

(Mr. CARDIN) was added as a cosponsor of S. Res. 194, a resolution designating July 30, 2019, as “National Whistleblower Appreciation Day”.

S. RES. 234

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 234, a resolution affirming the United States commitment to the two-state solution to the Israeli-Palestinian conflict, and noting that Israeli annexation of territory in the West Bank would undermine peace and Israel's future as a Jewish and democratic state.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. CRAMER, and Ms. SMITH):

S. 2103. A bill to improve access to affordable insulin; 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. 2103

*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 “Affordable Insulin Approvals Now Act”.

#### SEC. 2. DEEMED APPROVAL UNDER SECTION 351.

Section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 (Public Law 111-148) is amended—

(1) by striking “An amended” and inserting the following:

“(A) IN GENERAL.—An amended”; and  
(2) by adding at the end the following:

“(B) TREATMENT OF CERTAIN PENDING APPLICATIONS.—With respect to an application for an insulin biological product submitted under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) with a filing date that is not later than December 31, 2019, until the Secretary makes a determination on final approval with respect to such application, the Secretary shall continue to review and approve (as appropriate) such application under such section 505, even if such review and approval process continues after March 23, 2020. For purposes of completing the review and approval process for such an application, any listed drug referenced in the application shall be treated as a listed drug under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, even if such listed drug is deemed licensed under section 351 of the Public Health Service Act during such review and approval process. Effective on the later of March 23, 2020, or the date of approval under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act of any such application, such approved application shall be deemed to be a license for the biological product under section 351 of the Public Health Service Act.”.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. BROWN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WYDEN, Mr. REED, Mrs. MURRAY, Mr. CARPER, Mr. MERKLEY, Ms. HIRONO, and Mr. KAINE):

S. 2106. A bill to amend title 38, United States Code, to prohibit smoking on the premises of any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

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. 2106

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

#### SECTION 1. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

#### “§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2019.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 274—EX- PRESSING SOLIDARITY WITH FALUN GONG PRACTITIONERS WHO HAVE LOST LIVES, FREE- DOMS, AND OTHER RIGHTS FOR ADHERING TO THEIR BELIEFS AND PRACTICES, AND CON- DEMNING THE PRACTICE OF NON-CONSENTING ORGAN HAR- VESTING, AND FOR OTHER PUR- POSES

Mr. MENENDEZ (for himself, Mr. MORAN, Mr. LEAHY, Mr. TILLIS, Mr.

COONS, Mr. BROWN, Ms. BALDWIN, Mr. MARKEY, Mr. CASEY, Mr. RUBIO, Mr. CRUZ, Mr. KING, Mr. BOOZMAN, Mr. REED, Mr. COTTON, and Mr. CASSIDY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 274

Whereas Falun Gong (also known as Falun Dafa) is a Chinese spiritual discipline founded by Li Hongzhi in 1992 that consists of spiritual and moral teachings, meditation, and exercise, and is based upon the universal principles of truthfulness, compassion, and forbearance;

Whereas, during the mid-1990s, Falun Gong acquired a large and diverse following, with as many as 70,000,000 practitioners at its peak;

Whereas, on April 25, 1999, an estimated 10,000 to 30,000 Falun Gong practitioners gathered in Beijing to protest growing restrictions by the Government of the People's Republic of China on the activities of Falun Gong practitioners, and the Government of the People's Republic of China responded with an intensive, comprehensive, and unrelenting campaign against the movement that began on July 20, 1999, with the banning of Falun Gong;

Whereas the Constitution of the People's Republic of China guarantees basic rights, including the freedoms of speech, association, demonstration, and religion;

Whereas, in 1993, the Government of the People's Republic of China praised Li Hongzhi for his contributions in “safeguarding social order and security” and “promoting rectitude in society”;

Whereas, in many detention facilities and labor camps, Falun Gong prisoners of conscience have at times comprised the majority of the population, and have been said to receive the longest sentences and the worst treatment, including torture;

Whereas, according to overseas Falun Gong and human rights organizations, since 1999, from several hundred to a few thousand Falun Gong adherents have died in custody from torture, abuse, and neglect;

Whereas a review of the Government of the People's Republic of China by the United Nations Human Rights Council's Working Group on the Universal Periodic Review in November 2018, recommended that China “[e]nd prosecution and persecution on the basis of religion or belief, including for Muslims, Christians, Tibetan Buddhists and Falun Gong”;

Whereas the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the Government of the People's Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses;

Whereas the killing of religious or political prisoners for any purpose, including for the purpose of selling their organs for transplant, is an egregious and intolerable violation of the fundamental right to life;

Whereas voluntary and informed consent is the precondition for ethical organ donation, and international medical organizations state that prisoners, deprived of their freedom, are not in the position to give free consent and that the practice of sourcing organs from prisoners is a violation of ethical guidelines in medicine;

Whereas the Government of the People's Republic of China and the Communist Party of China continue to deny reports that many

organs are taken without the consent of prisoners, yet at the same time prevent independent verification of the organ transplant system in China;

Whereas the organ transplantation system in China does not comply with the World Health Organization's requirement of transparency and traceability in organ procurement pathways;

Whereas the Department of State Country Report on Human Rights for China for 2018 reported that “[s]ome activists and organizations continue to accuse the government of involuntarily harvesting organs from prisoners of conscience, especially members of Falun Gong”;

Whereas Huang Jiefu, director of the China Organ Donation Committee, announced in December 2014 that China would end the practice of organ harvesting from executed prisoners by January 1, 2015, but did not directly address organ harvesting from prisoners of conscience;

Whereas Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of prisoners of conscience in China, and face an elevated risk of dying or being killed in custody;

Whereas the Department of State Country Report on Human Rights for China for 2016 reported that “some international medical professionals and human rights researchers questioned the voluntary nature of the [transplantation] system, the accuracy of official statistics, and official claims about the source of organs”;

Whereas a 2017 report by Freedom House concluded that there was “credible evidence suggesting that beginning in the early 2000s, Falun Gong detainees were killed for their organs on a large scale”;

Whereas the Congressional-Executive Commission on China (CECC) stated in 2018 that “[i]nternational organizations continued to express concern over reports that organs of detained prisoners have been used in numerous organ transplant operations in China, including those of Falun Gong practitioners” and also noted that medical professionals and international advocacy organizations “disputed Chinese health officials’ claims that organ procurement systems have been reformed in compliance with international standards, citing ethical concerns about organ sourcing raised by short wait times for organ transplants and discrepancies in data on organ transplants”;

Whereas the Independent Tribunal Into Forced Organ Harvesting From Prisoners of Conscience in China, chaired by Sir Geoffrey Nice QC, issued a short form conclusion of its final judgment in June 2019 finding that “forced organ harvesting has been committed for years throughout China on a significant scale and that Falun Gong practitioners have been one—and probably the main—source of organ supply”;

Whereas the Tribunal also concluded that it had seen no evidence that the organ transplantation industry in China had been dismantled, and absent a satisfactory explanation as to the source of organs, that forced organ harvesting continues in China today: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses solidarity with Falun Gong practitioners and their families for the lives, freedoms, and rights they lost for adhering to their beliefs and practices;

(2) emphasizes to the Government of the People's Republic of China that freedom of religion includes the right of Falun Gong practitioners to freely practice Falun Gong in China;

(3) calls upon the Communist Party of China to immediately cease and desist from its campaign to persecute Falun Gong practitioners and promptly release all Falun

Gong practitioners who have been confined, detained, or imprisoned for pursuing their right to hold and exercise their spiritual beliefs;

(4) condemns the practice of non-consenting organ harvesting in the People's Republic of China;

(5) calls on the Government of the People's Republic of China and the Communist Party of China to immediately end the practice of organ harvesting from all prisoners of conscience;

(6) calls on the Government of the People's Republic of China to allow an independent and transparent investigation into organ transplant abuses in China;

(7) urges the President to consider the applicability of existing authorities, including the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note), to impose targeted sanctions on those individuals responsible for the persecution of Falun Gong, including those engaging in a pattern of non-consensual organ harvesting; and

(8) urges the President to ensure that the United States Government highlights and condemns human rights abuses perpetrated, ordered, or directed by government officials in China both publicly and in private engagements with all relevant government officials in China.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 910. Mr. McCONNELL proposed an amendment to Treaty Doc. 113-4, The Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990.

SA 911. Mr. McCONNELL proposed an amendment to Treaty Doc. 113-4, *supra*.

SA 912. Mr. McCONNELL proposed an amendment to Treaty Doc. 112-1, Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009.

SA 913. Mr. McCONNELL proposed an amendment to amendment SA 912 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 112-1, *supra*.

SA 914. Mr. McCONNELL proposed an amendment to Treaty Doc. 114-1, The Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and a related agreement entered into by an exchange of notes (together the “proposed Protocol”), both signed on January 24, 2013, at Washington, together with correcting notes exchanged March 9 and March 29, 2013.

SA 915. Mr. McCONNELL proposed an amendment to amendment SA 914 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 114-1, *supra*.

SA 916. Mr. McCONNELL proposed an amendment to Treaty Doc. 111-8, Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Tax-

ation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the “proposed Protocol”) and a related agreement effected by the exchange of notes also signed on May 20, 2009.

SA 917. Mr. McCONNELL proposed an amendment to amendment SA 916 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 111-8, *supra*.

#### TEXT OF AMENDMENTS

**SA 910.** Mr. McCONNELL proposed an amendment to Treaty Doc. 113-4, The Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990; as follows:

At the end add the following.

“This Treaty shall be effective 1 day after ratification”

**SA 911.** Mr. McCONNELL proposed an amendment to amendment SA 910 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 113-4. The Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990; as follows:

Strike “1 day” and insert “2 days”

**SA 912.** Mr. McCONNELL proposed an amendment to Treaty Doc. 112-1, Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009; as follows:

At the end add the following.

“This Treaty shall be effective 1 day after ratification”

**SA 913.** Mr. McCONNELL proposed an amendment to amendment SA 912 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 112-1. Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected to an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009; as follows:

Strike “1 day” and insert “2 days”

**SA 914.** Mr. McCONNELL proposed an amendment to Treaty Doc. 114-1, The Protocol Amending the Convention between the Government of the United