

S. 2152

At the request of Mr. HATCH, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2152, a bill to amend title 18, United States Code, to provide for assistance for victims of child pornography, and for other purposes.

S. 2157

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2157, a bill to require drug manufacturers to disclose the prices of prescription drugs in any direct-to-consumer advertising and marketing to practitioners of a drug.

S. 2219

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2219, a bill to reduce the number of preventable deaths and injuries caused by underage crashes, to improve motor carrier and passenger motor vehicle safety, and for other purposes.

S. 2226

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 2226, a bill to prohibit recipients of disaster recovery relief assistance from the Department of Housing and Urban Development from penalizing applicants that declined assistance from the Small Business Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Ms. HEITKAMP):

S. 2230. A bill to require the Secretary of Housing and Urban Development to improve services for survivors of domestic violence, dating violence, sexual assault, or stalking; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2230

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 “Help End Abusive Living Situations Act” or the “HEALS Act”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “domestic violence project” means a project administered by a victim service provider designed to meet the needs of survivors of domestic violence, dating violence, sexual assault, or stalking;

(2) the term “homeless” has the meaning given the term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302);

(3) the terms “homeless individual with a disability”, “permanent housing”, “tenant-

based”, “transitional housing”, and “victim service provider” have the meanings given those terms in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360);

(4) the term “rapid re-housing project” means supportive services and short- or medium-term tenant-based rental assistance, as necessary, to help a homeless individual or family, with or without a disability, move as soon as possible into permanent housing and achieve stability in that housing; and

(5) the term “Secretary” means the Secretary of Housing and Urban Development.

SEC. 3. STRENGTHENING HOUSING RESOURCES PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Not later than 180 days after the date of enactment of this Act, the Secretary shall take the following measures to improve services provided to survivors of domestic violence, dating violence, sexual assault, and stalking:

(1) **EQUAL CONSIDERATION.**—For purposes of scoring applicants in the notice of funding availability for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) in any fiscal year, the Secretary shall give equal consideration to—

(A) rapid re-housing projects;

(B) projects that provide permanent supportive housing; and

(C) domestic violence projects that maximize client choice, including transitional housing that provide services and help participants to secure permanent housing.

(2) **TRANSITIONAL HOUSING PROJECTS.**—

(A) **IN GENERAL.**—The Secretary shall authorize any defunded transitional housing project to reapply for funding.

(B) **TREATMENT AS RAPID RE-HOUSING PROJECT.**—The Secretary shall consider a program receiving funds under section 40299 of the Violence Against Women Act of 1994 (34 U.S.C. 12351) to be a rapid re-housing project if the program—

(i) provides not less than 6 months of housing assistance to survivors; and

(ii) meets other criteria established by the Secretary.

(3) **EVALUATION.**—The Secretary shall develop—

(A) measurable criteria upon which applicants are evaluated to demonstrate their collaboration with victim service providers to develop local policy priorities focused on survivors of domestic violence, dating violence, sexual assault, or stalking, including survivor-centered coordinated entry processes that appropriately assess and prioritize those survivors and take into account the safety and confidentiality needs of those survivors; and

(B) mechanisms that promote the provision of technical assistance and support for programs to improve outcomes instead of reallocating or not awarding funds.

(4) **RESEARCH AGENDA.**—The Secretary shall develop a research agenda that focuses on survivors of domestic violence, dating violence, sexual assault, and stalking and the housing modalities that best support them, especially the critical safety concerns and the link between trauma and residential stability.

SEC. 4. INCREASING ACCESS TO SAFE HOUSING FOR SURVIVORS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Section 427(b)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11386a(b)(1)) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(B) by inserting after clause (vi) the following:

“(vii) success in addressing the safety needs of homeless survivors of domestic violence, dating violence, sexual assault, and stalking;”;

(2) in subparagraph (B)—

(A) in clause (iv)(VI), by striking “and” at the end;

(B) by redesignating clause (v) as clause (vi); and

(C) by inserting after clause (iv)(VI) the following:

“(v) how the recipient will measure the success of the victim service providers in meeting the housing, safety, and trauma needs of victims of domestic violence, dating violence, sexual assault, or stalking, with an explanation of how the recipient will allow flexibility on other metrics that may be impacted by the needs of survivors; and”;

(3) in subparagraph (F)(ii), by striking “, and” at the end;

(4) by redesignating subparagraph (G) as subparagraph (H); and

(5) by inserting after subparagraph (F) the following:

“(G) success of the recipient in meeting the housing, safety, and trauma needs of survivors of domestic violence, dating violence, sexual assault, or stalking, including access to safe housing; and”.

SEC. 5. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on—

(1) the trends in allocating resources to address the housing needs of survivors of domestic violence, dating violence, sexual assault, and stalking; and

(2) the increase in the allocation of resources for domestic violence projects beginning after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 361—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES GOVERNMENT SHALL, BOTH UNILATERALLY AND ALONGSIDE THE INTERNATIONAL COMMUNITY, CONSIDER ALL OPTIONS FOR EXERTING MAXIMUM PRESSURE ON THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (DPRK), IN ORDER TO DENUCLEARIZE THE DPRK, PROTECT THE LIVES OF UNITED STATES CITIZENS AND ALLIES, AND PREVENT FURTHER PROLIFERATION OF NUCLEAR WEAPONS

Mr. CORNYN (for himself, Mr. MCCAIN, Mr. SULLIVAN, Mr. RUBIO, Mr. RISCH, Mr. TILLIS, Mr. STRANGE, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 361

Whereas the Democratic People's Republic of Korea (DPRK) is a brutal Communist regime that has consistently pursued a nuclear weapons program since the early 1960s;

Whereas the DPRK has a long history of humanitarian abuses against its own people;

Whereas in the 1970s and 1980s, the DPRK kidnapped foreign nationals from countries including Japan, South Korea, China, France, and Italy to train DPRK spies;

Whereas the DPRK has unjustly detained visiting United States citizens, including

Otto Warmbier, who died after being detained for more than a year;

Whereas the DPRK and Republic of Korea (ROK) in 1992 signed a Joint Declaration on the Denuclearization of the Korean Peninsula, promising to cease testing and production of nuclear weapons;

Whereas the United States agreed to provide energy assistance to the DPRK in exchange for a nuclear-free Korean peninsula in 1994;

Whereas the United States Government revealed in October 2002 that the DPRK admitted operating a secret nuclear weapons program in violation of agreements and international commitments;

Whereas, following six-party talks in 2005, the DPRK agreed to abandon its nuclear weapons program in exchange for energy assistance, economic cooperation, and steps toward normalization with the United States and Japan;

Whereas the DPRK proceeded to conduct multiple missile tests and its first nuclear weapons test in 2006;

Whereas the DPRK agreed to disable its nuclear facilities in exchange for energy assistance in February 2007 and “to provide a complete and correct declaration of its nuclear programs” in October 2007, but ultimately did not fulfill its commitment;

Whereas the DPRK tested a long-range missile directed at the United States in 2009;

Whereas the DPRK attacked and sunk the South Korean ship Cheonan, murdering 46 sailors in 2010;

Whereas DPRK forces fired approximately 170 artillery shells and rockets at Yeonpyeong Island, hitting ROK military and civilian targets and killing two ROK marines and two civilians in November 2010;

Whereas the DPRK agreed to cease long-range missile and nuclear tests in exchange for United States food aid in February 2012;

Whereas the DPRK proceeded to test yet another long-range missile in April 2012;

Whereas the DPRK has conducted almost three times the number of ballistic missile and nuclear weapons tests during Kim Jong-un’s six years in power than in the nearly 60 years before him under Kim Il-sung and Kim Jong-il;

Whereas Kim Jong-un’s regime has accelerated the pace of its nuclear weapons and ballistic missiles program, by—

(1) conducting 86 ballistic missile tests, successfully testing both ground-launched and submarine-launched solid fuel missiles;

(2) conducting 20 ballistic missile flight tests in 2017, including a recent test that is reported to be capable of carrying a nuclear warhead and reaching anywhere in the continental United States;

(3) improving upon missile ranges and testing re-entry capability; and

(4) conducting a total of four nuclear weapon tests, including three that have occurred since January 2016 and a claimed hydrogen bomb test with a yield estimated to be 150 kilotons;

Whereas a high ranking DPRK defector has publicly testified that as long as Kim Jong-un remains in power there is no chance to improve the human rights conditions in the DPRK and that Kim Jong-un will never relinquish the country’s nuclear capabilities;

Whereas the collective development and testing of DPRK’s nuclear weapons program pose a real and critical threat to the United States and global stability;

Whereas the United Nations Security Council has passed nine sanctions resolutions regarding North Korea’s nuclear missile and space development programs since North Korea’s first nuclear test in 2006;

Whereas the United States Congress passed the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114-122)

in February 2016 and the Countering America’s Adversaries Through Sanctions Act (Public Law 115-44) in July 2017 to provide sanction authorities to deter the DPRK’s provocative behavior;

Whereas the United Nations Security Council unanimously adopted a resolution to sanction the DPRK economy in September 2017;

Whereas the Director of National Intelligence (DNI), in its 2017 Worldwide Threat Assessment, assessed that North Korea’s “weapons of mass destruction program, public threats, defiance of the international community, confrontational military posturing, cyber activities, and potential for internal instability pose a complex and increasingly grave national security threat to the United States and its interests”;

Whereas the DNI further assessed that Kim is intent on proving the DPRK’s capability to strike the contiguous United States with nuclear weapons;

Whereas the People’s Republic of China accounts for 80 to 90 percent of trade with DPRK;

Whereas the People’s Republic of China acts as the DPRK’s primary advocate and must join the United States in a committed effort to dismantling the DPRK nuclear and missile programs; and

Whereas the President has authority to impose secondary sanctions on any financial institution or other entity that conducts business with DPRK entities in order to apply maximum pressure on the regime to abandon their nuclear weapons and ballistic missile programs: Now, therefore, be it

Resolved, That the Senate—

(1) expresses that the United States of America should not tolerate the DPRK’s possession of nuclear weapons or continued development of nuclear weapon and ballistic missile capabilities;

(2) believes the United States and the international community, including the United Nations Security Council and United States regional allies, should develop and immediately implement the strictest sanctions regime and continue to exhaust every reasonable diplomatic option necessary to achieve the complete, verifiable, and irreversible dismantlement of the DPRK’s nuclear weapons and ballistic missile programs;

(3) expresses that the United States Government should plan for every military contingency necessary to defend the American people and ensure regional and global security;

(4) acknowledges that the ROK and Japan, both treaty allies of the United States, would likely face immediate retaliation by the DPRK in response to any potential military action by the United States and therefore that any military action by the United States should be coordinated with the Governments of the ROK and Japan;

(5) asserts that Congress is unified in its condemnation of the DPRK’s dangerous pursuit of nuclear weapons and ballistic missile capability and should be appropriately consulted prior to any use of military force; and

(6) recognizes that Congress possesses the authority under Article I of the Constitution of the United States to declare war, and affirms that the authorization of Congress is needed prior to any pre-emptive or preventative ground war on the Korean Peninsula initiated by United States forces.

Mr. CORNYN. Mr. President, as the Presiding Officer knows, today I am submitting a resolution, joined by the junior Senator from Alaska, the Presiding Officer, and the senior Senator from Arizona, Mr. MCCAIN, as well as Senators RISCH, INHOFE, RUBIO, TILLIS,

and STRANGE. The purpose of this resolution is to expressly declare that Congress is unified in its condemnation of the increasingly hostile and perpetually intransigent behavior of the Democratic People’s Republic of Korea.

North Korea, as the world knows, has been dangerously pursuing its nuclear weapons capabilities for a long time. Since dictator Kim Jong Un took power 6 years ago, he has ordered at least four nuclear tests, including the September detonation of what his regime and outside experts generally agree was a hydrogen bomb.

Despite great efforts made by the United States, including a recent Executive order by our President, North Korea’s history as a bad-faith negotiator continues unabated on the world’s stage. It obstinately violates diplomatic norms and human rights at will and was recently redesignated as a state sponsor of terrorism.

We simply can’t afford to wander naively down a path of appeasement when lessons learned over more than half a century have laid bare North Korea’s behavioral patterns. They have exposed the regime’s militant refusal to cooperate with the world community and simply denuclearize.

Our resolution asserts that the United States, as well as the United Nations Security Council and our regional allies, should continue to implement the strictest of sanctions regime possible required to change the bad behavior of North Korea.

Further, we have to continue to exhaust every reasonable diplomatic option to achieve the complete, verifiable, and irreversible dismantlement of North Korea’s nuclear weapons and ballistic programs. Our resolution recognizes that the President has constitutional responsibilities to protect the United States, but it emphasizes that a congressional authorization is necessary prior to committing U.S. forces to sustain military operations on the Korean Peninsula.

Of course, we hope that the worst outcome—open military conflict—will never come to pass, but, as it continues to increase its nuclear yield and ballistic missile capabilities, North Korea has become one of, if not the single, greatest threat to peace in the world.

As the resolution makes clear, the United States must continue to take all necessary precautions through a mix of diplomacy, economic sanctions, and contingency planning. Our focus should be on exerting as much pressure as we can on North Korea to end its nuclear weapons and ballistic missiles programs.

I hope our colleagues will join us in adopting this resolution in short order to send a very important and clear message about the gravity of the threat and the severity with which we are confronting it.

AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, December 14, 2017, 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 Thursday, December 14, 2017, at 10 a.m. to hold a hearing entitled "New Counterterrorism Guidance".

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 Thursday, December 14, 2017, at 10 a.m., in room to conduct a hearing on the nomination of Margaret Weichert, of Georgia, to be Deputy Director for Management, Office of Management and Budget.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 10 a.m., in room SD-226 to conduct a hearing on S. 2152, "Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2017" and on the following nominations: Stuart Kyle Duncan, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, David Ryan Stras, of Minnesota, to be United States Circuit Judge for the Eighth Circuit, Fernando Rodriguez, Jr., to be United States District Judge for the Southern District of Texas, Andrei Iancu, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, and Duane A. Kees, to be United States Attorney for the Western District of Arkansas, Stephen R. McAllister, to be United States Attorney for the District of Kansas, Ronald A. Parsons, Jr., to be United States Attorney for the District of South Dakota, Ryan K. Patrick, to be United States Attorney for the Southern District of Texas, and Michael B. Stuart, to be United States Attorney for the Southern District of West Virginia, all of the Department of Justice.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 2 p.m. to conduct a closed hearing.

PRIVILEGES OF THE FLOOR

Mr. FLAKE. Mr. President, I ask unanimous consent that JASON SMITH, a Coast Guard fellow from the Commerce, Science, and Transportation Committee, be granted floor privileges for the duration of the 115th Congress.

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

PREVENTING ANIMAL CRUELTY AND TORTURE ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 654 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 654) to revise section 48 of title 18, United States Code, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

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

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

The bill (S. 654) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 654

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 ani-

mal 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."

ORDERS FOR MONDAY, DECEMBER 18, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, December 18; further, that following the prayer and pledge, the morning hour be