawsuits, and nominees whose virulent, troll-like approach to social media should disqualify them from holding any office, much less a Senate-confirmed representative of the American people.

Unfortunately, the Trump administration has decided to advance unqualified and unfit nominees even as it withdraws a number of qualified civil servant nominees from consideration.

The failure of the political leadership at the State Department to stand up and defend qualified, veteran Ambassadors when they come under fire from the White House is nothing short of cowardice.

It was reported last week that Fiona Hill, the former White House foreign policy adviser, concluded that one Trump administration Ambassador was so unprepared for his job that he actually posed a national security risk. Mr. Bremberg is cut from the same mold.

If his performance before the Foreign Relations Committee demonstrated anything, it is that his views are completely outside those of mainstream America. He is unprepared to represent our Nation on the world stage, and he has little to no respect for the Senate and the role of Congress as a coequal branch of government. Surely, we can do better than this. The American people certainly deserve better than this.

I urge my colleagues to oppose his nomination and to demand that this administration nominate an ambassador to the United Nations organization in Geneva who is worthy of representing our country on the world stage.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RISCH. 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. RISCH. Mr. President, I ask unanimous consent that amendment Nos. 946 and 947 be withdrawn.

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

The amendments (No. 946 and No. 947) were withdrawn.

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA

Mr. RISCH. Mr. President, I rise today to support the accession of the Republic of North Macedonia to the North Atlantic Treaty Organization and to encourage my Senate colleagues to vote in favor of this protocol.

As we know, this past April marked the 70th anniversary of the NATO alliance, the world's strongest and most successful political military alliance in the history of the world.

In honor of this, the Senate Foreign Relations Committee held a hearing to reflect on the alliance's successful past and to consider its future. The Senate also passed and recognized NATO's many accomplishments, and the resolution I authored, S. Res. 123, did so. I am grateful to have another opportunity to demonstrate strong Senate support for NATO by welcoming North Macedonia as a new member. As we all know, this matter has been in the works for a long time.

NATO was founded by the United States and 11 other countries after the shock of the Soviet blockade of Berlin. The Berlin airlift in 1948 made us realize the significant and real threat that the Soviet Union posed to peace and prosperity. That conflict is far behind us, but NATO has remained a critical piece of the framework that supports our collective security.

NATO worked to help the United States in Afghanistan after the attacks of September 11 and has ended genocides and maintained peace in the Balkans. It has trained troops of the new Iraqi Government; it has run air policing missions on Europe's eastern flank; it has helped end the genocide in Darfur; and it provided assistance to the United States after Hurricane Katrina. Most importantly, it has maintained a period of unprecedented peace among the major European powers.

NATO has proven to be not only a military success but also a political and economic one. NATO's security umbrella has provided the kind of stable environment necessary for economic growth and investment. Former Soviet bloc countries clamored for—and continue to clamor for—NATO membership, not only for the protection against Russia that they sought and seek but for the economic strength that membership could foster.

U.S. trade with fellow NATO members remains vital to the U.S. economy. NATO allies remain the largest

source of foreign, direct investment to the United States.

NATO is not perfect. It faces several challenges from within. First is the need to invest more in defense. Those of us who serve on the Foreign Relations Committee have for many, many years urged our friends and colleagues—the majority of whom are not in compliance—about the need to invest more in defense. But the number of allies spending 2 percent of their GDP on defense and 20 percent of their defense budget on equipment has increased, adding more than $100 billion in European defense spending. Eight allies currently meet this pledge, but it is critical that all allies meet their Wales Summit commitment by 2024.

Second, NATO faces different security threats in different parts of the alliance. Southern Europe is understandably worried about migrant flows, while Eastern Europe faces the challenge of Russian military buildup along its borders and domestic disinformation campaigns sowing disorder by the Russians, just as we know Russia has attempted to do here in the USA.

NATO has recently begun to think about security risks that China poses to individual allies and the alliance as a whole.

Tackling all of these security risks will be challenging. But if NATO allies commit to the alliance and needed reforms, NATO will be up to the task.

Bringing a new member into the alliance also prompts us to reassess the status of current members, and I feel compelled to address the growing discussion regarding NATO allies that do not uphold the democratic principles enshrined in the treaty's preamble.

I agree that there are NATO allies whose democracies are weakening instead of strengthening and whose recent behavior does not demonstrate a commitment to the alliance. To fix these issues, the alliance must work from within.

There is no other alliance in the world like NATO. China and Russia do not have allies. They have short-term, transactional-only partners they have bullied into cooperation. NATO's strength and success come from its commitment to the allies and to working through problems when they arise.

On the expansion of NATO itself, which is what we are here to deal with today, since 1949, NATO has expanded 7 times and now includes 29 countries. The entrance of North Macedonia will make 30. Adding a 30th member during the alliance's 70th year sends a strong signal to our fellow allies and enemies alike of the continued strength of this alliance.

The U.S. Senate's consideration of North Macedonia as a member of NATO is a piece of long-delayed and unfinished business. North Macedonia was originally eligible for NATO entry in 2008 and was to have joined the alliance alongside Croatia and Albania. As we know, an ongoing dispute about North Macedonia's name prevented that from happening. But the leaders of both North Macedonia and Greece demonstrated great political courage in concluding the Prespa agreement earlier this year, which has made today's decision possible.

The courage of Prime Minister Zaev and former Prime Minister Tsipras to move the situation in the Balkans forward should be applauded. I met with both leaders this year to thank and congratulate them.

Not only does Prespa pave the way forward for North Macedonia into both NATO and the European Union, but it is an excellent example of how other conflicts in the region could be resolved.

When the Senate Foreign Relations Committee held its hearing earlier this year to consider North Macedonia's eligibility for alliance, the committee heard strong and unequivocal testimony from top officials at the Departments of State and Defense that North Macedonia would be a strong partner to the allies and is ready for the requirements of NATO membership.

After reviewing all relevant facts and holding hearings and meetings with NATO, U.S., and North Macedonian officials for the better part of this year, I am confident that North Macedonia is ready to fulfill its NATO obligations and will benefit the alliance. It was ready in 2008 and is ready now. North Macedonia has a credible plan to meet the 2-percent spending requirement by 2024 and is already on track to spend 20 percent on equipment. It hosts the Krivolak training area, a top-notch Army training facility that has already been utilized by many U.S. soldiers. Strategically, North Macedonia's membership would provide NATO a direct land path from the Aegean to the Adriatic Sea, facilitating military movements should they ever be needed. It will continue to contribute soldiers to NATO's international mission as it has done in Afghanistan and Iraq since 2002.

North Macedonia isn't perfect. As a small country with a young democracy, it will certainly require further government reforms and military modernization as have most new NATO allies. For example, it will need to continue its transition from legacy Soviet equipment, further reform its intelligence services, and above all, resist Russian interference and continue to strengthen its anti-corruption efforts. I urge North Macedonia to make these reforms and to continue on its positive path inside the alliance with the help of its other democratic NATO allies.

Expanding NATO to include North Macedonia is about what the country will bring to the alliance and what the alliance brings to North Macedonia, but it is not just about North Macedonia and its qualifications for membership. Through its open-door policy, NATO has promised membership to any European country that fulfills the requirements of the alliance. Accepting North Macedonia as a new member is a strong symbol and a message for European countries with NATO aspirations that with hard work and perseverance, along with the willingness to make tough reform decisions, they can provide a better future for their people. As long as countries honor this commitment, NATO's door should and will remain open.

It is important to note that this is a strong anti-Russian vote. Standing here today, I can tell you the Russians are very much opposed to this, not the least of which is exemplified by the way they resisted this and pushed back against this as North Macedonia attempted to get this done for their people.

I say to the Presiding Officer and colleagues, this day is a long time in the making, and I am pleased it is finally here.

I urge all of my colleagues to support North Macedonia's bid to become our newest NATO ally, No. 30, by voting in favor of this protocol.

Thank you.

The PRESIDING OFFICER. The clerk will state the resolution of ratification.

The senior assistant legislative clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS, AN UNDERSTANDING, AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia, which was opened for signature at Brussels on February 6, 2019, and signed that day on behalf of the United States of America (the ''Protocol'') (Treaty Doc. 116–1), subject to the declarations of section 2 and the conditions of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for 70 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate declares that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against North Macedonia, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) North Macedonia, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to North Macedonia will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO'S OPEN DOOR POLICY.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than North Macedonia), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) INFLUENCE OF NON-NATO MEMBERS ON NATO DECISIONS.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.—The Senate declares that all NATO members should continue to move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024.

(7) SUPPORT FOR NORTH MACEDONIA'S REFORM PROCESS.—The Senate declares that—

(A) North Macedonia has made difficult reforms and taken steps to address corruption, but the United States and other NATO member states should not consider this important process complete and should continue to urge additional reforms; and

(B) North Macedonia and Greece's conclusion of the Prespa Agreement, which resolved a long-standing bilateral dispute, has made possible the former's invitation to NATO, and the United States and other NATO members should continue to press both nations to persevere in their continued implementation of the Agreement and encourage a strategic partnership between the two nations.

SEC. 3. CONDITIONS.

The advice and consent of the Senate under section 1 is subject to the following condition: Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(1) The inclusion of North Macedonia in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(2) The inclusion of North Macedonia in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

SEC. 4. DEFINITIONS.

In this resolution:

(1) NATO MEMBERS.—The term ''NATO members'' means all countries that are parties to the North Atlantic Treaty.

(2) NON-NATO MEMBERS.—The term ''non-NATO members'' means all countries that are not parties to the North Atlantic Treaty.

(3) NORTH ATLANTIC AREA.—The term ''North Atlantic area'' means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(4) NORTH ATLANTIC TREATY.—The term ''North Atlantic Treaty'' means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(5) UNITED STATES INSTRUMENT OF RATIFICATION.—The term ''United States instrument of ratification'' means the instrument of ratification of the United States of the Protocol to the North Atlantic Treaty of 1949 on the Accession of North Macedonia.

The PRESIDING OFFICER. The question is on agreeing to the adoption of the resolution of ratification of Treaty Document No. 116–1.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 91, nays 2, as follows:

[Rollcall Vote No. 327 Ex.]

YEAS—91

Alexander
Baldwin
Barrasso
Blackburn
Blumenthal
Blunt
Boozman
Braun
Brown
Burr
Cantwell
Capito
Cardin
Carper
Casey
Cassidy
Collins
Coons
Cornyn
Cortez Masto
Cotton
Cramer
Crapo
Cruz
Daines
Duckworth
Durbin
Enzi
Ernst
Feinstein
Fischer
Gardner
Gillibrand
Graham
Grassley
Hassan
Hawley
Heinrich
Hirono
Hoeven
Hyde-Smith
Inhofe
Johnson
Jones
Kaine
Kennedy
King
Klobuchar
Lankford
Leahy
Manchin
Markey
McConnell
McSally
Menendez
Merkley
Moran
Murkowski
Murphy
Murray
Perdue
Peters
Portman
Reed
Risch
Roberts
Romney
Rosen
Rounds
Rubio
Sasse
Schatz
Schumer
Scott (FL)
Scott (SC)
Shaheen
Shelby
Sinema
Smith
Stabenow
Sullivan
Tester
Thune
Tillis
Toomey
Udall
Van Hollen
Warner
Wicker
Wyden
Young

NAYS—2

Lee
Paul

NOT VOTING—7

Bennet
Booker
Harris
Isakson
Sanders
Warren
Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 2.

Two-thirds of Senators present, a quorum being present, have voted in the affirmative. The resolution of the ratification to the protocol of the North Atlantic Treaty of the Republic of North Macedonia is agreed to.

The Senator from Indiana.

ORDER OF BUSINESS

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate recess following the cloture vote on the Bremberg nomination until 2:15 p.m. and that if cloture is invoked, the postcloture time expire at 2:45 p.m. and the Senate vote on confirmation of the nomination; finally, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

Mitch McConnell, Rick Scott, Roger F. Wicker, Tim Scott, John Hoeven, Deb

Fischer, Thom Tillis, Cindy Hyde-Smith, Steve Daines, James M. Inhofe, Lindsey Graham, John Boozman, Mike Crapo, James E. Risch, Richard Burr, Shelley Moore Capito, Jerry Moran.

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

The question is, Is it the sense of the Senate that debate on the nomination of Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 43, as follows:

[Rollcall Vote No. 328 Ex.]

YEAS—50

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Blackburn	Graham	Roberts
Blunt	Grassley	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Paul	Young
Ernst	Perdue	

NAYS—43

Baldwin	Heinrich	Reed
Blumenthal	Hirono	Rosen
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Wyden
Gillibrand	Murray	
Hassan	Peters	

NOT VOTING—7

Bennet	Isakson	Whitehouse
Booker	Sanders	
Harris	Warren	

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 43.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:19 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Alabama.

APPROPRIATIONS

Mr. SHELBY. Madam President, this afternoon, I rise to urge my colleagues here in the U.S. Senate to support the pending cloture motion on H.R. 3055 so we can get the appropriations process moving. It is already day 22 of the current fiscal year. The entire Federal Government, as you know, is now operating under a continuing resolution, and in less than a month, that continuing resolution will expire.

By this time last year, Congress had already funded 75 percent of the government, including America's military. It was the first time in 10 years that Congress had funded the military on time. That success paid huge dividends for our country and for our men and women in uniform. Now, they face an uncertain future. The prospect of serial continuing resolutions or, worse, another government shutdown casts a dark shadow over our previous success. Such uncertainty also wreaks havoc on every Federal agency's abilities to plan, and it is acute when it comes to the military.

As our military leaders seek to ensure that planning and operations keep pace with activities and challenges around the globe, they are faced with the hard reality that Congress is not keeping pace with our own duties here. Congress' failure to do its own job makes that of the military all the more difficult in this troubled world. I believe that is unacceptable.

Nonetheless, we have hit a stalemate in the appropriations process lately. The clock is ticking on the continuing resolution, as I said, and we have to break through the logjam. I hope we can do it today. The only way to do that is through bipartisan cooperation, as the Presiding Officer knows, as a member of the Appropriations Committee and chair of a very important subcommittee.

The vice chairman of the Appropriations Subcommittee, my good friend, Senator LEAHY, a Democrat from Vermont, suggested that the Senate proceed first to a package of domestic spending bills to try to break the stalemate. This is what we are trying to do today. In an effort to demonstrate good faith and get off the dime, that is what we are hopefully going to do later today.

I want to take a minute to thank Senator LEAHY for proposing a path forward out of our stall. I would also just like to emphasize to all my colleagues that this path leads to success if it ends with Congress funding the entire government, not just part of it. We have a lot of work to do, but we can do it. We have also before us the opportunity to get it done, so this is where we pick up today.

Last month, the Appropriations Committee, as the Chair knows, reported 10 bills to the full Senate. If we are able to proceed to H.R. 3055, it is my intention here on the floor to offer a substitute amendment that includes four of these bills that we passed out of the committee, each of which passed unanimously in a bipartisan way. What are those bills, and what do they fund? The Commerce Department, the Justice Department, Science bill—we call it Commerce, Justice, and Science—the Agriculture bill, the Interior bill, and the Transportation, Housing, and Urban Development bill.

I want to take a minute to thank the chairs of these subcommittees for their diligence in producing balanced bills: Senator MORAN, Senator HOEVEN, Senator MURKOWSKI, and Senator COLLINS. I also want to thank their respective ranking members, the Democrats, for their bipartisan cooperation here: Senator SHAHEEN, Senator MERKLEY, Senator UDALL, and Senator REED.

Together, these four measures before us today account for nearly one-third—one-third—of all nondefense discretionary spending. Consistent with the bipartisan budget agreement, they contain no new poison pills, and I would caution my colleagues on both sides of the aisle against pursuing poison pill amendments if we are able to proceed today. If we are to make any progress on the 2020 appropriations bills, I think we must be true to our commitment, enshrined in terms of the budget agreement, to refrain from such provisions to move the process.

I would also like to move this package through regular order so we can return quickly to a second package that the majority leader spoke to us at lunch today about that funds the military and many more other agencies. There is simply no excuse for further delay.

With all that we ask for our military, with all the challenges it already faces, with all the additional uncertainties that stopgap funding creates, and with all that has been said recently about the need to support our allies and counter our adversaries around the world, I hope that our colleagues will not say to our men and women in uniform: We will get to you later.

We should instead capitalize on the good will that we are trying to generate in this first package on appropriations by immediately moving to the next one that funds the military and so many other agencies.

This process only works if we work together in a bipartisan way, as Madam President knows. Let's work together this afternoon, and let's do our job so we can move forward for the American people. I think we should not leave our military and others to think that the government is in limbo any longer.

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.

The PRESIDING OFFICER. The Senator from Vermont.

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

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

Mr. LEAHY. Madam President, as the distinguished senior Senator from Alabama has said, we are going to be voting soon on our ''domestic minibus.'' We will vote on a cloture motion to proceed to H.R. 3055.

I understand that once we are on the bill, Chairman SHELBY is going to offer a substitute amendment that will include four bills that were reported from the Appropriations Committee with every Republican and every Democrat voting for them—the Agriculture bill, the Interior bill, the Commerce-Justice-Science bill, and the Transportation, Housing and Urban Development bill.

I know that some feel that sometimes the Congress gets so polarized that we could not have a unanimous vote that the Sun rises in the east, but this was a case where we did in our committee, which has representatives of all wings of the Republican Party and all wings of the Democratic Party. We all voted aye, and I would urge Members to vote aye.

I am pleased that the substitute package will not include the Military Construction and the Veterans Affairs bill, and let me explain why.

The underlying House vehicle we are moving to contains the House version of the Military Construction and Veterans Affairs bill, but the Senate Appropriations Committee has not yet considered this bill. We have not had debate in the committee. We have not had a vote on it in committee. It would be premature to bring it to the Senate floor.

It is an important bill. It is an important bill that I have always supported because it funds critical programs, particularly for our veterans. But President Trump wants to insist on using the bill to take funding from our troops and their families to fund his ineffective wall—a wall that he gave his word Mexico would pay for—and that is unacceptable.

Look at the people who are affected by the Military Construction and Veterans Affairs bill. Let's not get them tied up in a Presidential campaign promise. Let's look at the military families who are now living in substandard housing. Let's look at the veterans who are not getting the care they need. Let's have a clean bill.

Had the bill with the President's wall been in this—the American people would be paying for it and not Mexico, as the President promised—I would have been unable to support the cloture motion.

I am going to have more to say about each of the four bipartisan bills included in Chairman SHELBY's substitute when we turn to them. Hopefully we can by tomorrow. Each one funds programs that are important to the American people and our economy. They make critical investments in affordable housing, infrastructure, rural development, our farming communities, our small businesses, and our environment. They are good bills. I was glad to work with Senator SHELBY so we could have these bills before the Senate. They speak to real needs of the American people.

Now we have only 4 short weeks before the continuing resolution we are operating under expires. Four weeks can go by very quickly around here. We need to do our work. We need to do it quickly. We should be able to enact all 12 appropriations bills into law. I was going to say the Senate deserves no less, but it is the American people who deserve no less. So I will continue to work with Senator SHELBY and others, both Republicans and Democrats alike, to get these bills done.

We have a vote coming up soon.

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

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

VOTE ON BREMBERG NOMINATION

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

Mr. CARDIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 50, nays 44, as follows:

[Rollcall Vote No. 329 Ex.]

YEAS—50

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Blackburn	Graham	Roberts
Blunt	Grassley	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Paul	Young
Ernst	Perdue	

NAYS—44

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Rosen
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—6

Booker	Isakson	Warren
Harris	Sanders	Whitehouse

The nomination was confirmed.

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

The PRESIDING OFFICER. The Democratic leader.

UNANIMOUS CONSENT REQUEST—H.J. RES. 77

Mr. SCHUMER. Madam President, I am rising once again to ask the Senate's consent to move to the H.J. Res. 77 condemning the President's abrupt decision to withdraw U.S. troops from northern Syria.

Despite the Pandora's box of problems the President's decision has opened, the slaughter of our partners, the Kurds—and I think many of us on both sides of the aisle ache for the Kurds who risked their lives. Many of them lost their lives so our soldiers would not be in harm's way.

With the strategic gains of our adversaries in Tehran, Moscow, and Damascus and, most troubling, the potential resurgence of ISIS, the President has failed to articulate any strategy at all. We have asked to have Secretary Pompeo, Secretary Esper, and Director Haspel come before us. They have canceled again today because they don't have a plan.

Now, this is America at risk. We in New York know better than anybody else how a small group of people thousands of miles away—evil people—can

cause terrorism and hurt us. There is no strategy about what to do with the tens of thousands of ISIS prisoners and their fellow travelers who had been locked up and guarded by the Kurds.

No one believes—and I have talked to the top military intelligence people—that either Syria or Turkey has the interest in preventing ISIS from escaping that we do. Erdogan, in fact, hates the Kurds far more than he hates ISIS.

So every day this lack of policy and this lack of common sense from the President and this White House puts American lives in danger. What is the best way to get the President to act? Well, my friends, you know it. It is you. When Republican Senators protest what the President has done, he sometimes acts. Witness Doral. I guarantee you my speeches had very little effect on him, but yours did. Well, this is far more important than Doral. This is America, and lives are at stake. Our battle against terrorism, to be fought jointly most of the time, is now being jeopardized. Frankly, when Leader MCCARTHY and Representative SCALISE and Representative CHENEY can vote for this kind of resolution, why should we not be doing the same? It will send a better message to the President than anything else we can do.

My friend, the Republican leader, said we need a stronger resolution. Quibbling over words at a time when America is in danger doesn't make sense to me—particularly a resolution that he knows will not pass the House and not go to the President's desk.

So I would plead with my colleagues, let's move forward. I plead with my friend from Kentucky—they are both my friends from Kentucky—but I plead with the junior Senator from Kentucky, do not stand in the way.

He has a different world view than almost all of us. We talked earlier this morning. I asked him if he was against going after the Taliban and bin Laden when they hit us in America, in New York, and he said no. Well, this is the same kind of thing. We are happy to vote on his resolution. Let's vote on both. This is momentous.

These terrorist acts from escaped ISIS prisoners might not occur tomorrow, they might not occur 6 months from now, and they might not occur a year from now, but they may. They certainly—almost certainly will at some point in the future, and we will risk lives: the American lives of our intelligence officials, of our Special Forces, and we will risk the security of America and spend millions of dollars.

The sooner we can put this back—and the only person who can is President Trump, and the only people who can really pressure him are sitting right here. I would plead with my colleague from Kentucky and with all of us because even if he objects, we could pass this joint resolution within a few days to do it. Our security, the security of this wonderful country and its beautiful 320-some-odd million people deserve no less.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 246, H.J. Res. 77; that the joint resolution be read a third time, and the Senate vote on passage with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object. If Democrats want to send our young men and women to fight in the Syrian civil war, let's have that debate. By all means, let's have a constitutional debate today on the Senate floor, right here, right now. If Democrats are so hungry for war, let's have that debate.

Our Founding Fathers gave us a constitutional method to go to war. If there be a national security interest in Syria, let's hear it. The other side does not want that debate. They want to lob invectives at the President, but they aren't prepared to debate about whom we are to go to war against.

Do they wish to declare war on our NATO ally, Turkey? Do they wish to declare war on our former ally, the Free Syrian Army? Do they wish to declare war on Syria's Assad? They don't know.

No, Democrats just want to heap abuse on the President. They don't want to debate war because they have no clue on whom to declare war.

In reality, the President made the wise decision to move 50 soldiers out of the way of tens of thousands of Turkish troops. Ironically, the President's decision may finally allow the Kurds to negotiate with Assad for a semi-autonomous region in northern Syria. Perhaps, if the Kurds pledge their battle-proven fighters to Assad, they might receive in exchange some autonomy and a share of the oil receipts, much as the Kurds did in Iraq. Already we are seeing promising cooperation between the Kurds and Assad.

This week, Turkey's Erdogan met with Putin. Putin already is allied with Assad. There is a possibility diplomacy may actually break through here. There is a real chance that the Syrian civil war could come to an end if Assad, with the Kurds' help, would agree to secure the border and not allow Kurdish raids into Turkey.

The permanent war caucus on both sides of the aisle claims that repositioning 50 troops is the end of the world. Perhaps, just maybe, less of our presence in Syria will actually lead to diplomacy and, ultimately, peace. Only time will tell.

I object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

Mr. SCHUMER. Madam President, I don't want to prolong this. I will make two quick points. No. 1, my friend from Kentucky thinks he knows what is better for the Kurds than the Kurds know. The Kurds hate going into the arms of Syria—hate it.

Second, if our friend from Kentucky believes that any time we have a small number of Special Forces in different places—and we have them all over—we need a declaration of war, then his view is different from 99.9 percent of America and every other single person in this Chamber.

We do not need a declaration of war for a small number of Special Forces to be there to protect us against terrorism, and my friend from Kentucky knows that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, if our goal is to create a Kurdish homeland and to defend it for them, hell yes, we need a debate and a vote and an authorization of force.

You can't just say that we are going to stay there forever. It would take tens of thousands of troops if you want to pacify Syria. It has not been pacified for 8 years. It is an utter and complete mess, and it is time we get the hell out.

CLOTURE MOTION

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

The legislative clerk read as follows:

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 proceed to Calendar No. 141, H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Mitch McConnell, David Perdue, John Cornyn, John Thune, John Hoeven, John Boozman, Thom Tillis, Steve Daines, Roger F. Wicker, Pat Roberts, John Barrasso, Richard Burr, Shelley Moore Capito, Roy Blunt, Mike Rounds, Mike Crapo, James E. Risch.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 92, nays 2, as follows:

[Rollcall Vote No. 330 Leg.]

YEAS—92

Alexander	Gardner	Peters
Baldwin	Gillibrand	Portman
Barrasso	Graham	Reed
Bennet	Grassley	Risch
Blumenthal	Hassan	Roberts
Blunt	Hawley	Romney
Boozman	Heinrich	Rosen
Braun	Hirono	Rounds
Brown	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Cantwell	Inhofe	Schatz
Capito	Johnson	Schumer
Cardin	Jones	Scott (FL)
Carper	Kaine	Scott (SC)
Casey	Kennedy	Shaheen
Cassidy	King	Shelby
Collins	Klobuchar	Sinema
Coons	Lankford	Smith
Cornyn	Leahy	Stabenow
Cortez Masto	Lee	Sullivan
Cotton	Manchin	Tester
Cramer	Markey	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Moran	Warner
Enzi	Murkowski	Wicker
Ernst	Murphy	Wyden
Feinstein	Murray	Young
Fischer	Perdue	

NAYS—2

Blackburn	Paul

NOT VOTING—6

Booker	Isakson	Warren
Harris	Sanders	Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 92, the nays are 2.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LEGISLATIVE SESSION

COMMERCE, JUSTICE, SCIENCE, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2020—Motion to Proceed

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session to consider the motion to proceed to H.R. 3055, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 141, H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

The PRESIDING OFFICER. The Senator from Arkansas.

HONORING CORPORAL JERRY GARRISON

Mr. COTTON. Madam President, Army CPL Jerry Garrison was reported missing in action on December 2, 1950. After all these years, Corporal Garrison is on his way home to be laid to rest with full honor due to a member of the U.S. Armed Forces.

Corporal Garrison was one of ''The Chosin Few'' who fought on that frozen ground to protect his fellow soldiers and the independence of the Korean people against the Communist hordes. God, in His mysterious providence, chose to call Corporal Garrison home during that epic battle, but only recently were his remains discovered in Vietnam.

Corporal Garrison's funeral today is a long-overdue moment of honor for a brave soldier and a long-anticipated moment of mourning and remembrance for his loved ones.

Let's also remember in our prayers the many families whose loved ones haven't yet come home. Corporal Garrison's recovery is a moment of hope for these families, a reminder that our Nation will not rest until every one of our missing heroes is brought home, and it is a reminder to our troops who are in harm's way today that we will always bring them home should they fall in the line of duty or go missing in action. We have now fulfilled that solemn pledge to Corporal Garrison. Nearly 70 years after he went missing, we have once again affirmed that the United States leaves no man behind.

Rest in peace, Corporal Garrison.

ANNIVERSARY OF THE BEIRUT MARINE BARRACKS BOMBING

Madam President, 36 years ago this week, an Iranian suicide bomber detonated thousands of pounds of explosives inside a Marine compound in Beirut, Lebanon. So terrible was the blast that 15 miles out at sea, the marines aboard the USS Iwo Jima could see black smoke building over Beirut like an ominous storm cloud. The devastating attack claimed the lives of 241 Americans who were bravely keeping the peace in a country that was wracked by violence. A separate blast claimed the lives of 58 of our French allies.

This anniversary is a sobering reminder that freedom comes at a price—a price too often paid by brave Americans in uniform. In Beirut, it was paid by 220 marines, 18 sailors, and 3 soldiers.

As a memorial to their valor, I ask unanimous consent to have their names printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NAMES OF THE FALLEN IN THE BEIRUT MARINE BARRACKS BOMBING

Cpl Terry W Abbott, USMC; Cpl Clemon S Alexander, USMC; LCpl John R Allman, USMC; Cpl Moses J Arnold Jr, USMC; LCpl Charles K Bailey, USMC; LCpl Nicholas Baker, USMC; LCpl Johansen Banks, USMC; Cpl Richard E Barrett, USMC; HM1 Ronny K Bates, USN; 1stSgt David L Battle, USMC; Cpl James R Baynard, USMC; HN Jesse W Beamon, USN; GySgt Alvin Belmer, USMC; LCpl Stephen Bland, USMC; Sgt Richard L Blankenship, USMC; LCpl John W Blocker, USMC; Capt Joseph J Boccia Jr, USMC; Sgt Leon Bohannon Jr, USMC; SSgt John R Bohnet Jr, USMC; Sgt John J Bonk Jr, USMC.

Cpl Jeffrey L Boulos, USMC; LCpl David R Bousum, USMC; 1stLt John N Boyett, USMC; Sgt Anthony Brown, USMC; Cpl David W Brown, USMC; Cpl Bobby S Buchanan Jr, USMC; Cpl John B Buckmaster, USMC; LCpl William F Burley, USMC; HN Jimmy R Cain, USN; Cpl Paul L Callahan, USMC; Sgt Mecot E Camara, USMC; PFC Bradley J Campus, USMC; Cpl Johnnie D Ceasar, USMC; PFC Marc L Cole, USMC; SP4 Marcus A Coleman, USA; PFC Juan M Comas, USMC; Sgt Robert A Conley, USMC; Sgt Charles D Cook, USMC; Cpl Curtis J Cooper, USMC.

LCpl Johnny L Copeland, USMC; Cpl Bert D Corcoran, USMC; Cpl David L Cosner, USMC; SSgt Kevin P Coulman, USMC; Cpl Brett A Croft, USMC; Cpl Rick R Crudale, USMC; Cpl Kevin P Custard, USMC; Cpl Russell E Cyzick, USMC; Maj Andrew L Davis, USMC; PFC Sidney James Decker, USMC; LCpl Michael J Devlin, USMC; Cpl Thomas A Dibenedetto, USMC; Pvt Nathaniel G Dorsey, USMC; Sgt Maj Frederick B Douglass, USMC; LCpl Timothy J Dunnigan, USMC; HN Bryan L Earle, USN; MSgt Roy L Edwards, USMC; HM3 William D Elliot Jr, USN; LCpl Jesse Ellison, USMC; LCpl Danny R Estes, USMC; LCpl Sean F Estler, USMC.

HM3 James E Faulk, USN; LCpl Richard A Fluegel, USMC; Cpl Steven M Forrester, USMC; HM3 William B Foster Jr, USN; Cpl Michael D Fulcher, USMC; LCpl Benjamin E Fuller, USMC; Cpl Michael S Fulton, USMC; Cpl William Gaines Jr, USMC; Cpl Sean R Gallagher, USMC; Cpl David B Gander, USMC; Cpl George M Gangur, USMC; SSgt Leland E Gann, USMC; LCpl Randall J Garcia, USMC; SSgt Ronald J Garcia, USMC; Cpl David D Gay, USMC; SSgt Harold D Ghumm, USMC; Cpl Warner Gibbs Jr, USMC; Sgt Timothy R Giblin, USMC; ETC Michael W Gorchinski, USN; Cpl Richard J Gordon, USMC.

LCpl Harold F Gratton, USMC; Sgt Robert B Greaser, USMC; Cpl Davin M Green, USMC; Cpl Thomas A Hairston, USMC; Sgt Freddie Haltiwanger Jr, USMC; Cpl Virgil D Hamilton, USMC; Sgt Gilbert Hanton, USMC; LCpl William Hart, USMC; Capt Michael S Haskell, USMC; LCpl Michael A Hastings, USMC; Maj Paul A Hein, USMC; LCpl Douglas E Held, USMC; Cpl Mark A Helms, USMC; Cpl Ferrandy D Henderson, USMC; MSgt Matilde Hernandez Jr, USMC; Sgt Stanley G Hester, USMC; GySgt Donald W Hildreth, USMC; SSgt Richard H Holberton, USMC; HM3 Robert S Holland, USN; LCpl Bruce A Hollingshead, USMC.

LCpl Melvin D Holmes, USMC; Cpl Bruce L Howard, USMC; LT John R Hudson, USN; Cpl Terry L Hudson, USMC; Cpl Lyndon J Hue, USMC; 2ndLt Maurice E Hukill, USMC; Cpl Edward F Iacovino Jr, USMC; LCpl John J Ingalls, USMC; CWO2 Paul G Innocenzi III, USMC; Cpl James J Jackowski, USMC; Cpl Jeffrey W James, USMC; LCpl Nathaniel W Jenkins, USMC; HM2 Michael H Johnson, USN; Cpl Edward A Johnston, USMC; Cpl Steven Jones, USMC; PFC Thomas A Julian, USMC; HM2 Marion E Kees, USN; Sgt Thomas C Keown, USMC; GySgt Edward E Kimm, USMC; PFC Walter V Kingsley, USMC.

SP5 Daniel S Kluck, USA; Cpl James C Knipple, USMC; Cpl Freas H Kreischer III, USMC; LCpl Keith J Laise, USMC; Cpl Thomas G Lamb, USMC; Cpl James J Langon IV, USMC; Sgt Michael S Lariviere, USMC; Sgt Steven B Lariviere, USMC; MSgt Richard L Lemnah, USMC; Cpl David A Lewis, USMC; Sgt Val S Lewis, USMC; Cpl Joseph R Livingston, USMC; Cpl Paul D Lyon Jr, USMC; Maj John W Macroglou, USMC; Cpl Samuel Maitland, USMC.

SSgt Charlie R Martin, USMC; PFC Jack L Martin, USMC; Cpl David S Massa, USMC; Sgt Michael R Massman, USMC; Pvt Joseph

J Mattacchione, USMC; Cpl John Mccall, USMC; Sgt James E McDonough, USMC; LCpl Timothy R McMahon, USMC; LCpl Timothy D McNeely, USMC; HM2 George N McVicker II, USN; LCpl Louis Melendez, USMC; Sgt Menkins, Richard H II, USMC; Sgt Michael D Mercer, USMC; Cpl Ronald W Meurer, USMC; HM3 Joseph P Milano, USN; Sgt Joseph P Moore, USMC; LCpl Richard A Morrow, USMC; Cpl John F Muffler, USMC.

LCpl Alex Munoz, USMC; Sgt Harry D Myers, USMC; 1stLt David J Nairn, USMC; LCpl Luis A Nava, USMC; Sgt John A Olson, USMC; LCpl Robert P Olson, USMC; CWO3 Richard C Ortiz, USMC; LCpl Jeffrey B Owen, USMC; Sgt Joseph A Owens, USMC; Cpl Connie Ray Page, USMC; LCpl Ulysses Parker, USMC; LCpl Mark W Payne, USMC; MSgt John L Pearson, USMC; LCpl Thomas S Perron, USMC; Sgt John A Phillips Jr, USMC; HMC George W Piercy, USN; 1stLt Clyde W Plymel, USMC; Sgt William H Pollard, USMC; Sgt Rafael I Pomalestorres, USMC; Cpl Victor M Prevatt, USMC.

PFC James C Price, USMC; SSgt Patrick K Prindeville, USMC; LCpl Eric A Pulliam, USMC; HM3 Diomedes J Quirante, USN; Cpl David M Randolph, USMC; GySgt Charles R Ray, USMC; Pvt Rui A Relvas, USMC; LCpl Terrence L Rich, USMC; Cpl Warren Richardson, USMC; Sgt Juan C Rodriguez, USMC; LCpl Louis J Rotondo, USMC; Cpl Guillermo Sanpedro Jr, USMC; Cpl Michael C Sauls, USMC; 2ndLt Charles J Schnorf, USMC; LCpl Scott L Schultz, USMC; Capt Peter J Scialabba, USMC; Sgt Gary R Scott, USMC; Sgt Ronald L Shallo, USMC; Cpl Thomas A Shipp, USMC; LCpl Jerryl D Shropshire, USMC; Cpl James F Silvia, USMC.

LCpl Stanley J Sliwinski, USMC; Cpl Kirk H Smith, USMC; SSgt Thomas G Smith, USMC; Capt Vincent L Smith, USMC; Cpl Edward Soares, USMC; 1stLt William S Sommerhof, USMC; Cpl Michael C Spaulding, USMC; LCpl John W Spearing, USMC; Cpl Stephen E Spencer, USMC; LCpl Bill J Stelpflug, USMC; PFC Horace R Stephens, USMC; LCpl Craig S Stockton, USMC; Cpl Jeffrey G Stokes, USMC; Cpl Thomas D Stowe, USMC; Cpl Eric D Sturghill, USMC; Cpl Devon L Sundar, USMC; LT James F Surch Jr, USN; LCpl Dennis A Thompson, USMC; SSgt Thomas P Thorstad, USMC.

PFC Stephen D Tingley, USMC; LCpl John J Tishmack, USMC; LCpl H. Townsend, USMC; PFC Lex D Trahan, USMC; LCpl Donald H Vallone Jr, USMC; LCpl Eric R Walker, USMC; LCpl Leonard W Walker, USMC; Sgt Eric G Washington, USMC; Cpl Obrian Weekes, USMC; 1stSgt Tandy W Wells, USMC; LCpl Steven B Wentworth, USMC; Sgt Allen D Wesley, USMC; GySgt Lloyd D West, USMC; SSgt John R Weyl, USMC; Sgt Burton D Wherland Jr, USMC.

LCpl Dwayne W Wigglesworth, USMC; Cpl Rodney J Williams, USMC; MSgt Scipio Williams Jr, USMC; Cpl Johnny A Williamson, USMC; Capt Walter E Wint Jr, USMC; Maj William E Winter, USMC; Cpl John E Wolfe, USMC; 1stLt Donald E Woollett, USMC; HM3 David E Worley, USN; LCpl Craig L Wyche, USMC; SFC James G Yarber, USA; Sgt Jeffrey D Young, USMC; 1stLt William A Zimmerman, USMC.

Mr. COTTON. I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

HEALTHCARE

Mr. BARRASSO. Madam President, I come to the floor to discuss last Tuesday's 2020 Democratic Presidential debate and specifically to discuss the topic of healthcare.

Despite all of the political posturing, here are the key takeaways: No. 1, the Democrats still want to take work-earned health insurance away from 180 million Americans. No. 2, the Democrats want to raise taxes on the middle class and on all Americans to pay for it.

Under the Democrats' plan, people will lose forever the health coverage they have earned at work. That means union workers' hard-fought health benefits will disappear. It means that Nevada's food service workers and Michigan's autoworkers will all lose their earned healthcare.

ELIZABETH WARREN and BERNIE SANDERS want to replace work-based insurance with a one-size-fits-all, government-run scheme. At the same time, the 2020 Democrats want to give free, taxpayer-funded health insurance to illegal immigrants. It is hard to believe, but that is a matter of fact. That is the Democrats' so-called Medicare for All plan. Really, it is one-size-fits-all, government-controlled healthcare, and it is extremely expensive, even more expensive than I mentioned before on the floor, which is according to a new study that has come out by something called the Urban Institute. This liberal group has just reported that the cost of Medicare for All would be $34 trillion—that is 34 with a ''t.'' Let's put that into perspective. How much money is that? Over the next 10 years, that will be more money than we will spend on Medicare, Medicaid, and Social Security combined. It will be an astronomically large number.

The Washington Post recently published a story with the headline ''Will Medicare for-all hurt the middle class?'' The subheadline reads ''ELIZABETH WARREN and BERNIE SANDERS struggle with questions about its impact.'' We have seen them struggle with the impact of this very expensive, one-size-fits-all plan. The story notes that Senators WARREN and SANDERS are scrambling to ease concerns over middle-class costs, because that is what people are concerned about in this country—the cost of healthcare.

Working families back home in Wyoming—and I talked with many this past weekend at our University of Wyoming's homecoming football game—and people from all around the State are not fooled by what is being offered by the Democrats in their debates. They know they will have to pay dearly if the Democrats' scheme is adopted and ever signed into law.

The Washington Post's story quotes and cites Ken Thorpe, who is Emory University's health policy chair. He says: ''The plan is, by design, incredibly disruptive.'' He goes on to say: ''You create enormous winners and losers,'' and he adds: ''There is no question it hits the middle class.''

For the middle class, it is a double punch in the gut, and here is why. Not only will those in the middle class lose their insurance, but their taxes will also go up.

Senator WARREN will not answer the middle-class tax increase question. She will not talk about it. She dodged the question again and again. As the Post reports, the Senator writes she will release a plan to pay for her proposal in the next few weeks, but at the same time, she continues to duck the tax question. Last Tuesday, she repeatedly tap-danced around the issue on the debate stage. In fact, Senator WARREN's debate performance reminded me of the Artful Dodger in the Dickens novel ''Oliver Twist.'' She said out-of-pocket healthcare costs will go down, but she failed to mention that much, much more will be taken out of middle-class pockets in huge tax hikes.

It is interesting when you see how this is covered around the world. The British publication The Economist knows a lot about socialized medicine, as they have been living with the British healthcare system for many, many years. It points out that ELIZABETH WARREN repeatedly refused to say how she would pay for the plan. They write that she ducked the question six times.

During the debate, it was Senator SANDERS who jumped in to set the record straight. BERNIE SANDERS said: ''I do think it is appropriate to acknowledge that taxes will go up.'' He has even promised to raise taxes for lower income Americans. He said: ''If you're making more than $29,000 a year''—and he is not talking about an individual; he is talking about a family here—''you will be paying more in taxes'' under the plan that is promoted by BERNIE SANDERS and ELIZABETH WARREN.

Then there is this warning from University of Chicago's economist Katherine Baicker, who says:

> These are going to be big tax increases. The tax brackets may have to shift.

In last week's Wall Street Journal editorial, headlined ''Warren's Middle-Class Tax Dodge,'' it explains: ''The only way to pay for this [plan] is to raise taxes on the middle class, which is where the real money is.''

To sum up, while Senator WARREN continues to dodge the tax issue, Senator SANDERS admits that Medicare for All will raise taxes on just about everyone.

Under the Warren-Sanders plan, middle-class taxes will rise. Taxes even rise for lower income families. We are talking about those with a family income of $29,000.

Here is the bottom line. Americans will not tolerate having insurance go away and will not tolerate having taxes go up. They want to keep their healthcare plans, and they want them at lower costs. So we have a choice to make. We can work together to lower costs without lowering standards, or we can follow the 2020 Democrats who are pushing for their $34 trillion, one-size-fits-all plan.

Don't let this Artful Dodger act fool you. Senator WARREN and Senator SANDERS support the same plan. They will not lower healthcare costs, but they will raise everybody's taxes. They will not improve care, but they will take coverage away from 180 million

Americans who now get it through work.

As a doctor, I want to improve patient care. I want to make healthcare more affordable. The Republicans are 100 percent committed to protecting patients who have preexisting conditions. We continue to work on bipartisan solutions and real reforms to lower the costs of everyone's care.

Meanwhile, the solution we heard last week on the debate stage, the 2020 Democrats' solution, will force all of us to pay more and wait longer for worse care. That is what they have seen in Canada, what they have seen in England, and what we will see in the United States if this one-size-fits-all plan ever goes into effect.

Let's give patients what they want, which is the care they need from the doctors they choose and at lower costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

MULTIEMPLOYER PENSION PLANS

Mr. ENZI. Madam President, I come to the floor to discuss legislation approved by the House of Representatives that would leave taxpayers holding the fiscal bag for a specific category of underfunded private pension plans.

Throughout most of my professional life, from my days as an accountant, to my service as the mayor of Gillette, WY, and in the Wyoming Legislature, to my membership on the Senate's Committee on Health, Education, Labor, and Pensions and then on the Committee on Finance, I have worked on pension policy. This experience has taught me many things about retirement security and the need for sound planning.

My concern with the House-passed bill is not just with its immediate cost to the taxpayers but also with what it would mean down the road. The bill would send the signal to private pension plans that regardless of how underfunded they are or how risky their investments, the taxpayers will be there to bail them out.

Pensions are an important source of retirement income for millions of Americans, but many of the private sector's multiemployer pension plans are seriously underfunded. These are plans that are sponsored by a group of private employers as part of collective bargaining agreements with their employees and are separate from the single employers' plans, which are generally better funded.

According to the Pension Benefit Guaranty Corporation, multiemployers' pension plans are underfunded by more than $637 billion. That is $637 billion that is underfunded. Out of the 1,247 multiemployer pension plans that we have information on, 1,235 are underfunded. That would mean that 12 are not underfunded.

In July of this year, the House of Representatives passed the Rehabilitation for Multiemployer Pensions Act of 2019, which would bail out some of the worst-funded multiemployer plans at the taxpayers' expense. The bill would provide a combination of low-interest loans and direct cash payments to the private sector's multiemployer plans that are currently insolvent or are designated as ''critical and declining.''

The official Congressional Budget Office's cost estimate of the bill states it would increase deficits by $49 billion over the next 10 years, but, as a separate analysis points out, which I requested from the budget office, the true cost and risk to taxpayers is actually much higher.

First, the bill includes a handful of revenue provisions to help offset its cost, but the House included these same provisions in a separate bill it passed earlier this year. Without this $16 billion in double-counted revenues, the bailout bill's price tag jumps to $65 billion over the next decade.

Second, the analysis projects that most pension plans would not fully repay their loans without the grant assistance provided in this bill. What that means is that these plan providers are going to use taxpayer dollars to help repay loans made to them by taxpayers. That is quite a deal.

Further, the budget office's analysis shows that even with these taxpayer-provided grants, one-quarter of the plans receiving loans under the House bill would become insolvent within the 30-year loan period. CBO projects that most of the other plans would become insolvent in the decade after they repay their loans. All of this begs the question, then what?

Now, third, as I alluded to a moment ago, much of the bill's cost doesn't show up in the first 10 years. When you consider the total amount of new spending the bill authorizes over the next several decades, along with the added interest costs we will have to pay, the total cost would be more than $100 billion.

To add insult to injury, the House bill would not resolve the larger multiemployer pension crisis. The bill would apply only to those that are currently insolvent or critical and declining. It would not address the many other plans that are treading water now but will face insolvency in the future. You can bet that if this bill goes through, those plans would be expecting their bailout when the time comes. What a precedent.

All of this is setting up for additional bailouts in the future, potentially putting taxpayers on the hook for hundreds of billions of dollars.

Now, only about 12 percent of private sector workers participate in a pension plan, and an even smaller number participate in these multiemployer plans. This bill would put the vast majority of workers who don't have their own pension plans on the hook for bailing out the small percentage who do. That hardly seems fair.

Hard-working Americans overwhelmingly agree that we can't afford a pension bailout. A recent poll shows that a majority of voters oppose a taxpayer-funded bailout of unfunded union pension plans. This is because voters know a bad deal when they see it.

Before I close, I am going to remind my colleagues that the Federal Government already has its own unfunded promises that need addressing, and these are programs that will affect the vast majority of Americans. Trustees for Social Security estimate that Social Security's long-term benefit promises exceed its dedicated tax revenues by almost $17 trillion, and Medicare's long-term spending is projected to exceed its dedicated taxes and premiums by more than $40 trillion.

We need to work to find solutions to address the Federal Government's own funding shortfalls for the vast majority of Americans and not bail out underfunded private sector pension plans for the few.

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.

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

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

APPROPRIATIONS

Ms. COLLINS. Madam President, I am pleased that the Senate is beginning debate on the fiscal year 2020 appropriations bill for the Departments of Transportation, Housing and Urban Development, and related agencies. This bill has been included in the appropriations package that has just now been brought before this Chamber.

Let me begin my remarks by thanking Chairman SHELBY and Vice Chairman LEAHY for their bipartisan leadership in advancing these appropriations bills to the Senate floor. Given that we have reached a 2-year, bicameral, bipartisan budget agreement in August and the new fiscal year began on October 1, it is imperative for the Senate to move these bills quickly and to go to conference with the House in order to avoid further continuing resolutions or, even worse, a government shutdown.

I also want to acknowledge the hard work and strong commitment of my friend and colleague, Senator JACK REED of Rhode Island, the ranking member of the T-HUD Subcommittee. We have worked so closely together in drafting this bill, which includes more than 950 requests from 75 Senators.

Let me repeat that. We received 950 requests from three-quarters of our colleagues for ideas for this bill, for funding levels, and in support of certain programs. We evaluated all of them very carefully and accommodated as many as we could.

The T-HUD bill passed the full Appropriations Committee by a unanimous vote of 31 to 0. It reflects a truly bipartisan product.

The allocation for the fiscal year 2020 transportation-housing appropriations

bill is $74.3 billion. That is $3.2 billion above the current funding levels. This additional funding is necessary because of rising rental costs across the country and a reduction in the receipts from the Federal Housing Administration that are used to offset some of the spending in this bill.

In spite of these considerable funding challenges, our bill not only fully funds the renewal of housing assistance for low-income seniors and other vulnerable populations, but it also continues to provide robust investments in our infrastructure. For example, the bill provides $1 billion for the highly effective and popular BUILD grant program. The BUILD program helps fund critical infrastructure projects that promote economic development and the creation of jobs.

I am proud to say that Maine has won a BUILD grant every year of this program, including a critical $25 million grant to replace the Sarah Mildred Long Bridge that is critical to the operations of the Portsmouth Naval Shipyard in Kittery, ME.

Particularly important to States like Maine, the bill also provides much needed highway resources. While only 19 percent of the U.S. population lives in rural areas, 46 percent of traffic fatalities occur in rural America. That is because the roads and the bridges in the rural parts of our country are frequently in much poorer condition than those in urban areas. Building on the success of the rural bridge rehabilitation program over the last 2 years, our bill provides $1.25 billion in dedicated funding for bridges that are deteriorating and nearing the end or have reached the end of their useful life.

The bill fully funds the INFRA grant program, which provides resources for large-scale freight projects through a competitive grant process.

In fiscal year 2019, I was pleased to advocate for the Maine Department of Transportation's successful application to replace the Madawaska international bridge in Northern Maine. This project will help to replace a critical corridor and connector between Madawaska and New Brunswick on the Canadian side of the border. This is so important to the economy of Northern Maine and supports more than 5,800 direct and indirect jobs. Right now, that bridge has been posted. That means that heavy trucks are unable to cross in the most effective and shortest route between Edmonton, New Brunswick, and Madawaska, ME.

These critical programs support not only much needed infrastructure projects but also jobs and economic growth in each and every one of our home States.

The American Society of Civil Engineers conducts a comprehensive assessment of our Nation's infrastructure every 4 years. Its most recent report card from 2017 shows that America's infrastructure remains in poor condition, with a grade of D-plus. That should be a call to action to all of us. It is simply unacceptable. It not only creates safety problems, it also impedes economic development.

One in eleven of our Nation's bridges is rated as structurally deficient, and the average age of our country's more than 600,000 bridges is 43 years old. Our National Highway System contains infrastructure that is now well past its useful life. Some bridges are more than 100 years old, and many have had to be posted and are unable to accommodate today's traffic volumes. Without the critical funding in the T-HUD bill dedicated to bridges, as well as the BUILD grant program, we simply will not be able to make progress to improve our Nation's infrastructure.

Let me now turn to aviation. The bill provides $17.7 billion in resources for the Federal Aviation Administration—the FAA—which allows us to fully fund air traffic control personnel, including more than 14,000 air traffic controllers, and more than 25,000 engineers, maintenance technicians, safety inspectors, and operational support staff. Given the significant challenges the FAA faces in aviation safety, particularly as has become evident with the certification of the Boeing 737–MAX aircraft, the bill increases funding for aviation safety and aircraft certification activities and requires the FAA to respond to each and every one of the recommendations made by the inspector general and the National Transportation Safety Board once their audits and reviews are completed. In addition, it requires the FAA to move forward with a rulemaking on safety management systems for aircraft manufacturers and to assess its own internal workforce.

The bill also provides $1.2 billion for FAA's Next Generation Air Transportation System's programs—also known as NextGen—to improve the efficiency and safety of the national airspace. This funding is critical for reducing delays and addressing congestion at some of our Nation's busiest airports.

Of particular importance to rural communities, the bill fully funds the Contract Tower Program and the Essential Air Service Program.

In addition, the bill provides $450 million for the Airport Improvement Program in keeping with the authorized level. This supplemental AIP funding has been extremely helpful for small airports in Maine that otherwise would not be able to complete runway extension projects that are vital for air ambulances.

Turning to maritime programs, our legislation provides full funding for our Nation's State maritime academies, as well as the U.S. Merchant Marine Academy, all of which play critical roles in training the next generation of U.S. mariners.

The bill provides $300 million for the third special purpose vessel to be used as a training school ship for the State maritime academies. In accordance with the guidance provided 3 years ago by MARAD, new training ships will replace existing aging training ships in the order in which those ships are expected to reach the end of their useful lives. Over the past 2 years, we have funded replacement ships for the New York State Maritime Academy and the Massachusetts Maritime Academy. Funding in this bill will replace the aging vessel at the Maine Maritime Academy, which was next on the list. These new ships provide training capacity for all six State maritime academies and ensure that cadets receive the training hours they need to graduate and join the workforce in the Merchant Marine, the Navy, and the Coast Guard.

In the area of housing, our priority is to ensure that our Nation's most vulnerable do not lose their housing assistance and become homeless; therefore, the bill provides necessary funding increases to cover the higher costs of rental assistance for the most vulnerable among us, including disabled citizens and our low-income seniors.

Senator REED and I share a strong commitment to reducing and ending homelessness and have included $2.8 billion for homeless assistance grants. To help our homeless youth and underserved population, we provide $80 million for grants.

Many Members share my concern that young people are aging out of the foster care system and have nowhere safe to go. Far too frequently, they end up couch-surfing or living on the streets, vulnerable to those who would abuse them. To better support our youth who are exiting the foster care system who are at risk of becoming exploited or homeless, the bill also includes $20 million for family unification vouchers.

For our Nation's homeless veterans, the bill provides $40 million for the successful HUD-VASH Program. In the land of the brave, there should always be a home for our veterans. Despite the administration once again proposing to eliminate this highly successful program, the committee continues to provide funding. This program has been so successful that it has helped to reduce veteran homelessness by nearly 50 percent since it was first started in 2010.

Another important issue, particularly to Senator REED and to me, is lead paint in homes. That is a particular concern to families with children under age 6. The bill provides $290 million to combat lead hazards—a historic level of funding. Lead paint hazards are a significant concern for Maine families, as 57 percent of our housing stock was constructed prior to 1978, the year lead-based paint was banned. These grants will help communities protect children from the harmful effects—what can be lifelong effects—of lead poisoning.

The bill also supports local development efforts by providing $3.3 billion for the Community Development Block Grant Program—another program that the administration proposed to eliminate but for which we had overwhelming support expressed in letters

from our colleagues. The reason the Community Development Block Grant Program is so popular is its flexibility. It can be tailored to meet local needs. We have also included $1.4 billion for the HOME Program. These two programs support the development of affordable housing and other infrastructure projects and revitalize downtowns, which in turn promote economic development and lead to the creation of more jobs.

I appreciate the opportunity to present this important legislation to the Chamber as we begin debate on the Transportation-HUD funding bill. I urge my colleagues to support the investments in this bill that benefit our communities all across this Nation and the families, veterans, children, and our seniors who rely on these vital programs.

Let me end my remarks by again thanking my colleague, friend, and ranking member, Senator REED, for his close collaboration and hard work. I am very proud of the fact that once again this year we have produced a bipartisan bill that was unanimously approved by our committee.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—H.R. 2740

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to H.R. 2740 ripen at a time to be determined by the majority leader, in concurrence with the Democratic leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON MOTION TO PROCEED

Mr. MCCONNELL. I know of no further debate on the motion to proceed.

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

The motion was agreed to.

COMMERCE, JUSTICE, SCIENCE, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2020

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Thereupon, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 948

(Purpose: In the nature of a substitute.)

Mr. SHELBY. Mr. President, I call up the substitute amendment No. 948.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY] proposes an amendment numbered 948.

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

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

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

AMENDMENT NO. 950 TO AMENDMENT NO. 948

Mr. MCCONNELL. Mr. President, I call up amendment No. 950.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. SHELBY, proposes an amendment numbered 950 to amendment No. 948.

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

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

The amendment is as follows:

(Purpose: To make a technical correction)

On page 321, line 14, strike "$5,000,000" and insert "$5,250,000".

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 457.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Justin Reed Walker, of Kentucky, to be United States District Judge for the Western District of Kentucky.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Justin Reed Walker, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Mitch McConnell, Martha McSally, Rick Scott, John Thune, Lindsey Graham, Rand Paul, John Kennedy, John Cornyn, Kevin Cramer, Pat Roberts, Mike Rounds, Thom Tillis, Patrick J. Toomey, Roger F. Wicker, John Hoeven, John Boozman, Richard C. Shelby.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

Mr. LEAHY. Mr. President, I understand we are waiting for another Senator, and when he arrives, of course, I will yield.

H.R. 3055

Mr. President, I was just talking with the distinguished senior Senator from Alabama a couple of minutes ago. I know he has spoken, and we have begun consideration of a bill containing the fiscal year 2020 Commerce, Justice, Science, Agriculture, Interior, Transportation, Housing and Urban Development.

I mention this because all four of these bills are the product of hard work and bipartisan cooperation by each of the subcommittees. They were reported from the Appropriations Committee unanimously. Every single Republican, every single Democrat voted for it. It makes critical investments in affordable housing and infrastructure, rural development, our farming communities, small businesses, science, and our environment. They are good bills, and I am glad to have them before the Senate.

I want to thank the chairs and ranking members of the subcommittees and their staff for the good work: Senators HOEVEN and MERKLEY, Senators MURKOWSKI and UDALL, Senators COLLINS and REED, and Senators MORAN and SHAHEEN. They all worked so closely together. They show, despite the difficult atmosphere we often operate in, the Appropriations Committee can still put partisan disputes aside and make strong investments in the priorities of our American people.

The Agriculture bill continues the significant progress made by this committee and in the 2018 farm bill to deliver real wins for farmers, families, and rural communities throughout Vermont and across the country. The bill rejects the disastrous cuts the Trump administration proposed for on-farm conservation, rural development, and rural energy programs and, instead, makes important investments in farming communities.

It is disappointing that this bill supports the administration's ill-advised relocation of USDA research agencies. I have spoken out about this relocation effort and remain concerned about the loss of expertise and focus such a move precipitates at USDA.

I am pleased this bill further invests in the viability of our cornerstone Vermont industries, including dairy, maple, and organics.

It significantly increases funding for innovation in the dairy sector, funding that will directly benefit dairy producers in Vermont and across the country as they meet the challenges of a changing marketplace. The bill also takes important steps to preserve the

integrity of the organic dairy market, increasing funding for key organic programs and directing USDA to finally implement rules that will level the playing field for small-scale producers.

The Agriculture bill also once again includes funding to support the farm to school program. This nationwide program has given children and schools across the country the tools to craft farm-fresh, healthy, and delicious meals that students enjoy, while teaching children about healthy eating habits.

The Interior bill makes significant necessary investments in clean water, clean air, stewardship of our public lands. I am particularly pleased it has critical funding through the Environmental Protection Agency that will support work on water quality, habitat and fishery restoration, and invasive species in Lake Champlain. The bill also increases funding for the Land and Water Conservation Fund that will support efforts in Vermont and across the country.

For States like mine that have seen communities impacted by PFAS contamination, the bill includes additional funding for remediation.

The Transportation, Housing and Urban Development bill continues critical support for infrastructure programs like BUILD. Vermont and States across the country rely heavily on these Federal programs.

It also invests in our Nation's rail systems that I hope will help extend and maintain rail service within my State of Vermont.

I am also pleased that this bill continues support for a development partnership between the University of Vermont and the University of Mississippi to research unmanned aircraft systems. The bill also protects important investments in affordable housing and community development.

The bill again rejects the administration's request to eliminate programs that support our communities, including HOME, Community Development Block Grant Program, NeighborWorks, and the Rural Capacity Building Program.

The Commerce, Justice, Science bill makes critical investments in economic development programs. It also invests $7.6 billion for the 2020 census, the results of which determine how we distribute $900 billion in Federal spending every year. It also ensures appropriate representation in Congress. This once-a-decade investment is critical.

I am grateful that this bill has increased support for the lifesaving Bulletproof Vest Partnership Grant Program, which earlier this year was given a permanent authorization by a unanimous vote in the Senate. It also supports important programs to provide support to crime victims, help to exonerate the wrongfully convicted, and to reduce recidivism.

So there are four good, bipartisan measures. I urge all Senators to support it. We have only 4 short weeks before the continuing resolution we are operating under expires. We need to do our work, and we need to do it quickly, so we can enact all 12 appropriations bills into law. These four bills are a good start.

Mr. President, I see our distinguished leader, a man we always rely on, on the floor, so I yield to Senator DURBIN.

The PRESIDING OFFICER. The Senator from Illinois.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY, RELATING TO ''CONTRIBUTIONS IN EXCHANGE FOR STATE OR LOCAL TAX CREDITS''

Mr. DURBIN. Mr. President, I move to proceed to Calendar No. 258, S.J. Res. 50.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 258, S.J. Res. 50, providing for Congressional Disapproval Under Chapter 8 of Title 5, United States Code, of the Rule Submitted by the Internal Revenue Service, Department of the Treasury, Relating to ''Contributions in Exchange for State Or Local Tax Credits''.

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

The motion was agreed to.

Mr. DURBIN. Thank you, Mr. President.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 50) providing for Congressional Disapproval Under Chapter 8 of Title 5, United States Code, of the Rule Submitted by the Internal Revenue Service, Department of the Treasury, Relating to ''Contributions in Exchange for State Or Local Tax Credits''.

Thereupon, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. Pursuant to the provisions of the Congressional Review Act, 5 U.S.C. 802, there will now be up to 10 hours of debate, equally divided between those favoring and those opposing the joint resolution.

The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today in support of H.R. 3055, which includes the fiscal year 2020 Transportation, Housing and Urban Development, and Related Agencies, or the T-HUD, Appropriations bill. I have worked closely with Chairman COLLINS, and I want to salute her for her excellent work and her leadership. This is a bipartisan bill, which includes key investments in transportation and housing infrastructure.

It has not been an easy job, but Senator COLLINS' leadership and her thoughtful approach and our collaboration, I think, have helped us present a bill to the U.S. Senate which is more than worthy of support.

While the budget agreement provided a 4 percent increase to our allocation, we actually have $1 billion less in spending power compared to 2019 due to declines in offsetting collections and increased costs for renewals in HUD's rental assistance program.

Working together and with the input of most Senators, we were able to put together a solid bill that earned unanimous support in the committee. While we were challenged in developing this bipartisan bill, other subcommittees have faced an impossible task as the majority caters to the President's demands for a border wall and places no guardrails to prevent the diversion of defense funds to pay for it.

This is the same issue that resulted in the President's 35-day shutdown of the Federal Government between December and January. I hope the President will heed the majority leader's axiom that ''there is no education in the second kick of a mule'' and avoid a rerun of this brinkmanship.

The minibus package before us is a good start to a process that will hopefully deliver final bills to the President's desk before Thanksgiving. The T-HUD bill included in this package provides critical funding to repair our bridges, roads, and transit systems in order to improve the safety, reliability, and efficiency of our transportation networks. These investments will support economic growth, create jobs, and help to address our deferred maintenance backlog across all transportation sectors.

It rejects the President's proposal to cut Amtrak funding in half and phase out long-distance passenger service. Instead, we provide $2 billion for Amtrak, which will allow it to initiate the Northeast corridor fleet replacement, deploy additional safety technology, and invest in bridge and tunnel replacement projects.

The T-HUD bill also prioritizes funding for aviation safety in order to strengthen the safety inspector workforce and enable the Department of Transportation and the FAA to address identified weaknesses in aircraft certification process. Chairman COLLINS and I have consistently worked to support FAA's safety mission, often exceeding the budget request each year to accomplish that.

We have been disturbed by many of the official findings and unofficial reports concerning the 737 MAX certification and the culture at the FAA. As the FAA reassesses its aviation safety performance and priorities in response to the findings of the inspector general, the National Transportation Safety Board, and other inquiries, we will work to adjust funding to assist the agency in fully executing all official recommendations in a timely manner.

I cannot emphasize enough the importance of enacting a full-year T-HUD bill to help address the FAA's safety and operational demands. If we end up with a yearlong continuing resolution, we will have missed the opportunity to

respond based on what we have learned in the aftermath of the devastating 737 MAX crashes.

It is also important to pass this bill because it upholds our longstanding commitment to make housing affordable for 5 million low-income families and provides funding for innovative solutions to address homelessness among the more than half a million Americans who are without stable housing.

We rejected the President's ill-advised proposals to cut $12 billion in affordable housing and community and economic development programs like HOME, CDBG, and Public Housing. These bipartisan programs are critical components to bridging the gap between stable housing and homelessness for so many working families.

The bill also continues to invest in programs that prevent veterans' homelessness by rejecting the administration's proposal to eliminate the HUD-VASH Program. Instead, we provide $40 million for 1,500 new housing vouchers to help veterans gain access to safe and stable housing.

This year, we were able to continue providing record funding to remediate lead-based paint and other environmental hazards in low-income housing and expand these initiatives to our Nation's public housing.

I am proud of the bill before us, and I want to work with my colleagues to consider amendments to make it even better. I encourage Senators to file amendments as soon as possible so we can continue to move this process forward.

Before I conclude, let me compliment my colleagues who are managing the other bills that are included in this minibus package—Commerce, Justice, Science, Agriculture, and Interior. They have done excellent work in crafting their bills, supported, as always, by Chairman SHELBY and Vice Chairman LEAHY. I hope we can follow their example and move quickly to complete our work on all 12 appropriations bills before November 21.

Finally, our efforts were immensely aided and assisted by a strong and dedicated staff at the T-HUD Committee. I recognize Clare Doherty for the majority counsel and Dabney Hegg for the minority counsel for their extraordinary work, which motivated their entire staff to go above and beyond. That is one of the major reasons today Senator COLLINS and I can stand with a very good bill to present to the U.S. Senate.

With that, Mr. President, I would ask unanimous consent to make a presentation that was previously scheduled on another topic.

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

RUSSIA

Mr. REED. Mr. President, I rise to highlight my concerns about ongoing Russian information warfare operations against the American people, including the upcoming 2020 Presidential elections, the lack of a unified strategy from the administration to counter and deter these attacks, and steps that must be taken in the near term to be better prepared in the future.

I will explain how statements by the President soliciting foreign governments to investigate political rivals for his personal benefit are part of a disturbing pattern of behavior that reinforces Russian disinformation narratives and has implications for our national security and the integrity of our democracy.

It has been almost 3 years since Russia interfered in our democracy during the 2016 Presidential election with hybrid warfare and malign influence operations. These hybrid warfare tactics, including information warfare, which I will focus on today, are not simply opportunistic meddling by Russia. Russia's purpose is to further its strategic interests. Russian President Vladimir Putin knows that, for now, Russia cannot effectively compete with the United States through conventional military means and win.

Instead, Putin seeks to use tools from his hybrid warfare arsenal to divide the United States from our allies and partners in the West and weaken our institutions and open societies from within. By weakening our democracy, Putin can strengthen Russia's perceived standing globally and bolster his autocratic grip on power at home.

Similar to the other tools in its hybrid arsenal, Russia has been developing its information warfare playbook over time, enhancing both the technical and psychological aspects of these information operations in capability, sophistication, and boldness. Lessons learned from previous information warfare campaigns culminated in the attacks the Kremlin unleashed against the United States during the 2016 Presidential election.

The 2016 information warfare campaign, according to our intelligence community—in their words—''demonstrated a significant escalation in directness, level of activity, and scope of effort compared to previous operations.'' Special Counsel Mueller's report on Russian interference in the 2016 Presidential election confirmed these assessments and detailed how the Kremlin used information warfare operations, among other hybrid warfare tactics in—in the words of the Mueller report—''sweeping and systematic fashion.''

The recently released Volume 2 of the bipartisan investigation by the Senate Intelligence Committee on Russian active measures campaigns and interference in the 2016 U.S. election affirms both the intelligence community's assessment from January 2017 and the special counsel's investigation.

The committee—again, on a bipartisan basis—concluded that, in their words, ''Russia's targeting of the 2016 U.S. presidential election was part of a broader, sophisticated, and ongoing information warfare campaign. . . .''

From these assessments and reports, we have been able to reveal aspects of the Kremlin's playbook. In the 2018 midterm elections, the government took steps, in coordination with the social media companies, to disrupt Kremlin and Kremlin-linked information warfare operations. As a nation, we have never undertaken a collective examination, as we did after the terrorist attacks on September 11, 2001, to understand what happened and how we should reorganize ourselves, our government, and our society to prevent it from ever happening again.

To make matters worse, the findings of the special counsel's report, a detailed accounting of how Kremlin and Kremlin-linked actors attacked our democracy, have been obfuscated with a partisan spin by President Trump and his allies. This absence of a comprehensive nonpartisan assessment and the President's lack of seriousness has implications for our national security as we prepare for the 2020 elections.

Equally troubling, the President has consciously or unconsciously embraced themes peddled as part of Russia's information warfare operations on the campaign trail, while serving as President, including comments over the summer that our elections are rigged and that there were illegal votes cast in so-called ''blue'' States.

Not only does the President give the impression that he is unbothered by this interference of 2016, he appears to be openly asking for help in 2020 and willing to leverage the power of his office to get that assistance. You only have to look as far as his phone conversation with the Ukrainian President where he asked for a favor in return for the delivery of defensive weapons to counter Russian aggression or the President publicly inviting China to start an investigation into the Biden family moments after he discussed trade talks with Beijing and threatened that ''if they don't do what we want, we have tremendous power.'' He told the world as much in a June interview with ABC News when he said that he doesn't see anything wrong with taking help for his political campaign, including from a foreign adversary. He is broadcasting to the world that he is willing to throw the interests of the United States overboard if it means helping with his reelection prospects.

These statements also have the intended or unintended effect of furthering Russian disinformation campaigns, including that our democracy is corrupt or fraudulent. These incidents and others I will discuss today are part of a troubling pattern of behavior and must be called out for what they are. They are wrong.

The President's troubling behavior, coupled with his inability or unwillingness to lead an effective policy to counter and deter this type of malign foreign influence, is to the peril of our national security and the integrity of our democracy. We cannot allow this course to continue uncorrected.

In order to further understand these dynamics and what to do to counter

them, I will highlight three aspects of the Russian information warfare playbook that we can anticipate will be deployed in 2020. The first aspect is supporting candidates likely to advance Kremlin strategic interests; the second aspect is undermining the credibility of the elections; and the third aspect is the recruiting of local surrogates to wittingly or unwittingly advance the Kremlin's agenda.

For each aspect, I will also explain how the Trump campaign, wittingly or not, embraced that tactic. I will then offer four recommendations for near-term steps to defend ourselves from foreign adversaries who seek to interfere with our fundamental institutions.

A central objective of Russian election interference efforts is supporting candidates that advance Kremlin strategic interests. For the 2016 Presidential election, Russia assessed that a Trump Presidency would advance their interests, and Kremlin and Kremlin-linked actors deployed information warfare and malign influence campaigns to aid then-Candidate Trump.

The intelligence community unanimously assessed in January 2017—again in their words—''Putin ordered an influence campaign in 2016 aimed at the U.S. Presidential election to denigrate Secretary Clinton and harm her electability and potential Presidency. Putin and the Russian government developed a clear preference for President-elect Trump.''

The recent report by the Senate Intelligence Committee—again, on a bipartisan basis—arrived at the even stronger conclusion that the Kremlin-linked troll organization's ''social media activity was overtly and almost invariably supportive of then candidate Trump, and to the detriment of Secretary Clinton's campaign.''

Similarly, the special counsel's report confirmed that Russian operations aimed to bolster their favored candidate, concluding that ''[t]he Russian government perceived it would benefit from a Trump Presidency and worked to secure that outcome.'' The report described in detail how Russia's two main information warfare operations—the manipulation of social media and the hacking and dissemination of stolen information—''favored Presidential candidate Donald J. Trump and disparaged Presidential candidate Hillary Clinton.''

With regard to the manipulation of social media, the February 2018 indictment by the special counsel of the Kremlin-linked troll organization, commonly known as the Internet Research Agency, provided additional evidence of how operations aimed to bolster specific candidates. The indictment showed Kremlin-linked trolls were instructed to ''use any opportunity to criticize Hillary and the rest (except Sanders and Trump—we support them).''

The other main Russian information warfare effort was carried out by the Russian military intelligence units, or GRU, which stole private information and disseminated it, including on social media, to damage Secretary Clinton.

The Senate Intelligence Committee's recent report confirmed this tactic, assessing that ''information acquired by the committee from intelligence oversight, social media companies, the special counsel's investigative findings, and research by the commercial cyber security companies all reflect the Russian government's use of GRU to carry out another vector of attack on the 2016 election: the dissemination of hacked materials.''

One of the ways that the GRU was able to amplify its ability to disseminate the hacked material was by collaborating with WikiLeaks. The special counsel's report found that ''in order to expand its interference in the 2016 presidential election, the GRU units transferred many of the documents they stole from the [Democratic National Committee, or the] DNC, and the chairman of the Clinton campaign to WikiLeaks.''

It must be noted that the special counsel, as well as our intelligence community, have established that the organization WikiLeaks was not just acting as an unwitting stooge for the Russians. WikiLeaks had a role in the amplification of these information warfare operations. The special counsel's indictment from July of 2018 stated that GRU officers, posing as the fake persona Guccifer 2.0 ''discussed the release of the stolen documents and the timing of those releases'' with WikiLeaks ''to heighten their impact on the 2016 Presidential election.'' The special counsel's report further described how ''as reports attributing the DNC and DCCC hacks to the Russian Government emerged, WikiLeaks and [WikiLeaks founder Julian] Assange made several public statements designed to obscure the source of the materials that WikiLeaks was releasing.'' The weaponization of this information stolen by the GRU units through WikiLeaks was an important aspect of the Kremlin's support to then-Candidate Trump and heightened the impact of these operations against our elections.

The special counsel's report detailed a third line of effort to advance Russia's preferred candidate. The information warfare campaigns were conducted in coordination with outreach to the Trump campaign from Kremlin and Kremlin-linked individuals. These overtures included ''offers of assistance to the [Trump] campaign.'' That is a quote from the special counsel's report.

In contrast, the special counsel's office found no parallel efforts of assistance directed toward Secretary Clinton's Presidential campaign and, in fact, found the opposite. With regard to the manipulation of social media by Kremlin-linked trolls, the special counsel's report stated that ''by February 2016 internal [Internet Research Agency] documents referred to support for the Trump Campaign and opposition to candidate Clinton,'' and further states that ''throughout 2016 the [Internet Research Agency] accounts published an increasing number of materials supporting the Trump Campaign and opposing the Clinton Campaign.'' The special counsel's February 2018 indictment of the Internet Research Agency described additional efforts to oppose the Clinton campaign, including information warfare campaigns across social media platforms designed to peel off certain groups that are traditionally identified as reliable Democratic Party voters. The indictment stated: ''In or around the latter half of 2016, the [Internet Research Agency] began to encourage U.S. minority groups not to vote in the 2016 U.S. presidential election or to vote for a third party presidential candidate.'' The recent Senate Intelligence Committee report also affirmed this finding, concluding that no single group was targeted more than African Americans.

Let me emphasize again that this Senate report was a bipartisan effort.

President Putin all but confirmed support for the Trump campaign while standing next to the President in July of 2018 at the Helsinki Summit. When asked by the press if he wanted Trump to win the election and whether he directed any Kremlin officials to help with these efforts, Putin replied: ''Yes, I did, because he talked about bringing the U.S. Russia relationship back to normal.'' I think in this instance—and I think it is rare—we should take Putin's word for it.

Equally disturbing, the special counsel provided significant evidence that President Trump and his associates embraced, encouraged, and applauded Russian support. The special counsel's report definitively concludes that Russia saw its interests as aligned with and served by a Trump Presidency, that the central purpose of the Russian interference operations was helping the Trump campaign, and that the Trump campaign anticipated benefiting from the fruits of that foreign election interference.

The special counsel's report detailed evidence showing how Trump embraced Russian information warfare campaigns that sought to help him and damage his opponent. The evidence is overwhelming that the Trump campaign encouraged this interference in the Presidential campaign, even as it became increasingly apparent that Russia was behind these attacks on our democracy.

One example of embracing Kremlin and Kremlin-linked help is Trump campaign associates, including the President's son-in-law and then-campaign chairman, meeting with Russian agents in the hopes of getting dirt on Secretary Clinton. The email to set up the meeting to Donald Trump, Jr., held the Kremlin's intentions plain as day. The offer was, and I quote, ''to provide the Trump campaign with some official documents and information that would

incriminate Hillary and her dealings with Russia and would be useful to your father'' as ''part of Russia and its government's support for Mr. Trump.'' Trump Junior embraced this offer and responded that, quote, ''if it's what you say, I love it.'' I think that response from the President's son speaks for itself.

Yet another example of this behavior was the Trump campaign's promotion of WikiLeaks releases of information stolen by GRU. The special counsel's investigation showed that ''the Presidential campaign showed interest in the WikiLeaks releases of documents and welcomed their potential damage to candidate Clinton.''

On June 14, 2016, the Washington Post reported that ''Russian government hackers'' were behind the hacking of the DNC and DCCC. So it was likely that as of mid-June of 2016 the Trump campaign had a good idea that the stolen information distributed by WikiLeaks about the DNC was stolen by Russia. The Mueller report described that ''by the late summer of 2016, the Trump Campaign was planning a press strategy, a communications campaign and messaging based on the possible release of Clinton emails by WikiLeaks.'' By October 7, the Department of Homeland Security and the Office of the Director of National Intelligence issued a joint statement naming the WikiLeaks disclosures as ''consistent with the methods and motivations of Russian-directed efforts'' to influence public opinion and were ''intended to interfere with the U.S. election process.'' If not prior to the release of that joint statement, certainly by that point, the President's campaign should have known better. Instead, they appeared willing to embrace the Russian information warfare campaigns aimed at damaging their opponent.

The special counsel's January indictment of longtime Trump associate Roger Stone further details how Trump associates sought information about WikiLeaks releases of stolen materials intended to damage Secretary Clinton. That indictment stated: ''A senior Trump campaign official was directed to contact Stone about any additional releases and . . . other damaging information [WikiLeaks] had regarding the Clinton campaign.'' That indictment also showed that on October 7, 2016—a half-hour after the joint statement by DHS and ODNI that WikiLeaks was part of Russia's operation to interfere with U.S. Presidential elections—WikiLeaks disseminated the first set of emails from Clinton chairman John Podesta. In response to those releases, ''an associate of the high-ranking Trump campaign official sent a text message to Stone that read 'well done.' '' Trump campaign associates applauded the actions by WikiLeaks, which Trump's then-CIA Director later labeled ''a non-state hostile intelligence service often abetted by state actors like Russia.'' Instead of calling the FBI, the campaign celebrated. In the last month of the campaign alone, the President publicly boasted of his love of WikiLeaks at least 124 times.

Embracing WikiLeaks is not the only example of the President's problematic embrace of Russian information warfare operations. The President appears to have welcomed the GRU's hacking operation and its intention to damage his opponent's candidacy. On July 27, 2016, Trump announced publicly during a press conference:

> Russia, if you are listening, I hope you're able to find the 30,000 emails that are missing. I think you will be rewarded mightily by our press.

The special counsel's report confirmed that the GRU tried to assist Trump with those efforts, finding that ''within approximately five hours of Trump's statement, GRU officers targeted for the first time Clinton's personal office.''

This call for Russia to hack his political opponent and find her so-called deleted emails was not an isolated remark or sarcasm, as the President likes to say. The special counsel's report detailed that during the same period:

> Trump asked individuals affiliated with his campaign to find the deleted emails. Michael Flynn . . . recalled that Trump made this request repeatedly and Flynn subsequently contacted multiple people in an effort to obtain the emails.

Further, as described in the special counsel's report, one of the people General Flynn contacted to obtain Secretary Clinton's alleged deleted emails claimed that he had organized meetings with parties whom he believed ''had ties and affiliations with Russia,'' though the special counsel's investigation was not able to establish that Flynn's contacts interacted with Kremlin-linked hackers. As Brookings Institution senior fellow Benjamin Wittes laid out in April, Trump ''not only called publicly on the Russians to deliver the dirt on his opponent but he also privately ordered his campaign to seek the material out . . . knowing . . . that Russia would or might be the source.''

As I mentioned earlier, the special counsel was not able to find sufficient evidence to prove that the Trump campaign's embracing of Kremlin or Kremlin-linked operations constituted a crime beyond a reasonable doubt, but, clearly, the special counsel established a breadth of episodes where Trump embraced Russian operations in support of the campaign. Maybe those acts don't meet a criminal standard, but there are significant implications for this behavior. For instance, is it OK for a candidate to get elected President or elected to any public office by capitalizing on information stolen by a foreign adversary? Will that be acceptable the next time around? Will foreign campaigns targeting our elections be accepted as normal from now on? The actions of President Trump indicate, unfortunately, that it is acceptable and even welcome, and that is to the detriment of our national security and the integrity of our democracy.

I would like now to highlight a second aspect of the Kremlin's playbook, operations to denigrate the legitimacy of U.S. elections and democratic processes in general. The January 2017 intelligence community assessment found that one of the main objectives of the Kremlin-ordered election interference campaign was to undermine the American public's faith in our electoral system. The intelligence community's assessed in January 2017: ''When it appeared to Moscow that Secretary Clinton was likely to win the presidency, the Russian influence campaign focused more on undercutting Secretary Clinton's legitimacy . . . including by impugning the fairness of the election.'' The intelligence community's assessment further stated that ''Pro-Kremlin bloggers had prepared a Twitter campaign, #DemocracyRIP, on election night in anticipation of Secretary Clinton's victory.''

The special counsel's work confirmed the intelligence community's assessment. The Mueller report showed significant evidence of how the Kremlin-linked troll organization the Internet Research Agency deployed information operations around the theme that the election was rigged, fraudulent, or otherwise corrupt. The special counsel's indictment of Internet Research Agency officials from February 2018 stated: ''Starting in or around the summer of 2016, [the Kremlin-linked troll organization] also began to promote allegations of voter fraud by the Democratic Party through their fictitious U.S. personas and groups on social media.'' The Kremlin-linked troll organization purchased advertisements on Facebook to further promote allegations of vote rigging, including ads promoting a Facebook post that charged ''Hillary Clinton has already committed voter fraud during the Democratic Iowa Caucus.'' Other examples include posts that voter fraud allegations were being investigated in North Carolina on the Internet Research Agency's fraudulent Twitter account @TEN_GOP, which claimed to be the Tennessee Republican Party. Just days before the election, the agency used the same fraudulent Twitter handle to push the message ''#VoterFraud by counting tens of thousands of ineligible mail in Hillary votes being reported in Broward County, Florida.''

Consciously or unconsciously, President Trump also embraced this tactic from the Russian information warfare playbook and ran with it. According to a New York Times compilation, Trump tweeted at least 28 times during the 2016 Presidential campaign that the election, the electoral process, or certain early voting procedures were rigged, fraudulent, and corrupt. Let me give you a few examples. On August 1, 2016, Trump told a rally in Ohio: ''I'm afraid the election is going to be rigged, I have to be honest.'' On September 6, 2016, he stated: ''The only

way I can lose in my opinion . . . is if cheating goes on . . . go down to certain areas and study [to] make sure that other people don't come in and vote five times.'' Multiple press reports indicate that Trump's campaign website invited supporters to serve as ''Trump election observers'' to help him ''stop crooked Hilary from rigging the election.'' At the final debate on October 19, 2016, Trump indicated he would not necessarily accept the results of the election, instead saying he would ''look at it at that time,'' alleging ''millions of people'' on the voter rolls ''shouldn't be registered to vote.''

At an Ohio rally the next day, Trump alleged that Secretary Clinton ''is a candidate who is truly capable of anything, including voter fraud.'' On October 21, 2016, Trump told a rally in Pennsylvania:

Remember, folks, it is a rigged system. That's why you've got to get out and vote. You've got to watch. Because this system is totally rigged.

In these instances and others, Trump furthered the Kremlin's disinformation campaign by embracing and promoting the themes that our democratic system was rigged. As New Yorker journalist Jonathan Blitzer observed at that time, ''Trump has taken . . . [the voter fraud] concept to the extreme: trying to delegitimize a national election even while campaigning for the presidency.''

It is wildly irresponsible to push conspiracy theories that threaten the integrity of our democratic system without any evidence. It is wrong when a candidate for President pushes conspiracy theories that advance a central theme of the Russian information warfare campaign that our electoral system is ''rigged'' and aids key strategic objectives of the Kremlin. These tactics also undermine the American public's faith in our electoral system and strengthen Putin's position in the strategic competition between the United States and Russia. It is unpatriotic and cannot be accepted as part of our democracy and open society.

The mere idea that our entire election system would be attacked by the Russians to delegitimize it, and then to have those efforts echoed by the President does a huge disservice to the American public. If the American public does not have faith in the integrity of our electoral system, then we have profoundly lost a fundamental principle of our government that thousands of Americans have defended over years and years of effort. Our elections have to be protected. They can't be denigrated. The denigration that we saw was outrageous.

These two aspects of the Kremlin's playbook are supported by a third aspect—the recruitment and exploitation of local surrogates. This process was described in an amicus brief from December 2017 filed against President Trump by former national security officials, including Director of National Intelligence Clapper, CIA and NSA Director Hayden, CIA Director Brennan, and Acting CIA Director Morell. The brief stated:

The Russian Government continues to use local actors in a number of ways, [including] to get closer to a target (especially one who would be hesitant to offer assistance to Russian operatives directly), or manipulate a target to suit their needs. They use these agents to probe individual targets to see if they might be open to relationships or blackmail. And they recruit individuals within a country to help them understand how to appeal to U.S. populations and target and shape the contours of disinformation campaigns.

The recent Senate Intelligence Committee report affirmed these tactics, explaining: ''Russian backed trolls pushing disinformation have also sought to connect with and potentially coopt individuals to take action in the real world.''

The special counsel's report described how the Kremlin and Kremlin-linked actors deployed these tactics in the United States to interfere in the 2016 election, including:

As early as 2014, the [Internet Research Agency] instructed its employees to target U.S. persons to advance its operational goals. Initially, recruitment focused on U.S. persons who could amplify content posted by the [Internet Research Agency].

However, the activities that the Kremlin-troll agency, wittingly or unwittingly, used Americans for grew over time to include assistance with organizing pro-Trump rallies and demonstrations. The special counsel's related indictment of the Internet Research Agency officials stated that by late August 2016, the Internet Research Agency had an internal list ''of over 100 real U.S. persons contacted through [Internet Research Agency]-controlled false U.S. persona accounts and tracked to monitor recruitment efforts and requests.'' These efforts to exploit local surrogates included two different types of interactions with the Trump campaign according to the special counsel—reposting Kremlin-linked troll content from social media and requests for assistance with organizing political rallies.

This aspect of the Kremlin playbook—recruitment and exploitation of local surrogates—was also embraced, consciously or unconsciously, by the President and his inner circle. The special counsel's report detailed how Trump's family and campaign associates retweeted Kremlin-linked troll organization posts, amplifying a foreign adversary's information warfare campaign against our Presidential election. The special counsel found: ''Posts from the [Internet Research Agency]-controlled Twitter account @TEN_GOP were cited or retweeted by multiple Trump campaign officials and surrogates, including Donald J. Trump Jr, Eric Trump, Kellyanne Conway, Brad Parscale, and Michael T. Flynn.'' The posts these campaign surrogates cited or retweeted included two other aspects of the information warfare campaign—accusations to damage Secretary Clinton's campaign and allegations of voter fraud.

With regards to this aspect, as well, the special counsel did not conclude there was enough evidence to establish that the embrace and amplification of these information warfare operations was willful coordination by the Trump campaign amounting to a criminal conspiracy. It may well be that the President and the people around him didn't know that at @TEN_GOP wasn't the Tennessee Republican Party but was, in fact, Russian trolls thousands of miles away, fraudulently pumping disinformation into our system. However, it still shows a willingness to embrace for partisan advantage baseless, unsubstantiated allegations from unknown sources threatening the very fabric of our democracy—claims we know now were ginned up by a foreign adversary. It may not be criminal, but it is incredibly reckless and wrong. It is not the standard of conduct we should demand from someone seeking political office and the public trust that goes with that office. Again, this is part of a troubling pattern of behavior by the President.

Equally important, the election of a President who consciously or unconsciously embraces the tactics of foreign disinformation operations has implications for our national security and that of our allies and partners. As Benjamin Wittes from the Brookings Institution assessed, that the Internet Research Agency, a Kremlin-linked troll organization, ''was able to . . . get Trump figures—including Trump himself—to engage with and promote social-media content as part of a hostile power's covert efforts to influence the American electorate . . . shows a troubling degree of vulnerability on the part of the U.S. political system to outside influence campaigns.

Now, unfortunately, we can anticipate that these aspects of the playbook will continue and escalate in sophistication and scale in 2020. The 2016 election was not just a one-off operation for the Kremlin. As then-Director of National Intelligence Dan Coats warned, Russia's malign activities ''are persistent, they are pervasive, and they are meant to undermine America's democracy.''

FBI Director Chris Wray also emphasized similar concerns during his spring speech to the Council on Foreign Relations, stating that the threat from Russian foreign malign influence ''is not just an election cycle threat; it's pretty much a 365-days-a-year threat.'' Director Wray further warned that ''our adversaries are going to keep adapting and upping their game.''

The intelligence community assessed in January 2017 that the campaign against us represented a ''new normal'' in Russian influence efforts in which ''Moscow will apply lessons learned from its campaign aimed at the U.S. presidential elections to future influence efforts in the U.S. and worldwide.''

The recent Senate Intelligence Committee's report concluded that information warfare attacks in 2016 ''represent only the latest installment in an increasingly brazen interference by the Kremlin on citizens and democratic institutions of the United States.'' And Director Mueller told the House Intelligence Committee in July that Russian interference ''wasn't a single attempt. They're doing it as we sit here.''

This interference has only increased in sophistication as the Russians used lessons learned from tactics developed in the Kremlin playbook in 2016. We saw Kremlin and Kremlin-linked actors deploy information warfare campaigns designed to advance their preferred candidates in the 2018 elections.

An October 2018 Department of Justice indictment from the Eastern District of Virginia detailed information warfare operations in 2017 and 2018 by the Internet Research Agency leveraged to promote candidates aligned with President Trump and denigrate candidates opposed to him, including anti-Trump Republicans. These operations demonstrated a high level of precision and specificity in messaging for the Agency's employees to deploy, including references to relevant news articles and topical items of the day to optimally promote Russia's candidates and causes of choice.

For example, the indictment cited how managers of the Internet Research Agency provided employees a news article titled ''Civil War if Trump Taken Down'' and instructed them to use their fraudulent personas to ''[n]ame those who oppose the President and those who impede his efforts to implement his preelection promises.'' One of the targets of these efforts was anti-Trump Republicans. The trolling instructions included detailed talking points to deploy over social media platforms, including ''focus on the fact that the Anti-Trump Republicans: a) drag their feet with regard to financing the construction of the border wall; b) are not lowering taxes; c) slander Trump and harm his reputation (bring up McCain); d) do not want to cancel ObamaCare; e) are not in a hurry to adopt laws that oppose the refugees coming from Middle Eastern countries entering this country.''

This information warfare operation was designed to support the President and detailed a sophisticated campaign deployed against an unwitting American public by trolls pretending to be fellow citizens. As national security journalist Natasha Bertrand wrote in The Atlantic about the 2018 information warfare campaigns detailed in the Eastern District's indictment, ''[t]he messaging strategy mimicked the overheated rhetoric . . . that [the Internet Research Agency] employed to considerable effect during the Presidential election. The partisan—and at times hateful—comments so artfully mimicked the daily back and forth on social media that they seemed to be those of real Americans.''

She also observed how these messages supported the President, noting that ''[a]t times, the messaging copied President Trump's bombast almost verbatim'' and ''the echo chamber between Trump's election rhetoric and that of the Russian trolls was striking.''

And the Russian information operations were not limited only to supporting President Trump. The Eastern District of Virginia indictment also showed how the Kremlin-linked troll organization worked to advance Republican challengers of several congressional races through a fraudulent Twitter account called @CovfefeNationUS, which encouraged readers to contribute to a political action committee seeking to defeat incumbent Democratic Senators and Representatives in the 2018 midterm election. These operations demonstrated a sophisticated understanding of the American political system.

We also saw evidence from the 2018 midterms of a second tactic from the Kremlin's playbook that I discussed earlier, attacking the legitimacy of the election, which is a fundamental attack on the democracy of this country—the ethic that holds us together. Here, too, the operation evolved in sophistication. In the same indictment, the Eastern District of Virginia described information warfare operations that worked to undermine the legitimacy of the U.S. election, with specific messages for its employees to disseminate. One example from the indictment was instructions for the Russian Internet Research Agency's employees to cite specific online articles on voter fraud. The Kremlin-linked trolls were told the state in deployed messages:

> Remind that the majority of ''blue States'' have no voter IDs, which suggests that large scale falsifications are bound to be happening there. . . . Democrats in the coming election will surely attempt to falsify the results.

The indictment also detailed how these information warfare campaigns were deployed across multiple platforms, including being pushed out using multiple fraudulent Twitter accounts to reinforce and amplify their message.

Finally, we saw the continuation of a third aspect of the Russian playbook, the recruitment of local surrogates to advance Kremlin interests with the 2018 election. As the Eastern Virginia's indictment states, between March 2016 and around July 2017, ''while concealing its true identity, location, and purpose, the [Kremlin-linked troll organization] used the false U.S. persona 'Helen Christopherson' to contact individuals and groups in the United States to promote protests, rallies, and marches, including by funding advertising, flyers, and rallies and supplies.''

The indictment further details how the Kremlin-linked troll organization used a different fake persona ''while concealing its true identity, location, and purpose, to solicit at least one person presumed to be located in the United States to assist with . . . social media activities.'' These efforts to recruit surrogates included posting on and managing content on a fraudulent Facebook page created specially to further a Russian information warfare campaign.

As we have been warned, these operations will continue to look more American, and the Kremlin and Kremlin-linked agents will continue to try to recruit people in the United States to advance Russia's hybrid operations.

Many of the President's national security officials have warned that we could see heightened Russian information warfare attacks and other influence operations in the 2020 elections. Even before the 2018 midterm elections, Christopher Krebs, Homeland Security's Cybersecurity and Infrastructure Security Agency Director, warned:

> The midterm is . . . just the warm-up, or the exhibition game. . . . The big game, we think, for adversaries is probably 2020.

FBI Director Wray echoed that assessment, stating this spring that the ''2018 elections were seen as a dress rehearsal for the big show in 2020'' and that the FBI anticipates the 2020 threat being even more challenging.

Former Director of National Intelligence Daniel Coats testified to the Senate Intelligence Committee in late January: ''Moscow may employ additional influence toolkits—such as spreading disinformation, conducting hack-and-leak operations, or manipulating data—in a more targeted fashion to influence U.S. policy, actions, and elections.''

There are several examples which further demonstrate how these efforts have become more sophisticated and pervasive. In 2016, Russia disseminated what turned out to be authentic stolen information. However, just a few months later, during the French Presidential elections, Kremlin and Kremlin-linked actors disseminated a mix of real and fake information about Presidential candidate Emmanuel Macron in order to damage him and bolster their preferred candidate, Marine Le Pen. So next time foreign adversaries may use a mixture of real and fake information as part of their influence operations.

We already saw a multi-country, multi-language information warfare campaign uncovered by the Atlantic Council's Digital Forensic Research Lab that made use of ''fake accounts, forged documents, and dozens of online platforms to spread stories that attacked western interests and unity.''

It may also be harder to discern what is real and what is fake because it is more likely to look like it is coming from regular Americans who are concerned about an issue. In February 2018, Russia expert Heather Conley warned in testimony before the Senate Armed Services Subcommittee on Cybersecurity that Russian information warfare campaigns in 2018 and 2020 will adapt and ''look more American, [and] it will look less Russian.''

In addition, new technologies, including the use of artificial intelligence

and deepfake recordings that seem real but are actually doctored or entirely fabricated, will add an additional layer of complexity and make it easier for us to fall for these operations. As then-Director of National Intelligence Dan Coats testified to the Senate Intelligence Committee in late January, ''Adversaries and strategic competitors probably will attempt to use deep fakes or similar machine-learning technologies to create convincing but false image, audio, and video files to augment influence campaigns directed against the United States and our allies and partners.''

Despite these assessments by our senior national security officials and our intelligence community, the voluminous evidence in the special counsel's indictments and report, additional indictments from the Department of Justice, and bipartisan reports from the Senate Intelligence Committee, the President appears unwilling or unable to recognize the urgency of this national security threat or the need to immediately implement a comprehensive strategy to counter and deter Russian hybrid warfare. Instead of alerting Americans to the threat, the President continues to ignore the analysis of his own intelligence agencies. Instead of leading efforts to deter foreign adversaries, the President, with the whole world watching at the July 2019 G20 Osaka summit, treated election interference as a joke, signaling to Putin that he would not hold Russia accountable.

This doesn't only apply to past Russian interference in the 2016 election. The President's blind spot when it comes to Russian election interference is harming our ability to counter future interference. The New York Times reported in April that former Homeland Security Secretary Kirstjen Nielsen was told not to bring up the issue with the President of expected Russian interference in the 2020 election. Acting Chief of Staff Mick Mulvaney said it ''wasn't a great subject and should be kept below [the President's] level.''

The President's unwillingness to accept Russian interference and his public statements inviting other countries to interfere in future elections have created real impediments to formulating a whole-of-government and a whole-of-society strategy to counter and deter Russia or others from attacking our elections. Despite almost 3 years having passed since the 2016 election, the White House has not led efforts to develop a comprehensive strategy to counter foreign election interference. While, as I mentioned, individual U.S. Departments and agencies took steps to disrupt Russia in the 2018 midterm elections, no wholesale strategy to deter and counter these operations appears to have been implemented for 2020.

Don't just take my word for it. Then-European Commander General Curtis Scaparrotti, who was on the frontlines in deterring Russia, testified this spring to the Senate Committee on Armed Services that U.S. efforts to counter Russian influence operations still lacked ''effective unification across the interagency.'' Equally troubling was his assessment that the United States has yet to develop ''a multifaceted strategy to counter Russia.''

When FBI Director Christopher Wray testified in May before the Senate Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies, he could not identify a lead person who was designated to coordinate these efforts. This is despite a provision included in the fiscal year 2019 National Defense Authorization Act requiring the President to designate an NSC official to be in charge of coordinating the U.S. Government response to malign foreign influence operations. To date, no such coordinator has been named. Moreover, the cybersecurity coordinator at the NSC was dismissed over a year and a half ago, and that position remains unfilled. So, at the highest levels, we don't have anyone in charge.

What additional steps can we take right now to protect the American people against interference campaigns by the Russians and other foreign adversaries—campaigns we know are coming ahead of the 2020 elections?

In the near term, I believe we must immediately adopt several measures that would provide additional tools to detect these information warfare operations and help reduce the American people's vulnerability to them. We have no time to waste.

First, we must designate the Secretary of Homeland Security, with the concurrence of the Director of National Intelligence and the FBI Director, with the responsibility for increasing public vigilance and reassuring the American people about the legitimacy and validity of our elections.

This group of senior officials should be organized to detect foreign interference in our political process and expose malign behavior, including on social media. In the run-up to the election, this group must issue monthly public reports—with a classified annex, if necessary—showing top trends in malign influence campaigns from countries identified as posing the greatest threats. They also must provide a public assessment as to whether these countries are engaged in interference in our election 90 days prior to election day and again 30 days out. Making such an assessment a requirement and including a delivery date will help inoculate these assessments from questions about political bias.

Even after election day, we need to make sure this group is poised to affirm the legitimacy of the democratic process. No less than 3 days after the election, it must also make an assessment to the maximum extent possible as to whether foreign interference was detected. To further protect the group from accusations of political bias, the spot assessment could be backed up by a neutral, nonpartisan panel, which would review and certify the government's assessment in short order, such as within 2 weeks.

These types of public assessments are not unprecedented. As I mentioned earlier, the Office of the Director of National Intelligence and the Department of Homeland Security made an announcement about Russian influence operations ahead of the 2016 election. Ahead of the 2018 midterm elections, the Director of National Intelligence, the Department of Justice, the FBI, and the Department of Homeland Security made a public statement about foreign influence, and the President issued an Executive order regarding election interference ahead of the 2018 midterm elections, which requires a 45-day report after the election that assesses attacks from foreign adversaries. Yet these sporadic statements are not enough to reassure the American people, and a report 45 days after the election is much too long to wait. The public must know that this group is going to keep us informed in real time and issue warnings regarding the threats.

Much of this idea was endorsed as a recommendation in the recent bipartisan Senate Intelligence Committee's report, which called for the executive branch to stand up a task force to continually monitor and assess the use of social media platforms by foreign countries for ''democratic interference'' that, among other things, would ''periodically advise Congress and the public on its findings.''

Second, we need a better understanding of how the Kremlin and other foreign adversaries are deploying disinformation and foreign influence operations across social media platforms. Right now, we are depending on social media companies to take down unauthentic accounts that are engaged in malign influence activities. These companies have stepped up their efforts to identify and counter these activities, which is something they failed to do in the 2016 election. Ultimately, they are for-profit enterprises, and the government's visibility on and understanding trends and indicators of foreign activity on these platforms is limited. We cannot solely rely on the social media companies to look after the public good and protect our national security.

One way to increase transparency and help the American public understand the changing threat picture across social media platforms would be greater support for independent research, with the participation of the social media companies and independent third-party researchers, to compile information and analyze trends that are relevant to foreign information operations. Such research would allow trusted independent researchers and academics to gain insight into cross-platform trends and

provide analysis of indicators of foreign influence activities to the public. This mechanism could also provide an important tool for informing our government's response to foreign influence and disinformation operations ahead of the 2020 elections. This concept also has bipartisan support from the Senate Intelligence Committee, which includes a similar recommendation in its recent report.

We have proof that this concept works and is vital to national security. General Paul Nakasone, commander of U.S. Cyber Command, publicly testified to both the Senate Armed Services and Intelligence Committees that two analyses of Kremlin-linked influence operations across social media platforms done by independent researchers at the Senate Intelligence Committee's behest were, in his words, a very, very helpful window into the adversary's operations ahead of the 2018 midterms. As our adversaries continue to evolve and adopt their techniques, we need to redouble our efforts to understand what to expect in the next election.

Third, we must reinforce the prohibition on candidates and campaigns that accept offers of help from foreign adversaries who interfere in our political process to advance their strategic interests.

The Trump campaign's series of foreign contacts in the 2016 election and the President's continued statements to solicit and show his willingness to accept assistance from foreign governments make it clear that Congress must act to prevent future interference efforts. That is why I am a cosponsor of S. 1562, the Foreign Influence Reporting in Elections Act—or the FIRE Act—introduced by Senator WARNER. The FIRE Act would require all campaign officials to report within 1 week to the Federal Election Commission any contacts with foreign nationals attempting to make campaign donations or otherwise collaborate with the campaign. The FEC would, in turn, have to notify the FBI within 1 week.

It is in all of our interests to ensure that we can defend against foreign attacks on our democratic institutions, and reporting these kinds of contacts to the appropriate authorities is our first line of defense. I am disappointed that my Republican colleagues have blocked Senator WARNER's attempt to pass the FIRE Act even after many of them insisted that politicians should report to the FBI any contacts or offers of help by a foreign government.

Fourth, we should build upon the passage in the Senate of S. 1328, the Defending Elections against Trolls from Enemy Regimes Act. This bipartisan legislation by Senators DURBIN and GRAHAM was a step in the right direction by making improper interference in U.S. elections a violation of immigration law and violators both deportable and ineligible for visas to enter the United States. Additional targeted sanctions should be considered on Russia to deter future election interference with our allies and partners.

These are some immediate steps we can take as the Russian playbook for the 2020 election crystallizes, but we can also see a familiar pattern beginning to emerge.

This is not hypothetical. Just yesterday, Facebook announced it took down 50 accounts associated with the Internet Research Agency. I have spoken about it consistently throughout my comments this evening.

Just yesterday, they took down 50 accounts. These Kremlin-linked trolls posed as real Americans, including from swing States. They deployed information operations on social media to praise President Trump and Senator SANDERS and attack Vice President Biden and Senators WARREN and HARRIS—repeating tactics from 2016 and 2018.

Facebook's head of cyber security stated in conjunction with that announcement that we can guarantee ''bad guys are going to keep trying to do this.'' This is just one more confirmation that Russia is deploying aspects of the same playbook in 2020.

This time, we know this information warfare campaign is coming. In fact, it has already begun. We need to build on what we have learned and what we anticipate coming next. We should be ensuring that we have structures in place to counter foreign election interference. Importantly, we must work together with private partners to expose more of these operations and continue to help the American people understand it. We can speak the truth about how Russia is exploiting our democracy and open society to deploy its malign influence playbook so the public is not caught unaware of these sophisticated foreign tactics and attempts to manipulate the social media environment.

We also cannot continue to let these moments pass without speaking up about the tenets of our democracy and what it stands for. Russia exploited vulnerabilities in our society, and their tactics were encouraged and amplified by a candidate who was seeking the highest office in the land. That candidate, now President, appears to see no reason to change his behavior for the future and instead he has doubled down.

Congress as a body and we as a country must speak out and say this is not acceptable. It is not acceptable for candidates for political office—any political office, those seeking to hold a position of public trust, to seek to engage with our adversaries or foreign authoritarian regimes to advance their political campaigns. It is not acceptable to meet with foreign agents about getting stolen information on your opponents, information acquired by foreign espionage. It is not acceptable to promote materials stolen by foreign adversaries. It is not acceptable to abuse the power of the Presidency to advance your personal political interests to the detriment of the country. It is not acceptable to promote propaganda and disinformation campaigns that work to delegitimize our democracy, a democracy that generations have fought and died to protect. This is a violation of the public trust that is inherent in any political office and which any candidate for public office must uphold to be worthy of the American people's support.

It is critical that we unite in a bipartisan manner to take immediate action to counter these threats. The integrity of our electoral system is not a Republican or a Democratic issue. It is an American issue.

As Abraham Lincoln said, ''America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves.''

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Tennessee.

Mr. ALEXANDER. Madam President, the Senator from Alabama, Mr. JONES, and I have legislation that we propose to introduce tonight.

I am prepared to let him speak before I do because I understand he has another event, but I don't see him.

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

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

(The remarks of Mr. ALEXANDER and Mr. JONES pertaining to the introduction of S. 2667 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

H.R. 3055

Mr. MORAN. Madam President, last evening, I was here at this exact spot asking my colleagues to support the idea of advancing appropriations bills, and I am pleased to see today that has today occurred. It occurred on a vote of 92 to 2. That is a good sign.

It is a goal of mine to see the Senate function. One of the ways we can determine whether we are doing our jobs is whether we can pass appropriations bills. The Senate is now considering 4 of 12 appropriations bills that should be adopted on an annual basis.

I begin my remarks this evening by thanking Chairman SHELBY and Vice Chairman LEAHY for their leadership

and for working hard to bring appropriations bills to the floor, including my subcommittee's work on the Commerce, Justice, Science, and Related Agencies appropriations bill.

As the chairman of that CJS Subcommittee, I worked closely with the ranking member, Senator SHAHEEN, the Senator from New Hampshire, whom I know very well. Senator SHAHEEN and I have worked together to produce a good-government, bipartisan bill that is part of this appropriations package we are now debating. I express my gratitude to her and her staff for her partnership, and I am proud we were able to report the bill out of the Appropriations Committee by a unanimous vote. I appreciate Senator SHAHEEN's willingness to find common ground, and I look forward to seeing this bill pass the Senate and ultimately be enacted into law.

As I have said before, this is a good bill. It is consist with our subcommittee's 302(b) allocation, and I believe it balances the many competing priorities of our funding jurisdiction.

As you expect in a bill that is titled ''Commerce, Justice, Science, and Related Agencies,'' there are many competing interests in determining how we allocate the spending within that 302(b) allocation.

The CJS bill supports activities related to national security; Federal, State, local, and Tribal law enforcement; space exploration; economic development; trade promotion and enforcement; scientific research; and many other critical government functions.

The CJS bill provides funding for the Department of Commerce, which includes an increase of significant amounts of dollars that are necessary in fiscal year 2020 to fund the Census Bureau to ensure that we have an accurate counting for the 2020 decennial census—a constitutional requirement. It is one of the reasons that it is difficult to allocate money in our bill, because the census is so critical and must be done in a professional and timely manner. We believe we have included the necessary support for that to occur.

This bill also has a strong support for NOAA programs—the National Oceanic and Atmospheric Administration—to ensure continuation of core operations, including ocean monitoring, fisheries management, coastal grants to States, aquaculture research, and severe weather forecasting, and additional opportunities for economic growth by supporting the Economic Development Agency and continuing the National Institute of Standards and Technology's Manufacturing Extension Partnership Program.

The CJS bill also supports space and scientific exploration. This bill is the bill that funds NASA. As many of my colleagues know, this year the administration took a step—a bold step—in advancing the timeframe by which American astronauts will return to the Moon. The plan is now to return to the Moon by 2024. This bill helps accelerate that goal and will cement America's leadership in space exploration. The bill provides robust funding for NASA, including funding for science and aeronautics and the Artemis mission—that trip to the Moon—which will allow NASA to begin to take those important steps to achieve its goal—and a goal of mine—of putting the first woman on the Moon by 2024.

The bill also includes needed funding for STEM education programs.

In most recent times, when the 50th anniversary of Apollo 11 was celebrated, it caused me to remember back to the days in which many people in this country saw what we were able to accomplish and dedicated their lives—young people—to science and research, to space exploration. This bill is supportive of that and is designed to inspire the next generation of scientists—young people and others.

Finally, the CJS bill also provides for increased funding for the Department of Justice. The funding includes additional resources for the Department's law enforcement components, enabling the Department to hire additional agents, deputy marshals, and correctional officers, expanding the Department's efforts to combat mass violence and violent crime.

Funding for the Executive Office for Immigration Review is also increased so that additional immigration judges and support staff can be hired, continuing our committee's effort to reduce the immigration court backlog, which is now over 960,000.

Additionally, as an original sponsor of the First Step Act, I am proud that this bill provides $75 million—the fully authorized level—to the Bureau of Prisons for its implementation.

Our bill provides $2.3 billion in funding for State, local, and Tribal law enforcement assistance, including a total of $517 million to combat the various opioid, meth, and substance abuse crises raging our communities, $500 million for grants authorized under the Violence Against Women Act, and $315 million for juvenile justice grants. These grants will help local communities prevent crime and also provide support and assistance for crime victims.

Unfortunately, many of our law enforcement officials are under significant stress, increasing pressures, and there is an increasing level of suicide among law enforcement officers across the country. Again, we have provided funding for counseling—something I wish were not necessary.

We have a transparent product here. We worked in a bipartisan manner, as many Kansans and Americans have asked me to do, asking: Can we get along? The answer is yes, we can get along to do something as basic as an appropriations bill. I hope the answer will continue to be yes. It is important for us to address the priorities and needs of our Nation.

I look forward to advancing this legislation. I will be here on the Senate floor from time to time to respond to my colleagues' questions and to respond to any amendments that may be offered.

I urge my colleagues to support this package of four bills, including our CJS bill, so that we can move one step closer to completing our constitutionally required work of funding the Federal Government.

I again thank Chairman SHELBY and the vice chairman, Senator LEAHY, for their leadership throughout this entire process. I look forward to working with them for the next few days and throughout the year to see that we have a successful conclusion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT AGREEMENT—TREATY DOCUMENT NO. 116–1

Mr. MORAN. Madam President as in executive session, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's consent to the resolution of ratification with respect to treaty document No. 116–1.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MORAN. Madam 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.

BUDGET ENFORCEMENT LEVELS FOR FISCAL YEAR 2020

Mr. ENZI. Madam President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits. In addition, sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

The Senate will soon consider S. Amdt. 948 to H.R. 3055, the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020. The Senate amendment provides appropriations for spending within the jurisdiction of all the subcommittees in the underlying bill except for the Senate Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related

Agencies. The measure contains spending that qualifies for cap adjustments under current law.

This measure includes $2,500 million in nonsecurity budget authority that is designated as being for the periodic U.S. Census pursuant to section 251 (b)(2)(G) of BBEDCA. CBO estimates that this budget authority will result in $1,800 million in outlays in fiscal year 2020.

This measure also includes $2,250 million in nonsecurity discretionary budget authority for wildfire suppression operations pursuant to section 251 (b)(2)(F) of BBEDCA. This budget authority and its associated outlays of $2,250 million qualify for an adjustment under BBEDCA.

As such, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised nonsecurity budget authority by $4,750 million and outlays by $4,050 million in fiscal year 2020. Further, I am increasing the budgetary aggregate for fiscal year 2020 by $4,750 million in budget authority and $4,050 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)

$s in millions	2020
Current Spending Aggregates:	
Budget Authority	3,704,246
Outlays	3,681,491
Adjustments:	
Budget Authority	4,750
Outlays	4,050
Revised Spending Aggregates:	
Budget Authority	3,708,996
Outlays	3,685,541

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2020

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

$s in millions	2020
Current Allocation:	
Revised Security Discretionary Budget Authority	666,500
Revised Nonsecurity Category Discretionary Budget Authority	621,508
General Purpose Outlays	1,364,379
Adjustments:	
Revised Security Discretionary Budget Authority	0
Revised Nonsecurity Category Discretionary Budget Authority	4,750
General Purpose Outlays	4,050
Revised Allocations:	
Revised Security Discretionary Budget Authority	666,500
Revised Nonsecurity Category Discretionary Budget Authority	626,258
General Purpose Outlays	1,368,429

Memorandum: Detail of Adjustments	Regular	OCO	Program Integrity	Disaster Relief	Emergency	Wildfire Suppression	U.S. Census	Total
Revised Security Discretionary Budget Authority	0	0	0	0	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority	0	0	0	0	0	2,250	2,500	4,750
General Purpose Outlays	0	0	0	0	0	2,250	1,800	4,050

ADDITIONAL STATEMENTS

TRIBUTE TO BILL STEBBINS

● Mr. DAINES. Madam President, this week I have the honor of recognizing pilot Bill Stebbins of Dawson County for his tremendous impact on Montana and over 60 years of experience as a pilot.

Bill was honored by his colleagues and the Federal Aviation Administration with the distinguished Wright Brothers Master Pilot Award in August of 2019. This high honor is reserved for few pilots who have had a pilot's license in good standing for 50 or more years.

Bill has been flying since 1955, putting him at over 60 years of flight with an outstanding 13,000 hours spent in the air.

After earning a mechanical engineering degree, Bill joined the Army where he trained in fixed-wing aircraft at Gary Air Force Base in San Marcos, TX. He later advanced to fixed-wing and helicopter training at Fort Rucker in Alabama.

Upon leaving military service, Bill worked for Montana-Dakota Utilities and then Williston Basin Interstate Pipeline, where he flew thousands of miles of pipeline in a variety of fixed-wing and rotary aircrafts to help inspect and maintain the pipeline's protection.

Over the years, Bill has also committed himself to helping those in need, including participating in countless search and rescue operations.

Most notably, in the 1980s Bill airlifted food and supplies into Makoshika State Park to support a youth group stranded at the Lion's camp by heavy rains and washed out roads.

Bill has spent 50 years based at the Dawson Community Airport, where he has served as the assistant airport manager since 2015. He has had a tremendous impact on the operation of the Dawson County Airport.

It is my honor to recognize Bill for his extraordinary accomplishments. Bill's experience as a pilot and his selfless service to his community and country is exemplary of the Montana spirit.●

MESSAGE FROM THE PRESIDENT

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

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13413 OF OCTOBER 27, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO THE DEMOCRATIC REPUBLIC OF THE CONGO—PM 33

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2019.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413 with respect to the situation in or in relation to the Democratic Republic of the Congo.

DONALD J. TRUMP.
THE WHITE HOUSE, *October 22, 2019.*

MESSAGE FROM THE HOUSE

At 10:12 a.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 4387. An act to establish Growth Accelerator Fund Competition within the Small Business Administration, and for other purposes.

H.R. 4405. An act to amend the Small Business Act to improve the women's business center program, and for other purposes.

H.R. 4406. An act to amend the Small Business Act to improve the small business development centers program, and for other purposes.

H.R. 4407. An act to amend the Small Business Act to reauthorize the SCORE program, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 27. Concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with the memorial services to be conducted in the House wing of the Capitol for the Honorable Elijah E. Cummings, late a Representative from the State of Maryland.

MEASURES REFERRED

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

H.R. 4387. An act to establish Growth Accelerator Fund Competition within the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 4405. An act to amend the Small Business Act to improve the women's business center program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 4406. An act to amend the Small Business Act to improve the small business development centers program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 4407. An act to amend the Small Business Act to reauthorize the SCORE program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Finance by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S. J. Res. 50. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Internal Revenue Service, Department of the Treasury, relating to "Contributions in Exchange for State or Local Tax Credits".

MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 59. Joint resolution expressing the sense of Congress on the precipitous withdrawal of United States Armed Forces from Syria and Afghanistan, and Turkey's unprovoked incursion into Syria.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 22, 2019, she had presented to the President of the United States the following enrolled bill:

S. 1196. An act to designate the facility of the United States Postal Service located at 1715 Linnerud Drive in Sun Prairie, Wisconsin, as the "Fire Captain Cory Barr Post Office Building".

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–2944. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2018" (RIN0584–AE73) received in the Office of the President of the Senate on October 15, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2945. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Standards for Grades of Apples" ((7 CFR Part 51) (Docket No. AMS–SC–18–0055; SC18–330)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2946. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan, et al.; Free and Restricted Percentages for the 2018–19 Crop Year and Revision of Grower Diversion Requirements for Tart Cherries" ((7 CFR Part 930) (Docket No. AMS–SC–18–0083; SC19–930–1FR)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2947. A communication from the Secretary of Defense, transmitting a report amending the report on the approved retirement of Major General Lee K. Levy II, United States Air Force, and his advancement to the grade of major general on the retired list; to the Committee on Armed Services.

EC–2948. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Voluntary State Tax Withholding from Retired Pay" (RIN0790–AK19) received in the Office of the President of the Senate on October 17, 2019; to the Committee on Armed Services.

EC–2949. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Stress Testing Rule for National Banks and Federal Savings Associations" (RIN1557–AE55) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2950. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Real Estate Appraisals" (RIN1557–AE57) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2951. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Thresholds Increase for the Major Asset Prohibition of the Depository Institution Management Interlocks Act Rules" (RIN1557–AE22) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2952. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Real Estate Appraisals" (RIN3064–AE87) received in the Office of the President of the Senate on October 16, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2953. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Credit Union Bylaws" (RIN3313–AE86) received in the Office of the President of the Senate on October 17, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2954. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Entities to the Entity List" (RIN0694–AH68) received in the Office of the President of the Senate on October 17, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2955. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Supervisory Committee Audits and Verifications" (RIN3313–AE91) received in the Office of the President of the Senate on October 17, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2956. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Credit Union Bylaws" (RIN3313–AE86) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–2957. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS; Interstate Transport" (FRL No. 10000–66–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2019; to the Committee on Environment and Public Works.

EC–2958. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS Interstate Transport" (FRL No. 10000–67–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2019; to the Committee on Environment and Public Works.

EC–2959. 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 Implementation Plans; Montana; Regional Haze 5-

Year Progress Report State Implementation Plan'' (FRL No. 10000–48–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2019; to the Committee on Environment and Public Works.

EC–2960. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Indiana; Update to CRB Fee Billing Procedures; Withdrawal of Direct Final Rule'' (FRL No. 10001–24–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2961. 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 Plans; Pennsylvania; Philadelphia County Reasonably Available Control Technology for the 2008 Ozone National Ambient Air Quality Standard'' (FRL No. 10001–46–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2962. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arkansas; Interstate Transport Requirements for the 2010 1-Hour SO2 NAAQS'' (FRL No. 10000–92–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2963. 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 Plans; Virginia; Correction Due to Vacatur of Revisions to Implement the Revocation of the 1997 Ozone National Ambient Air Quality Standards Final Rule'' (FRL No. 10001–46–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2964. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; Ohio and West Virginia; Attainment Plans for the Steubenville, Ohio-West Virginia 2010 Sulfur Dioxide Nonattainment Area'' (FRL No. 10001–26–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2965. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Clay Ceramics'' (FRL No. 10001–21–OAR) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2966. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Outer Continental Shelf Air Regulations; Consistency Update for Virginia'' (FRL No. 9999–40–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Environment and Public Works.

EC–2967. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''The Year in Trade 2018''; to the Committee on Finance.

EC–2968. 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 ''Election to Take Disaster Loss Deduction for the Preceding Year'' (RIN1545–BP44) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2019; to the Committee on Finance.

EC–2969. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 3(d) of the Arms Export Control Act, the certification of a proposed transfer of major defense equipment, including up to 62 AIM–120B AMRAAM missiles and other components from Norway to Raytheon with a sales value of approximately $34,600,000 (Transmittal No. RSAT–16–5363); to the Committee on Foreign Relations.

EC–2970. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment to a manufacturing license agreement for the export of defense articles, including technical data and defense services, to Japan for the production of the MK41 Vertical Launching System (VLS) in the amount of $100,000,000 or more (Transmittal No. DDTC 19–027); to the Committee on Foreign Relations.

EC–2971. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 3(d) of the Arms Export Control Act, the certification of a proposed transfer of major defense equipment, including two Oliver Hazard Perry FFG–7 Frigates, including spare parts support equipment and training from Australia to Chile with a sales value of approximately $1,400,000,000 (Transmittal No. RSAT–19–6937); to the Committee on Foreign Relations.

EC–2972. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to Algeria and the UAE to support the transfer, modification, maintenance, and repair for Mine Resistant Ambush Protected (MRAP) vehicles for end use by Algeria in the amount of $50,000,000 or more (Transmittal No. DDTC 19–013); to the Committee on Foreign Relations.

EC–2973. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List of M60E6 7.62mm machine guns and spare parts to Denmark for the Ministry of Defense in the amount of $1,000,000 or more (Transmittal No. DDTC 19–033); to the Committee on Foreign Relations.

EC–2974. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to Australia for the P–8A aircraft for the execution, sustainment, and follow-on development to support the Maritime Patrol and Reconnaissance Aircraft program in the amount of $100,000,000 or more (Transmittal No. DDTC 18–099); to the Committee on Foreign Relations.

EC–2975. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the U.S. Munitions List of fully automatic 7.62 mm machine guns to Oman for the Omani Royal Police in the amount of $1,000,000 or more (Transmittal No. DDTC 18–111); to the Committee on Foreign Relations.

EC–2976. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List of 9 mm semi-automatic pistols and spare barrels to Brazil in the amount of $1,000,000 or more (Transmittal No. DDTC 19–026); to the Committee on Foreign Relations.

EC–2977. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2019–0094 - 2019–0103); to the Committee on Foreign Relations.

EC–2978. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the NURSE Corps Loan Repayment and Scholarship Programs Fiscal Year 2018''; to the Committee on Health, Education, Labor, and Pensions.

EC–2979. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2018 Report on the Preventive Medicine and Public Health Training Grant Program''; to the Committee on Health, Education, Labor, and Pensions.

EC–2980. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on Newborn Screening Activities Fiscal Year 2017 and Fiscal Year 2018''; to the Committee on Health, Education, Labor, and Pensions.

EC–2981. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Harmonization of Differences Between the Department of Health and Human Services' Human Subject Regulations and the Food and Drug Administration's Human Subject Regulations''; to the Committee on Health, Education, Labor, and Pensions.

EC–2982. A communication from the Deputy General Counsel, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Title I, Part A of the Elementary and Secondary Education Act of 1965, As Amended by the Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families'' received in the Office of the President of the Senate on October 17, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC–2983. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, a report relative to seventeen audit reports issued during fiscal year 2019 regarding

the Agency and the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

EC–2984. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2020–01; Introduction'' ((48 CFR Chapter 1) (FAC 2020–01)) received in the Office of the President of the Senate on October 15, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–2985. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2020–01; Small Entity Compliance Guide'' ((48 CFR Chapter 1) (FAC 2020–01)) received in the Office of the President of the Senate on October 15, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–2986. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2018–008; Definition of 'Commercial Item' '' ((48 CFR Chapter 2) (FAC 2020–01)) received in the Office of the President of the Senate on October 15, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–2987. A communication from the Register of Copyrights and Director, United States Copyright Office, Library of Congress, transmitting, pursuant to law, a report entitled ''Proposed Schedule and Analysis of Copyright Recordation Fee To Go into Effect Spring 2020''; to the Committee on the Judiciary.

EC–2988. A communication from the Assistant Administrator of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Solriamefetol in Schedule IV'' ((21 CFR Part 1308) (Docket No. DEA–504)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on the Judiciary.

EC–2989. A communication from the Assistant Administrator of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Brexanolone in Schedule IV'' ((21 CFR Part 1308) (Docket No. DEA–503)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on the Judiciary.

EC–2990. A communication from the Assistant Administrator of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Temporary Placement of N-Ethylhexedrone, a-PHP, 4-MEAP, MPHP, PV8, and 4-Chloro-a-PVP in Schedule I'' ((21 CFR Part 1308) (Docket No. DEA–495)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on the Judiciary.

EC–2991. A communication from the Assistant Administrator of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Listing of Noroxymorphone in the Code of Federal Regulations and Assignment of a Controlled Substances Code Number'' ((21 CFR Part 1308) (Docket No. DEA–332)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–141. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress to allow jail and prison inmates to be eligible for Medicaid Coverage or to allow states to seek a waiver from the law; to the Committee on Finance.

HOUSE RESOLUTION NO. 93

Whereas, The Federal Medicaid Inmate Exclusion Policy (MIEP) prohibits the payment of federal Medicaid matching dollars for medical services provided to prison inmates. Medicaid will only cover the care an inmate receives in an inpatient hospital or medical institution; and

Whereas, Incarcerated individuals have been ineligible for Medicaid since the inception of the program in 1965. National prison populations have risen exponentially over the past several decades from approximately 200,000 when Medicaid began to over a million in county jails and state prisons currently; and

Whereas, The MIEP places a tremendous financial burden on states, counties, and local communities as hundreds of millions of dollars are spent annually for health care services provided in jails and prisons. Inmate health issues run the gamut from mental illness to chronic diseases, including diabetes, hypertension, kidney failure, and cancer. Furthermore, the health complexities of aging inmates increase health care costs, and

Whereas, The repeal of or a federal waiver from the exclusionary provision of MIEP would enable states and counties to seek federal matching funds for Medicaid-covered services. Furthermore, states that have expanded Medicaid under the Affordable Care Act would be reimbursed for at least 90 percent of their spending on prison health care; Now, therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we urge the Congress of the United Stales to repeal the Medicaid Inmate Exclusion Policy to allow prison inmates to be eligible for Medicaid coverage or allow states to seek a waiver from the law; and be it further

RESOLVED, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–142. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to enact robust bipartisan federal infrastructure legislation and address the shortfall in the federal Highway Trust Fund by restoring the lost purchasing power of the federal fuel tax; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 5

Whereas, California's transportation infrastructure is aging and in serious need of repair, with more than 44 percent of major roads and highways considered in poor condition and another 25 percent rated mediocre; and

Whereas, This problem is even more acute in urban areas, where more than 53 percent of major roads and highways are in poor condition and 25 percent are rated mediocre; and

Whereas, California motorists spend in excess of $22 billion annually in additional operating costs, more than $843 per driver, as a result of driving on poorly maintained roads; and

Whereas, Increasing levels of traffic congestion are clogging urban freeways, impacting commutes and commerce, and costing Californians an estimated $29 billion annually in wasted time and fuel; and

Whereas, With California's population expected to grow to 48 million by 2040, substantial new investment in public transportation will be needed to improve mobility. reduce gridlock, and meet critical greenhouse gas reduction targets, yet the state's transit agencies collectively face billions of dollars annually in capital and operating shortfalls; and

Whereas, These transit agencies face particularly acute regulatory challenges and funding shortfalls in providing vital paratransit services to the elderly, persons with disabilities, and others with special needs; and

Whereas, Freight transportation is critical to the economic vitality of the United States and robust investment in safe and efficient transportation facilities and infrastructure is essential to promoting strong economic growth in California and throughout the nation; and

Whereas, California serves as the nation's gateway to international trade as the entry point for nearly one-fifth of the country's imports, by far the largest share of any state, with the state's vast network of land and seaports, truck routes, and rail lines transporting more than $2.8 trillion in goods annually; and

Whereas, California's freight system is responsible for the creation of 800,000 freight jobs and stimulates creation of millions of other jobs throughout the economy; and

Whereas, The California Legislature, having risen to meet this crisis by enacting the Road Repair and Accountability Act of 2017 (Chapter 5 of the Statutes of 2017) to add more than $5 billion annually in new transportation investment, depends on the federal government to provide its share of the resources needed to restore and enhance California's highway, transit, and active transportation infrastructure for the generations to come; and

Whereas, For the past 25 years, the Congress of the United States has failed to take action to preserve or restore the purchasing power of the federal fuel tax or provide any alternate solution adequate to ensure sustained federal investment in the nation's transportation system; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the Congress and the President of the United States to work together to enact the robust bipartisan federal infrastructure legislation necessary to restore California's and other states' crumbling road and freight infrastructure, respond to growing traffic congestion, and increase investment in public transportation, most particularly, by expanding paratransit services for the elderly and those with special needs; and be it further

Resolved, That the Legislature urges the Congress and the President of the United States to address the shortfall in the federal Highway Trust Fund by restoring the lost purchasing power of the federal fuel tax in order to provide the long-term funding stability necessary for California and other states to rebuild infrastructure, invest in people through good, well-paying jobs, and strengthen the state's and the nation's economy; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the

President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–143. A resolution adopted by the Senate of the State of New Jersey condemning comments made by the President of the United States; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 155

Whereas, The Founders conceived America as a refuge for people fleeing from religious and political persecution, and emphasized that the nation gained as it attracted new people in search of freedom and livelihood for their families; and

Whereas, The immigration of people from all over the world has defined every stage of American history and propelled our social, economic, political, scientific, cultural, artistic, and technological progress as a people; and

Whereas, American patriotism is defined not by race or ethnicity but by devotion to the Constitutional ideals of equality, liberty, inclusion, and democracy; and

Whereas, President John F. Kennedy, whose family came to the United States from Ireland, stated in his 1958 book ''A Nation of Immigrants'' that, ''The contribution of immigrants can be seen in every aspect of our national life. We see it in religion, in politics, in business, in the arts, in education, even in athletics and entertainment. There is no part of our nation that has not been touched by our immigrant background. Immigrants have enriched and strengthened every fabric of American life.''; and

Whereas, The United States is unique among nations because it draws its people and its strength from every country and every corner of the world, and by doing so, the United States is a continuously renewed and enriched nation; and

Whereas, President Donald Trump's racist comments have legitimized fear and hatred of new Americans and people of color; and

Whereas, This House believes that immigrants and their descendants have made America stronger, and that those who take the oath of citizenship are as American as those whose families have lived in the United States for many generations; now, therefore,

Be it Resolved by the Senate of the State of New Jersey:

1. This House strongly condemns President Donald Trump's racist comments that have legitimized and increased fear and hatred of new Americans and people of color by saying that our fellow Americans who are immigrants, and those who may look to the President like immigrants, should ''go back'' to their countries, by referring to immigrants and asylum seekers as ''invaders,'' and by saying that members of Congress who are immigrants, or those assumed to be immigrants, do not belong in Congress or in the United States of America.

2. Copies of this resolution as filed with the Secretary of State, shall be transmitted by the Secretary of the Senate to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of Congress elected from this State.

POM–144. A resolution adopted by the City Commission of Traverse City, Michigan urging the United States Congress to enact the Energy Innovation and Carbon Dividend Act of 2019; to the Committee on Finance.

POM–145. A resolution adopted by the Selectmen of the Town of Hampton Falls, New Hampshire urging the United States Congress to pass the Energy Innovation and Carbon Dividend Act of 2019; to the Committee on Finance.

POM–146. A resolution adopted by the City Commission of Sweetwater, Florida urging reevaluation of an application for permanent resident status by the United States Citizenship and Immigration Services (USCIS); to the Committee on the Judiciary.

POM–147. A petition from a citizen of the State of Texas relative to appropriations to states and Immigration and Customs Enforcement; to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1317. A bill to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs, and for other purposes (Rept. No. 116–131).

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 2071. A bill to repeal certain obsolete laws relating to Indians (Rept. No. 116–132).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 334. A bill to authorize the construction of the Musselshell-Judith Rural Water System and study of the Dry-Redwater Regional Water Authority System in the States of Montana and North Dakota, and for other purposes (Rept. No. 116–133).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 607. A bill to amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission, and for other purposes (Rept. No. 116–134).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1602. A bill to amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for grid-scale energy storage systems, and for other purposes (Rept. No. 116–135).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2094. A bill to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement State energy security plans, and for other purposes (Rept. No. 116–136).

H.R. 2114. A bill to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes (Rept. No. 116–137).

By Ms. COLLINS, from the Special Committee on Aging:

Special Report entitled ''Falls Prevention: National, State, and Local Solutions to Better Support Seniors'' (Rept. No. 116–138).

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocations to Subcommittees of Budget Totals for Fiscal Year 2020'' (Rept. No. 116–139).

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 Ms. BALDWIN (for herself, Mr. BROWN, Mr. KAINE, Mr. SANDERS, and Mr. REED):

S. 2655. A bill to amend title IV of the Higher Education Act of 1965 in order to increase the amount of financial support available for working students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 2656. A bill to disclose access to election infrastructure by foreign nationals; to the Committee on Rules and Administration.

By Ms. MURKOWSKI (for herself and Mr. MANCHIN):

S. 2657. A bill to support innovation in advanced geothermal research and development, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself, Mr. HAWLEY, and Mr. BLUMENTHAL):

S. 2658. A bill to promote competition and reduce consumer switching costs in the provision of online communications services; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. JONES, Mrs. FEINSTEIN, and Ms. CORTEZ MASTO):

S. 2659. A bill to address the needs of workers in industries likely to be impacted by rapidly evolving technologies; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH (for herself and Ms. COLLINS):

S. 2660. A bill to establish a grant program for wind energy research, development, and demonstration, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself, Ms. BALDWIN, Mr. MORAN, and Mr. REED):

S. 2661. A bill to amend the Communications Act of 1934 to designate 9-8-8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself, Mr. MCCONNELL, Mr. BRAUN, Mrs. CAPITO, and Mr. PAUL):

S. 2662. A bill to amend sections 111, 169, and 171 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification or construction, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MORAN (for himself and Ms. SINEMA):

S. 2663. A bill to amend title 49, United States Code, with respect to apportionments to small transit intensive cities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY:

S. 2664. A bill to establish a voluntary program to identify and promote internet-connected products that meet industry-leading cybersecurity and data security standards, guidelines, best practices, methodologies, procedures, and processes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself, Mr. PETERS, Mr. CARPER, and Mr. WYDEN):

S. 2665. A bill to amend section 5707 of title 5, United States Code, to require the General Services Administration to make information regarding travel by the heads of Executive agencies and other individuals in senior positions publicly available; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MCSALLY (for herself, Mr. HEINRICH, Mr. GARDNER, Mr. UDALL, Mr. DAINES, Mr. TESTER, Mr. RISCH, and Mr. BENNET):

S. 2666. A bill to promote the development of renewable energy on public land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself and Mr. JONES):

S. 2667. A bill to amend the Higher Education Act of 1965 to make it easier to apply for Federal student aid, to make that aid predictable, to amend the Federal Pell Grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SINEMA:

S. 2668. A bill to establish a program for research, development, and demonstration of solar energy technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCONNELL (for himself, Mr. BURR, Mr. GRAHAM, Mr. INHOFE, Mr. RISCH, Ms. COLLINS, Mr. BARRASSO, Mr. RUBIO, Mr. ISAKSON, Mrs. BLACKBURN, Ms. MCSALLY, Mr. BLUNT, Mrs. CAPITO, Mr. CRUZ, and Mr. WICKER):

S.J. Res. 59. A joint resolution expressing the sense of Congress on the precipitous withdrawal of United States Armed Forces from Syria and Afghanistan, and Turkey's unprovoked incursion into Syria; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BURR (for himself and Mr. TILLIS):

S. Res. 369. A resolution recognizing the contributions of the Montagnard indigenous tribespeople of the Central Highlands of Vietnam to the United States Armed Forces during the Vietnam War, and condemning the ongoing violation of human rights by the Government of the Socialist Republic of Vietnam; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Ms. SMITH, Mrs. FEINSTEIN, and Ms. HASSAN):

S. Res. 370. A resolution designating October 2019 as ''National Bullying Prevention Month'' and October 23, 2019, as ''Unity Day''; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, and Mr. YOUNG):

S. Res. 371. A resolution reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement; to the Committee on Foreign Relations.

By Mr. UDALL (for himself, Mr. BENNET, Mr. DURBIN, Ms. HARRIS, Mr. BOOKER, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. MERKLEY, Mrs. FEINSTEIN, and Ms. WARREN):

S. Res. 372. A resolution expressing the sense of the Senate that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030; to the Committee on Energy and Natural Resources.

By Mr. SCOTT of South Carolina (for himself, Mr. BOOKER, Mr. RUBIO, Ms. WARREN, Mr. BRAUN, Mr. BROWN, Mr. ISAKSON, Mr. COONS, Mrs. HYDE-SMITH, Mr. JONES, Mr. YOUNG, and Mr. LANKFORD):

S. Res. 373. A resolution expressing support for the designation of September 2019 as ''Sickle Cell Disease Awareness Month'' in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to complications from sickle cell disease and conditions related to sickle cell disease; considered and agreed to.

ADDITIONAL COSPONSORS

S. 127

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 127, a bill to direct the Secretary of Veterans Affairs to seek to enter into an agreement with the city of Vallejo, California, for the transfer of Mare Island Naval Cemetery in Vallejo, California, and for other purposes.

S. 133

At the request of Ms. MURKOWSKI, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 177

At the request of Mr. ROBERTS, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 177, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 206

At the request of Mr. TESTER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 206, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 283

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 283, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 296

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 362

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 477

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 477, a bill to authorize the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program, and for other purposes.

S. 479

At the request of Mr. TOOMEY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 560

At the request of Ms. BALDWIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 560, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect.

S. 636

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 636, a bill to designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section.

S. 642

At the request of Mr. ALEXANDER, the names of the Senator from Illinois (Ms. DUCKWORTH) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 642, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick ''Roddie'' Edmonds in recognition of his heroic actions during World War II.

S. 696

At the request of Mr. MERKLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 696, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 764

At the request of Mr. LEE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 764, a bill to provide for congressional approval of national emergency declarations, and for other purposes.

S. 765

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of

S. 765, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 775

At the request of Mr. SCHATZ, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Washington (Mrs. MURRAY) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 775, a bill to amend the America COMPETES Act to require certain agencies to develop scientific integrity policies, and for other purposes.

S. 778

At the request of Ms. MURKOWSKI, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 778, a bill to direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to conduct coastal community vulnerability assessments related to ocean acidification, and for other purposes.

S. 953

At the request of Mr. DAINES, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 953, a bill to designate the facility of the United States Postal Service located at 1100 West Kent Avenue in Missoula, Montana, as the ''Jeannette Rankin Post Office Building''.

S. 1508

At the request of Mr. TOOMEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1508, a bill to amend title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America's public safety officers.

S. 1590

At the request of Mr. MERKLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1615

At the request of Mr. UDALL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1615, a bill to amend titles 10 and 37, United States Code, to provide compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components, and for other purposes.

S. 1652

At the request of Mr. CASEY, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 1652, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 1703

At the request of Mr. YOUNG, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 1703, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1820

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1820, a bill to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.

S. 1838

At the request of Mr. RUBIO, the names of the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1838, a bill to amend the Hong Kong Policy Act of 1992, and for other purposes.

S. 1908

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1908, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 1941

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1941, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 2028

At the request of Mr. WICKER, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 2028, a bill to amend the Internal Revenue Code of 1986 to provide for new markets tax credit investments in the Rural Jobs Zone.

S. 2132

At the request of Mr. LANKFORD, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2132, a bill to promote security and provide justice for United States victims of international terrorism.

S. 2160

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2160, a bill to require carbon monoxide alarms in certain federally assisted housing, and for other purposes.

S. 2179

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2179, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 2216

At the request of Mr. PETERS, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2216, a bill to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

S. 2246

At the request of Mr. MORAN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2246, a bill to amend titles XVIII and XIX of the Social Security Act to provide equal coverage of in vitro specific IgE tests and percutaneous tests for allergies under the Medicare and Medicaid programs, and for other purposes.

S. 2264

At the request of Mr. TOOMEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2264, a bill to amend title 18, United States Code, to require the impaneling of a new jury if a jury fails to recommend by unanimous vote a sentence for conviction of a crime punishable by death.

S. 2282

At the request of Ms. SMITH, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2282, a bill to amend the McKinney-Vento Homeless Assistance Act to enable Indian Tribes and tribally designated housing entities to apply for, receive, and administer grants and subgrants under the Continuum of Care Program of the Department of Housing and Urban Development.

S. 2298

At the request of Mr. TOOMEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2298, a bill to amend the Clean Air Act to eliminate the corn ethanol mandate for renewable fuel.

S. 2417

At the request of Mr. KENNEDY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

S. 2434

At the request of Mr. PETERS, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S. 2434, a bill to establish the National Criminal Justice Commission.

S. 2461

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2461, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 2485

At the request of Mr. PETERS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2485, a bill to prohibit Federal agencies from using Government funds to pay for expenses at lodging establishments that are owned by or employ certain public officials or their relatives.

S. 2539

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 2539, a bill to modify and reauthorize the Tibetan Policy Act of 2002, and for other purposes.

S. 2546

At the request of Ms. MURKOWSKI, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2546, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 2570

At the request of Ms. SINEMA, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2610

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2610, a bill to reauthorize certain programs under the Office of Indian Energy Policy and Programs of the Department of Energy, and for other purposes.

S. 2618

At the request of Mr. PAUL, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2618, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 2625

At the request of Mr. WARNER, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Maine (Mr. KING) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2625, a bill to authorize the admission of a limited number of Kurdish Syrians and other Syrian partners as special immigrants, and for other purposes.

S. 2641

At the request of Mr. RISCH, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Virginia (Mr. KAINE) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2641, a bill to promote United States national security and prevent the resurgence of ISIS, and for other purposes.

S. 2654

At the request of Mr. BLUMENTHAL, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2654, a bill to prohibit the obligation or expenditure of Federal funds for certain agreements relating to the 46th G7 Summit, and for other purposes.

S.J. RES. 56

At the request of Mr. DURBIN, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S.J. Res. 56, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to ''Borrower Defense Institutional Accountability''.

S. RES. 274

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 274, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and other rights for adhering to their beliefs and practices, and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 297

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 297, a resolution commending the Inter-American Foundation (IAF) on the occasion of its 50th anniversary for its significant accomplishments and contributions to the economic and social development of the Americas.

S. RES. 318

At the request of Mr. RISCH, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. Res. 318, a resolution to support the Global Fund to fight AIDS, Tuberculosis and Malaria, and the Sixth Replenishment.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. JONES, Mrs. FEINSTEIN, and Ms. CORTEZ MASTO):

S. 2659. A bill to address the needs of workers in industries likely to be impacted by rapidly evolving technologies; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2659

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 ''Investing in Tomorrow's Workforce Act of 2019''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2014, the United States spent just 0.1 percent of the Nation's Gross Domestic Product on labor market policies, less than half of what the United States spent on labor market policies 30 years ago.

(2) The number of workers receiving federally supported training has declined in the past 3 decades as advances in technology have simultaneously shifted labor market demand over time.

(3) As much as 47 percent of all jobs in the United States are at risk of being replaced by automation technology, and job losses from automation are more likely to impact workers making less than $40,000 annually.

(4) Strong Federal investment in expanding training services for workers whose jobs may be lost due to automation could prepare the United States workforce to better adapt to changes in the labor market and enter into skilled positions in technologically-oriented occupations and industries.

(5) A focus on preparing the workforce of the United States for jobs that utilize advanced technologies could grow wages, increase economic productivity, and boost the competitiveness of the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) AUTOMATION.—The term ''automation'' means a device, process, or system that functions without continuous input from an operator, including—

(A) advanced technologies, such as—

(i) data collection, classification processing, and analytics; and

(ii) 3-D printing, digital design and simulation, and digital manufacturing;

(B) robotics, including collaborative robotics, and worker augmentation technology;

(C) autonomous vehicle technology; or

(D) autonomous machinery technology.

(2) DISLOCATED WORKER.—The term ''dislocated worker'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—The term ''in-demand industry sector or occupation'' has the meaning given the term in section 3 of that Act.

(4) INTEGRATED EDUCATION AND TRAINING.—The term ''integrated education and training'' has the meaning given the term in section 203 of that Act (29 U.S.C. 3272).

(5) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means an industry or sector partnership, as defined in section 3 of that Act, except that—

(A) for purposes of applying paragraph (26)(A)(iii) of that section, the term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and

(B) the partnership shall include, in addition to the representatives described in clauses (i) through (iii) of paragraph (26)(A) of that section, representatives of—

(i) a State workforce development board or a local workforce development board; and

(ii) an economic development organization.

(6) LOCAL AND STATE WORKFORCE DEVELOPMENT BOARDS.—The terms ''local workforce development board'' and ''State workforce development board'' have the meanings given the terms ''local board'' and ''State board'', respectively, in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(8) TRAINING SERVICES.—The term ''training services'' means training services described in section 134(c)(3)(D) of that Act (29 U.S.C. 3174(c)(3)(D)).

SEC. 4. GAO STUDY ON BARRIERS TO AND OPPORTUNITIES FOR RETRAINING WORKERS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States, in coordination with the Secretary of Labor, shall conduct a study of the barriers to providing, and opportunities for improving, training for workers in industries that have, or are likely to have, high rates of job loss due to automation.

(2) CONTENTS.—In conducting the study, the Comptroller General shall study—

(A) considerations impacting, and strategies to improve data collection with respect to, the workforce in industries with high rates of job loss or a high likelihood of automation in the United States, including considerations and data collection strategies concerning—

(i) industries and occupations most likely to be impacted by automation, including—

(I) the geographical location of those industries and occupations;

(II) the annual average wages of those occupations; and

(III) demographic data on the race, gender, and age of workers in those industries and occupations;

(ii) employer-based training practices in those industries and occupations;

(iii) the frequency with which employers provide worker training to address skills needs and react to changes in the labor market;

(iv) projected job losses; and

(v) labor organization membership rates in those industries and occupations;

(B) considerations impacting, and strategies to improve data collection with respect to, the workforce in in-demand industry sectors and occupations in the United States, such as advanced manufacturing, information technology, and health care, including considerations and data collection strategies concerning—

(i) industry sectors and occupations that may emerge or become in-demand industry sectors or occupations as a result of automation, including—

(I) the geographical location of those industry sectors and occupations;

(II) the average annual wages of those occupations; and

(III) demographic data on the race, gender, and age of workers in those occupations;

(ii) the skills and education needed to fill the positions in those industry sectors;

(iii) employer-based training practices in those industry sectors;

(iv) projected job gains; and

(v) labor organization membership rates in those industries and occupations;

(C) barriers to, and opportunities for, retraining workers in industries that have a high likelihood of being impacted by automation;

(D) the impact of the geographical location of workers and their access to transportation on the ability of the workers to access job training and related higher-skilled positions;

(E) the impact of workers' access to other benefits and services, including child care, paid sick leave, paid family and medical leave, or a retirement plan, on the ability of the workers to access job training and related higher-skilled positions; and

(F) how reduced Federal funding for job training programs has impacted the ability of State and local governments, employers, labor organizations, and communities to respond to changes in the labor market, including rapidly evolving technologies.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to the Secretary of Labor and the appropriate committees of Congress a report concerning the results of the study.

SEC. 5. GRANTS TO IMPROVE TRAINING FOR WORKERS IMPACTED BY AUTOMATION.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—From the amounts appropriated under subsection (g) and beginning not later than 1 year after receiving the report by the Comptroller General of the United States under section 4(b), the Secretary of Labor shall award grants, on a competitive basis, to eligible partnerships to support demonstration and pilot projects relating to the training needs of workers who are, or are likely to become, dislocated workers as a result of automation.

(2) DURATION.—A grant awarded under this section shall be for a period not to exceed 4 years.

(3) USE OF REPORT.—The Secretary shall use the report prepared the Comptroller General under section 4(b) to inform the grant program carried out under this section.

(b) APPLICATIONS.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, an eligible partnership shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary shall reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of the demonstration or pilot project to be completed with the grant funds, which description shall include—

(A) a description of the members of the eligible partnership who will be involved in the demonstration or pilot program and the services each member will provide;

(B) a description of the training services that will be available to individuals participating in the demonstration or pilot project, which may include—

(i) a plan to train dislocated workers from industries likely to be impacted by automation and transition the workers into regionally in-demand industry sectors or occupations; and

(ii) a plan to partner with local businesses to retrain, upskill, and re-deploy workers within an industry as an alternative to layoffs;

(C) a plan to provide workers with technology-based skills training, which may include training to provide skills related to coding, systems engineering, or information technology security, in addition to other skills; and

(D) a description of the goals that the eligible partnership intends to achieve to upskill workers and prepare them for in-demand industry sectors or occupations.

(c) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to—

(1) eligible partnerships that are located in an area with a high concentration of—

(A) industries with a higher likelihood of being impacted by automation; or

(B) industries included in in-demand industry sectors, as determined under subparagraphs (A)(i) and (B) of section 3(23) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(23));

(2) eligible partnerships—

(A) with a plan to provide incumbent worker training—

(i) to assist workers in obtaining the skills necessary to retain employment or avert layoffs; or

(ii) that allows a worker working for an employer to acquire new skills that allow the worker to obtain a higher-skilled or higher-paid position with such employer; and

(B) that partner with local employers that intend to backfill the pre-training positions of the incumbent workers by hiring new workers to fill those positions;

(3) eligible partnerships that will provide workers with a transportation stipend, paid sick leave, paid family and medical leave, access to child care services, or other employment benefits; or

(4) eligible partnerships with a plan to develop a shared training curriculum that can be used across local and regional networks of employers and training providers.

(d) USE OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds for 1 or more of the following:

(1) Providing training services under the demonstration or pilot project, which may include training services that prepare workers for in-demand industry sectors or occupations.

(2) Providing assistance for employers in developing a staff position for an individual who will be responsible for supporting training services provided under the grant.

(3) Purchasing equipment or technology necessary for training services provided under paragraph (1).

(4) Providing job search and other transitional assistance to workers in industries with high rates of job loss.

(5) Providing a training stipend to workers for training services.

(6) Providing integrated education and training.

(e) REPORT.—Not later than 1 year after an eligible partnership's completion of a demonstration or pilot project supported under this section, the eligible partnership shall prepare and submit to the Secretary a report regarding—

(1) the number of workers who received training services through the demonstration or pilot project, disaggregated by type of training service and the age, gender, and race of the workers;

(2) the number of such workers who successfully transitioned into a new position following completion of the training services;

(3) the number of individuals who successfully transitioned into an in-demand industry sector or occupation following completion of the training services;

(4) annual earnings data for individuals who have completed training services through the demonstration or pilot project;

(5) the percentage of individuals described in paragraph (4) who are in education or training activities, or in employment, during the second quarter after exit from the training services;

(6) the percentage of individuals described in paragraph (4) who are in education or training activities, or in employment, during the fourth quarter after exit from the training services; and

(7) any practices used by the partnership that should be considered best practices with respect to training workers in industries that have, or are expected to have, high rates of job loss as a result of automation.

(f) GENERAL REQUIREMENTS.—An eligible partnership that receives a grant under this section shall use the grant funds in a manner

that is consistent with the labor standards and protections described in section 181 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3241) and nondiscrimination provisions described in section 188 of such Act (29 U.S.C. 3248).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for the first 5 full fiscal years after the date of submittal of the report under section 4(b).

SEC. 6. EXPANSION OF WORKER TRAINING SERVICES.

(a) ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING.—Section 134(d)(1)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(d)(1)(A)) is amended—

(1) in clause (xi), by striking ''and'' at the end;

(2) in clause (xii), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(xiii) training programs for individuals who are, or are likely to become, dislocated workers as a result of automation, including activities that prepare the individuals for occupations in the technology sector.''.

(b) NATIONAL DISLOCATED WORKER GRANTS.—Section 170 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3225) is amended—

(1) in subsection (b)(1)(A), by inserting ''advances in automation technology,'' before ''plant closures,''; and

(2) by adding at the end the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—In addition to any funds reserved under section 132(a)(2)(A) to carry out this section, there are authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2020 through 2024.''.

By Mr. ALEXANDER (for himself and Mr. JONES):

S. 2667. A bill to amend the Higher Education Act of 1965 to make it easier to apply for Federal student aid, to make that aid predictable, to amend the Federal Pell Grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Madam President, the Senator from Alabama will be here shortly. I will go ahead and make my remarks, and then he can add his.

I ask unanimous consent that I may be able to use a piece of demonstrative evidence as a part of my remarks.

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

Mr. ALEXANDER. Mr. President, about 20 million Americans know what this is. This is the FAFSA. This is the form that about 20 million Americans fill out every year in order to qualify for the Pell grant and the student loan they might use to go to college—20 million Americans.

About 400,000 Tennesseans fill this out every year, and what Senator JONES and I propose to do is to reduce the 108 questions that are filled out online to between 17 and 30 as a way of making it simpler and easier for 20 million American families and their children to go to college.

Last month, I received a letter from Janet who volunteers with low-income students in Nashville and has seen the challenges students and their families face to apply for college and financial aid.

She describes the FAFSA as ''being a huge impediment . . . to students raised in poverty to even attend college.''

Janet continued, saying: ''But a few years ago, a different hurdle became evident.'' She was referring to something called verification.

She told the story of an excellent student who began classes at Middle Tennessee State University, but 6 weeks into her fall semester, her FAFSA was flagged for verification—a complicated process that stops Pell grant payments while a student and their families scramble to submit their Federal tax information or prove they didn't have to file taxes.

''Our student had to drop out of school as she lost funding,'' Janet said. ''There has to be a better way.''

Well, today Senator JONES and I are suggesting a better way. We call it the FAFSA Simplification Act, to give students a better, simpler way to apply for financial aid.

Every year, nearly 20 million families, as I said, fill out the FAFSA to apply for Federal student aid, including 400,000 families in Tennessee.

A volunteer mentor with Tennessee Promise, which is our State's program that provides 2 years of free community college, told me that the FAFSA has a ''chilling effect'' on students and on parents.

Former Tennessee Governor Bill Haslam told me that Tennessee has the highest rate for filling out the FAFSA—more students fill it out than in any other State by percentage—but it is still the single biggest impediment to more students enrolling in Tennessee Promise, which gives them a free community college tuition.

The FAFSA Simplification Act will make it easier for families to apply for Federal student aid by doing three things.

First, it reduces the number of questions on the FAFSA from 108 to 17 to 30 questions.

Second, it will greatly reduce the need for the burdensome verification I discussed, the process that caused Janet's student to drop out of school.

East Tennessee State University said that one-third of its applicants, approximately 10,000 students, are selected each year for verification.

Third, this legislation will allow students to find out as early as eighth grade how much Pell grant funding they may be eligible for so students can start to plan for college sooner.

This result has been 5 years in the making.

In 2014, at a hearing before our Senate Education Committee, witnesses testified that the vast majority of questions on the FAFSA are unnecessary.

I asked if the four witnesses, who came from many different directions, would each write a letter to the committee recommending how they would simplify the FAFSA. The witnesses stopped for a moment, they looked at one another, and said: We don't have to write you four letters because we all agree on how to fix the FAFSA. We can write you one letter, and they did.

So Senator MICHAEL BENNET, a Democratic member who was on the committee at the time, said: Well, if that is true and if there is that much agreement, then why don't we do what you recommend?

I mean, how many times do we go home to Tennessee or Arizona and Alabama and explain something and people say: Well, then why don't you do it?

This is a case of, well, then why don't we do it, and Senator JONES and I are here to ask that question and recommend that we do.

So we started talking with other Senators, students, college administrators, other experts about how to simplify the FAFSA.

In 2015, Senator BENNET and I—now, listen to this list—along with Senator BOOKER, Senator BURR, Senator KING, Senators ENZI, WARNER, and ISAKSON, introduced bipartisan legislation that would reduce the number of FAFSA questions to two questions.

After discussions with college administrators and States, we realized we needed to keep some questions or States and schools would have to create their own additional forms that students would need to fill out.

Over the last 4 years, we have improved that legislation. We now believe that what Senator JONES and I are proposing will permit us to move forward with bipartisan legislation that would reduce the FAFSA to between 18 and 30 questions. That is the legislation we have introduced today. This is one more step to make it easier for families to fill out the FAFSA.

In President Obama's administration, with the encouragement of our committee, families were allowed to use the tax information from the previous year so they could apply to colleges in the fall rather than have to wait until the spring.

Second, the Trump administration has put the FAFSA application on a phone app. I was at Sevier County High School last November, and I saw students zipping through the FAFSA on their iPhones.

Third, last year's Senate passed bipartisan legislation that Senator MURRAY of Washington and I introduced that allows students to answer up to 22 questions on the current FAFSA with just 1 click, and that will stop requiring students to give the same information to the Federal Government twice.

I can't tell you the number of parents and grandparents who said to me: Why do I have to give the same information to the Federal Government twice in order to apply for a student loan or a Pell grant?

The answer is, you shouldn't have to. This would dramatically decrease the number of students selected for verification.

In conclusion, that third step, along with the bill Senator JONES and I have introduced today, is part of the package I introduced last month to permanently fund historically Black colleges and universities and other minority-serving institutions, provide Pell grants for prisoners, and allow Pell grants to be used for short-term programs.

This legislation, which includes our bill to simplify the FAFSA, can and should pass the Senate and the House this year so it can be signed into law by the President.

By reducing the number of questions on the FAFSA, reducing the need for verification, and allowing students to learn earlier how much aid they may qualify for, the FAFSA Simplification Act will make it simpler and easier for students and families to apply for financial aid.

I have some statements of support which I would like to read into the RECORD, but I will pause at this moment and give Senator JONES a chance to speak, and then I will come back after he has finished and ask for the floor and discuss these statements of support.

Mr. JONES. Madam President, first of all, I want to thank deeply my colleague from Tennessee for the work he has done not just with me on this bill but over the years.

This has been such an incredible work in progress, and I am appreciative of all of that work that has gone on. I am honored today to be part of this bill we are introducing that I believe is so important to so many families around the country and particularly in our States of Tennessee and Alabama.

Anyone who has applied to college or helped someone through the process is all too familiar with that dreaded FAFSA form.

As a father with three kids who have gone off to college, I can tell you it just doesn't get any easier. In fact, the free application for Federal student aid hasn't gotten any easier for nearly the 30 years it has been in existence.

Despite the headaches it can cause, it is so important for students to fill out that FAFSA. It is so important for families to have that FAFSA form. It is a key to accessing grants, scholarships, and loans that can put a college education within reach.

Far too often, as Senator ALEXANDER said, it can intimidate people from even starting it. Also, once they get the letter asking for an audit, they just stop.

Currently, the FAFSA is over 10 pages long. Often when I am back in Alabama, I say it is almost like filling out tax returns for Apple Computer or IBM or one of the big corporations. It has 108 questions. That is why I have been very fortunate and honored to partner with Senator ALEXANDER to simplify this FAFSA form to between 17 to 30 questions.

As he said just a moment ago, this has been 5 years in the making, but this is a first great step in this Congress to really have honed this down over the years. We are now going to ease the burden. We are going to reduce the number and ease the burden for verification and make it easier for folks to start looking at it ahead of time.

I appreciate Senator ALEXANDER's comments about the fact that this ought to be able to be done this year. This bill is a wonderful first step in a process that hopefully we can get across that finish line by the end of the year.

Graduating with debt—especially significant debt—can force graduates to put off other major life steps, like buying a house or a car, having children, getting married, or investing in a business as an entrepreneur. The burden of debt can literally change the course of a young person's life and guide their decisions for decades.

Nationwide, only 62 percent of high school seniors completed the FAFSA in 2018. Senator ALEXANDER's State of Tennessee, along with Louisiana, Mississippi, and Delaware, had the highest FAFSA completion rate. Alabama ranked right in the middle, about 26th.

The site called NerdWallet—which I find to be a fascinating name for a site—estimates that the high school class of 2018, across this country, left $2.6 billion in Pell grants on the table—that is billion with a B—$2.6 billion that was available to put kids through school, and it was left on the table.

Form Your Future reports that students missed out on $24 billion in total aid annually. It also reports that 92 percent of low-income households will receive grants and 85 percent of students have a chance to receive financial aid.

The Department of Education's Federal Student Aid staff shared that, from October 1, 2018, through May 31 of 2019, there were nearly half a million fewer total FAFSA submissions—not just high school seniors—in the same timeframe the year before—a half a million fewer. I think there is a reason for that. I think people start, they look at it, they see the cumbersome nature of it, and they just walk away and do something else.

In Alabama, high school seniors, according to the information I have, left $57.5 million in grant monies on the table—grant monies, not loan and debt, but grant monies on the table, $57 million, and only 49.9 percent of the State's seniors filled out the form.

Alabama students might be surprised to learn that they could be eligible for Federal financial aid, including Pell grants that can provide up to $6,100 a year. Not only does the FAFSA help identify what Federal loans and grants a student could receive, but it can also lead to college specific or Statewide scholarships.

The student loan debt that today's graduates face is profound. According to The Institute for College Access and Success, college student seniors who graduated in 2018 in my home State of Alabama's 4-year public and private colleges had an average of just under $30,000 in student loan debt. It also found that more than half of our college seniors are graduating with debt.

Simplifying this FAFSA form can get money in their hands. It can get money that is badly needed. As I go around my State, I talk to people all the time, and they know that not every kid is going to college, not every kid needs a 4-year college degree to do well to become part of that middle class. But for those who want to go, for those who have the aptitude to go, for those who desire to go and get that 4-year or even 2-year college degree, college aid and financial aid is often vital.

Alabama is a relatively poor State. People want their kids to succeed, and to do so often means a college degree. The bill that Senator ALEXANDER and I have filed today will help do just that.

I hope we can get this across the finish line. I believe it is going to help millions and millions of kids, and I know it will help so many families in my State and the great State of Tennessee.

I thank Senator ALEXANDER for working with me on this. I look forward to working with colleagues to get this across the finish line.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, Senator JONES made a very important point, not only about Alabama, but really about every State.

The Pell grant that we are talking about is money you don't have to pay back. This is not a student loan that you lay awake at night worrying about.

Forty percent of our college students in this country go to community colleges, 2-year colleges. The average tuition at community colleges in America is $3,600. The average Pell grant is $3,600. Just those few facts show that basically 40 percent of those who go to college in America can go tuition-free or close to tuition-free because of the availability of the Pell grant. Now, it is higher in some States and lower in other States, but that is a fact. These are not loans that you have to pay back. These are grants that basically say that, if you want 2 years of college past high school, you can have it.

In States like Tennessee and an increasing number of other States, the State government is stepping up to say: Well, if the Pell grant doesn't quite cover your tuition, we will cover the rest of it, so it is tuition-free.

It is important for us to say to the American people—to parents, grandparents, and students—that: If you want to go to college, you can; and tuition is probably free or about free, but first, you have to fill out this 108 question FAFSA. That is the problem.

A president of a community college in Memphis that has almost all African-American students told me he

thinks he loses 1,500 students a semester because of the complexity of the FAFSA. At the other end of the State, the President of East Tennessee State University says that 10,000 of his students get their classes interrupted by the so-called verification process. We would fix almost all those problems with this bill.

I am glad that Senator JONES has stepped up and so many other Senators are agreeable to this. I hope we can answer the question that people ask me when I go home: Okay. Why don't you do it?

We should do it. We have been working on it for 5 years—whether it is Senator BENNET who introduced the first bill with me and a number of others or whether it is Senator MURRAY who introduced with me the bill that passed the Senate last year that said that, in one click, you can answer the tax questions and you don't have to give that information to the government twice. We can do that this year, and 20 million American families will be grateful.

Mr. President, I ask unanimous consent that statements of support be printed in the RECORD following my remarks.

I will just summarize some of them quickly.

Justin Draeger, president of the National Association of Student Financial Aid Administrators, said: ''In short, this bill makes the process of applying for student aid much easier for all students, but the biggest positive impact will be for our nation's neediest students.'' I would like to thank Justin and his association of financial aid experts for working with us because the first bill we introduced didn't take into consideration a number of points that it should have. The administrators pointed them out to us, and so we believe we have come up with a set of solutions that meets those needs and has their support.

The National College Access Network Executive Director Kim Cook said: ''[Our organization] has long advocated for a streamlined FAFSA to lessen one of the barriers faced by many first-generation students going to college. By combining this simpler FAFSA with a Pell Grant look-up table, we can show students, early in their decision-making process, that there is money to help them complete college.''

Stacey Lightfoot testified before our committee. She is vice president of college and career success at the Public Education Foundation of Chattanooga: ''The FAFSA is even more complex for families, especially those from underserved backgrounds, who get lost answering over 100 questions on the form. [This] proposal to simplify the FAFSA is long overdue and has been thoughtfully created to ensure better access to college by eliminating unnecessary and irrelevant questions. The new bill takes the most intimidating aspect of the college process away from students.''

Why would we cause 20 million families to answer unnecessary and intimidating questions, and discourage their students from going to college? Why would we do that? We shouldn't.

Executive director of Alabama Possible, Kristina Scott, said: ''With the FAFSA Simplification Act implementation of simple, clear Pell Grant look up tables, we will be able to talk with students beginning in middle school about what aid for which they should be eligible and how to access it by completing a shorter, simplified FAFSA. These two changes can shift the conversation about postsecondary education from 'if' to 'when' for low-income and first-generation college-going students and their families.''

How many times do we hear it said that—particularly in low-income families—parents, grandparents, and others discourage the students from going to college because they are afraid it will mean a lot of debt that they will never be able to pay back. They can't imagine how they can handle this. This bill and all that goes with it will allow conversations to begin with middle school students, including low-income students, and say: You may be in the eighth grade or the seventh grade or a freshman in high school, but you can begin thinking now about at least 2 more years of college after high school that are essentially tuition free, and it is simple to do because of the simpler FAFSA.

Mike Krause, director of the Tennessee Higher Education Commission, said: ''For Tennessee, the complexity of the FAFSA presents a barrier for students attempting to enroll in Tennessee Promise, Tennessee Reconnect, and other financial aid programs like the HOPE Access Grant. . . . Simplifying the FAFSA would improve college access for students in Tennessee by allowing the federal government and our state to better target financial aid to the neediest students.''

Now, what he is saying is that this complicated form is a barrier to free college for students of all ages in Tennessee. They have to fill this out first. If they are discouraged from doing it, they don't go to college.

Barbara Duffield, executive director of School House Connection, which helps homeless and foster care children, had this to say: ''The FAFSA Simplification Act removes barriers to financial aid for some of our Nation's most vulnerable youth—those who experience homelessness or foster care.''

This has been a good exercise in the United States Senate. We have had testimony before our committee. Our witnesses told us what to do. Senator BENNET and I, and a group of others who were on the committee at that time, said: Okay. Let's do it.

We got advice from the financial aid officers who said: Wait a minute. You didn't think about this and that. For example, if you cut it down to two questions, then Arizona and Tennessee are going to have to ask more questions in order to do the State grant programs that they have. So we recognized that, and we adjusted our position. Then Senator JONES, who is a new member of our committee, stepped up and said he wanted to be a part of it, so now, we are ready to go.

Chairman BOBBY SCOTT, chairman of the House Education Committee, introduced a bill that would simplify the FAFSA just last week. It is not the same as our bill, but it heads in the same direction.

I think every single Member of this body wants to help students, especially low-income students, have an opportunity to attend college if they want to. We have everything in place for them to do it, yet we have created this single barrier—this 108-question form—with unnecessary, needless questions and a verification process in the middle of the semester that would yank your money and cause you to drop out of school. We can change that this year. If we will do it, we have bipartisan support in the Senate, and the President will sign it. I hope it is law by the beginning of next year.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF TENNESSEE, HIGHER EDUCATION COMMISSION, STUDENT ASSISTANCE CORPORATION,
Nashville, TN, October 21, 2019.

Hon. LAMAR ALEXANDER,
Chairman, Senate Health, Education, Labor & Pensions Committee.

Hon. DOUG JONES,
Member, Senate Health, Education, Labor & Pensions Committee.

DEAR CHAIRMAN ALEXANDER AND SENATOR JONES: The Tennessee Higher Education Commission and Tennessee Student Assistance Corporation write to express appreciation and strong support for the FAFSA Simplification Act of 2019.

The Free Application for Federal Student Aid (FAFSA) is the way nearly 20 million Americans access federal, state, and institution based financial aid to attend college each year. However, the complexity of the form and chilling effect of the verification process is one of the biggest barriers for our most vulnerable students to enter a postsecondary institution.

For Tennessee, the complexity of the FAFSA presents a barrier for students attempting to enroll in Tennessee Promise, Tennessee Reconnect, and other financial aid programs like the HOPE Access Grant. In the 2018–19 school year, over 400,000 Tennesseans submitted a FAFSA, and that information was the cornerstone to access both state and federal aid. Simplifying the FAFSA would improve college access for students in Tennessee by allowing the federal government and our state to better target financial aid to the neediest students. In particular, Tennessee sees great value for our State in the FAFSA Simplification Act based on four key aspects:

1. Statewide efforts to promote FAFSA completion and college enrollment thrive on simple messages. The new simple Pell Grant formula will allow statewide college access messaging campaigns to inform students and families about how much Pell Grant they will likely be eligible to receive based on a table or simple calculator.

2. Tennessee and its public institutions depend on the Needs Analysis formula to annually award over $400 million in State appropriated student financial aid. By continuing the availability of this calculation and most

of the variables behind it, our State will have the to continue awarding state and institutional aid without disruption.

3. FAFSA filing can quickly become challenging for applicants when sorting through difficult financial questions. By relying on tax information the federal government already has on file, students and families do not have to find additional information and are unlikely to be selected for burdensome verification processes.

4. The flexibility provided to financial aid administrators regarding professional judgement and applicants to file provisionally independent will be transformative for our State's most vulnerable students.

Thank you both for your strong commitment to this issue. It is important to enact this reform which will help us reach our State's goals.

Sincerely,

MIKE KRAUSE.

SUPPORT STATEMENTS

Justin Dragger, president of the National Association of Student Financial Aid Administrators said: ''In short, this bill makes the process of applying for student aid much easier for all students, but the biggest positive impact will be for our nation's neediest students.''

National College Access Network Executive Director Kim Cook said: ''NCAN has long advocated for a streamlined FAFSA to lessen one of the barriers faced by many first-generation students going to college. By combining this simpler FAFSA with a Pell Grant look-up table, we can show students, early in their decision-making process, that there is money to help them complete college.''

Stacy Lightfoot, vice president of college and career success at the Public Education Foundation of Chattanooga-Hamilton County, said: ''The FAFSA is even more complex for families, especially those from underserved backgrounds, who get lost answering over 100 questions on the form. [This] proposal to simplify the FAFSA is long overdue and has been thoughtfully created to ensure better access to college by eliminating unnecessary and irrelevant questions. The new bill takes the most intimidating aspect of the college process away for students.''

Executive director of Alabama Possible, Kristina Scott, said: ''With the FAFSA Simplification Act implementation of simple, clear Pell Grant look up tables, we will be able to talk with students beginning in middle school about what aid for which they should be eligible and how to access it by completing a shorter, simplified FAFSA. These two changes can shift the conversation about postsecondary education from 'if' to 'when' for low-income and first-generation college-going students and their families.''

Mike Krause, director of the Tennessee Higher Education Commission: ''For Tennessee, the complexity of the FAFSA presents a barrier for students attempting to enroll in Tennessee Promise, Tennessee Reconnect, and other financial aid programs like the HOPE Access Grant . . . Simplifying the FAFSA would improve college access for students in Tennessee by allowing the federal government and our state to better target financial aid to the neediest students.''

Barbara Duffield, Executive Director of School House Connection, said: ''The FAFSA Simplification Act removes barriers to financial aid for some of our nation's most vulnerable youth—those who experience homelessness or foster care.''

NASFAA, NATIONAL COLLEGE ACCESS NETWORK RELEASE STATEMENT OF SUPPORT FOR BIPARTISAN FAFSA SIMPLIFICATION ACT

Sens. Lamar Alexander (R–Tenn.) and Doug Jones (D–Ala.) today introduced the FAFSA Simplification Act of 2019, a bill that would create a streamlined financial aid application process, while still giving schools, states, and scholarship providers enough information to offer financial aid to today's diverse college-going population. Under this proposal, all students would be able to determine their Pell Grant eligibility through Adjusted Gross Income (AGI) and household size.

For far too long, thousands of students who have every intention of attending college never enroll, or end up leaving millions of financial aid dollars on the table—including $2.3 billion in Pell Grant dollars annually—in large part due to the overly complex nature of applying for and receiving federal financial aid. While we have made significant progress toward simplifying the process in recent years—through the addition of skip logic to the Free Application for Federal Student Aid (FAFSA) and allowing some income data to be imported via the Internal Revenue Service's Data Retrieval Tool, for example—we can do better.

The FAFSA Simplification Act would significantly reduce the number of questions on the FAFSA—including irrelevant and unnecessary questions, such as the Selective Service and drug offense-related questions—and require students to only answer questions based on their family income.

''Taking into account feedback from financial aid professionals nationwide, this bill takes a commonsense approach to shorten the FAFSA application to an extent that would not deprive institutions of crucial information needed to appropriately disburse billions of dollars of financial aid to eligible students,'' said NASFAA President Justin Draeger. ''In short, this bill makes the process of applying for student aid much easier for all students, but the biggest positive impact will be for our nation's neediest students.''

''NCAN has long advocated for a streamlined FAFSA to lessen one of the barriers faced by many first-generation students going to college. By combining this simpler FAFSA with a Pell Grant look-up table, we can show students, early in their decision-making process, that there is money to help them complete college,'' said NCAN Executive Director Kim Cook. ''We thank Senators Alexander and Jones for championing this issue and the students we serve.''

A few NASFAA and NCAN members also weighed in on the bill and what it would mean for students:

''Legislation that makes the process for accessing financial aid simpler for our students and families is a win,'' said Brenda Hicks, director of financial aid at Southwestern College in Winfield, Kansas. ''Condensing eligibility for the Federal Pell Grant to a look-up table places pivotal information directly in students' hands in a concise and accessible way. This kind of knowledge could make the difference between a student who feels a college education is out of reach financially and a student who suddenly has hope for their future.''

''One of the biggest reasons students and families don't complete the FAFSA is that they don't think they will be eligible for any financial aid. This is true even for Pell-eligible families,'' said Kristina Scott, executive director of Alabama Possible. ''With the FAFSA Simplification Act implementation of simple, clear Pell Grant look up tables, we will be able to talk with students beginning in middle school about what aid for which they should be eligible and how to access it by completing a shorter, simplified FAFSA. These two changes can shift the conversation about postsecondary education from 'if' to 'when' for low-income and first-generation college-going students and their families.''

''FAFSA simplification is an important step in the right direction to make the financial aid process more transparent for students and their families,'' said Lori Vedder, director of the office of financial aid at the University of Michigan-Flint. ''Allowing our neediest students to avoid answering unnecessary questions when applying for financial aid would remove barriers that often keep many students from matriculating. Having an earlier and upfront indication of their eligibility to receive crucial need-based aid, such as the federal Pell Grant, will help these students realize they have the ability to attend and afford college.''

''Completing the FAFSA, for as long as I can remember, is a daunting process—one that my mother needed help with over 20 years ago for my sister and me,'' shared Stacy Lightfoot, vice president of college and career success at the Public Education Foundation of Chattanooga-Hamilton County. ''Now, the FAFSA is even more complex for families, especially those from underserved backgrounds, who get lost answering over 100 questions on the form. Senator Alexander's proposal to simplify the FAFSA is long overdue and has been thoughtfully created to ensure better access to college by eliminating unnecessary and irrelevant questions. The new bill takes the most intimidating aspect of the college process away for students.''

NASFAA and NCAN look forward to working with lawmakers as this bill moves through the legislative process. To request an interview with a NASFAA spokesperson, please email Director of Communications Erin Powers or call (202) 785–6959. To request an interview with an NCAN spokesperson, please email Communications Manager Kelly Mae Ross or call (202) 347–4848 x210.

ABOUT NCAN

The mission of the National College Access Network is to build, strengthen, and empower communities and stakeholders to close equity gaps in postsecondary attainment for all students. Based in Washington, D.C., NCAN is a nonprofit membership organization serving over 500 members that touch the lives of more than 2 million students each year. Our members include college access programs, school districts, institutions of higher education, and other nonprofits that are committed to the vision that all students have an equitable opportunity to achieve social and economic mobility through higher education. For more information, please visit www.collegeaccess.org.

ABOUT NASFAA

The National Association of Student Financial Aid Administrators (NASFAA) is a nonprofit membership organization that represents more than 28,000 financial aid professionals at nearly 3,000 colleges, universities, and career schools across the country. NASFAA member institutions serve nine out of every 10 undergraduates in the United States. Based in Washington, D.C., NASFAA is the only national association with a primary focus on student aid legislation, regulatory analysis, and training for financial aid administrators. For more information, visit www.nasfaa.org.

By Mr. MCCONNELL (for himself, Mr. BURR, Mr. GRAHAM, Mr. INHOFE, Mr. RISCH, Ms. COLLINS, Mr. BARRASSO, Mr. RUBIO, Mr. ISAKSON, Mrs. BLACKBURN, Ms. MCSALLY, Mr. BLUNT, Mrs. CAPITO, Mr. CRUZ, and Mr. WICKER):

S.J. Res. 59. A joint resolution expressing the sense of Congress on the precipitous withdrawal of United States Armed Forces from Syria and

Afghanistan, and Turkey's unprovoked incursion into Syria; read the first time.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S.J. RES. 59

Whereas the Islamic State of Iraq and al Sham, better known by its acronym ISIS, flourished in the chaos unleashed by the civil war in Syria and at one point controlled extensive territory in Iraq and Syria;

Whereas ISIS murdered thousands of innocent civilians, including Americans, and sought to ethnically cleanse the territory it controlled of religious minorities;

Whereas the Kurdish-led Syrian Democratic Forces, which is composed of Kurdish and Arab fighters, remains an essential United States partner in the successful campaign to destroy ISIS' so-called ''caliphate'';

Whereas, backed by the United States and United States allies, the Syrian Democratic Forces liberated millions of Syrians from ISIS' terrorist regime, and sustained approximately 11,000 casualties in the fight;

Whereas ISIS, al Qaeda, and their affiliates have proven resilient and have regrouped when the United States and its partners have withdrawn from the fight against them;

Whereas Turkey's unprovoked incursion into northeastern Syria, which began on October 9, 2019, has displaced more than 166,000 civilians, according to the United Nations High Commissioner on Refugees, and dozens of civilians have been killed on both sides;

Whereas, as a result of Turkey's incursion into northeastern Syria and the withdrawal of United States Armed Forces, the Syrian Democratic Forces have turned to Russia and the brutal Assad regime for support, while more than a hundred ISIS-affiliated detainees have escaped from detention facilities; and

Whereas the Assad regime is responsible for murdering at least 500,000 civilians and displacing at least 12,000,000 Syrians, or roughly half the country's population at the time that the civil war began in 2011, and the regime's return to northeastern Syria through its new partnership with the Syrian Democratic Forces will allow the regime to extend its murderous campaign and again subjugate the Kurdish, Sunni Arab, and religious minorities of northeastern Syria: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) condemns in the strongest terms the Government of Turkey's escalating hostilities against Kurdish partners of the United States in Syria, while recognizing the Government of Turkey's legitimate humanitarian, economic, and security concerns emanating from the conflict in Syria;

(2) calls upon the United States Government to pressure the Government of Turkey, including through sanctions, to act with restraint, provide accountability for human rights abuses conducted by militias acting in support of Turkish military operations, and curtail its hostilities against United States partner forces in Syria;

(3) reiterates United States opposition to the forced repatriation of refugees from third countries into Syria, and calls upon all refugee returns to be safe, dignified, and voluntary;

(4) urges the President to rescind his invitation to the White House to Turkish President Recep Tayyip Erdogan until a more enduring cease-fire has been established between Turkish and Kurdish forces in northeastern Syria;

(5) calls upon the United States Government to continue supporting liberated Syrian Kurdish and Arab communities in northeast Syria through humanitarian support, including those displaced or otherwise affected by ongoing violence in Syria, and calls upon other nations to increase support to stabilization efforts in northeastern Syria;

(6) strongly opposes any abandonment of our Kurdish and Arab partners in Syria;

(7) calls for a halt to the withdrawal of United States Armed Forces from Syria where practical, and calls for the continued use of air power to target ISIS and provide protection of ethnic and religious minorities in northeastern Syria;

(8) expresses support for a continued United States military presence in Iraq, along with efforts to help Iraqi forces control their border, protect their sovereignty, and counter ISIS;

(9) recognizes the continuing threat to United States and United States allies posed by al Qaeda and ISIS, which maintain an ability to operate in Syria and Afghanistan;

(10) warns that a precipitous withdrawal of United States forces from the ongoing fight against these groups, without effective, countervailing efforts to secure gains in Syria and Afghanistan, could allow terrorists to regroup, destabilize critical regions, and create vacuums that could be filled by Iran or Russia, to the detriment of United States interests and those of our allies;

(11) recognizes that an unbroken chain of Iranian-controlled territory across Syria poses a significant threat to Israel;

(12) reiterates support for international diplomatic efforts to facilitate peaceful, negotiated resolutions to the ongoing conflicts in Syria and Afghanistan on terms that respect the rights of innocent civilians and deny safe havens to terrorists;

(13) encourages close collaboration between the executive branch and the legislative branch to ensure continuing strong, bipartisan support for United States military operations in Syria and Afghanistan; and

(14) calls upon the President to certify whether conditions have been met for the enduring defeat of al Qaeda and ISIS before initiating any further significant withdrawal of United States forces from the region.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 369—RECOGNIZING THE CONTRIBUTIONS OF THE MONTAGNARD INDIGENOUS TRIBESPEOPLE OF THE CENTRAL HIGHLANDS OF VIETNAM TO THE UNITED STATES ARMED FORCES DURING THE VIETNAM WAR, AND CONDEMNING THE ONGOING VIOLATION OF HUMAN RIGHTS BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM

Mr. BURR (for himself and Mr. TILLIS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 369

Whereas the Montagnards are an indigenous tribespeople living in Vietnam's Central Highlands region;

Whereas the Montagnards were driven into the mountains by invading Vietnamese and Cambodians in the 9th century;

Whereas French Roman Catholic missionaries converted many of the Montagnards in the 19th century and American Protestant missionaries subsequently converted many to various Protestant sects;

Whereas, during the 1960s, the United States Mission in Saigon, the Central Intelligence Agency (CIA), and United States Army Special Forces, also known as the Green Berets, trained the Montagnards in unconventional warfare;

Whereas an estimated 61,000 Montagnards, out of an estimated population of 1,000,000, fought alongside the United States and the Army of the Republic of Vietnam (ARVN) forces against the North Vietnamese Army and the Viet Cong;

Whereas the Central Intelligence Agency, United States Special Forces, and the Montagnards cooperated on the Village Defense Program, a forerunner to the War's Strategic Hamlet Program, and an estimated 43,000 Montagnards were organized into ''Civilian Irregular Defense Groups'' (CIDGs) to provide protection for the areas around the CIDGs' operational bases;

Whereas, at its peak, the CIDGs had approximately 50 operational bases, with each base containing a contingent of two United States Army officers and ten enlisted men, and an ARVN unit of the same size, and each base trained 200 to 700 Montagnards, or ''strikers'';

Whereas another 18,000 Montagnards were reportedly enlisted into mobile strike forces, and various historical accounts describe a strong bond between the United States Special Forces and the Montagnards, in contrast to Vietnamese Special Forces and ARVN troops;

Whereas the lives of thousands of members of the United States Armed Forces were saved as a result of the heroic actions of the Montagnards, who fought loyally and bravely alongside United States Special Forces in the Vietnam War;

Whereas, after the fall of the Republic of Vietnam in 1975, thousands of Montagnards fled across the border into Cambodia to escape persecution;

Whereas the Government of the reunified Vietnamese nation, renamed the Socialist Republic of Vietnam, deeply distrusted the Montagnards who had sided with the United States and ARVN forces and subjected them to imprisonment and various forms of discrimination and oppression after the Vietnam War ended;

Whereas, after the Vietnam War, the United States Government resettled large numbers of Montagnards, mostly in North Carolina, and an estimated several thousand Montagnards currently reside in North Carolina, which is the largest population of Montagnards residing outside of Vietnam;

Whereas the Socialist Republic of Vietnam currently remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to restrict freedom of religion, movement, land and property rights, and political expression;

Whereas officials of the Government of Vietnam have forced Montagnards to publicly denounce their religion, arrested and imprisoned Montagnards who organized public demonstrations, and mistreated Montagnards in detention;

Whereas some Montagnard Americans have complained that Vietnamese authorities either have prevented them from visiting Vietnam or have subjected them to interrogation upon re-entering the country on visits;

Whereas the Department of State's 2018 Country Reports on Human Rights Practices (''2018 Human Rights Report'') documents that, despite Vietnam's significant economic

growth, some indigenous and ethnic minority communities benefitted little from improved economic conditions, even though such communities formed a majority of the population in certain areas, including the Northwest and Central Highlands and portions of the Mekong Delta;

Whereas the 2018 Human Rights Report states that, although Vietnamese law prohibits discrimination against ethnic minorities, such social discrimination was longstanding and persistent, notably in the Central Highlands;

Whereas the 2018 Human Rights Report documents that land rights protesters have reported regular instances of government authorities physically harassing and intimidating them at land expropriation sites around the country, or arresting local residents for ''causing public disorder'';

Whereas the United States Commission on International Religious Freedom (USCIRF) references in its 2019 Annual Report (the ''2019 USCIRF Report'') the accounts of Montagnards being publicly berated and humiliated for their affiliation with the unrecognized Evangelical Church of Christ;

Whereas the 2019 USCIRF Report documents that one-quarter of prisoners of conscience were minority religious groups, including the Montagnards;

Whereas the 2019 USCIRF Report estimates that 10,000 individuals in the Central Highlands are refused ID cards, household registration, and birth certificates by local authorities in retaliation for refusing to renounce their faith; and

Whereas USCIRF has recommended every year since 2002 that Vietnam be designated a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998 (Public Law 105–292) due to ''systematic, ongoing, egregious violations of religious freedom'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of the Montagnards who fought loyally and bravely with United States Armed Forces during the Vietnam War and who continue to suffer persecution in Vietnam as a result of this relationship;

(2) condemns ongoing actions by the Government of Vietnam to suppress basic human rights and civil liberties for all its citizens;

(3) calls on the Government of Vietnam to allow human rights groups access to all regions of the country and to end restrictions of basic human rights, including the right for Montagnards to practice their Christian faith freely, the right to land and property, freedom of movement, the right to retain ethnic identity and culture, and access to an adequate standard of living; and

(4) urges the President and Congress to develop policies that support Montagnards and other marginalized ethnic minority and indigenous populations in Vietnam and reflect United States interests and commitment to upholding human rights and democracy abroad.

SENATE RESOLUTION 370—DESIGNATING OCTOBER 2019 AS ''NATIONAL BULLYING PREVENTION MONTH'' AND OCTOBER 23, 2019, AS ''UNITY DAY''

Mr. BLUMENTHAL (for himself, Ms. SMITH, Mrs. FEINSTEIN, and Ms. HASSAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 370

Whereas 1 in 5 students report being bullied and nearly 16 percent of students report being cyberbullied;

Whereas students who experience bullying are at an increased risk for poor school adjustment, sleep difficulties, anxiety, and depression;

Whereas National Bullying Prevention Month was founded in 2006 by the National Bullying Prevention Center of the PACER Center and has been held during the month of October each year since;

Whereas National Bullying Prevention Month is a nationwide campaign that seeks to educate the public about, and raise awareness of, bullying prevention;

Whereas individuals, families, schools, school districts, communities, and many others have hosted thousands of events to spread the message of National Bullying Prevention Month;

Whereas Unity Day was started by the National Bullying Prevention Center in October 2011 and is the signature event of National Bullying Prevention Month;

Whereas Unity Day has been held on the third or fourth Wednesday of each October since 2011 and will be recognized in 2019 on October 23;

Whereas the goal of Unity Day is to bring together youth, parents, educators, businesses, and community members across the United States to emphasize—

(1) a message of uniting for kindness, acceptance, inclusion, and mutual respect;

(2) that all students deserve to be safe in school, online, and in their communities;

(3) that there is value in celebrating the differences between people; and

(4) that compromise and tolerance are important in communication;

Whereas Unity Day has been highlighted on national television shows and in public service announcements, films, and public displays of art and expression; and

Whereas Unity Day is often celebrated by—

(1) wearing orange, the official color of Unity Day;

(2) holding student and teacher led discussions at schools;

(3) organizing efforts at community centers; and

(4) expressing support for Unity Day through art, music, dance, and social media: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2019 as ''National Bullying Prevention Month'';

(2) designates October 23, 2019, as ''Unity Day''; and

(3) acknowledges that the prevention of bullying of children should be a national priority.

SENATE RESOLUTION 371—REAFFIRMING THE SUPPORT OF THE UNITED STATES FOR THE PEOPLE OF THE REPUBLIC OF SOUTH SUDAN AND CALLING ON ALL PARTIES TO UPHOLD THEIR COMMITMENTS TO PEACE AND DIALOGUE AS OUTLINED IN THE 2018 REVITALIZED PEACE AGREEMENT

Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, and Mr. YOUNG) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 371

Whereas the United States recognized South Sudan as a sovereign, independent state on July 9, 2011, following its secession from Sudan;

Whereas the United States played a key role in helping draft the 2005 Comprehensive Peace Agreement that laid the groundwork for the 2011 referendum on self-determination, through which the people of South Sudan overwhelmingly voted for independence;

Whereas the people and Government of the United States have a deep and abiding interest in South Sudan's political stabilization and post-conflict development;

Whereas stability in Sudan is critical to peace and security in the region, including for South Sudan, and the United States Government remains committed to fostering Sudan's peaceful transition, as reflected by the passage of Senate Resolution 188 (116th), which ''encourag[es] a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan'';

Whereas, since the onset of the civil war in South Sudan in December 2013, nearly 400,000 South Sudanese citizens are estimated to have been killed, 1,900,000 have been internally displaced, and 2,300,000 have fled the country and registered as refugees;

Whereas the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed on September 12, 2018 by the political parties of South Sudan, affirms the Parties' commitment to the permanent ceasefire and forbids human rights violations and restrictions on humanitarian assistance;

Whereas the R-ARCSS establishes two phases of implementation, a Pre-Transitional Period until May 12, 2019, which was subsequently extended to November 12, 2019, followed by the establishment of a Revitalized Transitional Government of National Unity (RTGoNU) for three years;

Whereas the six-month extension of the deadline to form the RTGoNU was granted to allow additional time to complete critical Pre-Transitional tasks, including agreement on the number and boundaries of states and important security arrangements;

Whereas the R-ARCSS stipulates that the signatories will create an enabling political, administrative, operational, and legal environment for the delivery of humanitarian assistance and protection;

Whereas the people of South Sudan continue to suffer from a humanitarian crisis, with the United Nations reporting that over 6,300,000 people, more than half the population, were classified as severely food insecure at the peak of the lean season in 2019, including an estimated 10,000 who faced famine conditions, and despite slight improvements in food security during the harvest, the number of children under age five who are acutely malnourished is projected to rise to 1,300,000 in early 2020;

Whereas humanitarian organizations are providing lifesaving assistance to more than 5,300,000 South Sudanese people and are providing other vital support services such as medical care to survivors of sexual violence and facilitating access to education to over 690,000 children;

Whereas religious and faith-based organizations have played a key role in the peace process and humanitarian response efforts in support of the people of South Sudan;

Whereas at least 112 humanitarian aid workers have been killed since the start of the conflict in 2013, including at least 15 in 2018;

Whereas the United States Department of State 2018 Country Report on Human Rights Practices in South Sudan states that both the government and opposition forces engaged in serious human rights abuses by perpetrating extrajudicial killings, including ethnically based targeted killings of civilians, and by engaging in arbitrary detentions, torture, rape, beatings, and looting of property;

Whereas, on March 15, 2019, the United Nations Security Council extended the mandate

of the United Nations Mission (UNMISS) in South Sudan for one year and authorized UNMISS to use all necessary means to deter violence against civilians, to prevent and respond to sexual and gender-based violence, and to foster a secure environment for the return or relocation of internally displaced persons (IDPs) and refugees;

Whereas impunity for past atrocities continues to drive violence in South Sudan, and signatories to the R-ARCSS committed to the establishment of transitional justice measures;

Whereas the United Nations Children's Fund (UNICEF) has reported that children comprise approximately 25 percent of all reported cases of conflict-related sexual violence, and the United Nations Commission on Human Rights in South Sudan has reported that forced recruitment of child soldiers is increasing, despite the 2018 peace agreement;

Whereas illicitly obtained wealth and revenue sources perpetuate conflict in South Sudan;

Whereas leaders of South Sudan use violence and corruption as a means of capturing key sectors of the national economy, such as the oil and mining sectors, for purposes of personal enrichment; and

Whereas the United Nations Security Council adopted resolution 2471 on May 30, 2019, to extend its sanctions regime in South Sudan and renew the prohibition of the supply, sale, or transfer to South Sudan of arms and related material or the provision of training, technical, and financial assistance related to military activities or materials until May 31, 2020: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to reaffirm the commitment of the United States to support peace in South Sudan;

(2) to call on the incumbent government and all other signatories of the R-ARCSS to—

(A) create a secure, enabling environment for all relevant political leaders to participate actively in the formation of the RTGoNU and South Sudan's political stabilization and post-conflict development;

(B) resolve peacefully the remaining political issues for negotiation during the Pre-Transitional Period, including agreement on the number and boundaries of states before the extended deadline of November 12, 2019;

(C) establish a RTGoNU by November 12, 2019;

(D) adhere to the cessation of hostilities and enable the delivery of humanitarian assistance and protection;

(E) immediately release all political prisoners and fulfill their responsibility to protect civilians; and

(F) ensure respect for and full exercise of the right to freedom of expression, association, and peaceful assembly;

(3) that the Secretary of State and the Administrator of the United States Agency for International Development (USAID) should continue to provide immediate lifesaving assistance to meet the dire humanitarian needs of the South Sudanese people;

(4) that the Secretary of State and the USAID Administrator should continue to support civilians, particularly women and children, who have been adversely affected by the civil war, and should provide foreign assistance to support peacebuilding, conflict prevention, transitional justice, and reconciliation efforts led by local civil society;

(5) that the Secretary of State should monitor implementation of the UNMISS mandate authorized by United Nations Security Council Resolution 2459 (2019) and ensure that any return or relocation of IDPs from United Nations protection of civilian sites are safe, informed, voluntary, dignified, and conducted in coordination with humanitarian actors;

(6) that the Secretary of State, in conjunction with the Secretary of the Treasury, should continue to monitor human rights abuse and corruption in South Sudan and take decisive action using authorities granted under the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note);

(7) that the Secretary of the Treasury should use best efforts to prevent, detect, investigate, and mitigate money laundering activities; and

(8) that the United States Government should support implementation and subsequent renewal of the United Nations Security Council arms embargo in South Sudan to prevent continued illicit acquisition of arms and military equipment by all parties and the proliferation of weapons throughout the country, and that the lifting of a United Nations arms embargo should be contingent upon—

(A) sustained adherence to the permanent ceasefire, tangible efforts to end impunity for violence against civilians, and consistent, unimpeded humanitarian access in accordance with international humanitarian principles of humanity, neutrality, impartiality, and independence;

(B) holding free, fair, and peaceful democratic elections; and

(C) cessation of widespread abuses and violations by armed actors against civilians.

SENATE RESOLUTION 372—EXPRESSING THE SENSE OF THE SENATE THAT THE FEDERAL GOVERNMENT SHOULD ESTABLISH A NATIONAL GOAL OF CONSERVING AT LEAST 30 PERCENT OF THE LAND AND OCEAN OF THE UNITED STATES BY 2030

Mr. UDALL (for himself, Mr. BENNET, Mr. DURBIN, Ms. HARRIS, Mr. BOOKER, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. MERKLEY, Mrs. FEINSTEIN, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 372

Whereas access to public land, nature, and a healthy environment should be a right for all people, as that access is essential to the health, well-being, identity, cultures, and economic prosperity of the United States;

Whereas the United States faces a conservation and climate crisis, with nature in a steep decline and greenhouse gas emissions not declining at the rate scientists say is needed in the United States and worldwide;

Whereas scientists are documenting a rapid loss of natural areas and wildlife in the United States and throughout the world, including—

(1) a finding that, from 2001 to 2017, a quantity of natural areas equal to the size of a football field disappeared to development every 30 seconds in the United States, constituting more than 1,500,000 acres per year;

(2) a finding, published in the journal ''Science'', that the United States and Canada have lost 2,900,000,000 birds since 1970, representing a decline of 29 percent;

(3) the identification by State fish and game agencies of approximately 12,000 animal and plant species in the United States that require proactive conservation efforts to avoid extinction, of which approximately ⅓ will be lost in the next decades;

(4) a finding by the United States Fish and Wildlife Service that the United States has lost more than ½ of all freshwater and saltwater wetlands in the contiguous 48 States; and

(5) the 2019 findings by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services that—

(A) human activities are damaging ⅔ of ocean areas;

(B) only 3 percent of ocean areas remain pristine;

(C) 15 percent of mangroves remain;

(D) 50 percent of coral reefs remain; and

(E) at the current rate of losses, less than 10 percent of the Earth will be free of substantial human impact by 2050;

Whereas climate change is accelerating the decline of nature in the United States;

Whereas the Third National Climate Assessment found that climate change—

(1) is reducing the ability of ecosystems to provide clean water and regulate water flows;

(2) is limiting the ability of nature to buffer communities against disasters such as fires, storms, and floods, which disproportionately impacts communities of color and indigenous populations; and

(3) is having far-reaching effects on marine and terrestrial wildlife, including by altering habitats, forcing changes to migratory patterns, and altering the timing of biological events;

Whereas the decline of natural areas and wildlife in the United States follows global patterns, as the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services found that approximately 1,000,000 plant and animal species are threatened by extinction over the coming decades as a result of land conversion, development, climate change, invasive species, pollution, and other stressors;

Whereas nature, like the climate, is nearing a tipping point where the continued loss and degradation of the natural environment will—

(1) push many ecosystems and wildlife species past the point of no return;

(2) threaten the health and economic prosperity of the United States; and

(3) increase the costs of natural disasters, for which the Federal Government spent about $91,000,000,000 in 2018;

Whereas the existing protections for land, the ocean, and wildlife in the United States are not sufficient to prevent a further decline of nature in the United States, with—

(1) only 12 percent of the land area in the United States permanently protected, mostly in Alaska and the West; and

(2) only 26 percent of Federal ocean territory permanently protected, the vast majority of which is in the remote western Pacific Ocean or northwestern Hawaii;

Whereas the United States has historically demonstrated leadership and resolve to protect, conserve, and restore the natural environment, including through a network of protected areas;

Whereas that network of protected areas is protected and supported by a variety of conservation laws passed at other times of crisis;

Whereas the United States—

(1) ranks among the top 5 countries in the world for the amount of wilderness-quality land and ocean remaining; and

(2) has the conservation experience and traditions necessary to make great strides in the protection of the remaining natural areas in the United States for future generations;

Whereas the Federal Government, the private sector, civil society, farmers, ranchers, fishing communities, and sportsmen have a history of working together to conserve the land and ocean of the United States;

Whereas the Exclusive Economic Zone of the United States, consisting of waters within 200 miles of the coastline—

(1) covers 4,500,000 square miles;

(2) is 23 percent larger than the landmass of the United States; and

(3) provides a home to various ocean habitats and ecosystems, including—

(A) coral reefs;

(B) kelp forests;

(C) mangroves;

(D) seagrass beds; and

(E) deep-sea corals;

Whereas conserving and restoring nature is one of the most efficient and cost-effective strategies for fighting climate change;

Whereas, to confront the deterioration of natural systems and the loss of biodiversity around the world, and to remain below a 1.5 degrees Celsius increase in average global temperature, scientists recommend that roughly ½ of the planet be conserved; and

Whereas, as a step toward achieving that goal, some scientists have recommended that all countries commit to conserving and protecting at least 30 percent of the land and 30 percent of the ocean in each country by 2030, with a long-term goal of conserving ½ of the planet: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) given the evidence as of October 2019, the Federal Government should establish a national goal of conserving at least 30 percent of the land and 30 percent of the ocean within the territory of the United States by 2030;

(2) the goal described in paragraph (1) should be accomplished through an effort that includes the objectives of—

(A) working with local communities, Indian Tribes, States, and private landowners to conserve natural places and resources;

(B) improving access to nature for all people in the United States, including for communities of color and economically disadvantaged communities;

(C) sequestering carbon and greenhouse gas emissions in the land and ocean of the United States;

(D) increasing public incentives for private landowners to voluntarily conserve and protect areas of demonstrated conservation value and with a high capacity to sequester carbon and greenhouse gas emissions;

(E) focusing work at a large-landscape scale that is biologically and ecologically meaningful;

(F) preventing extinction by recovering and restoring animal and plant species;

(G) stabilizing ecosystems and the services of ecosystems, restoring degraded ecosystems, and maintaining ecological functions; and

(H) increasing economic opportunities for farmers, ranchers, fishermen, and foresters; and

(3) the goal described in paragraph (1) and the objectives described in paragraph (2) should be accomplished through an effort that—

(A) makes science the foundation of conservation decisions by providing communities access to sound, up-to-date scientific information about—

(i) the land and waters around those communities; and

(ii) how the land and waters around those communities are changing in a warming world;

(B) respects Tribal sovereignty and the right to Tribal self-determination so that American Indian, Alaska Native, and Native Hawaiian communities can fulfill what each views as priorities for the stewardship of the natural, cultural, and historic resources of the community;

(C) protects private property rights and traditional land uses and enables land owners to pass down the working land of those land owners to the next generation because private land accounts for approximately 60 percent of the land area in the contiguous 48 States;

(D) addresses environmental justice and the necessity of a more equitable distribution of the benefits of nature to all people, including communities of color and economically disadvantaged communities;

(E) takes into account a wide range of flexible and enduring conservation solutions;

(F) involves the design and implementation of objectives and strategies locally and regionally; and

(G) provides tools and resources to ensure that the areas described in subparagraphs (A) through (C) are effectively managed for conservation values and to sequester carbon and greenhouse gas emissions.

SENATE RESOLUTION 373—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2019 AS "SICKLE CELL DISEASE AWARENESS MONTH" IN ORDER TO EDUCATE COMMUNITIES ACROSS THE UNITED STATES ABOUT SICKLE CELL DISEASE AND THE NEED FOR RESEARCH, EARLY DETECTION METHODS, EFFECTIVE TREATMENTS, AND PREVENTATIVE CARE PROGRAMS WITH RESPECT TO COMPLICATIONS FROM SICKLE CELL DISEASE AND CONDITIONS RELATED TO SICKLE CELL DISEASE

Mr. SCOTT of South Carolina (for himself, Mr. BOOKER, Mr. RUBIO, Ms. WARREN, Mr. BRAUN, Mr. BROWN, Mr. ISAKSON, Mr. COONS, Mrs. HYDE-SMITH, Mr. JONES, Mr. YOUNG, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 373

Whereas sickle cell disease (referred to in this preamble as "SCD") is an inherited blood disorder that is a major health problem in the United States and worldwide;

Whereas SCD causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, restricted blood flow, damaged tissue in the liver, spleen, and kidneys, and death;

Whereas SCD causes episodes of considerable pain in the arms, legs, chest, and abdomen of an individual;

Whereas SCD affects an estimated 100,000 individuals in the United States;

Whereas approximately 1,000 babies are born with SCD each year in the United States, with the disease occurring in approximately 1 in 365 newborn African-American infants and 1 in 16,300 newborn Hispanic-American infants, and can be found in individuals of Mediterranean, Middle Eastern, Asian, and Indian origin;

Whereas more than 3,000,000 individuals in the United States have the sickle cell trait and 1 in 13 African Americans carries the trait;

Whereas there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease;

Whereas the life expectancy of an individual with SCD is often severely limited;

Whereas, while hematopoietic stem cell transplantation (commonly known as "HSCT") is currently the only cure for SCD and advances in treating the associated complications of SCD have occurred, more research is needed to find widely available treatments and cures to help individuals with SCD; and

Whereas September 2019 has been designated as Sickle Cell Disease Awareness Month in order to educate communities across the United States about SCD, including early detection methods, effective treatments, and preventative care programs with respect to complications from SCD and conditions related to SCD: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Sickle Cell Disease Awareness Month; and

(2) encourages the people of the United States to hold appropriate programs, events, and activities during Sickle Cell Disease Awareness Month to raise public awareness of preventative care programs, treatments, and other patient services for those suffering from sickle cell disease, complications from sickle cell disease, and conditions related to sickle cell disease.

AMENDMENTS SUBMITTED AND PROPOSED

SA 948. Mr. SHELBY proposed an amendment to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

SA 949. Mr. YOUNG (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 950. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra.

SA 951. Mr. WARNER (for himself, Mr. BLUMENTHAL, Mr. KAINE, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 952. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 953. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 954. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 955. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 956. Ms. HASSAN (for herself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 957. Mr. JONES submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 958. Mr. JONES submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 959. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA

948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 960. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 961. Ms. CORTEZ MASTO (for herself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 962. Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 963. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 964. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 965. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 966. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 948. Mr. SHELBY proposed an amendment to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Transportation, and Housing and Urban Development Appropriations Act, 2020''.

SEC. 2. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 3. REFERENCES TO REPORT.

(a) Any reference to a ''report accompanying this Act'' contained in division A shall be treated as a reference to Senate Report 116–127. The effect of such Report shall be limited to division A and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division A.

(b) Any reference to a ''report accompanying this Act'' contained in division B shall be treated as a reference to Senate Report 116–110. The effect of such Report shall be limited to division B and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division B.

(c) Any reference to a ''report accompanying this Act'' contained in division C shall be treated as a reference to Senate Report 116–123. The effect of such Report shall be limited to division C and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division C.

(d) Any reference to a ''report accompanying this Act'' contained in division D shall be treated as a reference to Senate Report 116–109. The effect of such Report shall be limited to division D and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division D.

DIVISION A—COMMERCE AND JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $521,250,000, to remain available until September 30, 2020, of which $11,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Control Reform Act of 2018 (subtitle B of title XVII of the John S. McCain National Defense Authorization Act for Fiscal Year 2019; Public Law 115–232; 132 Stat. 2208; 50 U.S.C. 4801 et seq.), and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $127,652,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $279,500,000, to remain available until expended, of which $31,000,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $40,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprises, including expenses of grants, contracts, and other agreements with public or private organizations, $40,000,000, of which not more than $15,500,000 shall be available for overhead expenses, including salaries and expenses, rent, utilities, and information technology services.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $107,000,000, to remain available until September 30, 2021.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $274,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics for periodic censuses and programs provided for by law, $7,284,319,000, to remain available until September 30, 2021: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $3,556,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That of the amount provided under this heading, $2,500,000,000 is designated by the Congress as being for the 2020 Census pursuant to section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $42,441,000, to remain available until September 30, 2021: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,450,681,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2020, so as to result in a fiscal year 2020 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2020, should the total amount of such offsetting collections be less than $3,450,681,000, this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,450,681,000 in fiscal year 2020 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office ''Salaries and Expenses'' account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2020 for official reception and representation expenses: *Provided further*, That in fiscal year 2020 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), $753,500,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'': *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $161,500,000, to remain available until expended, of which $145,500,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $16,000,000 shall be for the National Network for Manufacturing Innovation (also known as ''Manufacturing USA'').

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $123,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; pilot programs for state-led fisheries management, notwithstanding any other provision of law; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,727,466,000, to remain available until September 30, 2021: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $174,774,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program; Fisheries Data Collections, Surveys and Assessments; and Interjurisdictional Fisheries Grants: *Provided further*, That not to exceed $62,070,000 shall be for payment to the Department of Commerce Working Capital Fund: *Provided further*, That of the $3,919,740,000 provided for in direct obligations under this heading, $3,727,466,000 is appropriated from the general fund, $174,774,000 is provided by transfer, and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents' Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,552,528,000, to remain available until September 30, 2022, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: *Provided*, That of the $1,565,528,000 provided for in direct obligations under this heading, $1,552,528,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2021: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $349,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2020, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $61,000,000: *Provided*, That, of the amounts provided under this heading, no less than $34,231,000 shall be spent on personnel compensation and benefits, as identified by object classes 11, 12, and 13: *Provided further*, That no employee of the Department of Commerce may be detailed or assigned from a bureau or office funded by this Act or any other Act to offices within the Office of the Secretary of the Department of Commerce for more than 30 days in a fiscal year unless the individuals employing bureau or office is fully reimbursed for the salary and expenses of the employee for the entire period of assignment using funds provided under this heading.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, $1,000,000, to remain available until expended.

BUSINESS APPLICATION SYSTEM MODERNIZATION

For carrying out the activities and requirements described in section 1077 of division A of the National Defense Authorization Act for Fiscal Year 2018, $22,000,000, to remain available until September 30, 2022.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $34,744,000: *Provided*, That notwithstanding section 6413(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96), $2,000,000, to remain available until expended, from the amounts provided under this heading, shall be derived from the Public Safety Trust Fund for activities associated with carrying out investigations and audits related to the First Responder Network Authority (FirstNet).

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2020: *Provided*, That the life cycle cost for the Joint Polar Satellite System is $11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is $10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof,

local government, tribal government, territory, or possession or any subdivisions thereof: *Provided*, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' and shall remain available until September 30, 2022, for such purposes: *Provided further*, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 110. Amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Economics and Statistics Administration of the Department of Commerce, including amounts provided for programs of the Bureau of Economic Analysis and the Bureau of the Census, shall be available for expenses of cooperative agreements with appropriate entities, including any Federal, State, or local governmental unit, or institution of higher education, to aid and promote statistical, research, and methodology activities which further the purposes for which such amounts have been made available.

This title may be cited as the ''Department of Commerce Appropriations Act, 2020''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $114,740,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment, and departmental direction, $33,875,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $40,000,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act: *Provided further*, That any transfer pursuant to the first proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of immigration-related activities of the Executive Office for Immigration Review, $672,966,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account, and of which not less than $15,000,000 shall be available for services and activities provided by the Legal Orientation Program: *Provided*, That not to exceed $35,000,000 of the total amount made available under this heading shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $105,000,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,308,000: *Provided*, That, notwithstanding any other provision of law, upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; the administration of pardon and clemency petitions; and rent of private or Government-owned space in the District of Columbia, $924,000,000, of which not to exceed $20,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended: *Provided further*, That of the amount appropriated, not less than $195,982,000 shall be available for the Criminal Division, including related expenses for the Mutual Legal Assistance Treaty Program.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $13,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $166,755,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $141,000,000 in fiscal year 2020), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2020, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at $25,755,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $2,278,360,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $227,229,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, deposits to the United States Trustee System Fund and amounts herein appropriated shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, fees deposited into the Fund pursuant to section 589a(b) of title 28, United States Code (as limited by section 1004(b) of the Bankruptcy Judgeship Act of 2017 (division B of Public Law 115–72)), shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That to the extent that fees deposited into the Fund in fiscal year 2020, net of amounts necessary to pay refunds due depositors, exceed $227,229,000, those excess amounts shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further*, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2020, net of amounts necessary to pay refunds due depositors, (estimated at $309,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from amounts deposited in the Fund in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,335,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $18,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $16,000,000: *Provided*, That notwithstanding section 205 of this Act, upon

a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,410,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $25,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $17,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,867,461,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $110,000,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking organizations, transnational organized crime, and money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in transnational organized crime and drug trafficking, $550,458,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $9,467,902,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $284,000 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities, and sites by purchase, or as otherwise authorized by law; conversion, modification, and extension of federally owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $485,000,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,340,010,000, of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,370,000,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $7,470,000,000 of which not less than $75,000,000 shall be for the programs and activities authorized by the First Step Act of 2018 (Public Law 115–391): *Provided*, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available until expended for necessary operations: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of prerelease services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites, and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $290,000,000, to remain available until expended, of which $181,000,000 shall be available only for costs related to construction of new facilities: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be

computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Rape Survivor Child Custody Act of 2015 (Public Law 114–22) (''the 2015 Act''); and the Abolish Human Trafficking Act (Public Law 115–392); and for related victims services, $500,000,000, to remain available until expended, which shall be derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101), notwithstanding section 1402(d) of such Act of 1984, and merged with the amounts otherwise made available under this heading: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $36,500,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $2,500,000 is for the National Institute of Justice and the Bureau of Justice Statistics for research, evaluation, and statistics of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $53,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $37,500,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $43,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $20,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $45,500,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $17,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $1,000,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women;

(16) $4,000,000 is for grants to assist tribal governments in exercising special domestic violence criminal jurisdiction, as authorized by section 904 of the 2013 Act: *Provided*, That the grant conditions in section 40002(b) of the 1994 Act shall apply to this program; and

(17) $1,000,000 is for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other programs, $80,000,000, to remain available until expended, of which—

(1) $43,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act; and

(2) $37,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act, of which $5,000,000 is for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention; $1,000,000 is for research to study the root causes of school violence to include the impact and effectiveness of grants made under the STOP School Violence Act; $1,000,000 is for a national study to understand the responses of law enforcement to sex trafficking of minors; $2,000,000 is for a national center on forensics; and $3,000,000 is for a national center for restorative justice.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198) (''CARA''); the Justice for All Reauthorization Act of 2016 (Public Law 114–324); Kevin and Avonte's Law (division Q of Public Law 115–141) (''Kevin and Avonte's Law''); the Keep Young Athletes Safe Act of 2018 (title III of division S of Public Law 115–141) (''the Keep Young Athletes Safe Act''); the STOP School Violence Act of 2018 (title V of division S of Public Law 115–141) (''the STOP School Violence Act''); the Fix NICS Act of 2018 (title VI of division S of Public Law 115–141); the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (Public Law 115–185); the SUPPORT for Patients and Communities Act (Public

Law 115–271); and the Second Chance Reauthorization Act of 2018 (Public Law 115–391); and other programs, $1,789,790,000, to remain available until expended as follows—

(1) $545,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $12,000,000 is for the Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $7,500,000 is for an initiative to support evidence-based policing, $8,000,000 is for an initiative to enhance prosecutorial decision-making, $2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System, $2,500,000 is for an academic based training initiative to improve police-based responses to people with mental illness or developmental disabilities, $2,000,000 is for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315, $15,500,000 is for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), $2,000,000 is for a grant program authorized by Kevin and Avonte's Law, $3,000,000 is for a regional law enforcement technology initiative, $20,000,000 is for programs to reduce gun crime and gang violence, as authorized by Public Law 115–185, $2,000,000 is for a grant to provide a drug field testing and training initiative, $5,500,000 is for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review, $1,000,000 is for a collaborative mental health and anti-recidivism initiative, $100,000,000 is for grants for law enforcement activities associated with the presidential nominating conventions, $2,000,000 is for a program to improve juvenile indigent defense, and $8,000,000 is for community-based violence prevention initiatives;

(2) $150,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $85,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs authorized under Public Law 109–164, or programs authorized under Public Law 113–4;

(4) $14,000,000 for economic, high technology, white collar, and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403, of which $2,500,000 is for competitive grants that help State and local law enforcement tackle intellectual property thefts, and $2,000,000 for a competitive grant program for training students in computer forensics and digital investigation;

(5) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(6) $27,500,000 for the Patrick Leahy Bulletproof Vest Partnership Grant Program, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(7) $1,000,000 for the National Sex Offender Public Website;

(8) $78,290,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180) and Fix NICS Act of 2018;

(9) $30,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(10) $136,000,000 for DNA-related and forensic programs and activities, of which—

(A) $125,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $7,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(11) $48,000,000 for a grant program for community-based sexual assault response reform;

(12) $12,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(13) $38,000,000 for assistance to Indian tribes;

(14) $90,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199) and by the Second Chance Reauthorization Act of 2018 (Public Law 115–391), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, $5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy, and $4,500,000 is for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(15) $67,500,000 for initiatives to improve police-community relations, of which $22,500,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and Tribal law enforcement, $28,000,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, and $17,000,000 is for an Edward Byrne Memorial criminal justice innovation program;

(16) $378,000,000 for comprehensive opioid abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid, stimulant, and substance abuse reduction consistent with underlying program authorities—

(A) $80,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) $33,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(C) $31,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) $23,000,000 for a veterans treatment courts program;

(E) $31,000,000 for a program to monitor prescription drugs and scheduled listed chemical products; and

(F) $180,000,000 for a comprehensive opioid, stimulant, and substance abuse program;

(17) $2,500,000 for a competitive grant program authorized by the Keep Young Athletes Safe Act; and

(18) $67,000,000 for grants to be administered by the Bureau of Justice Assistance for purposes authorized under the STOP School Violence Act:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Justice for All Reauthorization Act of 2016 (Public Law 114–324); the Juvenile Justice Reform Act of 2018 (Public Law 115–385); and other juvenile justice programs, $315,000,000, to remain available until expended as follows—

(1) $63,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $97,000,000 for youth mentoring grants;

(3) $40,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $5,000,000 shall be for the Tribal Youth Program;

(B) $500,000 shall be for an Internet site providing information and resources on children of incarcerated parents;

(C) $2,000,000 shall be for competitive grants focusing on girls in the juvenile justice system;

(D) $10,000,000 shall be for an opioid-affected youth initiative; and

(E) $8,000,000 shall be for an initiative relating to children exposed to violence;

(4) $27,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $85,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act); and

(6) $3,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (3) and (6) may be used for training and technical assistance: *Provided further*, That the two preceding provisos shall not apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $24,800,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officer Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the American Law Enforcement Heroes Act of 2017 (Public Law 115–37); and the SUPPORT for Patients and Communities Act (Public Law 115–271), $335,000,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $245,000,000 is for grants under section 1701 of title I of the 1968 Act (34 U.S.C. 10381) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (34 U.S.C. 10384(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated under this paragraph, $27,000,000 is for improving tribal law enforcement, including hiring, equipment, training, anti-methamphetamine activities, and anti-opioid activities: *Provided further*, That of the amounts appropriated under this paragraph, $6,500,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That of the amounts appropriated under this paragraph $38,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act, which shall be transferred to and merged with ''Research, Evaluation, and Statistics'' for administration by the Office of Justice Programs: *Provided further*, That within the amounts appropriated under this paragraph, no less than $3,000,000 is to support the Tribal Access Program: *Provided further*, That within the amounts appropriated under this paragraph, $5,000,000 is for training, peer mentoring, and mental health program activities as authorized under the Law Enforcement Mental Health and Wellness Act (Public Law 115–113);

(2) $10,000,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114–199);

(3) $12,000,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: *Provided*, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers;

(4) $35,000,000 is for competitive grants to statewide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids: *Provided*, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including activities related to the distribution of heroin or unlawful distribution of prescription opioids, or unlawful heroin and prescription opioid traffickers through statewide collaboration; and

(5) $33,000,000 is for competitive grants to be administered by the Community Oriented Policing Services Office for purposes authorized under the STOP School Violence Act (title V of division S of Public Law 115–141).

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 207. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 208. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 209. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the report accompanying this Act, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 210. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 211. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 212. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Research, Evaluation and Statistics'', ''State and Local Law Enforcement Assistance'', and ''Juvenile Justice Programs''—

(1) up to 2 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 213. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2017 through 2020 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.), the requirements under section 2976(g)(1) of such part (34 U.S.C. 10631(g)(1)).

(2) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (34 U.S.C. 30305(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 214. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12109(a)) shall not apply to amounts made available by this or any other Act.

SEC. 215. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 216. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2020, except up to $12,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2020, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2020, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

SEC. 217. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal years 2019 and 2020.

SEC. 218. In this fiscal year and each fiscal year thereafter, amounts credited to and made available in the Department of Justice Working Capital Fund as an offsetting collection pursuant to section 108 of Public Law 103–121, 107 Stat. 1164 (1994) shall be so credited and available only to the extent and in such amounts as provided in advance in appropriations Acts: *Provided*, That notwithstanding 31 U.S.C. 3302 or any other statute affecting the crediting of collections, the Attorney General may credit, as a discretionary offsetting collection, to the Department of Justice Working Capital Fund, for fiscal year 2020, up to three percent of all amounts collected pursuant to civil debt collection litigation activities of the Department of Justice and, such amounts so credited in fiscal year 2020 shall remain available until expended, shall be subject to the terms and conditions of that fund, and shall be used only for paying the costs of processing and tracking such litigation: *Provided further*, That any such amounts from the fund that the Attorney General determines are necessary to pay for the costs of processing and tracking civil debt collection litigation activities in fiscal year 2020 shall be transferred to other appropriations accounts in the Department of Justice for paying the costs of such activities, and shall be in addition to any amounts otherwise made available for such purpose in those appropriations accounts: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That any transfer of funds pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the ''Department of Justice Appropriations Act, 2020''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,544,000.

NATIONAL SPACE COUNCIL

For necessary expenses of the National Space Council, in carrying out the purposes of Title V of Public Law 100–685 and Executive Order 13803, hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, $1,965,000: *Provided*, That notwithstanding any other provision of law, the National Space Council may accept personnel support from Federal agencies, departments, and offices, and such Federal agencies, departments, and offices may detail staff without reimbursement to the National Space Council for purposes provided herein.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $6,905,700,000, to remain available until September 30, 2021: *Provided*, That, $1,945,000,000 shall be for Earth Science; $2,631,100,000 shall be for Planetary Science; $1,171,600,000 shall be for Astrophysics; $423,000,000 shall be for the James Webb Space Telescope; and $735,000,000 shall be for Heliophysics: *Provided further*, That the National Aeronautics and Space Administration shall use the Space Launch System as the launch vehicle for the Jupiter Europa Clipper mission.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $783,900,000, to remain available until September 30, 2021.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $1,076,400,000, to remain available until September 30, 2021: *Provided*, That $180,000,000 shall be for RESTORE–L: *Provided further*, That $100,000,000 shall be for the development and demonstration of a nuclear thermal propulsion system, of which $70,000,000 shall be for the design of a flight demonstration system.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $6,222,600,000, to remain available until September 30, 2021: *Provided*, That not less than $1,406,700,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That

not less than $2,585,900,000 shall be for the Space Launch System (SLS) launch vehicle, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an Exploration Upper Stage developed simultaneously: *Provided further*, That of the amounts provided for SLS, not less than $300,000,000 shall be for Exploration Upper Stage development: *Provided further*, That $590,000,000 shall be for Exploration Ground Systems: *Provided further*, That the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5-year budget profile for an integrated system that includes the SLS, the Orion Multi-Purpose Crew Vehicle, and associated ground systems that will ensure an Exploration Mission-2 crewed launch as early as possible, as well as a system-based funding profile for a sustained launch cadence beyond the initial crewed test launch: *Provided further*, That $1,640,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $4,150,200,000, to remain available until September 30, 2021.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ENGAGEMENT

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $112,000,000, to remain available until September 30, 2021, of which $22,000,000 shall be for the Established Program to Stimulate Competitive Research and $47,000,000 shall be for the National Space Grant College and Fellowship Program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,934,800,000, to remain available until September 30, 2021.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $524,400,000, to remain available until September 30, 2025: *Provided*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2020 in an amount not to exceed $14,900,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $40,000,000, of which $500,000 shall remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until a prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Not more than 50 percent of the amounts made available in this Act for the Gateway; Advanced Cislunar and Surface Capabilities; Commercial LEO Development; and Lunar Discovery and Exploration, excluding the Lunar Reconnaissance Orbiter, may be obligated until the Administrator submits a multi-year plan to the Committees on Appropriations of the House of Representatives and the Senate that identifies estimated dates, by fiscal year, for Space Launch System flights to build the Gateway; the commencement of partnerships with commercial entities for additional LEO missions to land humans and rovers on the Moon; and conducting additional scientific activities on the Moon. The multi-year plan shall include key milestones to be met by fiscal year to achieve goals for each of the lunar programs described in the previous sentence and funding required by fiscal year to achieve such milestones.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $6,769,670,000, to remain available until September 30, 2021, of which not to exceed $500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $253,230,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $937,000,000, to remain available until September 30, 2021.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $336,900,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2020 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,500,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $15,700,000, of which

$400,000 shall remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The Director of the National Science Foundation (NSF) shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days in advance of any planned divestment through transfer, decommissioning, termination, or deconstruction of any NSF-owned facilities or any NSF capital assets (including land, structures, and equipment) valued greater than $2,500,000.

This title may be cited as the ''Science Appropriations Act, 2020''.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $10,200,000: *Provided*, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That the Chair may accept and use any gift or donation to carry out the work of the Commission: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $30,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $384,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair may accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $99,400,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $425,500,000, of which $388,200,000 is for basic field programs and required independent audits; $5,300,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $22,000,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,500,000 is for a Pro Bono Innovation Fund; and $1,500,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996d(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2019 and 2020, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,616,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $54,000,000, of which $1,000,000 shall remain available until expended: *Provided*, That of the total amount made available under this heading, not to exceed $124,000 shall be available for official reception and representation expenses.

TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For activities of the United States Trade Representative authorized by section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), including transfers, $15,000,000, to be derived from the Trade Enforcement Trust Fund: *Provided*, That any transfer pursuant to subsection (d)(1) of such section shall be treated as a reprogramming under section 505 of this Act.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) $6,300,000, of which $500,000 shall remain available until September 30, 2021: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. 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. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects, or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any

product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term ''promotional items'' has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of $3,177,000,000 shall not be available for obligation until the following fiscal year: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) $10,000,000 shall be transferred to the Department of Justice Office of the Inspector General and remain available until expended for oversight and auditing purposes; and (2) 5 percent shall be available to the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian tribes to improve services for victims of crime.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 514. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST and the Federal Bureau of Investigation (FBI) to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the FBI and other appropriate agencies; and

(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST, the FBI, and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the FBI, that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

SEC. 515. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 516. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use

by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 517. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 518. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States–Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States–Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States–Morocco Free Trade Agreement.

SEC. 519. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act of 1978; The Electronic Communications Privacy Act of 1986; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; USA FREEDOM Act of 2015; and the laws amended by these Acts.

SEC. 520. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 521. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related 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 2020 until the enactment of the Intelligence Authorization Act for fiscal year 2020.

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 523. (a) Of the unobligated balances from prior year appropriations available to the Department of Commerce, the following funds are hereby rescinded, not later than September 30, 2020, from the following accounts in the specified amounts—

(1) ''Economic Development Administration, Economic Development Assistance Programs'', $10,000,000; and

(2) ''National Oceanic and Atmospheric Administration, Fisheries Enforcement Asset Forfeiture Fund'', $5,000,000.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2020, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $100,000,000;

(2) ''Federal Bureau of Investigation, Salaries and Expenses'', $71,974,000 including from, but not limited to, fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs; and

(3) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $70,000,000.

(c) Of the unobligated balances available to the National Aeronautics and Space Administration from prior year appropriations under the heading ''Science'', $70,000,000 is hereby rescinded.

(d) The Departments of Commerce and Justice and the National Aeronautics and Space Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2020, specifying the amount of each rescission made pursuant to subsections (a), (b), and (c).

(e) The amounts rescinded in subsections (a), (b), and (c) shall not be from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 524. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 525. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless—

(1) such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States; or

(2) such conference is a scientific conference and the department or agency head determines that such attendance is in the national interest and notifies the Committees on Appropriations of the House of Representatives and the Senate within at least 15 days of that determination and the basis for that determination.

SEC. 526. 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 the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 527. (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, Guantanamo 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, Guantanamo 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, Guantanamo Bay, Cuba.

SEC. 528. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 529. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA), the Office of Science and Technology Policy (OSTP), or the National Space Council (NSC) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA, OSTP, or NSC, after consultation with the Federal Bureau of Investigation, have certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, and the Federal Bureau of Investigation, no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 530. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 531. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(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, adjudication, or other law enforcement- or victim assistance-related activity.

SEC. 532. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, the National Space Council, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 533. 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. 534. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or for performance that does not meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program and unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 535. None of the funds made available by this Act may be used in contravention of section 7606 (''Legitimacy of Industrial Hemp Research'') of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

SEC. 536. None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

SEC. 537. The Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation shall provide a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of such Department or agency, including the purpose of such travel.

SEC. 538. None of the funds provided in this Act shall be available for obligation for the James Webb Space Telescope (JWST) after December 31, 2019, if the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for JWST determines that the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) are likely to exceed $8,802,700,000, unless the program is modified so that the costs do not exceed $8,802,700,000.

This division may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020''.

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,782,000, of which not to exceed $6,030,000 shall be available for the immediate Office of the Secretary: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $1,496,000 shall be available for the Office of Homeland Security; not to exceed $4,711,000 shall be available for the Office of Partnerships and Public Engagement; not to exceed $23,176,000 shall be available for the Office of the Assistant Secretary for Administration, of which $22,301,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided further*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $22,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $24,286,000, of which $8,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $15,222,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,525,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $101,400,000, of which not less than $48,950,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $13,500,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000: *Provided*, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,206,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $331,114,000, to remain available until expended.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), $3,503,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), $98,208,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $45,146,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $4,136,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $800,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $86,757,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $175,294,000, of which up to $45,300,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,424,966,000, of which $41,100,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $304,800,000 to remain available until expended, of which $166,900,000 shall be allocated for ARS facilities co-located with university partners.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $937,649,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Research and Education Activities'' in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $509,082,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Extension Activities'' in the report accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative

extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $38,000,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Integrated Activities'' in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2021: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000: *Provided*, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $1,027,916,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (''contingency fund'') to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $705,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $62,840,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $186,013,000, to remain available until expended, shall be for specialty crop pests; of which, $13,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $40,966,000, to remain available until expended, shall be for emergency preparedness and response; of which $60,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $20,800,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2020, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $181,549,000, of which $6,000,000 shall be available for the purposes of section 12306 of Public Law 113–79: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further*, That up to $4,454,000 of this appropriation may be used for United States Warehouse Act activities to supplement amounts made available by the United States Warehouse Act.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $61,227,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise provided in this Act; and (3) not more than $20,705,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961 (Public Law 87–128).

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $800,000: *Provided*, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,054,344,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2020 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, $901,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, $206,530,000: *Provided*, That $60,228,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,127,837,000, of which not less than $20,000,000 shall be for the hiring of new employees to fill vacancies at Farm Service Agency county offices and farm loan officers and shall be available until September 30, 2021: *Provided*, That not more than 50 percent of the funding made available under this heading for information technology related to farm program delivery may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost for the entirety of the project/investment, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2020 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $5,545,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,960,000,000 for unsubsidized guaranteed operating loans and $1,550,133,000 for direct operating loans; emergency loans, $37,668,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $58,440,000 for direct operating loans, $20,972,000 for unsubsidized guaranteed operating loans, emergency loans, $2,023,000 and $2,745,000 for Indian highly fractionated land loans, and $60,000 for boll weevil eradication loans, to remain available until expended.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $319,762,000: *Provided*, That of this amount, $294,114,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses'': *Provided further*, That of this amount $16,081,000 shall be transferred to and merged with the appropriation for ''Farm Production and Conservation Business Center, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, $58,361,000: *Provided*, That $2,000,000 shall be available for compliance and integrity activities required under section 516(b)(2)(C) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1516(b)(2)(C)) in addition to other amounts provided: *Provided further*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $835,228,000, to remain available until September 30, 2021: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $11,200,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $175,000,000, to remain available until expended: *Provided*, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose

of flood prevention (including structural and land treatment measures): *Provided further*, That of the amounts made available under this heading, $70,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $800,000.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $242,005,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: *Provided further*, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,000,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $28,000,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $90,000,000 shall be for direct loans; section 504 housing repair loans, $4,679,000; section 523 self-help housing land development loans, $577,000; section 524 site development loans, $546,000; and repair, rehabilitation, and new construction of section 515 rental housing, $12,144,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2020: *Provided further*, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as ''Asset Management Fee'' of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), $18,583,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $412,254,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,375,000,000, of which $40,000,000 shall be available until September 30, 2021; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2020 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2020 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $56,500,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $32,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for

the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $24,500,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $30,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $45,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,800,000,000 for direct loans and $500,000,000 for guaranteed loans.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $45,778,000, to remain available until expended: *Provided*, That $6,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $65,475,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $9,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $5,219,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2020, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2020, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, $4,468,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $50,000,000.

The cost of grants authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed $10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $15,600,000, of which $2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $3,000,000, to remain available until expended, shall be for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $706,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees and grants for rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $484,980,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,500,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: *Provided further*, That $68,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems

grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $30,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $8,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $19,570,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g) shall be made as follows: loans made pursuant to sections 305, 306, and 317, notwithstanding 317(c), of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, design and engineering or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon subsurface utilization and storage systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $3,795,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,270,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $29,851,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $34,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $5,340,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $30,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $800,000: *Provided*, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $23,602,569,000 to remain available through September 30, 2021, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $12,475,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $28,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking ''2010 through 2019'' and inserting ''2010 through 2020'': *Provided further*, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking ''For fiscal year 2019'' and inserting ''For fiscal year 2020'': *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking ''For fiscal year 2019'' and inserting ''For fiscal year 2020''.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,000,000,000, to remain available through September 30, 2021: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $80,000,000 shall be used for breastfeeding peer counselors and other related activities, and $19,000,000 shall be used for infrastructure: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $69,163,287,000, of which $3,000,000,000, to remain available through December 31, 2021, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2021: *Provided further*, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2021: *Provided further*, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $344,248,000, to remain available through September 30, 2021: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2020 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2021: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 15 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $160,891,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, $875,000: *Provided*, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, $4,775,000, including not to exceed $40,000 for official reception and representation expenses.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $217,920,000, of which no more than 6 percent shall remain available until September 30, 2021, for overseas operations to include the payment of locally employed staff: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $142,000, shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,716,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $210,255,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, not more than 10 percent, but not less than $15,000,000, shall remain available until expended to purchase agricultural commodities as described in subsection 3107(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(a)(2)).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $6,381,000, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,063,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $318,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114–255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $5,761,442,000: *Provided*, That of the amount provided under this heading, $1,074,714,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $220,142,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $513,223,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $41,923,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $30,611,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $20,151,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2020 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2020, including any such fees collected prior to fiscal year 2020 but credited for fiscal year 2020, shall be subject to the fiscal year 2020 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2020 of user fees specified under this heading and authorized for fiscal year 2021, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2021 for which the Secretary accepts payment in fiscal year 2020 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $1,081,356,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which no less than $16,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood; (2) $1,967,193,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $419,302,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $240,966,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $580,486,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $66,712,000 shall be for the National Center for Toxicological Research; (7) $661,739,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs;

(8) $189,634,000 shall be for Rent and Related activities, of which $54,889,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) $239,382,000 shall be for payments to the General Services Administration for rent; and (10) $314,672,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for ''other activities'', and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for ''Department of Health and Human Services—Office of Inspector General'' for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), and medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, and, contingent upon the enactment of the Over-the-Counter Monograph User Fee Act of 2019, fees relating to over-the-counter monograph drugs authorized by part 10 of subchapter C of Chapter VII of the Federal Food, Drug and Cosmetic Act shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $11,788,000, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading ''Salaries and Expenses'', $75,000,000, to remain available until expended: *Provided*, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for ''Department of Health and Human Services Food and Drug Administration Salaries and Expenses'' solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $77,000,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 716 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or functions of the offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 716 of this Act: *Provided further*, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. 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. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be

transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313B(a) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2021, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2021, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113–79) or by a successor to that Act, other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than $2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(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.

SEC. 714. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as ''section 14222''), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as ''section 32'') in excess of $1,331,784,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$485,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities— $2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: *Provided*, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2020, such unobligated balances shall carryover into fiscal year 2021 and shall remain available until expended for any of the purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed $350,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: *Provided further*, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

SEC. 715. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2021 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the

Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 717. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 718. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

SEC. 719. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 720. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 721. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 722. Of the unobligated balances from amounts made available for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $800,000,000 are hereby rescinded.

SEC. 723. The Secretary shall continue an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 724. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 725. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture.

SEC. 726. None of the funds made available by this Act may be used to implement, administer, or enforce the ''variety'' requirements of the final rule entitled ''Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)'' published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term ''variety'' as de fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and ''variety'' as applied in the definition of the term ''staple food'' as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 727. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940), subtitle G of the Agricultural Marketing Act of 1946, or section 10114 of the Agriculture Improvement Act of 2018; or

(2) to prohibit the transportation, processing, sale, or use of hemp, or seeds of such plant, that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014 or Subtitle G of the Agricultural Marketing Act of 1946, within or outside the State in which the hemp is grown or cultivated.

SEC. 728. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 729. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 730. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 731. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the hazard analysis and risk-based preventive control requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the production, distribution, sale, or receipt of dried spent grain byproducts of the alcoholic beverage production process.

SEC. 732. There is hereby appropriated $10,000,000, to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may allow eligible entities, or comparable entities that provide energy efficiency services using their own billing mechanism to offer loans to customers in any part of their service territory and to offer loans to replace a manufactured housing unit with another manufactured housing unit, if replacement would be more cost effective in saving energy.

SEC. 733. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

(A) veterinary control and oversight;

(B) disease history and vaccination practices;

(C) livestock demographics and traceability;

(D) epidemiological separation from potential sources of infection;

(E) surveillance practices;

(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response; and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 734. No food that bears or contains partially hydrogenated oils (as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall be considered to be adulterated within the meaning of subsection (a)(1) or (a)(2)(C)(i) of section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because such food contains such partially hydrogenated oils until the applicable compliance dates specified by FDA in the Federal Register on May 21, 2018 (83 Fed. Reg. 23358 et seq.).

SEC. 735. The National Bio and Agro-Defense Facility shall be transferred without reimbursement from the Secretary of Homeland Security to the Secretary of Agriculture.

SEC. 736. There is hereby appropriated $1,000,000 for the Secretary to carry out a

pilot program that provides forestry inventory analysis, forest management and economic outcomes modelling for certain currently enrolled Conservation Reserve Program participants. The Secretary shall allow the Commodity Credit Corporation to enter into agreements with and provide grants to qualified non-profit organizations dedicated to conservation, forestry and wildlife habitats, that also have experience in conducting accurate forest inventory analysis through the use of advanced, cost-effective technology. The Secretary shall focus the analysis on lands enrolled for at least eight years and located in areas with a substantial concentration of acres enrolled under conservation practices devoted to multiple bottomland hardwood tree species including CP03, CP03A, CP11, CP22, CP31 and CP40.

SEC. 737. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 738. There is hereby appropriated $2,000,000 to carry out section 1621 of Public Law 110–246.

SEC. 739. None of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal of such licenses, to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing.

SEC. 740. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel products'' means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the ''Secretary'') or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for ''Rural Utilities Service—Rural Water and Waste Disposal Program Account'' for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms ''United States'' and ''State'' shall include each of the several States, the District of Columbia, and each federally recognized Indian tribe.

SEC. 741. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2020, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

SEC. 742. There is hereby appropriated $1,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 743. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 744. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 745. Of the total amounts made available by this Act for direct loans and grants in the following headings: ''Rural Housing Service—Rural Housing Insurance Fund Program Account''; ''Rural Housing Service—Mutual and Self-Help Housing Grants''; ''Rural Housing Service—Rural Housing Assistance Grants''; ''Rural Housing Service—Rural Community Facilities Program Account''; ''Rural Business-Cooperative Service—Rural Business Program Account''; ''Rural Business-Cooperative Service—Rural Economic Development Loans Program Account''; ''Rural Business-Cooperative Service—Rural Cooperative Development Grants''; ''Rural Utilities Service—Rural Water and Waste Disposal Program Account''; ''Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account''; and ''Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program'', to the maximum extent feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: *Provided*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: *Provided further*, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 746. In addition to any other funds made available in this Act or any other Act, there is appropriated $5,000,000 to carry out section 18(g)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)), to remain available until expended.

SEC. 747. There is hereby appropriated $2,000,000, to remain available until September 30, 2021, for the cost of loans and grants that is consistent with section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities.

SEC. 748. For an additional amount for ''Animal and Plant Health Inspection Service—Salaries and Expenses'', $8,500,000, to remain available until September 30, 2021, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 749. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled ''Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption,'' and published on November 27, 2015, with respect to the regulation of the production, distribution, sale, or receipt of grape varietals that are grown, harvested and used solely for wine and receive commercial processing that adequately reduces the presence of microorganisms of public health significance.

SEC. 750. There is hereby appropriated $5,000,000, to remain available until September 30, 2021, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

SEC. 751. For school year 2019–2020, none of the funds made available by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

SEC. 752. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall issue a final rule based on the proposed rule entitled ''National Organic Program; Origin of Livestock,'' published in the Federal Register on April 28,

2015 (80 Fed. Reg. 23455): *Provided*, That the final rule shall incorporate public comments submitted in response to the proposed rule.

SEC. 753. There is hereby appropriated $20,000,000, to remain available until expended, to carry out section 12513 of Public Law 115–334: *Provided*, That the Secretary shall take measures to ensure an equal distribution of funds between the three regional innovation initiatives.

SEC. 754. There is hereby appropriated $5,000,000, to remain available until September 30, 2021, to carry out section 2103 of Public Law 115-334.

SEC. 755. There is hereby appropriated $1,000,000, to remain available until September 30, 2021, to carry out section 4208 of Public Law 115-334.

SEC. 756. There is hereby appropriated $2,000,000 to carry out section 4206 of Public Law 115–334.

SEC. 757. There is hereby appropriated $20,000,000, for an additional amount for ''Department of Health and Human Services—Food and Drug Administration—Buildings and Facilities'' to remain available until expended and in addition to amounts otherwise made available for such purposes, for necessary expenses of plans, construction, repair, improvement, extension, alteration, demolition and purchase of fixed equipment or facilities of or used by FDA.

SEC. 758. There is hereby appropriated $5,000,000 to carry out section 6424 of Public Law 115-334.

SEC. 759. Of the unobligated balances from amounts made available to carry out section 749 of Division A of Public Law 115–31 and section 739 of Division A of Public Law 115–141, $15,073,000 are rescinded.

SEC. 760. In addition to amounts otherwise made available by this or any other Act, there is hereby appropriated $5,000,000, to remain available until expended, under the heading ''Rural Water Technical Assistance Grant Program Account'' for the cost of a pilot program in coordination with a regional research university consortium for research and direct services to address challenges facing traditional rural wastewater systems needs: *Provided*, That the pilot should address the wastewater needs of historically impoverished communities that have had difficult soil conditions for traditional wastewater treatment systems.

SEC. 761. (a) Section 313(b) of the Rural Electrification Act of 1936, as amended (7 U.S.C. 940c(b)), shall be applied for fiscal year 2020 and each fiscal year thereafter until the specified funding has been expended as if the following were inserted after the final period in subsection (b)(2): ''In addition, the Secretary shall use $425,000,000 of funds available in this subaccount in fiscal year 2019 for an additional amount for the same purpose and under the same terms and conditions as funds appropriated by Sec. 779 of Public Law 115–141 and shall use $128,000,000 of funds available in this subaccount in fiscal year 2020 for an additional amount for the same purpose and under the same terms and conditions as funds appropriated for water and waste disposal grants under section 306(a)(2) of the Consolidated Farm and Rural Development Act.'': *Provided*, That any use of such funds shall be treated as a reprogramming of funds under section 716 of this Act.

(b) Section 762(b) of division B of Public Law 116-6 shall no longer apply.

SEC. 762. In addition to amounts otherwise made available by this or any other Act, there is hereby appropriated $9,500,000, to remain available until expended, under the heading ''National Institute of Food and Agriculture—Research and Education Activities'' and $15,500,000, to remain available until expended, under the heading ''Economic Research Service'' for salaries and expenses, including for relocation expenses, the costs of alteration and repair of leased buildings and improvements pursuant to 7 U.S.C. 2250, and other transition costs, for the relocation of employees and certain operations to the Kansas City metropolitan area, as directed by the decision of the Secretary of Agriculture dated June 13, 2019.

SEC. 763. No food containing genetically engineered salmon shall be permitted to be introduced, or delivered for introduction, into interstate commerce until the conclusion and transmittal to Congress of a consumer study of the efficacy of the Department of Agriculture's National Bioengineered Food Disclosure Standard for informing consumers of the genetically engineered content of salmon products, as set forth in 21 CFR 528.1092: *Provided*, That the study shall be performed by a commission constituted jointly by the United States Department of Agriculture and the Food and Drug Administration under the Federal Advisory Committee Act and shall commence no later than 180 days after the enactment of this Act.

SEC. 764. (a) Title I of the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Public Law 116–20) is amended in the matter under the heading ''Department of Agriculture—Office of the Secretary'' by inserting ''to cooperative processors for reduced quantity and quality sugar beets,'' after ''planting in 2019,'': *Provided*, That amounts repurposed under this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are 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 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(b) This section shall become effective immediately upon enactment of this Act.

SEC. 765. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

SEC. 766. Section 9(i)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(i)(2)) is amended by striking ''for a period'' and all that follows through ''2018'' and inserting ''prior to December 31, 2020''.

SEC. 767. Not later than 60 days after enactment of this Act, the Commissioner of the Food and Drug Administration shall issue a request for information to determine the next steps that will address the recent pulmonary illnesses reported to be associated with the use of e-cigarettes and vaping products. As part of such request for information, the Commissioner shall request public comment on product design and how to prevent consumers from modifying or adding any substances to these products that are not intended by the manufacturer: *Provided*, That the Food and Drug Administration shall provide an update to the Committee on Appropriations on a quarterly basis.

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2020''.

DIVISION C—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,250,274,000, to remain available until expended: *Provided*, That amounts in the fee account of the BLM Permit Processing Improvement Fund may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use authorizations.

In addition, $40,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2020, so as to result in a final appropriation estimated at not more than $1,250,274,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $28,800,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Land Acquisition and derived from the Land and Water Conservation Fund, $2,367,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $106,985,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and

California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,357,182,000, to remain available until September 30, 2021: *Provided*, That not to exceed $18,318,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)).

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $43,226,000, to remain available until expended.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $58,770,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

Of the unobligated balances from amounts made available for the Fish and Wildlife Service and derived from the Land and Water Conservation Fund, $3,628,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $53,495,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

Of the unobligated balances made available from the Cooperative Endangered Species Conservation Fund, $18,771,000 is permanently rescinded from projects or from other grant programs with an unobligated carry over balance: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $44,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $4,910,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $12,800,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $65,171,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,809,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*,

That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2020 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2021, shall be reapportioned, together with funds appropriated in 2022, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading ''United States Fish and Wildlife Service—Resource Management'' and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,564,597,000, of which $10,032,000 shall be for planning and interagency coordination in support of Everglades restoration and $135,980,000 shall be for maintenance, repair, or rehabilitation projects for constructed assets and $153,575,000 for cyclic maintenance projects for constructed assets and cultural resources shall remain available until September 30, 2021: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348: *Provided further*, That notwithstanding section 9(a) of the United States Semiquincentennial Commission Act of 2016 (Public Law 114–196; 130 Stat. 691), $3,300,000 of the funds made available under this heading shall be provided to the organization selected under section 9(b) of that Act for expenditure by the United States Semiquincentennial Commission in accordance with that Act.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $68,084,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $113,160,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2020, of which $14,000,000 shall be for Save America's Treasures grants for preservation of national significant sites, structures and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): *Provided*, That an individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant: *Provided further*, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: *Provided further*, That of the funds provided for the Historic Preservation Fund, $750,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $16,250,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, $9,000,000 is for grants to Historically Black Colleges and Universities, and $7,500,000 is for competitive grants for the restoration of historic properties of national, State and local significance listed on or eligible for inclusion on the National Register of Historic Places, to be made without imposing the usage or direct grant restrictions of section 101(e)(3) (54 U.S.C. 302904) of the National Historical Preservation Act: *Provided further*, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code, to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, $392,185,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2020 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND ACQUISITION AND STATE ASSISTANCE

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $199,899,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $140,000,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

Of the unobligated balances from amounts made available for the National Park Service and derived from the Land and Water Conservation Fund, $2,279,000 is hereby permanently rescinded from projects or from other grant programs with an unobligated carry over balance: *Provided*, That no amounts may be rescinded from amounts that were designed by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $20,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,209,601,000, to remain available until September 30, 2021; of which $79,337,000 shall remain available until expended for satellite operations; and of which $71,164,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting and administering leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $193,426,000, of which $133,426,000 is to remain available until September 30, 2021, and of which $60,000,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2020 appropriation estimated at not more than $133,426,000: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $146,341,000, of which $120,341,000 is to remain available until September 30, 2021, and of which $26,000,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2020 appropriation estimated at not more than $120,341,000.

For an additional amount, $41,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2020, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $41,000,000, the amounts realized in excess of $41,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2020, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $117,768,000, to remain available until September 30, 2021: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2020 appropriation estimated at not more than $117,678,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $24,713,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $115,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the report accompanying this Act: *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $30,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the subsequent greatest

amount of unfunded needs to meet such priorities, and $10,000,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the report accompanying this Act and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: *Provided further*, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), $1,533,461,000, to remain available until September 30, 2021, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $74,734,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, for welfare payments from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $57,424,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2021, may be transferred during fiscal year 2022 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2022: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: *Provided further*, That the Bureau of Indian Affairs may accept transfers of funds from U.S. Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs and the Bureau of Indian Education for fiscal year 2020, such sums as may be necessary, which shall be available for obligation through September 30, 2021: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; $128,723,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a nonreimbursable basis: *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any Public Law 93–638 contractor receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation: *Provided further*, That of the funds made available under this heading, $10,000,000 shall be derived from the Indian Irrigation Fund established by section 3211 of the WIIN Act (Public Law 114–322; 130 Stat. 1749).

Of the unobligated balances made available for the ''Construction, Resources Management'' account, $2,000,000 is permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, 111–291, and 114–322, and for implementation of other land and water rights settlements, $45,644,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $10,779,000, of which $1,455,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $174,616,164.

BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN EDUCATION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian education programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C.5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $905,841,000, to remain available until September 30, 2021, except as otherwise provided herein: *Provided*, That Federally recognized Indian tribes and tribal organizations of Federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $685,223,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2020, and shall remain available until September 30, 2021: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self–Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C.), not to exceed $83,407,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2020: *Provided further*, That in order to enhance safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

EDUCATION CONSTRUCTION

For construction, repair, improvements, and maintenance of buildings, utilities and other facilities necessary for the operation of Indian education programs, including architectural and engineering services by contract; acquisition of lands, and interests in lands: $238,250,000, to remain available until expended; *Provided*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any Public Law 100–297 (25 U.S.C. 2501 et seq.) grantee or Public Law 93–638 (25 U.S.C. 5301 et seq.) contractor receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs and the Bureau of Indian Education may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding Public Law 87–279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs or the Bureau of Indian Education for central office oversight, Education Management, and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs or the Bureau of Indian Education under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act as amended.

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs or the Bureau of Indian Education, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools

under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for the Bureau-funded schools with a K–2 grade structure on October 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term ''satellite school'' means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

Funds made available within Operation of Indian Programs, Operation of Indian Education Programs, Construction, and Education Construction may be used to execute requested adjustments in tribal priority allocations.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $136,244,000, to remain available until September 30, 2021; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $9,000,000 for the Appraisal and Valuation Service Office is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $11,061,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: *Provided*, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs ''Operation of Indian Programs'' account, and the Bureau of Indian Education ''Operation of Indian Education Programs'' account and the Office of the Special Trustee for American Indians ''Federal Trust Programs'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee.

ADMINISTRATIVE PROVISIONS

For fiscal year 2020, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: *Provided further*, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: *Provided further*, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: *Provided further*, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than $100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $102,131,000, of which: (1) $92,640,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands , as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,491,000 shall be available until September 30, 2021, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non–Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $8,463,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188: *Provided*, That of the funds appropriated under this heading, $5,000,000 is for deposit into the Compact Trust Fund of the Republic of the Marshall Islands as compensation authorized by Public Law 108–188 for adverse financial and economic impacts.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act

of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $66,816,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $53,000,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $111,540,000, to remain available until expended, of which not to exceed $19,016,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs ''Operation of Indian Programs'' account, the Bureau of Indian Education, ''Operation of Indian Education Programs'' account, the Office of the Solicitor, ''Salaries and Expenses'' account, and the Office of the Secretary, ''Departmental Operations'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2020, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: *Provided further*, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: *Provided further*, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $952,338,000, to remain available until expended, of which not to exceed $18,427,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $194,000,000 is for fuels management activities: *Provided further*, That of the funds provided $20,470,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations: *Provided further*, That of the funds provided under this heading $383,657,000 is provided to meet the terms of section 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition to the amounts provided under this heading for wildfire suppression operations, $300,000,000, to remain available until expended, is additional new budget authority as specified for purposes of section 251(b)(2)(F) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That the Secretary of the Department of the Interior may transfer such amounts to the Department of Agriculture for wildfire suppression operations.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $68,235,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program

Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $147,330,000, to remain available until September 30, 2021; of which $50,651,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, $15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire suppression'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2020. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2020, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the ''Offshore Safety and Environmental Enforcement'' account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2020 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2020. Fees for fiscal year 2020 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 108. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 109. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 110. Notwithstanding any other provision of law, during fiscal year 2020, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 111. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: *Provided*, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: *Provided further*, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: *Provided further*, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 112. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—

(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits;

(2) result in the use of an individual under the Department of the Interior Experienced Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 113. Section 6906 of title 31, United States Code, is amended by striking ''fiscal year 2019'' and inserting ''fiscal year 2020''.

OBLIGATION OF FUNDS

SEC. 114. Amounts appropriated by this Act to the Department of the Interior shall be available for obligation and expenditure not later than 60 days after the date of enactment of this Act.

SAGE-GROUSE

SEC. 115. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 116. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $713,259,000, to remain available until September 30, 2021: *Provided*, That of the funds included under this heading, $6,000,000 shall be for Research: National Priorities as specified in the report accompanying this Act.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed $31,000 for official reception and representation expenses, $2,623,582,000, to remain available until September 30, 2021: *Provided*, That of the funds included under this heading, $17,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: *Provided further*, That of the funds included under this heading, $471,741,000 shall be for Geographic Programs specified in the report accompanying this Act.

In addition, $5,000,000 to remain available until expended, for necessary expenses of activities described in section 26(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursuant to that section of that Act and deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2020 shall be retained and used for necessary salaries and expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated in this paragraph from the general fund for fiscal year 2020 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2020, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent that amounts realized from such receipts exceed $5,000,000, those amount in excess of $5,000,000 shall be deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2020, shall be retained and used for necessary salaries and expenses in this account, and shall remain available until expended: *Provided further*, That of the funds included in the first paragraph under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees appropriated, not less than the amount of appropriations for that program project for fiscal year 2014.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, $8,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections under such section 3024 are received during fiscal year 2020, which shall remain available until expended and be used for necessary expenses in this appropriation, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent such offsetting collections received in fiscal year 2020 exceed $8,000,000, those excess amounts shall remain available until expended and be used for necessary expenses in this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,489,000, to remain available until September 30, 2021.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,167,783,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2019, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,167,783,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $9,586,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2021, and $17,775,000 shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2021.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,290,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $4,247,028,000, to remain available until expended, of which—

(1) $1,638,826,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $1,126,088,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2020, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2020, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2020 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2020, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2020, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2020, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of $2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: *Provided further*, That for fiscal year 2020, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92–203: *Provided further*, That for fiscal year 2020, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2020, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2020, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;

(2) $19,511,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $29,186,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $85,166,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That at least 10 percent shall be allocated for assistance in persistent poverty counties: *Provided further*, That for purposes of this section, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

(5) $85,166,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $56,306,000 shall be for targeted airshed grants in accordance with the terms and conditions in the report accompanying this Act;

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d)

of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(8) $25,816,000 shall be for grants for small and disadvantaged communities authorized in section 2104 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(9) $19,511,000 shall be for grants for reducing lead in drinking water authorized in section 2105 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(10) $2,000,000 shall be for grants under section 1459A(l) of the Safe Drinking Water Act (42 U.S.C. 300j–19a(l)), as amended by section 2005 of the America's Water Infrastructure Act of 2018 (Public Law 115–270);

(11) $29,186,000 shall be for grants under section 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j–24(d)), as amended by section 2107 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322) and section 2006(a) of the America's Water Infrastructure Act of 2018 (Public Law 115–270);

(12) $5,000,000 shall be for grants under section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j–25), as added by section 2006(b) of the America's Water Infrastructure Act of 2018 (Public Law 115–270);

(13) $13,000,000 shall be for grants under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8)), as added by section 4103 of the America's Water Infrastructure Act of 2018 (Public Law 115–270);

(14) $20,497,000 shall be for grants under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301), as amended by section 4106 of the America's Water Infrastructure Act of 2018 (Public Law 115–270);

(15) $1,000,000 shall be for grants authorized in section 4304 of the America's Water Infrastructure Act of 2018 (Public Law 115–270); and

(16) $1,086,769,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $46,190,000 shall be for carrying out section 128 of CERCLA; $9,332,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,449,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; $24,000,000 shall be for multipurpose grants, including interagency agreements.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $65,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $13,500,000,000: *Provided further*, That of the funds made available under this heading, $5,000,000 shall be used solely for the cost of direct loans and for the cost of guaranteed loans for projects described in section 5026(9) of the Water Infrastructure Finance and Innovation Act of 2014 to State infrastructure financing authorities, as authorized by section 5033(e) of such Act.

In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, $8,000,000, to remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS— ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS)

For fiscal year 2020, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 116–8, the Pesticide Registration Improvement Extension Act of 2018.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2020.

The Administrator is authorized to transfer up to $301,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading ''Environmental Programs and Management'' to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed $150,000 per project.

For fiscal year 2020, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading ''Environmental Programs and Management'' for fiscal year 2020 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control Act, not less than $1,000,000 of the funds made available under this title for the National Estuary Program shall be for making competitive awards described in section 320(g)(4).

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $875,000: *Provided*, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST SERVICE OPERATIONS

For necessary expenses of the Forest Service, not otherwise provided for, $953,750,000, to remain available through September 30, 2023: (1) for the base salary and expenses of permanent employees carrying out administrative and general management support functions, in an amount not to exceed $257,050,000; (2) for the costs of facility maintenance, repairs, and leases for buildings and sites where these support functions take place; (3) for the costs of: (A) all utility and telecommunication expenses of the Forest Service, and (B) business services; and (4) for information technology including cyber security requirements: *Provided*, That funds provided under this heading may be used for necessary administrative support function expenses of the Forest Service not otherwise provided for and necessary for its operation.

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $257,640,000, to remain available through September 30, 2023: *Provided*, That of the funds provided, $14,810,000 is for the forest inventory and analysis program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $317,964,000, to remain available through September 30, 2023, as authorized by law; of which $63,990,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,857,280,000, to remain available through September 30, 2023: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $24,330,000 shall be for forest products: *Provided further*, That of the funds provided, $149,990,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That $20,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriations: *Provided further*, That notwithstanding section 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $107,940,000, to remain available through September 30, 2023, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That funds becoming available in fiscal year 2019 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $73,741,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Forest Service and derived from the Land and Water Conservation Fund, $2,000,000 is hereby permanently rescinded from projects with cost savings or failed projects or partially failed that had funds returned: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, $700,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2023, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2023, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2023, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), $2,500,000, to remain available through September 30, 2023.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,964,730,000, to remain available through September 30, 2023: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the ''National Forest System'' account: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That funds provided shall be available for support to Federal emergency response: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That of the funds provided under this heading,$1,011,000,000 shall be available for wildfire suppression operations, and is provided to the meet the terms of section 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition to the amounts provided under this heading for wildfire suppression operations, $1,950,000,000, to remain available until expended, is additional new budget authority as specified for purposes of section 251(b)(2)(F) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That the Secretary of Agriculture may transfer such amounts to the Department of Interior for wildfire suppression operations.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading ''Wildland Fire Management'' will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Not more than $50,000,000 of funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior for wildland fire management, hazardous fuels management, and State fire assistance when such transfers would facilitate and expedite wildland fire management programs and projects.

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2023: *Provided*, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That this section does not apply to funds derived from the Land and Water Conservation Fund.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.).

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report no later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line item and account, to the House and Senate Committees on Appropriations.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,318,884,000, to remain available until September 30, 2021, except as otherwise provided herein, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That $2,000,000 shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, including alcohol detoxification services: *Provided further*, That $967,363,000 for Purchased/Referred Care, including $53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That of the funds provided, up to $44,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That of the funds provided, $97,000,000 shall remain available until expended to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement from the Indian Health Service, and $58,000,000 shall be for accreditation emergencies, including supplementing activities funded under the heading ''Indian Health Facilities'', of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited in the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for Opioid Prevention, Treatment and Recovery Services, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for Aftercare Pilot Programs at Youth Regional Treatment Centers, for transformation and modernization costs of the Electronic Health

Record System, for an initiative to improve recruitment and retention of healthcare providers and certain other critical professions, for national quality and oversight activities, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.): *Provided further*, That of the funds provided, $72,280,000 is for the Indian Health Care Improvement Fund and may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2020, such sums as may be necessary: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $902,878,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: *Provided further*, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $81,000,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $76,691,000: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2020, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and

Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $2,994,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $12,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,500,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20 U.S.C. 4411 et seq.), $10,210,000, which shall become available on July 1, 2019, and shall remain available until September 30, 2020.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $751,110,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $6,908,000 for the instrumentation program, collections acquisition, exhibition reinstallation, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: *Provided*, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to be available as trust funds for expenses associated with the purchase of a portion of the building at 600 Maryland Avenue, S.W., Washington, D.C. to the extent that Federally supported activities will be housed there: *Provided further*, That the use of such amounts in the general trust funds of the Institution for such purpose shall not be construed as Federal debt service for, a Federal guarantee of, a transfer of risk to, or an obligation of the Federal Government: *Provided further*, That no appropriated funds may be used directly to service debt which is incurred to finance the costs of acquiring a portion of the building at 600 Maryland Avenue, S.W., Washington, D.C., or of planning, designing, and constructing improvements to such building: *Provided further*, That the Smithsonian Institution may not sell its ownership interest, or any portion thereof, in such building without prior written notification to the House and Senate Committees on Appropriations 30 days in advance.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $296,499,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $147,022,000, to remain available until September 30, 2021, of which not to exceed $3,640,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $25,203,000, to remain available until expended: *Provided*, That of this amount, $1,000,000 shall be available for design of an off-site art storage facility in partnership with Smithsonian Institution: *Provided further*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $25,690,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $17,600,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $14,000,000, to remain available until September 30, 2021.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $157,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $157,000,000 to remain available until expended, of which

$143,850,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $13,150,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $11,900,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $3,050,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: *Provided further*, That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,750,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $7,000,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $7,948,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $59,500,000, of which $1,715,000 shall remain available until September 30, 2022, for the Museum's equipment replacement program; and of which $4,000,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Dwight D. Eisenhower Memorial Commission, $1,800,000, to remain available until expended.

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Women's Suffrage Centennial Commission, as authorized by the Women's Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $7,000,000, to remain available until expended: *Provided*, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN

For necessary expenses of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, $500,000, to remain available until expended.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2021, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2020.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2020 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2020 under the headings ''Department of Health and Human Services, Indian Health Service, Contract Support Costs'' and ''Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs'' are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2020 with the Bureau of Indian Affairs Bureau of Indian Education or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning

Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes;

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (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.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

PROHIBITION ON USE OF FUNDS

SEC. 416. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FUNDING PROHIBITION

SEC. 418. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

EXTENSION OF GRAZING PERMITS

SEC. 419. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2020.

FUNDING PROHIBITION

SEC. 420. (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.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

SEC. 421. Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109–54) is amended by striking ''2019'' and inserting ''2020''.

USE OF AMERICAN IRON AND STEEL

SEC. 422. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452

of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel'' products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

MIDWAY ISLAND

SEC. 423. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 424. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), $25,690,000 for fiscal year 2020.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $17,600,000 for fiscal year 2020.''.

LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANSFERS OF EXCESS EQUIPMENT AND SUPPLIES FOR WILDFIRES

SEC. 425. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training and equipment, including supplies and communication devices. Notwithstanding 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department's wildland fire management program to such organizations.

RECREATION FEES

SEC. 426. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting ''October 1, 2021'' for ''September 30, 2019''.

POLICIES RELATING TO BIOMASS ENERGY

SEC. 427. To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use;

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

SMALL REMOTE INCINERATORS

SEC. 428. None of the funds made available in this Act may be used to implement or enforce the regulation issued on March 21, 2011 at 40 CFR part 60 subparts CCCC and DDDD with respect to units in the State of Alaska that are defined as ''small, remote incinerator'' units in those regulations and, until a subsequent regulation is issued, the Administrator shall implement the law and regulations in effect prior to such date.

CLARIFICATION OF EXEMPTIONS

SEC. 429. None of the funds made available in this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

This division may be cited as the ''Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020''.

DIVISION D—TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $113,910,000, of which not to exceed $3,065,000 shall be available for the immediate Office of the Secretary; not to exceed $1,000,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,428,000 shall be available for the Office of the General Counsel; not to exceed $10,331,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,300,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,244,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,142,000 shall be available for the Office of Public Affairs; not to exceed $1,859,000 shall be available for the Office of the Executive Secretariat; not to exceed $12,181,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,814,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $8,000,000, of which $2,218,000 shall remain available until September 30, 2022: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation: *Provided further*, That of the amount made available under this heading, $1,000,000 shall be to establish an emergency planning transportation data initiative to conduct research and develop models for data integration of geo-located weather and roadways information for emergency and other severe weather conditions to improve public safety and emergency evacuation and response capabilities.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $1,000,000,000, to remain available through September 30, 2022: *Provided*, That the Secretary of Transportation shall distribute funds provided under

this heading as discretionary grants to be awarded to a State, local government, transit agency, port authority, or a collaboration among such entities on a competitive basis for projects that will have a significant local or regional impact: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; port infrastructure investments (including inland port infrastructure and land ports of entry); and projects investing in surface transportation facilities that are located on tribal land and for which title or maintenance responsibility is vested in the Federal Government: *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed $15,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, or sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in a rural area, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to three percent of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program: *Provided further*, That none of the funds provided in the previous proviso may be used to hire additional personnel: *Provided further*, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2017 Notice of Funding Opportunity: *Provided further*, That, notwithstanding the previous proviso, the Secretary shall not use the Federal share or an applicant's ability to generate non-Federal revenue as a selection criteria in awarding projects: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity no later than 60 days after enactment of this Act: *Provided further*, That such Notice of Funding Opportunity shall require application submissions 90 days after the publishing of such Notice: *Provided further*, That of the applications submitted under the previous two provisos, the Secretary shall make grants no later than 270 days after enactment of this Act in such amounts that the Secretary determines.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, $5,000,000, to remain available until expended: *Provided*, That the Secretary shall notify the House and Senate Committees on Appropriations no less than 15 days prior to exercising the transfer authority granted under section 116(h) of title 49, United States Code.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $2,000,000, to remain available through September 30, 2021.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $15,000,000, to remain available through September 30, 2021.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,470,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, $7,879,000, to remain available until expended: *Provided*, That of such amount, $1,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $319,793,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $3,488,000, to remain available until September 30, 2021: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $162,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under section 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under section 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies

from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: *Provided further*, That such reserve will not exceed one month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: *Provided further*, That the Working Capital Fund will be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

SEC. 104. None of the funds in this Act may be obligated or expended for retention or senior executive bonuses for an employee of the Department of Transportation without the prior written approval of the Assistant Secretary for Administration.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 115–254, $10,540,511,000, to remain available until September 30, 2021, of which $10,540,511,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That of the sums appropriated under this heading—

(1) $1,359,607,000 shall be available for aviation safety activities;

(2) $7,925,734,000 shall be available for air traffic organization activities;

(3) $26,040,000 shall be available for commercial space transportation activities;

(4) $800,646,000 shall be available for finance and management activities;

(5) $61,538,000 shall be available for NextGen and operations planning activities;

(6) $118,642,000 shall be available for security and hazardous materials safety; and

(7) $248,304,000 shall be available for staff offices:

Provided, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $170,000,000 shall be used to fund direct operations of the current air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,153,801,000, of which $514,730,000 shall remain available until September 30, 2021, $2,518,544,000 shall remain available until September 30, 2022, and $120,527,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2021 through 2025, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $194,230,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2022: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That funds made available under this heading shall be used in accordance with the report accompanying this Act: *Provided further*, That not to exceed 10 percent of any funding level specified under this heading in the report accompanying this Act may be transferred to any other funding level specified under this heading in the report accompanying this Act: *Provided further*, That no transfer may increase or decrease any funding level by more than 10 percent: *Provided further*, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2020, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub

airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $113,000,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $39,224,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for ''Grants-In-Aid for Airports'', to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, $450,000,000, to remain available through September 30, 2022: *Provided*, That amounts made available under this heading shall be derived from the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471: *Provided further*, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2020.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under section 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 117. None of the funds in this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

SEC. 118. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119A. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119B. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in Federal Aviation Administration published establishment criteria.

SEC. 119C. None of the funds made available by this Act may be used to close, consolidate, or re-designate any field or regional airports division office unless the Administrator submits a request for the reprogramming of funds under section 405 of this Act.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $453,549,689, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of $46,365,092,000 for fiscal year 2020: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $47,104,092,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS

There is hereby appropriated to the Secretary of Transportation $2,700,000,000: *Provided*, That the amounts made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2020 in this or any other Act for: (1) ''Federal-aid Highways'' under chapter 1 of title 23, United States Code; or (2) the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further*, That of the funds made available under this heading, $1,250,000,000 shall be set aside for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, $100,000,000 shall be set aside for the nationally significant Federal lands and tribal projects program under section 1123 of the Fixing America's Surface Transportation (FAST) Act (Public Law 114–94), $1,250,000,000 shall be set aside for a bridge replacement and rehabilitation program for qualifying States, and $100,000,000 shall be set aside for necessary expenses for construction of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240: *Provided further*, That for the purposes of funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, the term ''State'' means

any of the 50 States or the District of Columbia: *Provided further*, That for the purposes of funds made available under this heading for construction of the Appalachian Development Highway System, the term ''Appalachian State'' means a State that contains 1 or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading: *Provided further*, That the funds made available under this heading for (1) activities eligible under section 133(b)(1)(A) of such title and for the elimination of hazards and the installation of protective devices at railway-highway crossings, and (2) a bridge replacement and rehabilitation program shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2023: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2020 is distributed among the States in section 120(a)(5) of this Act: *Provided further*, That the funds made available under this heading for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act shall remain available through September 30, 2023: *Provided further*, That for the purposes of funds made available under this heading for a bridge replacement and rehabilitation program, the term ''qualifying State'' means any of the 50 States with a population of less than 5,000,000 and in which less than 65 percent of National Highway System bridges are classified as in good condition: *Provided further*, That the Secretary shall distribute funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of National Highway System bridges not classified as in good condition in such qualifying State bears to the sum of the percentages of National Highway System bridges not classified as in good condition in all qualifying States: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall (1) calculate population based on the latest available data from the decennial census conducted under section 141(a) of title 13, United States Code, and (2) calculate the percentages of bridges not classified as in good condition based on the National Bridge Inventory as of December 31, 2018: *Provided further*, That funds made available under this heading for construction of the Appalachian Development Highway System shall remain available until expended: *Provided further*, That a project carried out with funds made available under this heading for construction of the Appalachian Development Highway System shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: *Provided further*, That subject to the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be apportioned to Appalachian States according to the percentages derived from the 2012 Appalachian Development Highway System Cost-to-Complete Estimate, adopted in Appalachian Regional Commission Resolution Number 736, and confirmed as each Appalachian State's relative share of the estimated remaining need to complete the Appalachian Development Highway System, adjusted to exclude those corridors that such States have no current plans to complete, as reported in the 2013 Appalachian Development Highway System Completion Report: *Provided further*, That the Secretary shall adjust apportionments made under the preceding proviso so that no Appalachian State shall be apportioned an amount in excess of 30 percent of the amount made available for construction of the Appalachian Development Highway System under this heading: *Provided further*, That the Secretary shall consult with the Appalachian Regional Commission in making adjustments under the preceding two provisos: *Provided further*, That the Federal share of the costs for which an expenditure is made for construction of the Appalachian Development Highway System under this heading shall be up to 100 percent.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2020, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2020, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect

on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds provided in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: *Provided*, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied: *Provided further*, That notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified: *Provided further*, That the Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term ''earmarked amount'' means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 100 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $288,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $288,000,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2020, of which $9,073,000, to remain available for obligation until September 30, 2022, is for the research and technology program, and of which $35,334,000, to remain available for obligation until September 30, 2022, is for information management.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $391,135,561, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $391,135,561 in fiscal year 2020 for ''Motor Carrier Safety Grants'': *Provided further*, That of the sums appropriated under this heading:

(1) $308,700,000 shall be available for the motor carrier safety assistance program;

(2) $33,200,000 shall be available for the commercial driver's license program implementation program;

(3) $45,900,000 shall be available for the high priority activities program, of which $1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization Acts; and

(4) $3,335,561 shall be made available for commercial motor vehicle operators grants, of which $2,335,561 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization Acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available to the Department

of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 132. The Federal Motor Carrier Safety Administration shall update annual inspection regulations under Appendix G to subchapter B of chapter III of title 49, Code of Federal Regulations, as recommended by GAO–19–264.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, $194,000,000: *Provided*, That $178,501,000 shall be for traffic and highway safety activities authorized under chapter 301 and part C of subtitle VI of title 49, United States Code: *Provided further*, That $499,000 shall be for in-vehicle alcohol detection device research: *Provided further*, That $15,000,000 shall be for behavioral safety activities under section 403 of title 23, United States Code, of which $6,000,000 shall be for behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls; $4,000,000 shall be for grants, pilot program activities, and innovative solutions to reduce impaired-driving fatalities in collaboration with eligible entities; and $5,000,000 shall be for grants, pilot program activities, and innovative solutions to evaluate driver behavior to technologies that protect law enforcement, first responders, roadside crews, and others while on the job: *Provided further*, That the amounts in the previous proviso shall be in addition to any amounts made available under the heading, ''Operations and Research (Liquidation of Contraction Authorization) (Limitation on Obligations)'' for carrying out the provisions of section 403 of title 23, United States Code: *Provided further*, That of the amounts made available under this heading, $40,000,000 shall remain available through September 30, 2021.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the Fixing America's Surface Transportation Act (Public Law 114–94), and chapter 303 of title 49, United States Code, $155,300,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2020 are in excess of $155,300,000: *Provided further*, That of the sums appropriated under this heading:

(1) $149,800,000 shall be for programs authorized under 23 U.S.C. 403 and section 4011 of the Fixing America's Surface Transportation Act (Public Law 114–94); and

(2) $5,500,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code:

Provided further, That within the $155,300,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2021, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, $623,017,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2020 are in excess of $623,017,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act: *Provided further*, That of the sums appropriated under this heading:

(1) $279,800,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402;

(2) $285,900,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405;

(3) $30,500,000 shall be for the ''High Visibility Enforcement Program'' under 23 U.S.C. 404; and

(4) $26,817,000 shall be for ''Administrative Expenses'' under section 4001(a)(6) of the Fixing America's Surface Transportation Act:

Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $221,698,000, of which $18,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,600,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $300,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses previously unawarded funds provided under this heading in fiscal year 2019 by Public Law 116–6 no later than 30 days after enactment of this Act and announce the selection of projects to receive awards for such funds no later than 210 days after the enactment of this Act: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses funds provided under this heading in this Act no later than 270 days after enactment of this Act and announce the selection of projects to receive awards for such funds no later than 450 days after the enactment of this Act.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, $255,000,000, to remain available until expended: *Provided*, That section 22905(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 24407(c)(1) of title 49, United States Code: *Provided further*, That amounts available under this heading for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: *Provided further*, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: *Provided further*, That unobligated balances remaining after 4 years from the date of enactment may be used for any eligible project under section 22907(c) of title 49, United States Code: *Provided further*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 22907 of title 49, United States Code: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for funds provided under this heading in fiscal year 2019 by Public Law 116–6 no later than 210 days after the enactment of this Act: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses funds provided under this heading in this Act no later than 270 days after enactment of this Act and announce the selection of projects to receive awards for such funds no later than 450 days after the enactment of this Act.

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $2,000,000, to remain available until expended: *Provided*, That the Secretary may

withhold up to one percent of the funds provided under this heading to fund the costs of award and project management and oversight.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $680,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That of the amounts made available under this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading, $100,000,000 shall be made available to fund the replacement of the single-level passenger cars used on Northeast Corridor and State Supported Corridor routes.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $1,320,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: *Provided further*, That at least $50,000,000 of the amount provided under this heading shall be available for the development, installation and operation of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation: *Provided further*, That none of the funds provided under this heading shall be used by Amtrak to give notice under subsection (a) or (b) of section 24706 of title 49, United States Code, with respect to long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a summary of all overtime payments incurred by the Corporation for 2019 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2019 and for the three prior calendar years.

SEC. 151. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000 riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Network (as defined in section 24102 of title 49, United States Code).

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $113,165,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2021 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2021.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act $10,800,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of $10,150,348,462 in fiscal year 2020: *Provided further*, That the Federal share of the cost of activities carried out under 49 U.S.C. section 5312 shall not exceed 80 percent, except that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities grants under section 5339 of title 49, United States Code, state of good repair grants under section 5337 of such title, formula grants for rural areas under section 5311 of such title, high density state apportionments under section 5340(d) of such title, and the bus testing facilities under sections 5312 and 5318 of such title, $560,000,000 to remain available until expended: *Provided*, That $390,000,000 shall be available for grants as authorized under section 5339 of such title, of which $195,000,000 shall be available for the buses and bus facilities formula grants as authorized under section 5339(a) of such title, and $195,000,000 shall be available for the buses and bus facilities competitive grants as authorized under section 5339(b) of such title: *Provided further*, That $40,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: *Provided further*, That $40,000,000 shall be available for the state of good repair grants as authorized under section 5337 of such title: *Provided further*, That $40,000,000 shall be available for formula grants for rural areas as authorized under section 5311 of such title: *Provided further*, That $40,000,000 shall be available for the high density state apportionments as authorized under section 5340(d) of such title: *Provided further*, That notwithstanding section 5318(a) of such title, $3,000,000 shall be available for the operation and maintenance of bus testing facilities by institutions of higher education selected pursuant to section 5312(h) of such title: *Provided further*, That $7,000,000 shall be available for demonstration and deployment of innovative mobility solutions as authorized under section 5312 of such title: *Provided further*, That the Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each institution of higher education selected pursuant to section 5312(h) of such title, to operate and maintain a facility to conduct the testing of low or no emission vehicle new bus models using the standards established pursuant to section 5318(e)(2) of such title: *Provided further*, That the term ''low or no emission vehicle'' has the meaning given the term in section 5312(e)(6) of such title: *Provided further*, That the Secretary shall pay 80 percent of the cost of testing a low or no emission vehicle new bus model at each selected institution of higher education: *Provided further*, That the entity having the vehicle tested shall pay 20 percent of the cost of testing: *Provided further*, That a low or no emission vehicle new bus model tested that receives a passing aggregate test score in accordance with the standards established under section 5318(e)(2) of such title, shall be deemed to be in compliance with the requirements of section 5318(e) of such title: *Provided further*, That amounts made available by this heading shall be derived from the general fund: *Provided further*, That the amounts made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000: *Provided*, That the assistance provided under this heading not duplicate the activities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act, $1,978,000,000, to remain available until September 30, 2023: *Provided further*, That of the amounts made

available under this heading, $1,500,000,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $300,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, $78,000,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code, and $100,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110–432.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading ''Fixed Guideway Capital Investment'' of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2023, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2019, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 51 percent: *Provided*, That the Secretary shall not impede or hinder project advancement or approval for any project seeking a Federal contribution from the capital investment grant program of greater than 40 percent of projects costs as authorized under section 5309.

SEC. 164. None of the funds made available under this Act may be used for the implementation or furtherance of new policies detailed in the ''Dear Colleague'' letter distributed by the Federal Transit Administration to capital investment grant program project sponsors on June 29, 2018.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $36,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: *Provided*, That of the amounts made available under this heading, not less than $16,000,000 shall be used on capital asset renewal activities.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operations and training activities authorized by law, $142,619,000: *Provided*, That of the sums appropriated under this heading—

(1) $73,351,000 shall remain available until September 30, 2021 for the operations of the United States Merchant Marine Academy;

(2) $8,000,000 shall remain available until expended for the maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy;

(3) $3,000,000 shall remain available until September 30, 2021 for the Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code; and

(4) $7,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code:

Provided further, That not later than January 12, 2020, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417: *Provided further*, That available balances under this heading for the Short Sea Transportation Program (America's Marine Highways) from prior year recoveries shall be available to carry out activities authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That from funds provided under the previous two provisos, the Secretary of Transportation shall make grants no later than 180 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That any available unobligated balances and obligated balances not yet expended from previous appropriations under this heading for programs and activities supporting State Maritime Academies shall be transferred to and merged with the appropriations for ''Maritime Administration, State Maritime Academy Operations'' and shall be made available for the same purposes as the appropriations for ''Maritime Administration, State Maritime Academy Operations''.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support and training activities for State Maritime Academies, $342,280,000: *Provided*, That of the sums appropriated under this heading—

(1) $30,080,000, to remain available until expended, shall be for maintenance, repair, life extension, marine insurance, and capacity improvement of National Defense Reserve Fleet training ships in support of State Maritime Academies, of which $8,080,000, to remain available until expended, shall be for expenses related to training mariners for costs associated with training vessel sharing pursuant to 46 U.S.C. 51504(g)(3) for costs associated with mobilizing, operating and demobilizing the vessel, including travel costs for students, faculty and crew, the costs of the general agent, crew costs, fuel, insurance, operational fees, and vessel hire costs, as determined by the Secretary;

(2) $300,000,000, to remain available until expended, shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships;

(3) $2,400,000 shall remain available through September 30, 2021, for the Student Incentive Program;

(4) $3,800,000 shall remain available until expended for training ship fuel assistance; and

(5) $6,000,000 shall remain available until September 30, 2021, for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $20,000,000, to remain available until expended.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $5,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, $3,000,000, which shall be transferred to and merged with the appropriations for ''Operations and Training'', Maritime Administration.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

To make grants to improve port facilities as authorized under section 50302 of title 46, United States Code, $91,600,000 to remain available until expended: *Provided*, That projects eligible for funding provided under this heading shall be projects for coastal seaports and inland waterways ports: *Provided further*, That the Maritime Administration shall distribute funds provided under this heading as discretionary grants to port authorities or commissions or their subdivisions and agents under existing authority, as well as to a State or political subdivision of a State or local government, a tribal government, a public agency or publicly chartered authority established by one or more States, a special purpose district with a transportation function, a multistate or multijurisdictional group of entities, or a lead entity described above jointly with a private entity or group of private entities: *Provided further*,

That projects eligible for funding provided under this heading shall be either within the boundary of a port, or outside the boundary of a port, and directly related to port operations or to an intermodal connection to a port that will improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port, as well as the unloading and loading of cargo at a port: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be up to 80 percent: *Provided further*, That for grants awarded under this heading, the minimum grant size shall be $1,000,000: *Provided further*, That for projects located in rural areas, the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $24,215,000, of which $2,000,000 shall remain available until September 30, 2022.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $60,000,000, of which $7,600,000 shall remain available until September 30, 2022: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $165,000,000, to remain available until September 30, 2022, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $134,000,000 shall be derived from the Pipeline Safety Fund; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than $28,318,000 shall remain available until September 30, 2022, from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): *Provided*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $92,600,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds in this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, cooperative agreement or discretionary grant unless the Secretary of Transportation provides the House and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, cooperative agreement or discretionary grants that will be announced not less the 3 full business days before such announcement: *Provided*, That the requirement to provide a list in this subsection does not apply to any ''quick release'' of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any prior Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: *Provided*, That amounts made available in this Act shall be available until expended; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 and Improper Payments Elimination and Recovery Improvement Act of 2012, and Fraud Reduction and Data Analytics Act of 2015: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to depositing such recovery in the Treasury, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(e)(2) of Public Law 111–204.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 190. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the ''Department of Transportation Appropriations Act, 2020''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,217,000, to remain available until September 30, 2021: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $563,378,000, to remain available until September 30, 2021: *Provided*, That of the sums appropriated under this heading—

(1) $73,562,000 shall be available for the Office of the Chief Financial Officer;

(2) $103,916,000 shall be available for the Office of the General Counsel, of which not less than $20,000,000 shall be for the Departmental Enforcement Center;

(3) $206,849,000 shall be available for the Office of Administration;

(4) $39,827,000 shall be available for the Office of the Chief Human Capital Officer;

(5) $57,861,000 shall be available for the Office of Field Policy and Management;

(6) $19,445,000 shall be available for the Office of the Chief Procurement Officer;

(7) $4,242,000 shall be available for the Office of Departmental Equal Employment Opportunity; and

(8) $57,676,000 shall be available for the Office of the Chief Information Officer:

Provided further, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress: *Provided further*, That none of the funds made available under this heading for the Office of the Chief Financial Officer for the financial transformation initiative shall be available for obligation until after the Secretary has published all mitigation allocations made available under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' in Public Law 115–123 and the necessary administrative requirements pursuant to section 1102 of Public Law 116–20: *Provided further*, That only after the terms and conditions of the previous proviso have been met, not more than 10 percent of the funds made available under this heading for the Office of the Chief Financial Officer for the financial transformation initiative may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that includes the financial and internal control capabilities to be delivered and the mission benefits to be realized, key milestones to be met, and the relationship between the proposed use of funds made available under this heading and the projected total cost and scope of the initiative.

PROGRAM OFFICES

For necessary salaries and expenses for Program Offices, $844,000,000, to remain available until September 30, 2021: *Provided*, That of the sums appropriated under this heading—

(1) $225,000,000 shall be available for the Office of Public and Indian Housing;

(2) $123,000,000 shall be available for the Office of Community Planning and Development;

(3) $387,000,000 shall be available for the Office of Housing, of which not less than $13,200,000 shall be for the Office of Recapitalization;

(4) $28,000,000 shall be available for the Office of Policy Development and Research;

(5) $72,000,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) $9,000,000 shall be available for the Office of Lead Hazard Control and Healthy Homes.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the ''Fund''), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available only for Federal shared services used by offices and agencies of the Department, and for any such portion of any office or agency's printing, records management, space renovation, furniture, or supply services the Secretary has determined shall be provided through the Fund: *Provided*, That amounts within the Fund shall not be available to provide services not specifically authorized under this heading: *Provided further*, That the Fund shall be reimbursed from available funds of agencies and offices in the Department for which such services are performed at rates which will return in full all expenses of such services, but shall not be reimbursed for, and amounts within the Fund shall not be available for, the operational expenses of the Fund (including staffing, contracts, systems, and software): *Provided further*, That upon a determination by the Secretary that any other service (or portion thereof) authorized under this heading shall be provided through the Fund, amounts made available in this title for salaries and expenses under the headings ''Executive Offices'', ''Administrative Support Offices'', ''Program Offices'', and ''Government National Mortgage Association'', for such services shall be transferred to the Fund, to remain available until expended: *Provided further*, That the Secretary shall notify the House and Senate Committees on Appropriations of its plans for executing such transfers at least fifteen (15) days in advance of such transfers: *Provided further*, That the Secretary may transfer not to exceed an additional $5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for any purpose under this heading.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $19,833,000,000, to remain available until expended, shall be available on October 1, 2019 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2019), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2020: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $21,502,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2020 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2020: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2020 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2019 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2020 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $75,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, up to $3,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 60 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the ''Project-Based Rental Assistance'' heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) $1,977,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $20,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD–VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,957,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2020 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $218,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*,

That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) $1,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD–VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under prior Acts;

(6) $40,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $20,000,000 shall be made available for the family unification program as authorized under section 8(x) of the Act for new incremental voucher assistance to assist eligible youth as defined by such section 8(x)(2)(B): *Provided*, That assistance made available under this paragraph shall continue to remain available for such eligible youth upon turnover: *Provided further*, That of the total amount made available under this paragraph, up to $10,000,000 shall be available on a noncompetitive basis to public housing agencies that partner with public child welfare agencies to identify such eligible youth, that request such assistance to timely assist such eligible youth, and that meet any other criteria as specified by the Secretary: *Provided further*, That the Secretary shall review utilization of the assistance made available under the previous proviso, at an interval to be determined by the Secretary, and unutilized voucher assistance that is no longer needed shall be recaptured by the Secretary and reallocated pursuant to the previous proviso: *Provided further*, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program, or made available and competitively selected under this paragraph for eligible youth, that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such specified program or eligible youth, as applicable; and

(8) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ‘‘Annual Contributions for Assisted Housing’’ and the heading ‘‘Project-Based Rental Assistance’’, for fiscal year 2020 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ‘‘Act’’) $2,855,000,000, to remain available until September 30, 2023: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2020, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ‘‘obligate’’ means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount made available under this heading, up to $14,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That of the total amount made available under this heading, up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $50,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2020, of which $20,000,000 shall be available for public housing agencies under administrative and judicial receiverships or under the control of a Federal monitor: *Provided further*, That of the amount made available under the previous proviso, not less than $10,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2021, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2020 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $40,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards and other housing-related hazards including mold in public housing: *Provided further*, That of the amounts available under the previous proviso, no less than $25,000,000 shall be for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous two provisos shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such

Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section: *Provided further*, That for funds made available under the previous three provisos, the Secretary shall allow a PHA to apply for up to 20 percent of the funds made available under the first two provisos and prioritize need when awarding grants.

PUBLIC HOUSING OPERATING FUND

For 2020 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,650,000,000, to remain available until September 30, 2021: *Provided*, That of the total amount available under this heading, $25,000,000 shall be available to the Secretary to allocate pursuant to a need-based application process notwithstanding section 203 of this title and not subject to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations to public housing agencies that experience financial insolvency, as determined by the Secretary: *Provided further*, That after all such insolvency needs are met, the Secretary may distribute any remaining funds to all public housing agencies on a pro-rata basis pursuant to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $100,000,000, to remain available until September 30, 2022: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $50,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI)'' in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That the Secretary shall issue the Notice of Funding Availability for funds made available under this heading no later than 60 days after enactment of this Act: *Provided further*, That the Secretary shall make grant awards no later than one year from the date of enactment of this Act in such amounts that the Secretary determines: *Provided further*, That notwithstanding section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2020, obligate any available unobligated balances made available under this heading in this, or any prior Act.

SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2023, $130,000,000: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $80,000,000 shall be for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under subsections (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program;

(2) $35,000,000 shall be for the Resident Opportunity and Self-Sufficiency program to provide for supportive services, service coordinators, and congregate services as authorized by section 34 of the United States Housing Act of 1937 (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(3) $15,000,000 shall be for a Jobs-Plus initiative, modeled after the Jobs-Plus demonstration: *Provided*, That funding provided under this paragraph shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a, 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice.

NATIVE AMERICAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), and related technical assistance, $820,000,000, to remain available until September 30, 2024, unless otherwise specified: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $646,000,000 shall be available for the Native American Housing Block Grants program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) $2,000,000 shall be available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $32,000,000;

(3) $100,000,000 shall be available for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: *Provided*, That the Secretary shall obligate this additional amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: *Provided further*, That in awarding this additional amount, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation: *Provided further*, That up to 1 percent of this additional amount may be transferred, in aggregate, to ''Program Offices—Public and Indian Housing'' for necessary costs of administering and overseeing the obligation and expenditure of this additional amount: *Provided further*, That any funds transferred pursuant to this paragraph shall remain available until September 30, 2025;

(4) $65,000,000 shall be available for grants to Indian tribes for carrying out the Indian

Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety: *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration: *Provided further*, That funds provided under this paragraph shall remain available until September 30, 2022; and

(5) $7,000,000 shall be available for providing training and technical assistance to Indian tribes, Indian housing authorities and tribally designated housing entities, to support the inspection of Indian housing units, contract expertise, and for training and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country: *Provided*, That of the funds made available under this paragraph, not less than $2,000,000 shall be available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That amounts made available under this paragraph may be used, contracted, or competed as determined by the Secretary: *Provided further*, That the amounts made available under this paragraph may be used by the Secretary to enter into cooperative agreements for such purposes with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rulemaking under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167), and that in all such cooperative agreements the principal purpose of such agreements shall be considered to be the provision of funds to carry out the public purpose of furthering the purposes of NAHASDA, regardless of the inclusion of any services that directly or indirectly benefit the Department.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $1,100,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That an additional $500,000, to remain available until expended, shall be available for administrative contract expenses including management processes and systems to carry out the loan guarantee program: *Provided further*, That the Secretary may subsidize total loan principal, any part of which is to be guaranteed, up to $1,000,000,000, to remain available until expended: *Provided further*, That for any unobligated balances (including amounts of uncommitted limitation) remaining from amounts made available under this heading in Public Law 115–31, Public Law 115–141, and Public Law 116–6, and for any recaptures occurring in fiscal year 2019 or in future fiscal years of amounts made available under this heading in prior fiscal years, the second proviso of each such heading shall be applied as if ‘‘these funds are available to’’ was struck and ‘‘the Secretary may’’ was inserted in its place.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $1,745,000, to remain available until September 30, 2024: *Provided*, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: *Provided further*, That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $330,000,000, to remain available until September 30, 2021, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2022: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) (‘‘the Act’’ herein), $3,325,000,000, to remain available until September 30, 2022, unless otherwise specified: *Provided*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2): *Provided further*, That of the total amount provided under this heading, $25,000,000 shall be for activities authorized under section 8071 of the SUPPORT for Patients and Communities Act (Public Law 115–271): *Provided further*, That the funds allocated pursuant to the previous proviso shall not adversely affect the amount of any formula assistance received by a State under this heading: *Provided further*, That the Secretary shall allocate the funds for such activities based on the percentages shown in Table 1 of the Notice establishing the funding formula published in 84 FR 16027 (April 17, 2019): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2020, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further*, That such commitment authority funded by fees may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of such section 108: *Provided further*, That any State receiving such a guarantee or commitment under the previous proviso shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,250,000,000, to remain available until September 30, 2023: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That section 218(g) of such Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2020, 2021, or 2022 under that section: *Provided further*, That section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdictions HOME Investment Trust Fund in 2018, 2019, 2020, 2021 or 2022 under that section.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $54,000,000, to remain available until September 30, 2022: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing

organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments, and Indian Tribes serving high need rural communities: *Provided further*, That of the total amount provided under this heading, $4,000,000, shall be made available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of Public Law 113–291: *Provided further*, That funds provided under the previous proviso shall be awarded within 180 days of enactment of this Act.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,761,00,000, to remain available until September 30, 2022: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended and may be used for any purpose under such program: *Provided further*, That not less than $280,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than $2,344,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or stalking: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That the Secretary shall provide incentives to create projects that coordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid rehousing services: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2020: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: *Provided further*, That up to $80,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities with a priority for communities with substantial rural populations in up to eight locations, can dramatically reduce youth homelessness: *Provided further*, That of the amount made available under the previous proviso, up to $5,000,000 shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That amounts made available for the Continuum of Care program under this heading in this and prior Acts may be used to competitively or non-competitively renew or replace grants for youth homeless demonstration projects under the Continuum of Care program, notwithstanding any conflict with the requirements of the Continuum of Care program: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That persons eligible under section 103(a)(5) of the McKinney-Vento Homeless Assistance Act may be served by any project funded under this heading to provide both transitional housing and rapid re-housing: *Provided further*, That when awarding funds under the Continuum of Care program, the Secretary shall not deviate from the FY 2018 Notice of Funding Availability with respect to the tier 2 funding process, the Continuum of Care application scoring, and for new projects, the project quality threshold requirements, except as otherwise provided under this Act or as necessary to award all available funds or consider the most recent data from each Continuum of Care.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $12,160,000,000, to remain available until expended, shall be available on October 1, 2019 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2019), and $400,000,000, to remain available until expended, shall be available on October 1, 2020: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $345,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $696,000,000, to remain available until September 30, 2023: *Provided*, That of the amount provided under this heading, up

to $107,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2023: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated: *Provided further*, That of the total amount provided under this heading, $10,000,000 shall be for a program to be established by the Secretary to make grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly homeowners to enable them to remain in their primary residence: *Provided further*, That of the total amount made available under the previous proviso, no less than $5,000,000 shall be available to meet such needs in communities with substantial rural populations: *Provided further*, That beneficiaries of the grant assistance provided in the previous two provisos under this heading in the Department of Housing and Urban Development Appropriations Act, 2019 (Public Law 116–6) shall be homeowners.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $184,155,000, to remain available until September 30, 2023: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2023: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $45,000,000, to remain available until September 30, 2021, including up to $4,500,000 for administrative contract services and not less than $3,000,000 for the certification of housing counselors as required under 12 U.S.C. 1701x: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $3,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such section of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such section of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $13,000,000, to remain available until expended, of which $13,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2020 appropriation: *Provided further*, That the Secretary of Housing and Urban Development shall issue a final rule to complete rulemaking initiated by the proposed rule entitled ''Manufactured Housing Program: Minimum Payments to the States'' published in the Federal Register on December 16, 2016 (81 Fed. Reg. 91083): *Provided further*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2021: *Provided*, That during fiscal year 2020, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $1,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2021: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2020, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: *Provided further*, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year 2020 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero: *Provided further*, That for fiscal year 2020, the Secretary shall not take any action against a lender solely on the basis of compare ratios that have been adversely affected by defaults on mortgages secured by properties in areas where a major disaster was declared in 2017 or 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2020: *Provided*, That during fiscal year 2020, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $1,000,000, which shall be for

loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $550,000,000,000, to remain available until September 30, 2021: *Provided*, That $29,626,000, to remain available until September 30, 2021, shall be for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2020, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $96,000,000, to remain available until September 30, 2021: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements with philanthropic entities, other Federal agencies, State or local governments and their agencies, Indian tribes, tribally designated housing entities, or colleges or universities for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan to the House and Senate Committees on Appropriations on how it will allocate funding for this activity at least 30 days prior to obligation: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2021: *Provided*, That grants made available from amounts provided under this heading shall be awarded within one year of enactment of this Act: *Provided further*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop on-line courses and provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $290,000,000, to remain available until September 30, 2022, of which $45,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than $100,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: *Provided further*, That $64,000,000 of the funds appropriated under this heading shall be for the implementation of projects in not more than ten communities to demonstrate how intensive, extended, multi-year interventions can dramatically reduce the presence of lead-based paint hazards in those communities: *Provided further*, That each project shall serve no more than four contiguous census tracts in which there are high concentrations of housing stock built before 1940, in which low-income families with children make up a significantly higher proportion of the population as compared to the State average, and that are located in jurisdictions in which instances of elevated blood lead levels reported to the State are significantly higher than the State average: *Provided further*, That such projects shall be awarded not less than $6,000,000 and not more than $9,000,000: *Provided further*, That funding awarded for such projects shall be made available for draw down contingent upon the grantee meeting cost-savings, productivity, and grant compliance benchmarks established by the Secretary: *Provided further*, That each recipient of funds for such projects shall contribute an amount not less than 10 percent of the total award, and that the Secretary shall give priority to applicants that secure commitments for additional contributions from public and private sources: *Provided further*, That grantees currently receiving grants made under this heading shall be eligible to apply for such projects, provided that they are deemed to be in compliance with program requirements established by the Secretary: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $280,000,000, of which $260,000,000 shall remain available until September 30, 2021, and of which $20,000,000 shall remain available until September 30, 2022: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $132,489,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office: *Provided further*, That the Office of Inspector General shall procure and rely upon the services of an independent external auditor to audit the fiscal year 2020 and subsequent financial statements of the Department of Housing and Urban Development including the financial statements of the Federal Housing Administration and the Government National Mortgage Association.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with

such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2020 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2020 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 209. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2020 and 2021, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974(2 U.S.C. 661a)) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

(D) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act (42 U.S.C. 8013); or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937 (42 U.S.C. 1437f(b));

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s);

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1);

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2));

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 210. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 211. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 212. Notwithstanding any other provision of law, in fiscal year 2020, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') (42 U.S.C. 1437f note) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 213. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 214. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 215. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts ''Executive Offices'', ''Administrative Support Offices'', ''Program Offices'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 216. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2020, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2020, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 217. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 218. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the headings ''Administrative Support Offices'' or ''Program Offices'' to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees 3 business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 219. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 60 or less; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

(1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA''); and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

This report shall be due to the Senate and House Committees on Appropriations no later than 30 days after the enactment of this Act, and on the first business day of each Federal fiscal year quarter thereafter while this section remains in effect.

SEC. 220. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2020.

SEC. 221. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 222. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 223. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 224. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 225. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 226. None of the funds provided in this Act or any other act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this or the prior fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision over-turning such discipline.

SEC. 227. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, section 525 of division H of Public Law 115–31, section 525 of division H of Public Law 115–141, section 524 of division B of Public Law 115–245 and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2020: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 228. With respect to grant amounts awarded under the heading ''Homeless Assistance Grants'' for fiscal years 2015 through 2020 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipient's CoC program.

SEC. 229. (a) From amounts made available under this title under the heading ''Homeless Assistance Grants'', the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 230. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 231. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary of Housing and Urban Development in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 232. None of the funds made available by this Act may be used to establish and apply review criteria, including rating factors or preference points, for participation in or coordination with EnVision Centers, in the evaluation, selection, and award of any funds made available and requiring competitive selection under this Act, except with respect to any such funds otherwise authorized for EnVision Center purposes under this Act.

SEC. 233. None of the funds made available by this or any prior Act may be used to require or enforce any changes to the terms and conditions of the public housing annual contributions contract between the Secretary and any public housing agency, as such contract was in effect as of December 31, 2017, unless such changes are mutually agreed upon by the Secretary and such agency: *Provided*, That such agreement by an agency may be indicated only by a written amendment to the terms and conditions containing the duly authorized signature of its chief executive: *Provided Further*, That the Secretary may not withhold funds to compel such agreement by an agency which certifies to its compliance with its contract.

SEC. 234. None of the amounts made available in this Act or in the Department of Housing and Urban Development Appropriations Act, 2019 (Public Law 116–6) may be used to consider Family Self-Sufficiency performance measures or performance scores in determining funding awards for programs receiving Family Self-Sufficiency program coordinator funding provided in this Act or in the Department of Housing and Urban Development Appropriations Act, 2019 (Public Law 116–6).

SEC. 235. (a) All unobligated balances from funds appropriated under the heading ''Department of Housing and Urban Development Public and Indian Housing—Tenant Based Rental Assistance'' in chapter 10 of title I of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329) are hereby rescinded.

(b) All unobligated balances from funds appropriated under the heading ''Department of Housing and Urban Development Public and Indian Housing—Project-Based Rental Assistance'' in chapter 10 of title I of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329; 122 Stat. 324) (as amended by section 1203 of Public Law 111–32; 123 Stat. 1859) are hereby rescinded.

SEC. 236. Any public housing agency designated as a Moving to Work agency pursuant to section 239 of (Public Law 114–113) may, upon such designation, use funds (except for special purpose funding, including

special purpose vouchers) previously allocated to any such public housing agency under section 8 or 9 of the United States Housing Act of 1937, including any reserve funds held by the public housing agency or funds held by the Department of Housing and Urban Development, pursuant to the authority for use of section 8 or 9 funding provided under such section and section 204 of title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134), notwithstanding the purposes for which such funds were appropriated

SEC. 237. None of the amounts made available by this Act or by Public Law 116-6 may be used to prohibit any public housing agency under receivership or the direction of a Federal monitor from applying for, receiving, or using funds made available under the heading ''Public Housing Capital Fund'' for competitive grants to evaluate and reduce lead-based paint hazards in this Act or that remain available and not awarded from prior Acts, or be used to prohibit a public housing agency from using such funds to carry out any required work pursuant to a settlement agreement, consent decree, voluntary agreement, or similar document for a violation of the Lead Safe Housing or Lead Disclosure Rules.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2020''.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $9,200,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses: *Provided further*, That of this amount, $800,000 shall be for activities authorized under section 432 of Public Law 115–254.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $28,000,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,274,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2021, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2021 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $110,400,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $151,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That an additional $1,000,000, to remain available until September 30, 2023, shall be for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2020, to result in a final appropriation from the general fund estimated at no more than $35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,700,000.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the report accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the

baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, the table accompanying the explanatory statement accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2020 from appropriations made available for salaries and expenses for fiscal year 2020 in this Act, shall remain available through September 30, 2021, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301–8305, popularly known as the ''Buy American Act'').

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 8301–8305).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 417. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(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.

SEC. 418. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 419. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

This division may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2020''.

SA 949. Mr. YOUNG (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division D, insert the following:

SEC. 2____. (a) The purpose of this section is to establish the Task Force on the Impact of the Affordable Housing Crisis, which shall—

(1) evaluate and quantify the impact that a lack of affordable housing has on other areas of life and life outcomes;

(2) evaluate and quantify the costs incurred by other Federal, State, and local programs due to a lack of affordable housing; and

(3) make recommendations to Congress on how to use affordable housing to improve the effectiveness of other Federal programs and improve life outcomes.

(b) In this section:

(1)(A) The term ''affordable housing'' means—

(i) housing for which the household is required to pay not more than 30 percent of the household income for gross housing costs, including utilities, where such income is less than or equal to the area median income for

the municipality in which the housing is located, as determined by the Secretary; and

(ii) housing—

(I) for which the household pays more than 30 percent of the household income for gross housing costs, including utilities, where such income is less than or equal to the area median income for the municipality in which the housing is located, as determined by the Secretary; and

(II) that is assisted or considered affordable by the Department of Housing and Urban Development, including—

(aa) public housing;

(bb) housing assisted under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o));

(cc) housing receiving the low-income housing credit under section 42 of the Internal Revenue Code; and

(dd) housing assisted under other Federal or local housing programs serving households with incomes at or below 80 percent of the area median income or providing services or amenities that will primarily be used by low-income housing.

(B) The definition in subparagraph (A) shall apply to Federal, State, and local affordable housing programs.

(2) The terms ''low-income housing'' and ''public housing'' have the meanings given those terms in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(3) The term ''Secretary'' means the Secretary of Housing and Urban Development.

(4) The term ''Task Force'' means the Task Force on the Impact of the Affordable Housing Crisis established under subsection (c)(1).

(c)(1) There is established a bipartisan task force to be known as the Task Force on the Impact of the Affordable Housing Crisis.

(2)(A) The Task Force shall be composed of 18 members, of whom—

(i) 1 member shall be appointed by the Majority Leader of the Senate and the Speaker of the House of Representatives, who shall serve as co-chair of the Task Force;

(ii) 1 member shall be appointed by the Minority Leader of the Senate and the Minority Leader of the House of Representatives, who shall serve as co-chair of the Task Force;

(iii) 4 members shall be appointed by the Majority Leader of the Senate;

(iv) 4 members shall be appointed by the Minority Leader of the Senate;

(v) 4 members shall be appointed by the Speaker of the House of Representatives; and

(vi) 4 members shall be appointed by the Minority Leader of the House of Representatives.

(B) Each member of the Task Force shall be an academic researcher, an expert in a field or policy area related to the purpose of the Task Force, or an individual who has experience with government programs related to the purpose of the Task Force.

(C) The co-chairs of the Task Force may appoint and fix the pay of additional staff to the Task Force.

(D) Any Federal Government employee may be detailed to the Task Force without reimbursement from the Task Force, and the detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(E) Members of the Task Force may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

(3) Appointments to the Task Force shall be made not later than 180 days after the date of enactment of this Act.

(4)(A) A member of the Task Force shall be appointed for the life of the Task Force.

(B) Any vacancy in the Task Force—

(i) shall not affect the powers of the Task Force; and

(ii) shall be filled in the same manner as the original appointment.

(5) The Task Force shall meet not later than 30 days after the date on which a majority of the members of the Task Force have been appointed.

(6)(A) The Task Force shall meet at the call of the co-chairs of the Task Force.

(B) A majority of the members of the Task Force shall constitute a quorum, but a lesser number of members may hold hearings.

(d)(1) The Task Force shall utilize available survey and statistical data related to the purpose of the Task Force to complete a comprehensive report to—

(A) evaluate and quantify the impact that a lack of affordable housing has on other areas of life and life outcomes for individuals living in the United States, including—

(i) education;

(ii) employment;

(iii) income level;

(iv) health;

(v) nutrition;

(vi) access to transportation;

(vii) the poverty level of the neighborhood in which individuals live;

(viii) regional economic growth;

(ix) neighborhood and rural community stability and revitalization; and

(x) other areas of life and life outcomes related to the purpose of the Task Force necessary to complete a comprehensive report;

(B) evaluate and quantify the costs incurred by other Federal, State, and local programs due to a lack of affordable housing; and

(C) make recommendations to Congress on how to use affordable housing to improve the effectiveness of other Federal programs and improve life outcomes for individuals living in the United States.

(2) The Task Force shall publish in the Federal Register a notice for a public comment period of 90 days on the purpose and activities of the Task Force.

(3) Not later than the date on which the Task Force terminates, the Task Force shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate and the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives and make publicly available a final report that—

(A) contains the information, evaluations, and recommendations described in paragraph (1); and

(B) is signed by each member of the Task Force.

(e)(1) The Task Force may hold such hearings, take such testimony, and receive such evidence as the Task Force considers advisable to carry out this section.

(2)(A) The Task Force may secure directly from any Federal department or agency such information as the Task Force considers necessary to carry out this section.

(B) On request of the co-chairs of the Task Force, the head of a Federal department or agency described in subparagraph (A) shall furnish the information to the Task Force.

(3) The Task Force may use the United States mails in the same manner and under the same conditions as other Federal departments and agencies.

(f) The Task Force shall terminate not later than 2 years after the date on which all members of the Task Force are appointed under subsection (c).

(g) There are authorized to be appropriated such sums as may be necessary to carry out this section for fiscal years 2020 through 2023.

SA 950. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; as follows:

On page 321, line 14, strike ''$5,000,000'' and insert ''$5,250,000''.

SA 951. Mr. WARNER (for himself, Mr. BLUMENTHAL, Mr. KAINE, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ______. Not later than 30 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report that—

(1) details the progress of the implementation of the Ashanti Alert Act of 2018 (Public Law 115–401; 132 Stat. 5336) and the amendments made by that Act; and

(2) establishes a deadline for full implementation of that Act and the amendments made by that Act, which shall be not later than 90 days after the date of enactment of this Act.

SA 952. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A (before the short title), insert the following:

SEC. ______. None of the funds made available by this Act may be used by the National Telecommunications and Information Administration to update a broadband availability map using only Form 477 data from the Federal Communications Commission.

SA 953. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 129, line 4, strike the period at the end and insert '': *Provided further*, That amounts made available under this heading may be used to provide public access to a river at a research facility of the Agricultural Research Service.''.

SA 954. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and

Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 381, at the end of line 16, insert the following: "*Provided further*, That for purposes of funding direct operations under the preceding proviso, the term 'operations', as defined in FAA Order JO 7232.5G, shall also include airport snow removal vehicle movements on active runways/taxiways at any small hub FAA contract tower airport with significant snow removal operations and terrain challenges:".

SA 955. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 124, line 14, strike "$331,114,000" and insert "$324,114,000".

On page 131, line 4, strike "$509,082,000" and insert "$516,082,000".

On page 131, line 8, insert "That the amount specified in that table for the Farm and Ranch Stress Assistance Network shall be increased by $7,000,000: *Provided further*," after "*Provided*,".

SA 956. Ms. HASSAN (for herself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division D, insert the following:

SEC. 2____. The Secretary of Housing and Urban Development shall include in the budget materials submitted to Congress in support of the budget of the President submitted under section 1105 of title 31, United States Code, for fiscal year 2021, recommendations and any associated costs for future research on insurance models designed to reduce evictions or expand access to rental opportunities for tenants, such as rental payment insurance.

SA 957. Mr. JONES submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 124, line 14, strike "$331,114,000" and insert "$326,114,000".

On page 223, between lines 13 and 14, insert the following:

SEC. 7____. There is appropriated $5,000,000 to carry out section 310I of the Consolidated Farm and Rural Development Act (7 U.S.C. 1936c).

SA 958. Mr. JONES submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 124, line 14, strike "$331,114,000" and insert "$330,114,000".

On page 223, between lines 13 and 14, insert the following:

SEC. 7____. There is appropriated $1,000,000 to carry out section 12607(b) of the Agriculture Improvement Act of 2018 (7 U.S.C. 2204i(b)).

SA 959. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. ____. ETHAN'S LAW.

(a) SHORT TITLE.—This section may be cited as "Ethan's Law".

(b) FINDINGS.—Congress finds the following:

(1) An estimated 4,600,000 minors in the United States live in homes with at least 1 unsecured firearm.

(2) 73 percent of children under the age of 10 living in homes with firearms reported knowing the location of their parents' firearms. 36 percent of those children reported handling their parents' unsecured firearms.

(3) The presence of unsecured firearms in the home increases the risk of unintentional and intentional shootings. Over 75 percent of firearms used in youth suicide attempts and unintentional firearm injuries were stored in the residence of the victim, a relative, or a friend.

(4) The United States Secret Service and the Department of Education report that in 65 percent of deadly school shootings the attacker obtained the firearm from his or her own home or that of a relative.

(5) In the last decade nearly 2,000,000 firearms have been reported stolen. In 2016 alone, 238,000 firearms were reported stolen in the United States. Between 2010 and 2016, police recovered more than 23,000 stolen firearms across jurisdictions that were used to commit kidnappings, armed robberies, sexual assaults, murders, and other violent crimes.

(6) Higher levels of neighborhood gun violence drive depopulation, discourages commercial activity, and decreases property values, resulting in fewer business establishments, fewer jobs, lower home values, and lower home ownership rates.

(7) The negative economic impact of gun violence in communities is tied directly to the national economy and interstate commerce.

(8) Congress has the power under the interstate commerce clause and other provisions of the Constitution of the United States to enact measures ensuring firearms are securely stored.

(c) SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922(z) of title 18, United States Code, is amended by adding at the end the following:

"(4) SECURE GUN STORAGE BY OWNERS.—

"(A) OFFENSE.—

"(i) IN GENERAL.—Except as provided in clause (ii), it shall be unlawful for a person to store or keep any firearm that has moved in, or that has otherwise affected, interstate or foreign commerce on the premises of a residence under the control of the person if the person knows, or reasonably should know, that—

"(I) a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor; or

"(II) a resident of the residence is ineligible to possess a firearm under Federal, State, or local law.

"(ii) EXCEPTION.—Clause (i) shall not apply to a person if the person—

"(I) keeps the firearm—

"(aa) secure using a secure gun storage or safety device; or

"(bb) in a location which a reasonable person would believe to be secure; or

"(II) carries the firearm on his or her person or within such close proximity thereto that the person can readily retrieve and use the firearm as if the person carried the firearm on his or her person.

"(B) PENALTY.—

"(i) IN GENERAL.—Any person who violates subparagraph (A) shall be fined $500 per violation.

"(ii) ENHANCED PENALTY.—If a person violates subparagraph (A) and a minor or a resident who is ineligible to possess a firearm under Federal, State, or local law obtains the firearm and causes injury or death to such minor, resident, or any other individual, the person shall be fined under this title, imprisoned for not more than 5 years, or both.

"(iii) FORFEITURE OF IMPROPERLY STORED FIREARM.—Any firearm stored in violation of subparagraph (A) shall be subject to seizure and forfeiture in accordance with the procedures described in section 924(d).

"(C) MINOR DEFINED.—In this paragraph, the term 'minor' means an individual who is less than 18 years of age.".

(d) FIREARM SAFE STORAGE PROGRAM.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

"PART OO—FIREARM SAFE STORAGE PROGRAM

"SEC. 3051. FIREARM SAFE STORAGE PROGRAM.

"(a) IN GENERAL.—The Assistant Attorney General shall make grants to an eligible State or Indian Tribe to assist the State or Indian Tribe in carrying out the provisions of any State or Tribal law that is functionally identical to section 922(z)(4) of title 18, United States Code.

"(b) ELIGIBLE STATE OR INDIAN TRIBE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a State or Indian Tribe shall be eligible to receive grants under this section on and after the date on which the State or Indian Tribe—

"(A) enacts legislation functionally identical to section 922(z)(4) of title 18, United States Code; and

"(B) the attorney general of the State (or comparable Tribal official) submits a written certification to the Assistant Attorney General stating that the law of the State or Indian Tribe reflects the sense of Congress in section 922(z)(4)(D) of such title 18.

"(2) FIRST YEAR ELIGIBILITY EXCEPTION.—

"(A) IN GENERAL.—A covered State or Indian Tribe shall be eligible to receive a grant under this section during the 1-year period beginning on the date of enactment of this part.

"(B) COVERED STATE OR INDIAN TRIBE.—In this paragraph, the term 'covered State or Indian Tribe' means a State or Indian Tribe that, before the date of enactment of this part, enacted legislation—

''(i) that is functionally identical to section 922(z)(4) of title 18, United States Code; and

''(ii) for which the attorney general of the State (or comparable Tribal official) submits a written certification to the Assistant Attorney General stating that the law of the State or Indian Tribe reflects the sense of Congress in section 922(z)(4)(D) of such title 18.

''(c) USE OF FUNDS.—Funds awarded under this section may be used by a State or Indian Tribe to assist law enforcement agencies or the courts of the State or Indian Tribe in enforcing and otherwise facilitating compliance with any State law functionally identical to section 922(z)(4), of title 18, United States Code.

''(d) APPLICATION.—An eligible State or Indian Tribe desiring a grant under this section shall submit to the Assistant Attorney General an application at such time, in such manner, and containing or accompanied by such information, as the Assistant Attorney General may reasonably require.

''(e) INCENTIVES.—For each of fiscal years 2019 through 2023, the Attorney General shall give affirmative preference to all Bureau of Justice Assistance discretionary grant applications of a State or Indian Tribe that has enacted legislation—

''(1) functionally identical to section 922(z)(4) of title 18, United States Code; and

''(2) for which the attorney general of the State (or comparable Tribal official) submits a written certification to the Assistant Attorney General stating that the law of the State or Indian Tribe reflects the sense of Congress in section 922(z)(4)(D) of such title 18.''.

(e) SENSE OF CONGRESS.—Paragraph (4) of section 922(z) of title 18, United States Code, as added by subsection (c), is amended by adding at the end the following:

''(D) SENSE OF CONGRESS RELATING TO LIABILITY.—It is the sense of Congress that—

''(i) failure to comply with subparagraph (A) constitutes negligence under any relevant statute or common law rule; and

''(ii) when a violation of subparagraph (A) is the but-for cause of a harm caused by the discharge of a firearm, such violation should be deemed to be the legal or proximate cause of such harm, regardless of whether such harm was also the result of an intentional tort.''.

(f) SEVERABILITY.—If any provision of this section, or an amendment made by this section, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this section, or an amendment made by this section, or the application of such provision to other persons or circumstances, shall not be affected.

SA 960. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ______. Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committees on Appropriations and Commerce, Science, and Transportation of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives a report on efforts by the Department of Transportation to engage with local communities, metropolitan planning organizations, and regional transportation commissions on advancing data and intelligent transportation systems technologies and other smart cities solutions.

SA 961. Ms. CORTEZ MASTO (for herself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

REPORT ON FOOD DISTRIBUTION PROGRAMS REACHING UNDERSERVED POPULATIONS

SEC. 7____. The Secretary of Agriculture shall conduct a study on the challenges that the food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) and other food distribution programs administered by the Secretary of Agriculture face in reaching underserved populations, with an emphasis on the homebound and the elderly, to better capture data on the population of people unable to physically travel to a distribution location for food.

SA 962. Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 124, line 14, strike ''$331,114,000'' and insert ''$330,514,000''.

On page 223, between lines 13 and 14, insert the following:

SEC. ____. There is appropriated $600,000 to support the addition of 4 full-time equivalent employees and administrative costs associated with the development by the Council on Rural Community Innovation and Economic Development established under section 6306 of the Agriculture Improvement Act of 2018 (7 U.S.C. 2204b–3) of reports and resource guides and for the establishment of a Federal support team for rural jobs accelerators.

SA 963. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. ____. (a) There is established in the Treasury a fund to be known as the ''Bulletproof Vest Partnership Program Type III Body Armor Fund''.

(b) The Attorney General may, without further appropriation, use amounts in the Bulletproof Vest Partnership Program Type III Body Armor Fund established under subsection (a) to award type III body armor grants to State and local law enforcement agencies for the purchase of body armor that meets the standards for type III body armor, as determined by the National Institute of Justice, in an amount that is proportionate to the number of sworn law enforcement officers employed by the grantee on the date of the application submitted by the grantee.

(c) Out of any money in the Treasury not otherwise appropriated, $1,100,000,000 are appropriated to the Bulletproof Vest Partnership Program Type III Body Armor Fund established under subsection (a).

SA 964. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division D, insert the following:

SEC. ___. CREDIT RISK PREMIUMS.

(a) SHORT TITLE.—This section may be cited as the ''Railroad Rehabilitation and Improvement Financing Equity Act''.

(b) REFUND.—Section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)) is amended by adding at the end the following:

''(5) REFUND OF PREMIUMS.—The Secretary shall repay the credit risk premium of each loan, with interest accrued thereon, not later than 60 days after the date on which all obligations attached to each such loan have been satisfied. For each loan for which obligations have already been satisfied, as of the date of enactment of the Railroad Rehabilitation and Improvement Financing Equity Act, the Secretary shall repay the credit risk premium of each such loan, with interest accrued thereon, not later than 60 days after the date of the enactment of such Act.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to pay the cost of any direct loan modification (as defined in section 502 of the Federal Credit Reform Act of 1990) to carry out section 502(f)(5) of the Railroad Revitalization and Regulatory Reform Act of 1976, as added by subsection (b).

SA 965. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. ADDITIONAL AMOUNTS FOR CONSTRUCTION AND RENOVATION OF ADVANCED LABORATORY FACILITIES FOR QUANTUM INFORMATION SCIENCE AND TECHNOLOGY.

(a) CONSTRUCTION.—

(1) INCREASE.—The amount appropriated or otherwise made available under the heading ''CONSTRUCTION OF RESEARCH FACILITIES'' under the heading ''NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'' in division A is hereby increased by $134,000,000.

(2) AVAILABILITY.—The amount of the increase under paragraph (1) shall be available for the construction of new advanced laboratory facilities to support research, technology, and advanced training in quantum information science and technology.

(3) SUPPLEMENT AND NOT SUPPLANT.—The amount made available by paragraph (2) shall supplement, not supplant, other funding made available for purposes described in such paragraph.

(b) RENOVATION.—

(1) INCREASE.—The amount appropriated or otherwise made available under the heading ''CONSTRUCTION OF RESEARCH FACILITIES'' under the heading ''NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'' in division A, as modified by subsection (a)(1), is hereby increased by an additional $27,000,000.

(2) AVAILABILITY.—The amount of the increase under paragraph (1) shall be available for the renovation of existing laboratory space that may be upgraded to accommodate additional research efforts relating to quantum information science and technology for technology development, interaction with industry, new quantum workforce training opportunities, and other national goals.

(3) SUPPLEMENT AND NOT SUPPLANT.—The amount made available by paragraph (2) shall supplement, not supplant, other funding made available for purposes described in such paragraph.

SA 966. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV of division C, insert the following:

ESTABLISHMENT OF SKI AREA FEE RETENTION ACCOUNT

SEC. 4_____. (a) IN GENERAL.—Section 701 of division I of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 497c) is amended by adding at the end the following:

''(k) SKI AREA FEE RETENTION ACCOUNT.—

''(1) DEFINITIONS.—In this subsection:

''(A) ACCOUNT.—The term 'Account' means the Ski Area Fee Retention Account established under paragraph (2).

''(B) COVERED UNIT.—The term 'covered unit' means a national forest that collects a rental charge under this section.

''(C) REGION.—The term 'Region' means a Forest Service region.

''(D) RENTAL CHARGE.—The term 'rental charge' means a permit rental charge that is charged under subsection (a).

''(E) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

''(2) ESTABLISHMENT.—The Secretary of the Treasury shall establish in the Treasury a special account, to be known as the 'Ski Area Fee Retention Account', into which there shall be deposited—

''(A) in the case of a covered unit at which not less than $15,000,000 is collected by the covered unit from rental charges in a fiscal year, an amount equal to 50 percent of the rental charges collected at the covered unit in the fiscal year; or

''(B) in the case of any other covered unit, an amount equal to 65 percent of the rental charges collected at the covered unit in a fiscal year.

''(3) AVAILABILITY.—Subject to paragraphs (4), (5), and (6), any amounts deposited in the Account under paragraph (2) shall remain available for expenditure, without further appropriation, until expended.

''(4) LOCAL DISTRIBUTION OF AMOUNTS IN THE ACCOUNT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), 100 percent of the amounts deposited in the Account from a specific covered unit shall remain available for expenditure at the covered unit at which the rental charges were collected.

''(B) REDUCTION.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary may reduce the percentage of amounts available to a covered unit under subparagraph (A) if the Secretary determines that the rental charges collected at the covered unit exceed the reasonable needs of the covered unit for that fiscal year for authorized expenditures described in paragraph (5)(A).

''(ii) LIMITATION.—The Secretary may not reduce the percentage of amounts available under clause (i)—

''(I) in the case of a covered unit described in paragraph (2)(A), to less than 35 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year; or

''(II) in the case of any other covered unit, to less than 50 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year.

''(C) TRANSFER TO OTHER COVERED UNITS AND USE FOR NON-SKI AREA PERMITS.—

''(i) DISTRIBUTION.—If the Secretary determines that the percentage of amounts otherwise available to a covered unit under subparagraph (A) should be reduced under subparagraph (B), the Secretary may transfer to other covered units, for allocation in accordance with clause (ii), the percentage of the amounts withheld from the covered unit under subparagraph (B), to be expended by the other covered units in accordance with paragraph (5).

''(ii) CRITERIA.—In determining the allocation of amounts to be transferred under clause (i) among other covered units, the Secretary shall consider—

''(I) the number of proposals for ski area improvements in the other covered units;

''(II) any backlog in ski area permit administration or the processing of ski area proposals in the other covered units; and

''(III) any need for services, training, staffing, or the streamlining of programs in the other covered units or the Region in which the covered units are located that would improve the administration of the Forest Service Ski Area Program.

''(5) AUTHORIZED EXPENDITURES.—

''(A) IN GENERAL.—Amounts distributed from the Account to a covered unit under this subsection may be used for—

''(i) ski area special use permit administration and processing of proposals for ski area improvement projects in the covered unit, including staffing and contracting for such administration or processing or related services in the covered unit or the applicable Region;

''(ii) training programs on processing ski area applications, administering ski area permits, or ski area process streamlining in the covered unit or the Region in which the covered unit is located;

''(iii) interpretation activities, visitor information, visitor services, and signage in the covered unit to enhance—

''(I) the ski area visitor experience on National Forest System land; and

''(II) avalanche information and education activities carried out by the Forest Service; and

''(iv) the costs of leasing administrative sites under section 8623 of the Agriculture Improvement Act of 2018 (16 U.S.C. 580d note; Public Law 115–334) for ski area-related purposes.

''(B) OTHER USES.—

''(i) AUTHORIZED USES.—Subject to clause (ii), if any remaining amounts are available in the Account after all ski area permit-related expenditures have been made under subparagraph (A), including amounts transferred to other covered units under paragraph (4)(C), the Secretary may use any remaining amounts for—

''(I) the costs of administering non-ski area Forest Service recreation special use permits; and

''(II) the costs of leasing administrative sites under section 8623 of the Agriculture Improvement Act of 2018 (16 U.S.C. 580d note; Public Law 115–334) for purposes not related to a ski area.

''(ii) REQUIREMENT.—Before making amounts available from the Account for a use authorized under clause (i), the Secretary shall make a determination that all ski area-related permit administration, processing, and interpretation needs have been met in all covered units and Regions.

''(C) LIMITATION.—Amounts in the Account may not be used for—

''(i) the conduct of wildfire suppression or preparedness activities;

''(ii) the conduct of biological monitoring on National Forest System land under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for listed species or candidate species, except as required by law for environmental review of ski area projects; or

''(iii) the acquisition of land for inclusion in the National Forest System.

''(6) SAVINGS PROVISIONS.—

''(A) IN GENERAL.—Nothing in this subsection affects the applicability of section 7 of the Act of April 24, 1950 (commonly known as the 'Granger-Thye Act') (16 U.S.C. 580d), to ski areas on National Forest System land.

''(B) SUPPLEMENTAL FUNDING.—Rental charges retained and expended under this subsection shall supplement (and not supplant) appropriated funding for the operation and maintenance of each covered unit.''.

(b) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect on the date that is 60 days after the date of enactment of this Act.

(c) IMPLEMENTATION.—The Secretary of Agriculture shall not be required to issue regulations or policy guidance to implement this section (including the amendments made by this section).

DISCHARGE PETITION (S.J. RES. 50)

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Finance be discharged from further consideration of S.J. Res. 50, a joint resolution providing for congressional disapproval of the rule submitted by the Internal Revenue Service, Department of the Treasury relating to 'Contributions in Exchange for State or Local Tax Credits' and, further, that the joint resolution be immediately placed upon the Legislative Calendar under General Orders.

Charles Schumer, Chris Van Hollen, Tammy Duckworth, Tammy Baldwin, Jeanne Shaheen, Ron Wyden, Edward J. Markey, Sherrod Brown, Jacky Rosen, Jeff Merkley, Richard Blumenthal, Patrick J. Leahy, Patty Murray, Catherine Cortez Masto, Ben Cardin, Jack Reed, Tim Kaine, Tom Carper, Cory A. Booker, Richard J. Durbin, Debbie Stabenow, Maggie Hassan, Chris Coons, Chris Murphy, Gary C. Peters, Robert Menendez, Maria Cantwell, Kirsten Gillibrand, Sheldon Whitehouse, Dianne Feinstein, Kamala D. Harris.

AUTHORITY FOR COMMITTEES TO MEET

Mr. RISCH. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON 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, October 22, 2019, at 10 a.m., to conduct a hearing.

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, October 22, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, October 22, 2019, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, October 22, 2019, at 2 p.m., to conduct a hearing on the following nominations: Joshua A. Deahl, to be an Associate Judge of the District of Columbia Court of Appeals, Deborah J. Israel and Andrea L. Hertzfeld, both to be an Associate Judge of the Superior Court of the District of Columbia, and Robert Anthony Dixon, to be United States Marshal for the Superior Court of the District of Columbia, Department of Justice.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, October 22, 2019, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 22, 2019, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON SCIENCE, OCEANS, FISHERIES, AND WEATHER

The Subcommittee on Science, Oceans, Fisheries, and Weather of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 22, 2019, at 2:15 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Bob Ross, a detailee on the Agriculture Subcommittee, Faisal Amin, a detailee on the Interior Subcommittee, and Olivia Matthews, an intern on my Appropriations Committee, be granted floor privileges for the length of the current debate on H.R. 3055, the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act of 2020.

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

Mr. MERKLEY. Madam President, I ask unanimous consent for my intern, Allie Kirchoff, to have privileges of the floor for the remainder of the day.

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

RESCUING ANIMALS WITH REWARDS ACT OF 2019

Mr. MORAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 232, S. 1590.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1590) to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations.

Mr. MORAN. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MORAN. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1590) was passed as follows:

S. 1590

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 ''Rescuing Animals With Rewards Act of 2019'' or the ''RAWR Act''.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Wildlife trafficking is a major transnational crime that is estimated to generate over $10,000,000,000 a year in illegal profits and which is increasingly perpetrated by organized, sophisticated criminal enterprises, including known terrorist organizations.

(2) Wildlife trafficking not only threatens endangered species worldwide, but also jeopardizes local security, spreads disease, undermines rule of law, fuels corruption, and damages economic development.

(3) Combating wildlife trafficking requires a coordinated and sustained approach at the global, regional, national, and local levels.

(4) Congress stated in the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (Public Law 114–231) that it is the policy of the United States to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State's rewards program is a powerful tool in combating sophisticated international crime and that the Department of State and Federal law enforcement should work in concert to offer rewards that target wildlife traffickers.

SEC. 3. WILDLIFE TRAFFICKING PREVENTION REWARDS PROGRAM.

Subparagraph (B) of section 36(k)(5) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)(5)) is amended by inserting ''wildlife trafficking (as defined by section 2(12) of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601(12); Public Law 114–231)) and'' after ''includes''.

Mr. MORAN. I ask unanimous consent that 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.

EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2019 AS ''SICKLE CELL DISEASE AWARENESS MONTH''

Mr. MORAN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 373, 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. 373) expressing support for the designation of September 2019 as ''Sickle Cell Disease Awareness Month'' in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to complications from sickle cell disease and conditions related to sickle cell disease.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MORAN. 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. 373) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S.J. RES. 59

Mr. MORAN. Madam President, I understand there is a joint resolution at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the joint resolution for the first time.

The senior assistant legislative clerk as follows:

A joint resolution (S.J. Res. 59) expressing the sense of Congress on the precipitous withdrawal of United States Armed Forces from Syria and Afghanistan, and Turkey's unprovoked incursion into Syria.

Mr. MORAN. I now ask for a second reading, and in order to place the joint resolution on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the joint resolution will be read for a second time on the next legislative day.

ORDERS FOR WEDNESDAY, OCTOBER 23, 2019

Mr. MORAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, October 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to resume consideration of S.J. Res. 50. I further ask the debate time on the joint resolution expire at 2:45 p.m. tomorrow and the Senate vote on passage of S.J. Res. 50; finally, that following the disposition of S.J. Res. 50, the Senate resume consideration of H.R. 3055.

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

ORDER FOR ADJOURNMENT

Mr. MORAN. 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, following the remarks of Senators MERKLEY and BENNET.

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

TRIBUTE TO KAITLIN GAFFNEY

Mr. MERKLEY. Madam President, I come to the floor today to recognize Kaitlin Gaffney, a longtime member of my Senate team who, after nearly 11 years, is leaving to start a new chapter in her life.

Kaitlin has been a key part of Team Merkley since our earliest days. In fact, she was part of the original team that built our office and our constituent services operation from scratch. I don't know how many folks here have been part of opening a Senate office, but it is not easy. It is daunting. You walk into a completely empty office. There are no computers, no phones, not even the basics in terms of pens and paper, and you know you have responsibilities, and you need to start fulfilling them.

In the early days, we didn't have a computer system to track our constituents' thoughts or opinions, so Kaitlin and the team wrote everything down on paper before moving to spreadsheets. There was no training on how to serve constituents, but from day one, that is exactly what we were determined to do and she was determined to do.

So you have to hit the ground running, learning as you go, and Kaitlin did hit the ground running like an Olympic Gold Medalist. She built our constituent services operation from the ground up, and I am proud to say that today, 11 years later, it is an operation that is second to none and one that Oregonians across our State know they can rely on for help.

It is Oregonians who know that if they are in a bind, the team they can call on is my constituent services team, and often that is Kaitlin, specifically. In the beginning days, we were in the middle of the mortgage crisis, and that crisis was forcing Oregon families out of their homes—to where they couldn't afford the balloon payments or the doubling of the interest rate at the expiration of the teaser rate. They couldn't pay the high rate on the triple option loan. They were desperate, and they called Kaitlin. Kaitlin was the point person on our team fighting to keep roofs over their heads. She is the one who day after day had to consult with them in that very stressful situation where often a mortgage company was simultaneously telling a family they will be evicted for nonpayment and simultaneously saying we have this program in which you can sign up and don't worry. She is the one who brought together advocacy organizations, housing authorities, and local elected leaders to help assist a massive caseload of struggling Oregonians. Her direct involvement meant that a very large number of them were able to solve the challenge and stay in their homes.

Even today, as I go around the State, I hold a townhall in every county every year, and people will come up to me at those county gatherings and say: By the way, I just wanted to tell you that a decade ago a person on your team, Kaitlin, helped me out and I still have my home today and it is en route to being paid off. That meant so much to families.

There were all kinds of different challenges that came up over the years that she was able to assist with. There was a time when she helped rescue an Oregon constituent who was stranded on an island in the Pacific. One day, she got a call from a woman who was worried about her son who was on a trip to Thailand and had gone missing. His friend said he had told them he was going to swim across the ocean to a specific island, and they hadn't heard from him. There were strong currents between the mainland and that island, and the efforts to find him on that island had turned up nothing. There wasn't really any organized effort to look for him. So Kaitlin did what she does so well. She picked up the phone, and she started making calls. Eventually, she was able to convince an office in Thailand to send out a search and rescue helicopter to go looking for this lost Oregonian. Because she did, he was eventually found, and he was rescued. Thus, the currents of the world changed with him still with us when it might have turned out quite disastrously.

That is the type of team member she is—always determined to go to any length necessary. That includes a situation when the life of a sick baby was in danger because this baby was being barred from the United States to receive a lifesaving medical procedure. Baby Fatemah was being barred because of a policy that had been adopted to block Muslims from coming into the United States.

It was early 2017, and this baby needed an immediate procedure to save her life. It was considered by the experts that there was a very small chance of her surviving with this procedure in Iran. The Oregon Health Science University in Oregon said they really understood this procedure, had very high odds of it going well, and that was her best shot.

So we had to work to lobby the administration, and, boy, I tell you, Kaitlin was right at the heart of that, working to coordinate all the phone calls. In the end, Baby Fatemah was granted a waiver, she did come to Oregon, and her life was saved.

In case after case, Kaitlin succeeded because she cared about the individuals involved, and she worked every avenue to assist them. She certainly embodied the spirit of my complete constituent services team.

I can't thank her enough for her dedication, the intensity of her efforts, and her incredible contributions to solving challenges for Oregonians. She leaves extremely large shoes to fill, and we will dearly miss her. After almost 11 years, she is on to another chapter, and I know she is just going to be as much of a phenomenal success in that chapter as she has been on my team, and we wish her well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

TAX LEGISLATION

Mr. BENNET. Madam President, Republican tax legislation in 2017 was completely misguided. Despite our best efforts, the bill passed in the middle of the night. It was completely partisan, not a single hearing. There wasn't a single Democratic amendment, and this is what that bill looked like.

As I repeatedly pointed out, the Republican taxpayers gave 572,000 taxpayers, with incomes over $1 million, more in tax cuts than the 90 million Americans who had incomes below $50,000 a year, making income inequality worse in this country.

In all, 43 percent of the benefits of the GOP bill went to the top 5 percent, households with incomes over $319,000 per year. It is why I came down to this floor repeatedly to oppose that tax bill.

Since 2001, the United States of America has borrowed $5 trillion from the Chinese for the privilege of giving tax cuts mostly to the wealthiest people in our country. We never paid for any of it. We said the tax cuts would pay for themselves. They never have paid for themselves.

Instead, we issued bonds, and we issued debt. The Chinese bought most of that debt to finance tax cuts for the wealthiest people in America. Over that period of time, we actually made income inequality worse during a time when income inequality is the highest it has been since 1928. We have had no economic mobility for 50 years for the bottom 90 percent of Americans—for 9 out of 10 Americans.

If I had to summarize my townhall meetings in Colorado, a place with one of the strongest economies in this country, it would be that people come to the townhalls and they say: MICHAEL, we are working incredibly hard, and no matter what we do, we can't afford housing, we can't afford healthcare, we can't afford higher education, and we can't afford early childhood education. ''We can't afford a middle-class life'' is what they are saying to me, the vast majority of people.

I have said that in an editorial board recently, and somebody said: Do you mean the vast majority? And I said: Yes, the vast majority. That is what it looks like when you have an economy that is not driving growth from the bottom up, when only the people at the very top are the ones that are benefiting from it.

There are people who don't come to my townhalls because they are too busy working two and three jobs, like the people I used to work for when I was superintendent of the Denver Public Schools, a school district where most of the kids live in poverty and most of the kids are kids of color. I know what their parents would say if they weren't too busy to come to my townhalls. This is what they would say: We are killing ourselves. We are killing ourselves, and no matter what we do, we can't get our kids out of poverty.

That is straining our democracy. It is straining the whole idea that we are a land of opportunity, when there is no economic mobility for 90 percent of Americans and when people who are in poverty, no matter how hard they work, can't get out of poverty, can't get their kids early childhood education, and can't get their kids decent health care. And most places don't have access to early childhood education, even if they could afford it.

Notwithstanding this challenge over the decade, what we have done in Congress is to borrow money from the Chinese to give tax cuts to the wealthiest people in the country. That is not all we have done. We borrowed another $5.6 trillion to pay for 20 years' worth of wars in the Middle East. That is $11 trillion, $12 trillion, $13 trillion that from the vantage point of the people struggling in this economy, we might as well have lit on fire.

For that amount of money, we could have fixed every road and bridge in America. We could have increased teacher salaries by 50 percent. We could have paid for preschool for every kid in America who needs it—and that is every kid in America. We could have made it easier for people to afford college instead of having to spend 25 years of their life paying back their college loans, like some of the pages who are here tonight are going to have to do when they graduate from college. We could have made Social Security solvent for my kids' generation. We could have paid down some of our deficits and our debt, which is now over $1 trillion, thanks to irresponsible policies of the President with the able assistance of the majority leader.

Tomorrow—I take no pleasure in saying this—we are being asked to vote on something that will make the Republican tax bill much worse, effectively repealing the cap on the State and local tax deduction, what is known as the SALT cap. It is a bad idea.

Before I get into that, I want to acknowledge my colleagues' very legitimate concerns who are going to be supporting this legislation. First, the Trump administration designed the SALT cap to take revenge against people who didn't vote for Donald Trump, to take revenge against some deep-blue States and districts. That policy shouldn't be designed with political retribution in mind. Every single passing day, this guy who is our President looks more and more like a tyrant or a dictator who believes that the only people he serves are the people who voted for him, and he doesn't have a responsibility for the rest of the country. That is not right, and I can see why people would want to correct that injustice. It is an injustice, and I am not here to defend that injustice. It is wrong.

Second, the Treasury rules to implement the SALT cap are overly broad in ways that harm existing programs with legitimate purposes. Nobody should be surprised at all that the Trump administration issued another sloppy policy that makes unnecessary opponents out of potential allies; that is, after all, their general approach to government.

But while I agree with the concerns of the proponents of the resolution, I believe we can address all of them in a much more effective and targeted manner than undermining the SALT cap. Some proponents have said that this isn't actually valid—the State and local tax deduction—and if we wanted to write a bipartisan bill that isn't about SALT, we could deal with the other tax policy issues affected by the Treasury rule. But this is about the State and local tax deduction.

So let me be very clear, the vast majority of the benefits of repealing the SALT cap would go to high-income Americans. Repeal would be extremely costly, and for that same cost, we could advance much more worthy efforts to help working and middle-class families all over the country.

Let's take a look at what lifting the SALT cap would do. On this chart, these are the incomes of Americans, starting over here with people earning less than $25,000 and over here with people earning more than $153,000, and everybody else in between. The benefit of this resolution goes to people at the very top—the top 0.1 percent, who are people who have $3.3 million of income on average; the top 1 percent, who have an average income of $755,000; and the next 4 percent, who make $319,000. Together, that comprises the top 5 percent in America. Under this resolution, the top 5 percent will get 83 percent of the total, and 83 percent of the benefit will go to people making more than $319,000; and 56 percent of the benefit will go to the top 1 percent. So 56 percent of the benefit goes to the top 1 percent, or people making $755,000 a year.

If we want to help the middle-class families who are harmed by the SALT cap, there are much less expensive and better targeted ways to do it. To put this in some perspective, SALT cap repeal is even worse for inequality than the Republican tax legislation—far worse. To summarize, 83 percent of the benefits of the SALT cap repeal go to the top 5 percent—83 percent—versus 43 percent in the GOP tax bill.

We can say we are for a progressive tax bill and for fighting inequality or we can support the SALT deduction, but it is really hard to do both of those things.

I feel strongly about it because of how irresponsible the other side has been. I know that is not the objective of people on my side, but the way we approach these issues really matters to the American people so they know whom we are fighting for.

Instead of repealing the SALT cap, which gives 83 percent of the benefits to the richest people and makes income inequality even worse in America, for almost exactly the same amount of money, we could cut childhood poverty by 40 percent. That sounds like a useful thing to do for America at a time when you have the worst income inequality that we have had since 1928. In 1 year, we could cut childhood poverty in America by 40 percent with a simple change to the Tax Code that SHERROD BROWN and I have written, called the American Family Act. It will cost $1 trillion over 10 years, which is about what the SALT cap costs. That would be a much more valuable use of our resources than giving the money to the people who are making more than $319,000, especially after the Republican Party passed the irresponsible bill they passed and we passed $5 trillion of tax cuts since 2001, almost all of which went to the wealthiest people in America, making income inequality worse

instead of investing in our country, vainly waiting for it to trickle down to everybody else.

As you can see on this chart, these are almost the same income levels that are seen on the previous page of who benefits from the American Family Act. Thirty-one percent of the benefits go to the people who are making less than $24,000—not 54 percent going to the top 1 percent, but 31 percent going to the bottom, the lowest income earners in America. Then, 24 percent goes to the folks who are a little less poor than that and, then, 19 percent and 19 percent. And if you are making above $119,000, you get 2 percent of the benefit of it.

That to me seems like a much more reasonable approach, at a moment in the country's history when income inequality has been on the rise, economic mobility has been stagnant, and when we have an education system—and I say this as a former school superintendent, with no joy at all—that is actually reinforcing the income inequality we have rather than liberating people from it, because the best predictor of the quality of education is your parents' income to the point of savagery. That is the best predictor because your parents' income is an excellent predictor of where you will live, and that is an excellent predictor of the education you will have.

The American people are desperate for relief in this economy. Republicans have made matters much worse by passing the Trump tax bill. I think Democrats should be on this floor fighting for progressive legislation that supports working people, that gives people a chance who are living in poverty to lift themselves out of poverty, and to give kids in this country a fighting chance no matter what the circumstances are of their birth.

The good news is that all of those things are available to us if we would come together in a bipartisan way and actually invest in our country again and create a Tax Code that actually drives economic growth for everybody, not just the people at the very top; rewards work again, ends childhood poverty, and delivers an education system that liberates people from their economic circumstances instead of shackling them to it; and pursuing a climate change policy that actually drives economic opportunity throughout the United States in rural and urban areas. We have an incredible opportunity in front of us as a democracy to change the way our economy works so that everybody benefits from it when it grows. That is how you build a strong democracy.

Donald Trump doesn't understand any of that, which is why he has pursued the policies he has pursued. It is important for us to fight those policies as well as offer ideas like the American Family Act, like increasing the earned income tax credit, like passing paid family leave, and raising the minimum wage. These are things we could do that will make an enormous difference to working people all over this country, and I believe that is the agenda we should be pursuing.

With that, I yield the floor.

ADJOURNMENT UNTIL TOMORROW AT 9:30 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:11 p.m., adjourned until Wednesday, October 23, 2019, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate October 22, 2019:

UNITED NATIONS

ANDREW P. BREMBERG, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO CONGRESSMAN ELIJAH E. CUMMINGS

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 2019

Ms. JACKSON LEE. Mr. Speaker, I thank my colleague, Congressman HORSFORD of Nevada for anchoring this Special Order in remembrance of Chairman Elijah Cummings, the indefatigable champion of justice and equality, the Chairman of the House Committee on Oversight, the Member of Congress from the Seventh Congressional District of Maryland since April 16, 1996, and above all, the devoted and beloved son of Baltimore.

Chairman Elijah Cummings died Thursday, October 17, 2019 at Johns Hopkins Hospital in Baltimore, Maryland; he was 68 years old.

Mr. Speaker, our friend Elijah Cummings was in every sense of the word a statesman and a gentleman who believed in bipartisanship and treated everyone equally and respectfully.

Born January 18, 1951 in Baltimore, Maryland, to Robert and Ruth Cummings, South Carolina sharecroppers, who followed the Great Migration north to factory jobs in Baltimore, Elijah Eugene Cummings was the third of seven children.

After graduating from Baltimore City College High School in 1969, Elijah Cummings attended Howard University in Washington, D.C., where he was elected President of the student government and graduated in 1973 with a degree in political science, earning honors as Phi Beta Kappa.

Mr. Speaker, you may be interested to know that Elijah Cummings went on to earn a law degree from the University of Maryland School of Law.

Elijah Cummings' matriculation and graduation from the University of Maryland School of Law was poetic justice because a generation before it had denied admission to another son of Baltimore, the legendary Thurgood Marshall, who then went to the Howard University School of Law and later became the greatest social engineer and the architect and instrument of the strategy that defeated Jim Crow and toppled de jure segregation at the University of Maryland School of Law.

Elijah Cummings practiced law for 14 years in Baltimore and in 1982 he was elected to the House of Delegates of the Maryland General Assembly where he served for 14 years.

In the Maryland General Assembly, he served as Chairman of the Legislative Black Caucus of Maryland and was the first African American in Maryland history to be named Speaker Pro Tempore, the second highest position in the House of Delegates, earning a reputation as a champion of progressive and liberal causes and constituencies and as a skilled census-builder.

Mr. Speaker, in 1996 when Congressman Kweisi Mfume resigned to assume the presidency of the United Negro College Fund, Elijah Cummings ran in and easily won the special election created by the vacancy with 80 percent of the popular vote.

Elijah Cummings was re-elected to the 105th Congress and each of the succeeding Congresses until his untimely death, never winning with less than 70 percent of the vote.

In Elijah Cumming's maiden address as a member of Congress he vowed that he would make use of his limited time in Congress:

I only have a minute.
Sixty seconds in it.
Forced upon me, I did not choose it,
But I know that I must use it.
Give account if I abuse it.
Suffer, if I lose it.
Only a tiny little minute,
But eternity is in it.

Mr. Speaker, Elijah Cummings made good on that prophetic promise from the start.

As a Member of Congress, Elijah Cummings served on the Committees on Transportation and Infrastructure and on Oversight and Government Reform.

As a freshman member, Elijah Cummings championed and supported health care and labor legislation.

In 2003, Elijah Cummings was elected as Chairman of the Congressional Black Caucus.

In the 112th Congress, Elijah Cummings was elected by his colleagues to be Ranking Member of what is now known as the Committee on Oversight and Reform and in the 115th Congress was appointed by the Democratic Leader NANCY PELOSI to the Benghazi Committee.

One of my proudest moments was working with Elijah Cummings to secure passage of H.R. 1076, the Fair Chance Act, which would "ban the box" in federal hiring by restricting federal employers and contractors from asking about the criminal histories of applicants until the conditional offer stage.

The Fair Chance Act would give formerly incarcerated people a fair chance at a job and a piece of the American dream.

I was proud to have been able to work with Chairman Elijah Cummings in support of this legislation and other legislative goals of mutual interest and concern like reducing gun violence and eliminating unfair policing in communities of color.

Mr. Speaker, Elijah Cummings dedicated his life to serving and uplifting others and empowering the people he was sworn to represent; he was a man for and of the people, going to the streets and ensuring that their voices were heard.

Elijah Cummings received national attention in 2015 when he walked the streets of Baltimore, his notable bullhorn in hand, and pleaded for calm after riots erupted in his neighborhood after the funeral of Freddie Gray, a young black man who died in police custody.

Elijah Cummings took the issues of his constituents to heart; many of us recall how he fought for meaning in the death of young Deamonte Driver, a 12–year-old Maryland boy who died from an untreated tooth infection.

Elijah Cummings often said that "our children are the living messages that we send to a future we will never see" and was committed to ensuring that the next generation had access to quality healthcare and education, clean air and water, and a strong economy defined by fiscal responsibility.

Elijah Cummings had a servant's heart and was imbued with an ethic of service and inspired countless numbers of persons fight for their beliefs.

Unsurpassed was this native of Baltimore's love for his hometown.

That could also be seen by his response to the current President's belittling Baltimore and his congressional district as a "disgusting, rat and rodent infested mess" to which Elijah Cummings invited the President to join him in the important work of ensuring that all Americans had accessible, affordable, high quality health care.

Elijah Cummings' passion was not reserved for his district and the city of Baltimore; he also deeply loved his country.

As Ranking Member and the Chairman of the House Committee on Oversight and Reform, Elijah Cummings brought his intellect to what he called "the fight for the soul of our democracy."

Elijah Cummings deeply believed in our democratic system and values and worked tirelessly to preserve them and exhorted everyone to the same:

When we're dancing with the angels, the question will be asked, in 2019, what did we do to make sure we kept our democracy intact? Did we stand on the sidelines and say nothing?"

In the words of his widow, Dr. Maya Rockeymoore Cummings, Elijah Cummings "worked until his last breath because he believed our democracy was the highest and best expression of our collective humanity and that our nation's diversity was our promise, not our problem."

Mr. Speaker, the life of Elijah Cummings is a testament to what a person of goodwill can accomplish with a servant's heart and the understanding that in the passion play of life you only have a minute, but all eternity is in it.

Elijah Cummings did not waste his minute of eternity.

Elijah Cummings will live forever in the hearts of the people of his hometown Baltimore, his state of Maryland, and the United States.

To his widow Maya, his children, and family and friends he loved and who loved him so dearly, my deepest sympathies go out to them, and I hope they find consolation in the certain knowledge that our beloved Elijah is now dancing with the angels.

PAYING TRIBUTE TO CONGRESSMAN ELIJAH E. CUMMINGS

SPEECH OF

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 2019

Mr. JOHNSON of Georgia. Mr. Speaker, I am deeply saddened by the passing of Representative Elijah Cummings—my colleague, friend, and a true fighter for social justice. While Representative Cummings may no longer be with us, he leaves behind a remarkable legacy of service, leadership and humility. Notably, he served Maryland's 7th Congressional District for 23 years and was a strong force in his role as Chairman of the Oversight Committee.

He is the realization of the American Dream. Born to sharecroppers, young Elijah Cummings declared he would become a lawyer at 11-years old. Despite social and economic challenges before him, he would go on to achieve that dream and more. Representative Cummings became the first African-American Speaker Pro Tempore of the Maryland State House of Delegates and then continued his work in this House. He was a dedicated public servant, devoted husband, and loving father.

Representative Cummings was a maverick among us all, and I will deeply miss his wise counsel and presence. May we all aspire to be a portion of the leader he was for America.

PERSONAL EXPLANATION

HON. A. DONALD McEACHIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. MCEACHIN. Madam Speaker, I was unavoidably detained on October 17, 2019 during roll call No. 561, On Agreeing to the Amendment, H.R. 1815, Huizenga of Michigan Part B Amendment No. 1. Had I been present, I would have voted "No." I was also unavoidably detained during roll call No. 562, On Agreeing to the Amendment, H.R. 1815, Gottheimer of New Jersey Part B Amendment No. 2. Had I been present, I would have voted "aye." I was also unavoidably detained during roll call No. 563, On Agreeing to the Amendment, H.R. 1815, Wagner of Missouri Part B Amendment No. 3. Had I been present, I would have voted "no." I was also unavoidably detained during roll call No. 564, On Passage, H.R. 1815, SEC Disclosure Effectiveness Testing Act. Had I been present, I would have voted "yea."

RECOGNIZING GEORGE FORMAN

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. RUIZ. Madam Speaker, I rise to recognize George Forman, who has been a champion for tribes and tribal sovereignty for more than 50 years.

I am honored to represent eleven federally recognized tribes in my district. Each of the eleven tribes has had to fight for their rights and their sovereignty at every turn.

Standing with tribes in that fight and leading with them are the attorneys who represent them in the court of law.

George was instrumental in securing victory for tribes in the Cabazon case that set the groundwork for tribes to transform their on-reservation economies and conduct gaming operations, which has empowered tribes' self-sufficiency to provide adequate housing, schools, and other needed social services for tribal members.

He has successfully helped several tribes fight their unjust termination and achieve re-recognition as federally recognized tribes.

And over the decades, George has served my constituents, the Morongo Band of Mission Indians, providing advice and counsel with the highest of integrity.

I want to thank George for his work and wish him a long, happy retirement filled with well-earned family time.

HONORING TALLWOOD ELEMENTARY SCHOOL

HON. ELAINE G. LURIA

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mrs. LURIA. Madam Speaker, I rise today to congratulate and honor Tallwood Elementary School on earning the U.S. Department of Education Blue Ribbon award.

Tallwood Elementary's performance certainly merits this well-earned recognition. Because of so much hard work, Tallwood Elementary is now placed in the Exemplary High Performing Schools Category. I would like to thank the faculty and staff for providing exceptional services to our community as educators, administrators, and specialists in their field.

Our public school system is an integral part of preparing the 2nd Congressional District's next generation of well-informed critical thinkers. I thank them for all the valuable work they do to engage and enrich these young minds.

It is my honor and privilege to recognize Tallwood Elementary for this achievement. I am extremely proud to be their representative.

PERSONAL EXPLANATION

HON. FRED KELLER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. KELLER. Madam Speaker, I had a commitment in Pennsylvania preventing me from returning in time for votes. Had I been present, I would have voted "nay" on rollcall No. 568 on Motion To Table H. Res. 630; "yea" on rollcall No. 569, H.R. 4406; and "yea" on rollcall No. 570, H.R. 4407.

IN HONOR OF 81 AIRBORNE SOLDIERS OF THE REPUBLIC OF VIETNAM ARMED FORCES

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. LOWENTHAL. Madam Speaker, I rise today in honor of the 81 Airborne Soldiers of the Republic of Vietnam Armed Forces, whose remains will finally be laid to rest on Saturday, October 26th, in Little Saigon, Orange County, California, part of my 47th Congressional District.

In 1965, an American C–123 carrying four American crew members and 81 South Vietnamese Airborne soldiers was shot down in a remote and contested area during the Vietnam War, killing all those onboard. In 1974, the crash site was visited, and the remains were recovered, however, they were commingled together. The American crew members were later identified and were given a proper burial.

The remains of South Vietnamese soldiers were never identified, and they were believed to have been members of the 72 Company of the elite 7 Airborne Battalion of the Republic of Vietnam Armed Forces. These unknown heroes are now "Men Without a Country," for that the Republic to which they gave their lives on behalf of no longer exist. Their remains have been sitting at the U.S. military's POW/MIA lab in Hawaii since 1986 and the current regime in Vietnam has twice declined to accept their return.

It was unclear how these 81 unknown soldiers could receive proper honor and burial until the efforts of former Navy Secretary and Senator Jim Webb, who served as a Marine infantry officer in Vietnam. Senator Webb has spent the last two years working intricately with both diplomatic and legal fronts to successfully arranged for the proper honoring and interment of these heroes. Finally, these Airborne soldiers will be laid to rest with full military honor and proper protocols of the Republic of Vietnam Armed Forces. They will be remembered and honored with a ceremony at the Vietnam War Memorial, also known as Freedom Park in the City of Westminster, California and interned at the Vietnamese Boat People Cemetery inside the Westminster Memorial Park, one of the largest Vietnamese American cemeteries in our nation. This marks an end to an epic journey of soldiers who fought and died for the ideals of freedom and democracy to be rested with the people whom they defended.

I thank Senator Jim Webb, the Lost Soldiers Foundation, the Republic of Vietnam Airborne Association's National and Local Chapter, and everyone involved for working together to finally honor these 81 soldiers of the Armed Forces of the Republic of Vietnam after 54 years of their sacrifices. The United States honor the sacrifices of our ally, the Republic of Vietnam Armed Forces.

KASHMIRI PANDITS BRIEFING

HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. KHANNA. Madam Speaker, I was moved by the stories of loss, displacement,

and suffering of the Kashmiri Pandits at a briefing hosted by my dear friend and mentor, Congresswoman ANNA ESHOO. I appreciated the Pandits coming to Capitol Hill to tell their stories. I want to recognize and thank Jeevan Zutshi, my constituent, for his leadership in organizing this forum.

I was encouraged to see other key leaders of Congress attend like ZOE LOFGREN, ELIOT ENGEL, and MIKE THOMPSON. As we consider the complexities of South Asia, we need to make sure that all Kashmiri stories of loss are heard and recognized, and be sure to stand up for human rights of all faiths. India was founded on the promise of a pluralistic society, and Madam Speaker, it's now more important than ever to stand up for those ideals.

PERSONAL EXPLANATION

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. COLLINS. Madam Speaker, I was absent due to a family emergency. Had I been present, I would have voted ''nay'' on rollcall No. 568; ''yea'' on rollcall No. 569; and ''yea'' on rollcall No. 570.

IN RECOGNITION OF GRACE QUINN GOODPASTURE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. WITTMAN. Madam Speaker, I rise today in recognition of Grace Quinn Goodpasture for being selected as a recipient of a Student-Athlete-Scholarship from the National Interscholastic Athletic Administrators Association.

Grace attends the Steward School in Ashland, Virginia, where she played 4 years of Varsity Soccer, lettering all four years. She was also a member of the Varsity Cross Country and Dive team, lettering in those as well. She says community service is a core value of her family and has always been a part of her life. She has earned her Gold Award in the Girl Scouts and was a Senate Page for the Virginia Senate. Her spirit of service should inspire all of us.

I commend her on receiving this recognition for her distinguished scholastic, leadership, and sportsmanship attributes and the importance of high school athletics in her life. Recognition of her work in the community, in the classroom, and on the athletic field is a testament to her commitment to hard work and service to others. She is an example of the leaders that we will need to guide our nation and the Virginia Commonwealth in the future.

Madam Speaker, I ask you to join me in recognizing Grace Goodpasture for her achievements in her community. May God bless Grace and her family.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. COLE. Madam Speaker, I was not present for the following vote which took place on October 21, 2019. However, if I had been present, I would have voted ''yea'' on: H.R. 4407—SCORE for Small Business Act.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE FOUNDING OF BELL'S SEED STORE

HON. TED BUDD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. BUDD. Madam Speaker, I rise today to recognize Bell's Seed Store on the 100 year anniversary of their founding.

In 1919, Bell's Seed Store was opened by William M. Bell. Bell's Seed Store quickly became a staple in Fayetteville. As the city grew and rural roads and farms gave way to streets and industry, Bell's Seed Store continued to thrive, adapting to changing consumer demands.

In 1957, the store moved from its original location beside the old courthouse on Gillespie Street to its current home on East Russell Street, where it occupies an impressive four-acre campus that houses four separate facilities, two for retail and two for storage. While mainstay agriculture products such as animal feed, hay, and fertilizers originally comprised the majority of Bell's sales, many customers today are also interested in a unique selection of home and garden accents.

At its core, Bell's Seed Store is a family business spanning generations. William M. Bell Jr. took over operations from his father, managing the store until the late 1980's. Stewart Bell, William Jr.'s son, started working at Bell's right after college. Today, he has since become the third Bell to take the reins of a business which has expanded and developed into one of Fayetteville's oldest and most cherished family-run enterprises. As I extend my gratitude to Andrew Bell for his service as Chief of Staff here in Washington, I know he will be a welcome fourth generation to this family business.

100 years in business means 100 years of gaining the trust of the community by providing excellent service and reliable products. Bell's Seed Store has truly ingrained itself within Fayetteville, as generations of customers have walked out of its store satisfied, continuing a tradition which, like Bell's Seed Store, spans a century.

Madam Speaker, please join me today in honoring Bell's Seed Store for 100 years of business.

CONGRATULATING COREY BOBY ON RECEIVING THE PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. WESTERMAN. Madam Speaker, I rise today to congratulate Fourth District educator Corey Boby for receiving the Presidential Award for Excellence in Mathematics and Science Teaching.

It is an honor today to recognize his hard work and dedication to excellence in teaching mathematics and science. Mr. Boby has long been a devoted educator to the students of the Fourth District of Arkansas. After serving for several years as an educator within the Arkansas school system, Mr. Boby now serves at the Dawson Education Cooperative in Arkadelphia, one of the state's fifteen education cooperatives.

The Presidential Award for Excellence in Mathematics and Science Teaching is one of the highest honors which is bestowed upon a kindergarten through 12th grade science, technology, engineering, mathematics, or computer science teacher. I am pleased to see one of the Fourth District's own ranked among the finest educators our nation has to offer.

I take this time to congratulate Mr. Boby on this tremendous honor, but also to thank him for his commitment to advancing the STEM skills and academic excellence of Arkansas students.

CONGRATULATING RICHARD APPLE ON RECEIVING THE NATIONAL CITIZEN SCIENTIST CHAMPION AWARD FROM THE GLOBAL ALZHEIMER'S PLATFORM FOUNDATION

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mrs. BUSTOS. Madam Speaker, I rise today to recognize Richard Apple, the recipient of the first ever National Citizen Scientist Champion Award from the Global Alzheimer's Platform Foundation. This award recognizes Mr. Apple for his advocacy for Alzheimer's clinical trial participation in Illinois.

A resident of Rockford, Illinois, Mr. Apple's passion for Alzheimer's research advocacy stems from losing both of his grandparents to Alzheimer's and having been the primary caregiver to his uncle and his mother, both of whom died from the disease. He has since devoted his time to aiding in research, enrolling in his first trial at Great Lakes Clinical Trials in Chicago, IL immediately after he retired and has participated in four since then. I want to thank Mr. Apple for his contributions to science and furthering the cause to find a cure for Alzheimer's.

It is because of community leaders such as Richard Apple that I am especially proud to serve Illinois' 17th Congressional District. Madam Speaker, I would like to again formally congratulate Richard Apple on his receipt of

the National Citizen Scientist Champion Award from the Global Alzheimer's Platform Foundation.

PERSONAL EXPLANATION

HON. A. DONALD McEACHIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. MCEACHIN. Madam Speaker, I was unavoidably detained on October 18, 2019 during roll call no. 565, On Agreeing to the Amendment, H.R. 3624, Huizenga of Michigan Part C Amendment No. 1. Had I been present, I would have voted "no." I was also unavoidably detained during roll call no. 566, On Agreeing to the Amendment, H.R. 3624, Hill of Arkansas Part C Amendment No. 2. Had I been present, I would have voted "no." I was also unavoidably detained during roll call no. 567, On Passage, H.R. 3624, Outsourcing Accountability Act of 2019. Had I been present, I would have voted "yea."

RECOGNIZING THE LIFE AND MILITARY SERVICE OF LIEUTENANT COLONEL JOHN DALE FORD

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. KELLY of Mississippi. Madam Speaker, I rise today to celebrate the life and military service of Lieutenant Colonel John Dale "JD" Ford, who passed away on October 11 at the age of 56.

JD was born on October 16, 1962, in Laurel, Mississippi. He was a graduate of Taylorsville High School, where he was the second basemen for the Taylorsville Tartars baseball team. After graduation, he pursued higher education at Belhaven University in Jackson, Mississippi.

JD answered the call to serve our great nation in the Mississippi National Guard and retired as a Lieutenant Colonel in October of 2018. As a Mississippi Guardsman, JD worked in the United States Property and Fiscal Operations Department for 36 years and deployed to Kuwait and Iraq.

Left to cherish his memory is his wife of 29 years, Bobbi Jo Ford of Brandon, Mississippi; his sons—John Dale Ford, Jr. and William Robert Ford; his daughter, Maci Ford Whyte of Brandon, Mississippi; his sisters—Marilyn Naron of Brandon, Mississippi, Nancy Ford of Brandon, Mississippi, and Emily Evans of Taylorsville, Mississippi; as well as many nieces and nephews and extended family members.

Lieutenant Colonel John Dale Ford's life was one of service, grace, love for his family, and community. He will be greatly missed by all whom he encountered.

HONORING THE LIFE OF MRS. GERTRUDE NEWSOME-JACKSON

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. CRAWFORD. Madam Speaker, I rise today in recognition of Gertrude Newsome-Jackson of Philips County, who fought for civil rights throughout her entire life. A mother of 11 children, Mrs. Jackson was known throughout the Delta area as a leader in the civil-rights movement. Jackson has received recognition and honor from president's and her community members alike. Her work and legacy will forever continue to impact the great people of Arkansas.

In the 1960's, Gertrude Jackson and her husband Earlis Jackson hosted the Student Nonviolent Coordinating Committee (SNCC), which was quintessential in the work of desegregation throughout Arkansas and the country. With some ideas from the SNCC and inspiration from her children, she led a boycott and law suit for the desegregation and sewage fixing of Turner Elementary schools and all the surrounding local schools.

Mrs. Jackson's efforts led the United States Court of Appeals for the Eighth Circuit to mandate the school district "to fully and effectively desegregate not only all facilities but the faculty and classes effective at the beginning of the 1970–71 school year." Gertrude Jackson's spirit to serve her community also led her to establish the Boys, Girls, Adults Community development center that continues to facilitate the community today in Marvell, Arkansas. I am eternally grateful for Gertrude Jackson service in our district and state.

BASELESS ATTACKS ON PRESIDENT TRUMP

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. WILSON of South Carolina. Madam Speaker, since the day President Donald Trump was elected, bitter Democrats have been obsessively scheming for any sign of alleged wrongdoing and citing impeachment of the duly elected President. Every time a new accusation comes to light, it is contrived by unsubstantiated evidence and later disproved, wasting already over $35 million of taxpayers' hard earned money. It is disappointing that instead of addressing issues for American families, House Speaker NANCY PELOSI continues this divisive, unsubstantiated attack on President Trump.

Instead of addressing issues truly affecting Americans, such as passing the United States-Mexico-Canada-Agreement (USMCA) or repealing the unjust "Widow's Tax," House Democrats continues this attempt to mislead the American people with baseless attacks on President Trump. The House Speaker's refusal to hold a floor vote where all House members can vote to authorize this inquiry conceals a public process. Let me be clear, there is no reason for these accusations aside from bitter partisan politics.

In conclusion, God Bless our Troops, and we will never forget September 11th in the Global War on Terrorism.

CONGRATULATING DAVE CHAPPELLE

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to join me in congratulating Dave Chappelle for receiving the Mark Twain Prize for American Humor this year.

On October 27, 2019, Dave Chappelle will be the recipient of the 22nd annual Mark Twain Prize for American Humor. He will be the first District of Columbia-born recipient of this award, making D.C. residents exceedingly proud of his recognition.

Chappelle, who graduated from Duke Ellington School of the Arts (Duke Ellington), the city's premier performing arts high school, attributes a great deal of his success to his upbringing in the Nation's Capital and to Duke Ellington. At Duke Ellington, he was inspired by his older peers to do better and take risks in artistic expression.

After graduating from Duke Ellington, Chappelle committed to standup comedy. He later went on to produce and star in his own show, "the Dave Chappelle Show," and earn an Emmy for his performance on Saturday Night Live. His collection of awards now includes two Emmys and two Grammys.

Chappelle has never forgotten D.C. as his home. He has gone back to Duke Ellington to speak and inspire students, often reflecting on his own time at the school. He graciously gave the school his Emmy in 2017, impressing on the students that fighting the odds is possible. He is an advocate for equal rights for D.C. residents, and D.C. residents returned the love in 2017 when Chappelle was painted, alongside other well-known African American Washingtonians, on the wall of Ben's Chili Bowl on U Street.

The Mark Twain Prize for American Humor is an annual award given to individuals who have impacted society in ways similar to 19th-century novelist and essayist Samuel Clemens (Mark Twain). Like Mark Twain, Chappelle is an intense observer of society. I could not agree more with Kennedy Center President Deborah F. Rutter when she said, "Dave is the embodiment of Mark Twain's observation that 'against the assault of humor, nothing can stand.' "

As a recipient ofthe Mark Twain Prize, Chappelle follows in the footsteps of America's best comedians, most recently, Julia Louis-Dreyfus, David Letterman, Bill Murray, Eddie Murphy and Jay Leno.

Madam Speaker, I ask the House of Representatives to honor Dave Chappelle for his contributions to the art of humor, for his contributions to the District of Columbia through his comedy and advocacy, and for receiving the Mark Twain Prize for American Humor.

PERSONAL EXPLANATION

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. BABIN. Madam Speaker, had I been present, I would have voted "yea" on Roll Call No. 569.

INTRODUCTION OF THE NEIL ARMSTRONG TEST FACILITY RENAMING

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Ms. KAPTUR. Madam Speaker, today I introduce bipartisan legislation to rename NASA's Plum Brook Station in Sandusky, Ohio in honor of Neil Armstrong. Plum Brook is part of the NASA John H. Glenn Research Center and is home to unique world-class facilities that conduct critical and innovative ground tests for the international aerospace community. Plum Brook Station is testing a new generation of space exploration hardware for NASA's efforts to explore the lunar surface and to again land humans on the Moon. Similar legislation has been introduced in the Senate by Senators BROWN (D–OH) and PORTMAN (R–OH).

Ohio is not only the birthplace of aviation, it is also the birthplace of one of human history's all-time great explorers and aviators: Neil Armstrong, the first man to ever set foot anywhere other than on our planet Earth. A native Ohioan, Neil Armstrong served as a Navy pilot and later served the National Advisory Committee for Aeronautics (NACA) at the Lewis Flight Propulsion Laboratory, now known as north east Ohio's NASA John H. Glenn Research Center, of which NASA Plum Brook is affiliated.

Armstrong's 'small step for man, one giant leap for mankind' has gone down as one of the most significant and memorable events in human history. Armstrong has inspired countless young people to pursue careers in aviation and public service, young people who will carry on and build upon his immeasurable legacy. It is an honor to introduce this bipartisan legislation alongside Rep. GONZALEZ in the House and Senators BROWN and PORTMAN in the Senate. I urge my colleagues to support this legislation.

RECOGNIZING FALLEN PARATROOPERS OF THE ARMY OF THE REPUBLIC OF VIETNAM

HON. HARLEY ROUDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. ROUDA. Madam Speaker, I rise today to recognize the 81 paratroopers of the Army of the Republic of Vietnam whose remains will find a final resting place in Orange County this weekend.

These brave soldiers—whose names we may never know—were killed in 1965 aboard an American plane and died alongside 4 American crew members. For the last 33 years, the commingled remains of these paratroopers had remained in Hawaii, their destination unknown. After years of ambiguity, they will be laid to rest in the heart of the Vietnamese community in the United States.

This weekend's service reminds us of America's enduring commitment to our allies and partners, to those who stand beside us in the face of great peril to themselves and their families. For too long, South Vietnamese soldiers who fought and died alongside American forces have not received the recognition they earned.

I am proud to represent a community that remembers those South Vietnamese fighters who gave the ultimate sacrifice standing alongside American servicemembers. I join the Vietnamese-American community—especially the ARVN veterans not only in Orange County but across our nation—in remembrance and appreciation for these paratroopers.

I urge all members to join me in recognizing the South Vietnamese fighters who fought alongside United States forces during the Vietnam War, especially those 81 who will be laid to their final resting place in Orange County this weekend.

RECOGNIZING MICHAEL J. WILLIAMS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to recognize and honor Children's National Hospital Board Chair Michael J. Williams for his leadership and dedication to the health and well-being of children and families in the District of Columbia and the national capital region.

Mr. Williams' service to Children's National and the children and families of the District of Columbia, the national capital region and beyond has been notable and profound. During his five years as Chair, Children's National has served 22,000 patients in its hospital and 650,000 through its clinics.

Through his leadership, Children's National has continued to achieve and improve its ranking by US News & World Report as one of the Top 10 Pediatric Hospitals in the country and for three years in a row it has been ranked as the country's No. 1 Neonatal Intensive Care Unit. Further, Children's National achieved Magnet designation for Outstanding Nursing Care during Mr. Williams' last year as Chair.

During Mr. Williams' tenure as Chair, Children's National launched the creation of the Children's National Research & Innovation Campus at the former Walter Reed Medical Center. This will be the first of its kind in the nation to focus on pediatric research and innovation. It will also be the home to JLABS @ Washington, DC, a collaboration with Johnson & Johnson Innovation LLC, providing incubation space for companies that are seeking to advance the development of new drugs and medical devices, including applications in pediatrics. Children's National also entered into another key partnership aimed at improving access to health care for a unique patient population when it integrated with the HSC Health System.

Even though Mr. Williams retired as Chair of the Board on October 1, 2019, I am pleased that he will continue his service to children by remaining on the Children's National Board through June 2020. In addition, he will be a Director on the board of the HSC Foundation.

As Chair, Mr. Williams has skillfully and successfully guided Children's National through a period of significant change.

Madam Speaker, I ask the House of Representatives to honor Michael J. Williams for his leadership and service to Children's National, and for the exceptionally valuable contributions he has made to the health and welfare of children and families of the District of Columbia and the national capital region.

PERSONAL EXPLANATION

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 22, 2019

Mr. UPTON. Madam Speaker, I was attending a funeral Monday afternoon and was not able to get back before the votes concluded. Had I been present, I would have voted "nay" on Roll Call No. 568; "yea" on Roll Call No. 569; and "yea" on Roll Call No. 570.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5931–S6050

Measures Introduced: Fourteen bills and six resolutions were introduced, as follows: S. 2655–2668, S.J. Res. 59, and S. Res. 369–373. **Pages S5965–66**

Measures Reported:

Special Report entitled "Falls Prevention: National, State, and Local Solutions to Better Support Seniors". (S. Rept. No. 116–138)

Special Report entitled "Further Revised Allocations to Subcommittees of Budget Totals for Fiscal Year 2020". (S. Rept. No. 116–139)

S. 1317, to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs, with an amendment in the nature of a substitute. (S. Rept. No. 116–131)

S. 2071, to repeal certain obsolete laws relating to Indians. (S. Rept. No. 116–132)

S. 334, to authorize the construction of the Musselshell-Judith Rural Water System and study of the Dry-Redwater Regional Water Authority System in the States of Montana and North Dakota. (S. Rept. No. 116–133)

S. 607, to amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission, with an amendment. (S. Rept. No. 116–134)

S. 1602, to amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for grid-scale energy storage systems, with an amendment in the nature of a substitute. (S. Rept. No. 116–135)

S. 2094, to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement State energy security plans, with an amendment in the nature of a substitute. (S. Rept. No. 116–136)

H.R. 2114, to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, with an amendment in the nature of a substitute. (S. Rept. No. 116–137) **Page S5965**

Measures Passed:

RAWR Act: Senate passed S. 1590, to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime. **Page S6047**

Sickle Cell Disease Awareness Month: Senate agreed to S. Res. 373, expressing support for the designation of September 2019 as "Sickle Cell Disease Awareness Month" in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to complications from sickle cell disease and conditions related to sickle cell disease. **Page S6047**

Measures Considered:

Commerce, Justice, Science, and Related Agencies Appropriations Act: Senate began consideration of H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, taking action on the following amendments proposed thereto: **Pages S5944–46, S5951**

Pending:

Shelby Amendment No. 948, in the nature of a substitute. **Page S5951**

McConnell (for Shelby) Amendment No. 950, to make a technical correction. **Page S5951**

During consideration of this measure today, Senate also took the following action:

By 92 yeas to 2 nays (Vote No. 330), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S5946–47**

Senate agreed to the motion to proceed to consideration of the bill. **Page S5947**

Contributions in Exchange for State or Local Tax Credits—Agreement: Senate began consideration of S.J. Res. 50, providing for congressional disapproval under chapter 8 of title 5, United States Code, of

the rule submitted by the Internal Revenue Service, Department of the Treasury, relating to "Contributions in Exchange for State or Local Tax Credits", after agreeing to the motion to proceed. **Pages S5952–60**

A unanimous-consent agreement was reached providing for further consideration of the joint resolution at approximately 9:30 a.m., on Wednesday, October 23, 2019; that the debate time on the joint resolution expire at 2:45 p.m., and Senate vote on passage of the joint resolution; and that following disposition of the joint resolution, Senate resume consideration of H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020. **Page S6048**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to H.R. 2740, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, ripen at a time to be determined by the Majority Leader in concurrence with the Democratic Leader. **Page S5951**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency originally declared in Executive Order 13413 of October 27, 2006, with respect to the situation in or in relation to the Democratic Republic of the Congo; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–33) **Page S5961**

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification was agreed to by a vote of 91 yeas to 2 nays, (Vote No. 327): Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia (Treaty Doc. 116–1), after taking action on the following amendments proposed thereto: **Pages S5932–43**

Withdrawn:

McConnell Amendment No. 946, to change the enactment date. **Page S5941**

McConnell Amendment No. 947 (to Amendment No. 946), of a perfecting nature. **Page S5941**

Walker Nomination—Cloture: Senate began consideration of the nomination of Justin Reed Walker, of Kentucky, to be United States District Judge for the Western District of Kentucky. **Page S5951**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of H.R. 2740, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020. **Page S5951**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S5951**

Nomination Confirmed: Senate confirmed the following nomination:

By 50 yeas to 44 nays (Vote No. EX. 329), Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador. **Pages S5941, S5943–44, S5945**

During consideration of this nomination today, Senate also took the following action:

By 50 yeas to 43 nays (Vote No. EX. 328), Senate agreed to the motion to close further debate on the nomination. **Pages S5943–44**

Messages from the House: **Pages S5961–62**

Measures Referred: **Page S5962**

Measures Read the First Time: **Page S5962**

Enrolled Bills Presented: **Page S5962**

Executive Communications: **Pages S5962–64**

Petitions and Memorials: **Pages S5964–65**

Additional Cosponsors: **Pages S5966–68**

Statements on Introduced Bills/Resolutions: **Pages S5968–74**

Additional Statements: **Page S5961**

Amendments Submitted: **Pages S5977–S6046**

Authorities for Committees to Meet: **Page S6047**

Privileges of the Floor: **Page S6047**

Record Votes: Four record votes were taken today. (Total—330) **Pages S5943–45, S5947**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:11 p.m., until 9:30 a.m. on Wednesday, October 23, 2019. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6050.)

Committee Meetings

(Committees not listed did not meet)

CONSOLIDATED AUDIT TRAIL OVERSIGHT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the status of the Consolidated Audit Trail, after receiving testimony from Shelly Bohlin, FINRA CAT, LLC, Rockville, Maryland; Judy McDonald, Susquehanna International Group, LLP, Bala Cynwyd, Pennsylvania, on behalf of the CAT NMS LLC Advisory Committee; and Michael J. Simon, Consolidated Audit Trail, LLC, New York, New York.

RESEARCH AND INNOVATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Oceans, Fisheries, and Weather concluded a hearing to examine research and innovation, focusing on ensuring America's economic and strategic leadership, after receiving testimony from Diane Souvaine, National Science Board, Alexandria, Virginia; David Shaw, Mississippi State University, Mississippi State; Sethuraman Panchanathan, Arizona State University, Tempe; and Rebecca M. Blank, University of Wisconsin, Madison.

EFFORTS TO INCREASE ENERGY EFFICIENCY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine international efforts to increase energy efficiency and opportunities to advance energy efficiency in the United States, after receiving testimony from Daniel Bresette, Environmental and Energy Study Institute, and Jennifer Layke, World Resources Institute, both of Washington, D.C.; Brian Motherway, International Energy Agency, Paris, France; and W. Scott Tew, Ingersoll Rand Center for Energy Efficiency and Sustainability, Davidson, North Carolina.

SYRIA

Committee on Foreign Relations: Committee concluded a hearing to examine the impact of Turkey's offensive in northeast Syria, after receiving testimony from James F. Jeffrey, Special Representative for Syria Engagement and Special Envoy to the Global Coalition to Defeat ISIS, and Matthew A. Palmer, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, both of the Department of State.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Joshua A. Deahl, to be an Associate Judge of the District of Columbia Court of Appeals, Deborah J. Israel and Andrea L. Hertzfeld, both to be an Associate Judge of the Superior Court of the District of Columbia, and Robert Anthony Dixon, to be United States Marshal for the Superior Court of the District of Columbia, Department of Justice, after the nominees, who were introduced by Representative Holmes Norton, testified and answered questions in their own behalf.

SANCTUARY JURISDICTIONS

Committee on the Judiciary: Committee concluded a hearing to examine sanctuary jurisdictions, focusing on the impact on public safety and victims, after receiving testimony from Timothy S. Robbins, Acting Executive Associate Director, Enforcement and Removal Operations, Immigration and Customs Enforcement, Department of Homeland Security; R. Andrew Murray, United States Attorney, Western District of North Carolina, Department of Justice; Mary Ann Mendoza, Angelfamilies.com, Mesa, Arizona; and Andy Harvey, Palestine Police Department, Palestine, Texas.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 4778–4800; and 1 resolution, H. Res. 651 were introduced. **Pages H8386–87**

Additional Cosponsors: **Pages H8388–89**

Reports Filed: Reports were filed today as follows:

H.R. 1123, to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas, and for other purposes (H. Rept. 116–248);

H.R. 1305, to implement the Agreement on the Conservation of Albatrosses and Petrels, and for other purposes (H. Rept. 116–249, Part 1);

H.R. 1225, to establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, with an amendment (H. Rept. 116–250, Part 1);

H.R. 835, to impose criminal sanctions on certain persons involved in international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping, and for other purposes, with amendments (H. Rept. 116–251, Part 1);

H.R. 2426, to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes, with an amendment (H. Rept. 116–252); and

H. Res. 650, providing for consideration of the bill (H.R. 4617) to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes (H. Rept. 116–253).
Page H8386

Recess: The House recessed at 10:33 a.m. and reconvened at 12 noon. **Page H8304**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Marilyn Monroe Harris, First Baptist Church of Teaneck, Teaneck, NJ.
Pages H8304–05

Corporate Transparency Act of 2019: The House passed H.R. 2513, to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, by a yea-and-nay vote of 249 yeas to 173 nays, Roll No. 577. **Pages H8307–15, H8316–39, H8365–70**

Rejected the Davidson (OH) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 197 ayes to 224 noes, Roll No. 576. **Pages H8368–70**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part A of H. Rept. 116–247, shall be considered as adopted in the House and in the Committee of the Whole.
Pages H8325–35

Agreed to:

Hill (AR) amendment (No. 2 printed in part B of H. Rept. 116–247) that requires FinCEN to develop a regime by which entities may gain access to the beneficial ownership database. Amendment also requires FinCEN to report to Congress annually on: the number of times law enforcement, banks, or other third parties have accessed the beneficial ownership database; the number of times the database was inappropriately accessed; and the number of subpoenas obtained to gain access to the database;
Pages H8335–36

Brown (MD) amendment (No. 3 printed in part B of H. Rept. 116–247) that adds refresher training no less than every 2 years for local, Tribal, State, or Federal law enforcement agencies who have access to beneficial ownership information to ensure the privacy of beneficial owners; **Pages H8336–37**

Burgess amendment (No. 1 printed in part B of H. Rept. 116–247) that requires an annual report to Congress of anonymized data on the number of beneficial owners per reporting corporation or LLC, the industry of each reporting corporation or LLC, and the location of the beneficial owners (by a recorded vote of 395 ayes to 23 noes, Roll No. 573); and
Pages H8335, H8365–66

Carolyn B. Maloney (NY) amendment (No. 4 printed in part B of H. Rept. 116–247) that ensures FinCEN may use the information obtained by this bill to notify industry and the public about criminal trends, while maintaining safeguards on personal privacy (by a recorded vote of 235 ayes to 188 noes, Roll No. 574). **Pages H8337–38, H8365–67**

Rejected:

Davidson (OH) amendment (No. 5 printed in part B of H. Rept. 116–247) that sought to strike the bill's reporting mandate on small businesses, terminates the Customer Due Diligence Rule, and requires Treasury to conduct a study about all existing federal information databases available to law enforcement to discern the beneficial ownership of companies (by a recorded vote of 166 ayes to 258 noes, Roll No. 575). **Pages H8338–39, H8365–68**

H. Res. 646, the rule providing for consideration of the bill (H.R. 2513) was agreed to by a yea-and-nay vote of 227 yeas to 195 nays, Roll No. 572,

after the previous question was ordered by a yea-and-nay vote of 228 yeas to 194 nays, Roll No. 571.

Pages H8307–15

Suspensions: The House agreed to suspend the rules and pass the following measures:

Rodchenkov Anti-Doping Act of 2019: H.R. 835, amended, to impose criminal sanctions on certain persons involved in international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping; Pages H8339–45

Copyright Alternative in Small-Claims Enforcement Act of 2019: H.R. 2426, amended, to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, by a 2⁄3 yea-and-nay vote of 410 yeas to 6 nays, Roll No. 578; Pages H8345–53, H8370–71

National POW/MIA Flag Act: S. 693, to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property; Pages H8354–55

Preventing Animal Cruelty and Torture Act: H.R. 724, amended, to revise section 48 of title 18, United States Code; Pages H8355–57

Divisional Realignment for the Eastern District of Arkansas Act of 2019: H.R. 1123, to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas;

Pages H8357–58

Georgia Support Act: H.R. 598, amended, to support the independence, sovereignty, and territorial integrity of Georgia; Pages H8358–62

Calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan: H. Res. 552, calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan; and

Pages H8362–64

Expressing the sense of Congress regarding the execution-style murders of United States citizens Ylli, Agron, and Mehmet Bytyqi in the Republic of Serbia in July 1999: H. Con. Res. 32, expressing the sense of Congress regarding the execution-style murders of United States citizens Ylli, Agron, and Mehmet Bytyqi in the Republic of Serbia in July 1999. Pages H8364–65

Board of Visitors to the United States Coast Guard Academy—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Board of Visitors to the United States Coast Guard Academy: Representative Cunningham. Page H8358

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to the situation in or in relation to the Democratic Republic of the Congo is to continue in effect beyond October 27, 2019—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 116–75).

Page H8315

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H8307.

Quorum Calls—Votes: Four yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H8314–15, H8315, H8366, H8366–67, H8367–68, H8369–70, H8370, and H8370–71. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:04 p.m.

Committee Meetings

REALIZING THE CONSERVATION BENEFITS OF PRECISION AGRICULTURE

Committee on Agriculture: Subcommittee on Conservation and Forestry held a hearing entitled "Realizing the Conservation Benefits of Precision Agriculture". Testimony was heard from public witnesses.

SHIP AND SUBMARINE MAINTENANCE: COST AND SCHEDULE CHALLENGES

Committee on Armed Services: Subcommittee on Readiness held a hearing entitled "Ship and Submarine Maintenance: Cost and Schedule Challenges". Testimony was heard from James F. Geurts, Assistant Secretary of the Navy for Research, Development and Acquisition, U.S. Department of the Navy; and Vice Admiral Thomas J. Moore, Commander, Naval Sea Systems Command, U.S. Department of the Navy.

LEGISLATIVE MEASURE

Committee on Education and Labor: Subcommittee on Civil Rights and Human Services held a hearing entitled "Long Over Due: Exploring the Pregnant Workers' Fairness Act (H.R. 2694)". Testimony was heard from Chairman Nadler and public witnesses.

THE END OF AFFORDABLE HOUSING? A REVIEW OF THE TRUMP ADMINISTRATION'S PLANS TO CHANGE HOUSING FINANCE IN AMERICA

Committee on Financial Services: Full Committee held a hearing entitled "The End of Affordable Housing? A Review of the Trump Administration's Plans to

Change Housing Finance in America''. Testimony was heard from Steven T. Mnuchin, Secretary, Department of the Treasury; Benjamin S. Carson, Secretary, Department of Housing and Urban Development; and Mark A. Calabria, Director, Federal Housing Finance Agency.

AN EXAMINATION OF THE DECLINE OF MINORITY DEPOSITORY INSTITUTIONS AND THE IMPACT ON UNDERSERVED COMMUNITIES

Committee on Financial Services: Subcommittee on Consumer Protection and Financial Institutions held a hearing entitled ''An Examination of the Decline of Minority Depository Institutions and the Impact on Underserved Communities''. Testimony was heard from public witnesses.

HUMAN RIGHTS IN SOUTH ASIA: VIEWS FROM THE STATE DEPARTMENT AND THE REGION

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and Nonproliferation held a hearing entitled ''Human Rights in South Asia: Views from the State Department and the Region''. Testimony was heard from Alice G. Wells, Acting Assistant Secretary, Bureau of South and Central Asian Affairs, Department of State; Robert A. Destro, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State; and public witnesses.

PROTECTING THE GOOD FRIDAY AGREEMENT FROM BREXIT

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, Energy, and the Environment held a hearing entitled ''Protecting the Good Friday Agreement from Brexit''. Testimony was heard from public witnesses.

PREPARING FOR THE FUTURE: AN ASSESSMENT OF EMERGING CYBER THREATS

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection and Innovation held a hearing entitled ''Preparing for the Future: An Assessment of Emerging Cyber Threats''. Testimony was heard from public witnesses.

SECURING AMERICA'S ELECTIONS PART II: OVERSIGHT OF GOVERNMENT AGENCIES

Committee on the Judiciary: Full Committee held a hearing entitled ''Securing America's Elections Part II: Oversight of Government Agencies''. Testimony was heard from Matthew Masterson, Senior Cybersecurity Advisor, Department of Homeland Security; Nikki Floris, Deputy Assistant Director for Counterterrorism, Federal Bureau of Investigation; Adam Hickey, Deputy Assistant Attorney General, National Security Division, Department of Justice; and Ben Hovland, Vice Chair, U.S. Election Assistance Commission.

LEGISLATIVE MEASURE

Committee on Natural Resources: Full Committee held a hearing on legislation to amend the Puerto Rico Oversight, Management, and Economic Stability Act or 'PROMESA,' and for other purposes. Testimony was heard from Omar Marrero, Executive Director, Puerto Rico Fiscal Agency and Financial Advisory Authority; Natalie Jaresko, Executive Director, Financial Oversight and Management Board for Puerto Rico; Carmelo Ríos, Majority Leader, Senate of Puerto Rico; Eduardo Bhatia Gautier, Minority Leader, Senate of Puerto Rico; Antonio L. Soto Torres, Member, Puerto Rico House of Representatives; Rafael Hernández, Minority Leader, Puerto Rico House of Representatives; and Carmen Yulín Cruz Soto, Mayor, San Juan, Puerto Rico.

NO MORE STANDOFFS: PROTECTING FEDERAL EMPLOYEES AND ENDING THE CULTURE OF ANTI-GOVERNMENT ATTACKS AND ABUSE

Committee on Natural Resources: Subcommittee on National Parks, Forests, and Public Lands held a hearing entitled ''No More Standoffs: Protecting Federal Employees and Ending the Culture of Anti-Government Attacks and Abuse''. Testimony was heard from Anne-Marie Fennell, Director, Natural Resources and Environment Team, Government Accountability Office; and public witnesses.

METRO: REPORT CARD FOR AMERICA'S SUBWAY

Committee on Oversight and Reform: Subcommittee on Government Operations held a hearing entitled ''Metro: Report Card for America's Subway''. Testimony was heard from David L Mayer, Chief Executive Officer, Washington Metrorail Safety Commission, and the following Washington Metropolitan Area Transit Authority officials: Geoffrey Cherrington, Inspector General; Paul Smedberg, Chair, Board of Directors; and Paul Wiedefeld, General Manager and Chief Executive Officer.

STOPPING HARMFUL INTERFERENCE IN ELECTIONS FOR A LASTING DEMOCRACY ACT

Committee on Rules: Full Committee held a hearing on H.R. 4617, the ''Stopping Harmful Interference in Elections for a Lasting Democracy Act''. The Committee granted, by record vote of 9–2, a structured rule providing for consideration of H.R. 4617, the ''Stopping Harmful Interference in Elections for a

Lasting Democracy Act''. The rule provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on House Administration. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–35, as modified by the amendment printed in Part A of the Rules Committee report, and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those amendments printed in Part B of the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in Part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Lofgren and Representative Rodney Davis of Illinois.

NATIVE 8(A) CONTRACTING: EMERGING ISSUES

Committee on Small Business: Subcommittee on Investigations, Oversight, and Regulations held a hearing entitled ''Native 8(a) Contracting: Emerging Issues''. Testimony was heard from Seto Bagdoyan, Director, Forensic Audits and Investigative Service, Government Accountability Office; and public witnesses.

AN ASSESSMENT OF FEDERAL RECOVERY EFFORTS FROM RECENT DISASTERS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency held a hearing entitled ''An Assessment of Federal Recovery Efforts from Recent Disasters''. Testimony was heard from Jeffrey Byard, Associate Administrator for Response and Recovery, Federal Emergency Management Agency, Department of Homeland Security; Dennis Alvord, Deputy Assistant Secretary for Economic Development and Chief Operating Officer, Economic Development Administration, Department of Commerce; Chris P. Currie, Director, Homeland Security and Justice, Government Accountability Office; Fernando Gil-Enseñat, Secretary, Departamento de la Vivienda (Department of Housing), Puerto Rico; Rhonda Wiley, Emergency Management/911 Director and Floodplain Manager, Atchison County, Missouri; and public witnesses.

LEGISLATIVE MEASURES

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on H.R. 4360, the ''VA Overpayment Accountability Act''; H.R. 592, the ''Protect Veterans from Financial Fraud Act of 2019''; H.R. 1030, the ''Veteran Spouses Equal Treatment Act''; H.R. 4165, the ''Improving Benefits for Underserved Veterans Act''; H.R. 4183, the ''Identifying Barriers and Best Practices Study Act''; H.R. 628, the ''WINGMAN Act''; H.R. 1424, the ''Fallen Warrior Battlefield Cross Memorial Act''; H.R. 1911, the ''SFC Brian Woods Gold Star and Military Survivors Act''; legislation to extend increased dependency and indemnity compensation paid to surviving spouses of veterans who die from ALS; and legislation to permit appellants to appear before the Board of Veterans' Appeals via picture and voice transmission from locations outside the Department of Veterans Affairs (VA). Testimony was heard from Representatives Cisneros, Brownley of California, Delgado, Gonzalez of Ohio, Yoho, and Waltz; Ronald Burke, Executive Director, Pension and Fiduciary Service, Veterans Benefits Administration, Department of Veterans Affairs; Kimberly McLeod, Deputy Vice Chairman, Board of Veterans' Appeals, Department of Veterans Affairs; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Full Committee held a markup on H.R. 3398, the ''Pathways to Health Careers Act of 2019''; H.R. 3, the ''Lower Drug Costs Act Now Act of 2019''; H.R. 4650, the ''Medicare Dental Act of 2019''; H.R. 4665, the ''Medicare Vision Act of 2019''; and H.R. 4618, the ''Medicare Hearing Act of 2019''. H.R. 3398, H.R. 3, H.R. 4650, H.R. 4665, and H.R. 4618 were ordered reported, as amended.

SOLVING THE CLIMATE CRISIS: NATURAL SOLUTIONS TO CUTTING POLLUTION AND BUILDING RESILIENCE

Select Committee on the Climate Crisis: Full Committee held a hearing entitled ''Solving the Climate Crisis: Natural Solutions to Cutting Pollution and Building Resilience''. Testimony was heard from public witnesses.

Joint Meetings

ARMENIA

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine reform in Armenia, after receiving testimony from Hamazasp

Danielyan, National Assembly of Armenia, and Daniel Ioannisian, Union of Informed Citizens, both of Yerevan, Armenia; and Arsen Kharatyan, Aliq Media, Miriam Lanskoy, National Endowment for Democracy, and Jonathan D. Katz, German Marshall Fund, all of Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 23, 2019

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine United States policy and assistance in Syria, 2:30 p.m., SD–124.

Committee on Armed Services: Subcommittee on SeaPower, to receive a closed briefing on the Navy's "Spectrum of Conflict" strategic framework, 10 a.m., SVC–217.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the reauthorization of the Satellite Television Extension and Localism Act, 10 a.m., SH–216.

Committee on Environment and Public Works: to hold hearings to examine improving American economic competitiveness through water resources infrastructure, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Europe and Regional Security Cooperation, to hold hearings to examine successes and unfinished business in the Western Balkans, 2:30 p.m., SD–419.

United States Senate Caucus on International Narcotics Control: to hold hearings to examine marijuana and America's health, focusing on questions and issues for policy makers, 2:30 p.m., SD–215.

House

Committee on Education and Labor, Subcommittee on Health, Employment, Labor, and Pensions; and Subcommittee on Workforce Protections, joint hearing entitled "The Future of Work: Preserving Worker Protections in the Modern Economy", 10:15 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled "Sabotage: The Trump Administration's Attack on Health Care", 10 a.m., 2123 Rayburn.

Subcommittee on Environment and Climate Change, hearing entitled "Building a 100 Percent Clean Economy: Solutions for Planes, Trains and Everything Beyond Automobiles", 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled "An Examination of Facebook and Its Impact on the Financial Services and Housing Sectors", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled "The Betrayal of our Syrian Kurdish Partners: How Will American Foreign Policy and Leadership Recover?", 10 a.m., 2172 Rayburn.

Subcommittee on the Western Hemisphere, Civilian Security, and Trade, hearing entitled "The Trump Administration's FY 2020 Budget and U.S. Policy toward Latin America and the Caribbean", 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, markup on H.R. 2932, the "Homeland Security for Children Act"; H.R. 3469, the "Covert Testing and Risk Mitigation Improvement Act of 2019"; H.R. 3787, the "DHS Countering Unmanned Aircraft Systems Coordinator Act"; H.R. 4237, the "Advancing Cybersecurity Diagnostics and Mitigation Act"; H.R. 4402, the "Inland Waters Security Review Act"; H.R. 4713, the "Department of Homeland Security Office of Civil Rights and Civil Liberties Authorization Act"; H.R. 4727, the "Department of Homeland Security Mentor Protégé Program Act of 2019"; H.R. 4739, the "Synthetic Opioid Exposure Prevention and Training Act"; H.R. 4737, the "Department of Homeland Security Climate Change Research Act"; H.R. 4753, the "Drone Origin Security Enhancement Act"; H.R. 4761, the "DHS Opioid Detention Resilience Act of 2019"; and legislation on the National Commission on Online Platforms and Homeland Security Act, 10 a.m., 310 Cannon.

Committee on the Judiciary, Full Committee, markup on H.R. 4, the "Voting Rights Advancement Act of 2019"; and H.R. 565, the "AMIGOS Act", 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup on H.R. 934, the "Health Benefits for Miners Act of 2019"; H.R. 935, the "Miners Pension Protection Act"; and H.R. 2579, the "Hardrock Leasing and Reclamation Act of 2019", 10 a.m., 1324 Longworth.

Committee on Oversight and Reform, Subcommittee on Civil Rights and Civil Liberties, hearing entitled "Examining the Oil Industry's Efforts to Suppress the Truth about Climate Change", 10 a.m., 2154 Rayburn.

Subcommittee on National Security, hearing entitled "The Trump Administration's Syria Policy: Perspectives from the Field", 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Environment; and Subcommittee on Space and Aeronautics, joint hearing entitled "Space Weather: Advancing Research, Monitoring, and Forecasting Capabilities", 2 p.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled "Prison to Proprietorship: Entrepreneurship Opportunities for the Formerly Incarcerated", 11:30 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing entitled "The Pebble Mine Project: Process and Potential Impacts", 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing entitled "Protecting Benefits for All Servicemembers", 10 a.m., HVC–210.

Committee on Ways and Means, Full Committee, markup on H.R. 4742, to amend the Internal Revenue Code of 1986 to impose a tax on nicotine used in vaping, etc.; H.R. 4716, the ''Inhaler Coverage and Access Now Act''; H.R. 1922, the ''Restoring Access to Medication Act of 2019''; and H.R. 3708, the ''Primary Care Enhancement Act of 2019'', 1 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, October 23

Senate Chamber

Program for Wednesday: Senate will continue consideration of S.J. Res. 50, Contributions in Exchange for State or Local Tax Credits, and vote on passage of the joint resolution at 2:45 p.m.

Following disposition of S.J. Res. 50, Senate will continue consideration of H.R. 3055, Commerce, Justice, Science, and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 23

House Chamber

Program for Wednesday: Consideration of H.R. 4617—Stopping Harmful Interference in Elections for a Lasting Democracy Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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